



# **MUNICIPAL PLANNING STRATEGY**

**HALIFAX**

**THIS COPY IS A  
REPRINT OF THE HALIFAX  
MUNICIPAL PLANNING STRATEGY  
WITH AMENDMENTS TO  
MARCH 11, 2017**

**MUNICIPAL PLANNING STRATEGY  
FOR  
HALIFAX**

**THIS IS TO CERTIFY** that this is a true copy of the Municipal Planning Strategy for Halifax which was passed by a majority vote of the former City Council at a duly called meeting held on the 30<sup>th</sup> day of March, 1978, and approved by the Minister of Municipal Affairs on the 11<sup>th</sup> day of August, 1978, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 11<sup>th</sup> day of March, 2017.

**GIVEN UNDER THE HAND** of the Municipal Clerk and under the seal of Halifax Regional Municipality this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Municipal Clerk

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## **INTRODUCTION**

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


**In accordance with the planning process described in Part I of this document, there are ten detailed policy sections in this part which set out statements of policy for the South End Area (Section V), the Peninsula Centre Area (Section VI), the Fairview Area (Section VII), the Bedford Highway Area (Section VIII), the Mainland South Area (Section X), the Peninsula North Area (Section XI), the Quinpool Road Commercial Area (Section XII), the Western Common Area (Section XIII), the Wentworth Area (Section XIV) and the Bedford West Area (Section XV) respectively. These area plans are enabled by city-wide policies in Part II, Section II and define the detailed policy directions which the Halifax Regional Municipality will employ in decision-making for these specific areas.**

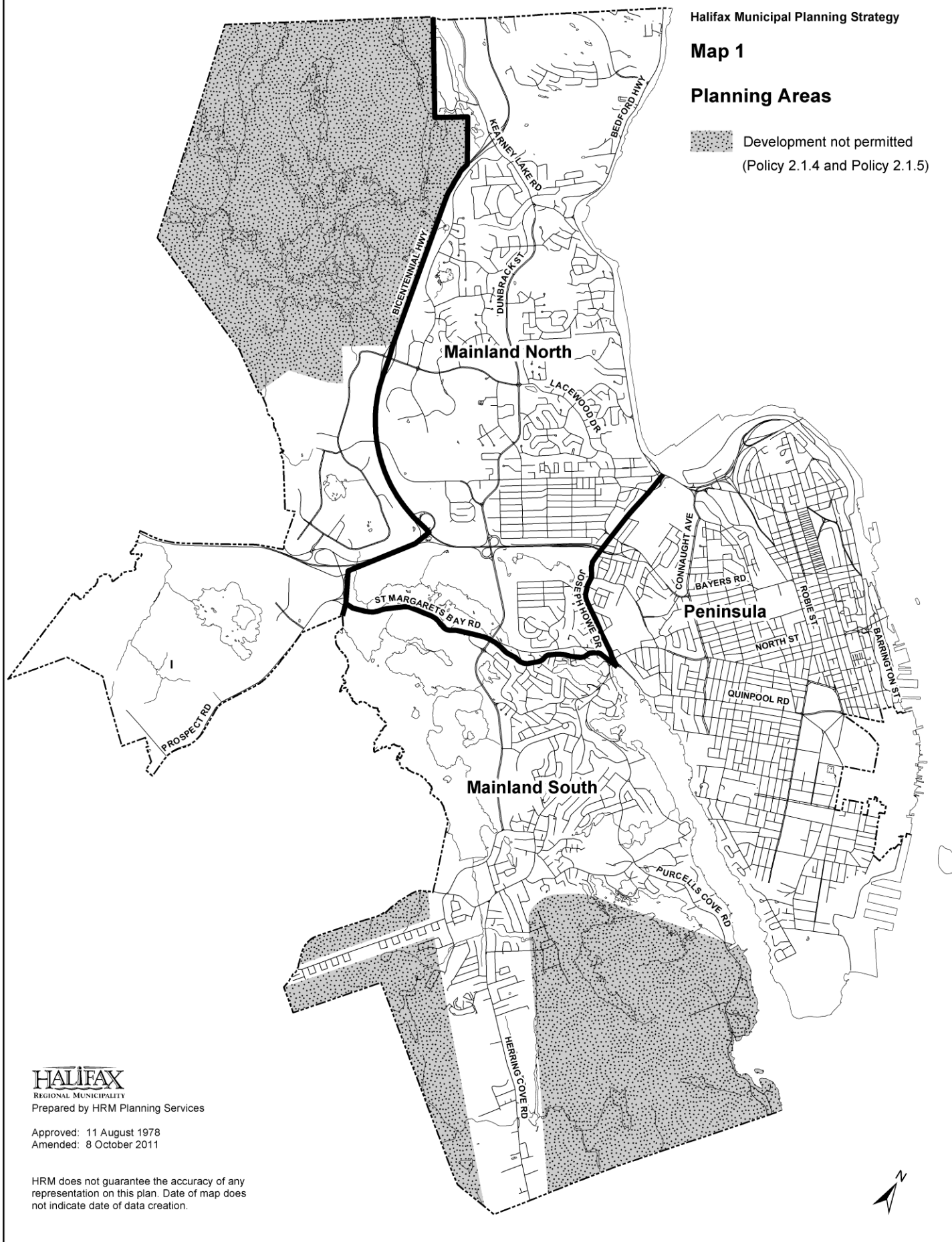
**Under the provisions of the Halifax Regional Municipality Charter, a municipality cannot regulate directly from a Municipal Planning Strategy; rather, it must regulate from a Zoning By-law adopted by the municipality to carry out the intent of the Plan. It should, therefore, be noted that there is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



## Map 1

### Planning Areas

 Development not permitted  
(Policy 2.1.4 and Policy 2.1.5)



**HALIFAX**  
REGIONAL MUNICIPALITY

Prepared by HRM Planning Services

Approved: 11 August 1978  
Amended: 8 October 2011

HRM does not guarantee the accuracy of any representation on this plan. Date of map does not indicate date of data creation.

## SECTION I

### BASIC APPROACH AND OVERALL OBJECTIVE

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

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

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

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

## SECTION II

### CITY-WIDE OBJECTIVES AND POLICIES

#### 1. ECONOMIC DEVELOPMENT

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

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

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

## **2. RESIDENTIAL ENVIRONMENTS**

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

- 2.1 Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland, and should be related to the adequacy of existing or presently budgeted services.
  - 2.1.1 On the Peninsula, residential development should be encouraged through retention, rehabilitation and infill compatible with existing neighbourhoods; and the City shall develop the means to do this through the detailed area planning process.
  - 2.1.2 On the Mainland, residential development should be encouraged to create sound neighbourhoods through the application of a planned unit development process and this shall be accomplished by Implementation Policy 3.3. It is the intention of the City to prepare and adopt a planned unit development zone subsequent to the adoption of this Plan.
  - 2.1.3 Repealed.
  - 2.1.4 In accordance with Policy 2.1.3, the City shall permit only limited development with on-site services in that portion of the Mainland South area indicated on Map 1 and this shall be accomplished by Implementation Policy 3.6.
  - 2.1.5 Development in the area shown on Map 1 to the west of the Bicentennial Drive shall be limited due to environmental sensitivity and a lack of municipal services. Only detached single unit residential dwellings and community facilities with on-site services shall be permitted.
  - 2.1.6 Development with on-site services shall be permitted on lots which abut the existing public street network for the area surrounding Kearney Lake Road and currently designated "Residential Environments" on Map 9.
- 2.2 The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.3 The City shall investigate alternative means for encouraging well-planned, integrated development.
  - 2.3.1 The City should restrict ribbon development which does not conform to the policies of this document and should seek ways to remove any such development which may become obsolete.
  - 2.3.2 Ribbon development along principal streets should be prohibited in order to minimize access points required by local traffic.

- 2.4 Because the differences between residential areas contribute to the richness of Halifax as a city, and because different neighbourhoods exhibit different characteristics through such things as their location, scale, and housing age and type, and in order to promote neighbourhood stability and to ensure different types of residential areas and a variety of choices for its citizens, the City encourages the retention of the existing residential character of predominantly stable neighbourhoods, and will seek to ensure that any change it can control will be compatible with these neighbourhoods.
- 2.4.1 Stability will be maintained by preserving the scale of the neighbourhood, routing future principal streets around rather than through them, and allowing commercial expansion within definite confines which will not conflict with the character or stability of the neighbourhood, and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.4.2 In residential neighbourhoods alternative specialized housing such as special care homes; commercial uses such as daycare centres and home occupations; municipal recreation facilities such as parks; and community facilities such as churches shall be permitted. Regulations may be established in the land use by-law to control the intensity of such uses to ensure compatibility to surrounding residential neighbourhoods.
- 2.4.2.1 Pursuant to 2.4.2 the land use by-law may regulate the number, size, height, illumination and location of signs.
- 2.4.3 Further to city-wide residential and heritage policies which recognize the diversity of residential neighbourhoods and encourage the retention of existing structures which reflect the City's heritage, the City recognizes that areas designated and zoned residential-commercial provide opportunities for conversions to residential tourist accommodations uses. To encourage the reuse of buildings in these areas for these purposes, the land use by-law shall establish provisions which permit these uses in existing buildings subject to special controls.
- 2.5 The City shall prepare detailed area plans for predominantly unstable neighbourhoods or areas. The priorities and procedures by which the City shall prepare these plans shall conform to the official City report entitled Areas for Detailed Planning and subsequent amendments which may be made by the City thereto as set forth in Part III, Section I of this document.
- 2.5.1 The City views the neighbourhood as the foundation for detailed area planning. In the process of detailed area planning, residents shall be encouraged to determine what they consider to be their neighbourhoods, and to work with City Council and staff in arriving at an acceptable definition of their neighbourhood and a neighbourhood plan.
- 2.5.2 For the areas identified below and on Map 3, the City should prepare detailed area plans, adopt them and submit them to the Minister as amendments to this Plan.
9. Simpson's/Eaton's Shopping Area

- 2.5.3 Detailed area plans may deviate from the boundaries shown on Map 3 when justified to accommodate a neighbourhood's characteristics or at the request of the residents of the area.
- 2.5.4 Repealed 6 June 1990.
- 2.5.5 For those areas identified in Policy 2.5.2 above, which are not predominantly residential in use, the City shall use the appropriate policy guidance in this Plan.
- 2.5.6 The City shall develop detailed policies which reflect its position with regard to the future disposition of the Watershed lands. These policies shall define the City's position with respect to: (a) ownership; (b) public and private land uses; (c) land use distribution; (d) environmental standards which will guide land use distribution; and (e) types(s) and location(s) of access at the boundaries and internally. The City shall place primary importance on public control of these lands and on the provision of extensive public parklands, particularly around all lakes and water courses in the Watershed area.
- 2.5.7 The City shall develop appropriate policies and seek any legislation that may be necessary to affirm its proprietary right to air spaces over City-owned buildings, land and open spaces.
- 2.6 The development of vacant land, or of land no longer used for industrial or institutional purposes within existing residential neighbourhoods shall be at a scale and for uses compatible with these neighbourhoods, in accordance with this Plan and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.7 The City should permit the redevelopment of portions of existing neighbourhoods only at a scale compatible with those neighbourhoods. The City should attempt to preclude massive redevelopment of neighbourhood housing stock and dislocations of residents by encouraging infill housing and rehabilitation. The City should prevent large and socially unjustifiable neighbourhood dislocations and should ensure change processes that are manageable and acceptable to the residents. The intent of this policy, including the manageability and acceptability of change processes, shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.
- 2.8 The City shall foster the provision of housing for people with different income levels in all neighbourhoods, in ways which are compatible with these neighbourhoods. In so doing, the City will pay particular attention to those groups which have special needs (for example, those groups which require subsidized housing, senior citizens, and the handicapped).
- 2.9 The City shall actively seek to influence the policies and programs of other levels of government in order to implement the City's housing policies and priorities, and shall also actively seek taxation preference as one method of encouraging rehabilitation of existing housing stock.



- 2.10 For low and medium density residential uses, controls for landscaping, parking and driveways shall ensure that the front yard is primarily landscaped. The space devoted to a driveway and parking space shall be regulated to ensure that vehicles do not encroach on sidewalks.
- 2.11 For all residential uses the parking and storage of vehicles such as trailers, boats and mobile campers, shall be restricted to locations on the lot which create minimal visual impact from the street.
- 2.12 Council may permit, by development agreement, new residential uses on lots which do not abut a city owned or maintained street. In considering such proposals, Council shall not approve such a development unless:
- (i) the proposed use is permitted by the zoning by-law;
  - (ii) the lot was in existence prior to the adoption of this provision;
  - (iii) the lot can be adequately serviced by municipal water or sewer or, where permitted by the by-law, an acceptable well and septic system;
  - (iv) the development complies with all other requirements of the by-law with the exception that Council may consider modification to the frontage, area, setback and coverage requirements in accordance with the policies of the plan;
  - (v) the lot abuts an existing recognized travelled way and that the said travelled way provides reasonable passage of motor vehicles, especially emergency apparatus and police protection;
  - (vi) the location and setback of the proposed dwelling does not adversely affect adjacent uses or watercourses, including the North West Arm.
- 2.12A The development agreement requirements of section 2.12 shall not apply to any lot zoned Urban Reserve and subdivided pursuant to section 38 of the Subdivision By-law and a development permit may be granted provided that the development conforms with all other applicable requirements of this By-law. (RC-Jun 25/14; E-Oct 18/14)**
- 2.13 The properties identified as 7 Vimy Avenue; Lot A-1B (at the end of Stoneybrook Court); and 45 Vimy Avenue (Granbury Place Apartments); shall permit high density residential development, however, Lot A-1B shall be limited to a maximum of four storeys due its proximity to the existing low density residential neighbourhood on Laurentide Drive.
- 2.14 For the property at 6955 Bayers Road (PID # 40824005) the Municipality may permit the development of multiple unit residential buildings by development agreement. (RC-Aug 12/08; E-Oct 11/08)**
- 2.14.1 Any development permitted pursuant to Policy 2.14 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, and shall include:**
- a) the adequacy of the servicing capacity of the site;**
  - b) the architectural design of the building including building materials;**



- c) **the adequacy of parking facilities;**
- d) **preservation and/or enhancement of the function of the larger site which includes the existing Cemetery and Community Centre;**
- e) **provide opportunities for public access to the existing indoor and outdoor components of the larger site;**
- f) **provision for vehicular and pedestrian access and egress patterns from the surrounding area;**
- g) **the provision of open space; and**
- h) **adequate site landscaping and buffering; and**
- i) **scale, height and massing of the buildings. (RC-Aug 12/08; E-Oct 11/08)**

2.15 Pursuant to policies 2.4 and 2.6, residential development may be considered on the former Petro Canada lands between Kencrest Avenue and Barrington Street (LIMS No. 34058) in accordance with the development agreement provisions of the Municipal Government Act. When deciding whether to enter into such an agreement, consideration shall be given to the following matters:

- 1. A mix of housing types is provided for varying accommodation needs;
- 2. The development can be integrated with the surrounding neighbourhood, without causing any unreasonable loss of enjoyment or convenience;
- 3. The development will not adversely affect municipal service levels in the surrounding neighbourhood and or cause the need for upgrading existing municipal infrastructure.

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

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

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

**2.17 For the property at 6430 Oak Street, Halifax and further to Policies 2.4, 2.4.1, 2.4.2 and 2.4.2.1 of Section II of this Plan, the City may permit, by development agreement, the establishment of a residential pet care facility within a detached one family dwelling house. (RC-Apr 21/09; E-Jun 20/09)**

**2.17.1 In considering approval of such development agreement for a residential pet care facility, Council shall consider the following:**

- a) that limitations be placed on the number of pets (dogs, cats) permitted within the facility, and in no case shall the number of pets exceed twelve, exclusive of those of the operator;
- b) the hours of operation (for pet drop-off / pick-up and outdoor socialization/play) shall be such that adverse impacts of noise and traffic movements on adjacent residential uses are minimized;
- c) that limitations are placed on the floor area devoted to the pet care facility within the dwelling;
- d) the lot on which such facility may be operated shall be of a size which allows for adequate separation distance between the facility and abutting properties;
- e) that any outdoor activity area associated with such facility be restricted to dogs only, be located within the rear yard, be enclosed by a solid, view-obstructing fence and be adequately set back from abutting residential properties;
- f) a maximum of one employee, in addition to the operator of the facility, may be permitted;
- g) signs for the facility shall be of a size, design and placement on the lot which reduces impacts on adjacent residential uses;
- h) all other relevant policies of the municipal planning strategy with particular reference to the Residential Environments section. (RC-Apr 21/09; E-Jun 20/09)

**2.18** The property at Lady Hammond Road and Bright Place (PID# 41402884) is a portion of a former municipal street right-of-way which was surplus to municipal needs, excepting a walkway parcel linking Lady Hammond Road with Bright Street. There are benefits in allowing for the property's redevelopment in combination with the adjoining properties at 3631 and 3639 Bright Place (PID#s 00026849 and 00026856) and 6100 Normandy Drive (PID# 00026864) for multi-unit residential development. However, given the site's location, configuration and proximity to adjacent low-density residential development, there is a need for specific attention to matters such as appropriate scale, siting and massing of a new multi-unit building. Notwithstanding the Residential Environments objectives and policies of this Section, a new multi-unit residential building at Lady Hammond Road and Bright Place, in conjunction with the adjoining properties at 3631 and 3639 Bright Place and 6100 Normandy Drive, may be permitted by development agreement in accordance with the *Halifax Regional Municipality Charter*. (RC-Apr 5/16;E-May 14/16)

**2.18.1** Any development permitted pursuant to Policy 2.18 shall comply with the following building heights and setback requirements:

- a) Facing Lady Hammond Road, the maximum building height shall be six storeys above the residential lobby and parking level. The low-rise portion of the building facing Normandy Drive shall be limited to three storeys in height above the lobby and parking level;
- b) The six-storey portion of the building shall be set back a minimum of 50 feet from the Normandy Drive street line, a minimum of 60 feet from the nearest abutting property line of 6092 Normandy Drive and a minimum

of 75 feet from the nearest abutting property lines of 3612 High Street and 3618/3620 High Street; and

- c) The three-storey portion of the building shall be set back a minimum of 20 feet from the nearest abutting property line of 6092 Normandy Drive.

(RC-Apr 5/16;E-May 14/16)

**2.18.2 In considering a development agreement pursuant to Policies 2.18 and 2.18.1, Council shall consider the following additional matters:**

- a) Adequate site landscaping features shall be provided at the ground and podium levels to allow for visual screening of portions of the building from abutting residential properties and useable open space areas for building residents shall be provided;
- b) Ground-level dwelling units along the portions of the building facing Normandy Drive and the public walkway between Normandy Drive and Lady Hammond Road shall have direct pedestrian access to the exterior of the building and adequate site landscaping shall be provided in these areas;
- c) High quality exterior building materials shall be utilized;
- d) Safe vehicular and pedestrian access and egress shall be provided;
- e) Sufficient vehicular and bicycle parking shall be provided for the development;
- f) There shall be suitable solid waste facilities; and
- g) There shall be adequate servicing capacity for the site.

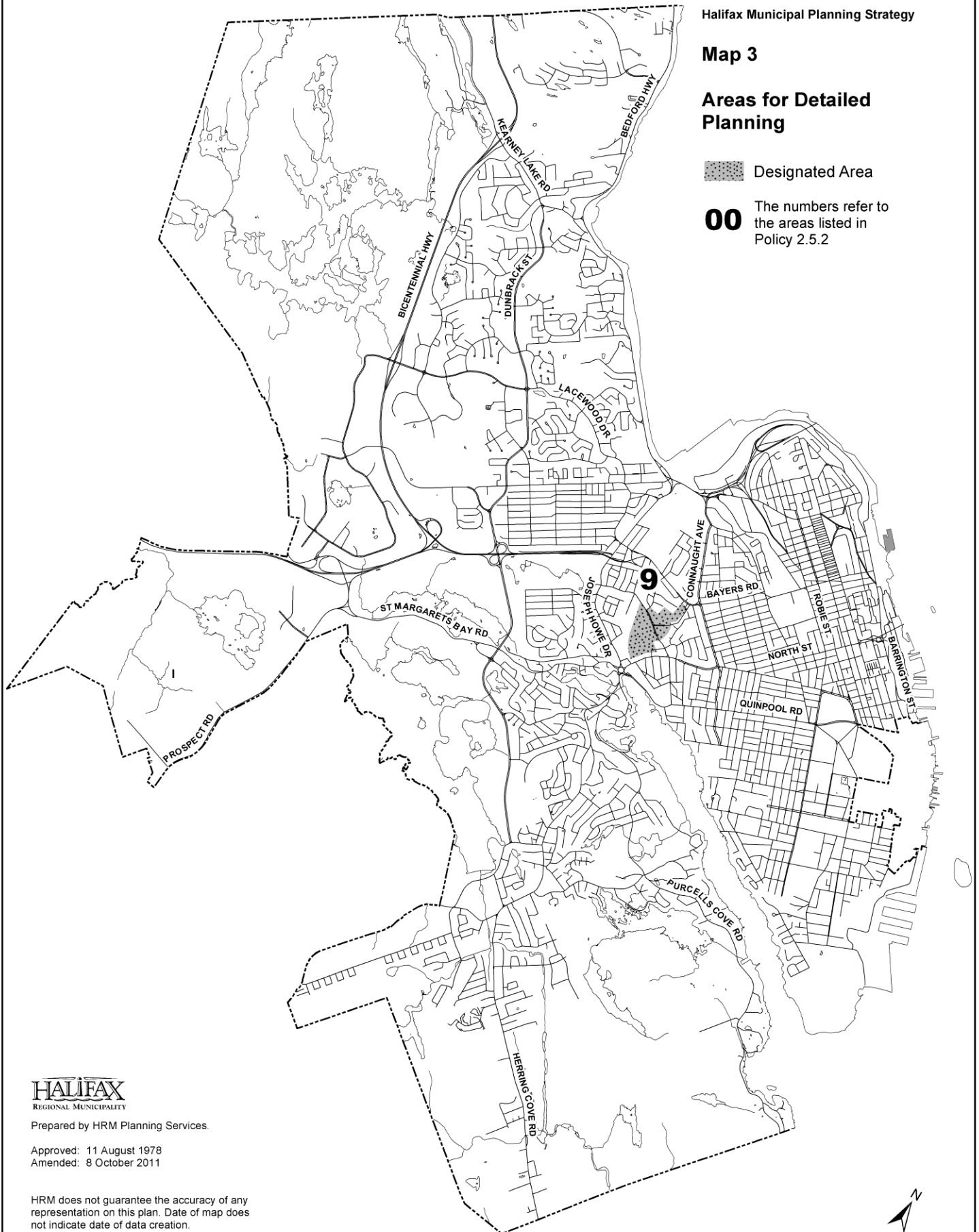
(RC-Apr 5/16;E-May 14/16)

### Map 3

### Areas for Detailed Planning

 Designated Area

**00** The numbers refer to the areas listed in Policy 2.5.2



Prepared by HRM Planning Services.

Approved: 11 August 1978  
Amended: 8 October 2011

HRM does not guarantee the accuracy of any representation on this plan. Date of map does not indicate date of data creation.

## **SCHEDULE II.1**

### **SOFT AREAS OUTSIDE AREAS DESIGNATED FOR DETAILED PLANNING**

1. Geizer Hill area bounded by Bicentennial Highway and western boundaries of existing development of Fairview, Clayton Park, Bridgeview, Sherwood Park, Wedgewood Park, and Mount St. Vincent University.
2. Kearney Lake area bounded by Bicentennial Highway and City limits
3. Hemlock Ravine margins bounded by City lands of Hemlock Ravine, Bedford Highway, City limits, Bicentennial Highway and Grosvenor-Wentworth developed area.
4. Area bounded by Dunbrack Street, St. Margaret's Bay Road, Crown Drive, thence following a line from Crown Drive to the S.E. corner of Springvale subdivision and following the southern boundary of Springvale subdivision itself.
5. Area bounded by Container Port and existing residential development adjacent to Young Avenue and Ogilvie Street.
6. Area lying on west side of Robie Street between the boundaries of Peninsula Centre and Peninsula North designated areas for detailed planning.
7. Deleted (**RC-Jun 16/09; E-Oct 24/09**)
8. Area bounded by Simpson's and Eaton's shopping areas for detailed planning, Quinpool Road, Dutch Village Road and Olivet Street.
9. Area fronting Chebucto Road between Poplar and Elm Streets and Peninsula North area for detailed planning.
10. Area bounded by west side of Windsor Street, London Street, and Chebucto Road.
11. Area fronting south side of Bayers Road and both sides of Oxford Street between Connaught Avenue and Liverpool Street.
12. Area within the curtilage of Civic Number 6450 Young Street (presently occupied by Hoyt's Moving and Storage Limited).
13. Area bounded by Richmond and Barrington Streets, and Devonshire Avenue.
14. Area bounded by Young Street, Isleville Street, Columbus Street, Agricola Street, Kane Street and Robie Street.
15. Area bounded by Bayers Road, Howe Avenue, Scot Street and Desmond Avenue.

16. Area bounded by northeast side of Windsor Street, between Strawberry Hill and Hood Street.
17. Triangular area bounded by Lady Hammond Road, Robie Street connector and existing developed properties.
18. Area fronting Lady Hammond Road between Memorial Drive and Duffus Street.
19. Northwest corner of Duffus Street and Gottingen Street.
20. Area bounded by west side of Lynch Street between Duffus Street and Rector Street.

### **3. COMMERCIAL FACILITIES**

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

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

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

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

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

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

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



- d) outdoor storage of inoperative motor vehicles, boxes, crates, or any other materials shall be prohibited;
  - e) an area between the street line and the parking area along the part of the street line not required for the curb cut or pedestrian entrance shall be landscaped.
- 3.1.3 Major commercial centres should service a market area comprising most or all of the City. These centres may include major offices and hotels, in addition to uses suggested for minor commercial centres. The City should encourage parking facilities in these centres to serve several businesses in order to limit nuisance impact. The City's policy for major commercial centres in all other respects should be identical to Policy 3.1.2.
- 3.1.4 Shopping centres should service a major area of the City, and/or part of the region. They shall have direct controlled access to the principal street network and shall have adequate provision for pedestrian, transit, service, and private automobile access and egress. The dominant activity in shopping centres shall be retail activity. Major offices and hotels should be discouraged from locating in these centres.
- 3.2 Deleted (**RC-Jun 16/09: E-Oct 24/09**)
- 3.2.1 Deleted (**RC-Jun 16/09: E-Oct 24/09**)
- 3.2.2 Deleted (**RC-Jun 16/09: E-Oct 24/09**)
- 3.2.3 Deleted (**RC-Jun 16/09: E-Oct 24/09**)
- 3.3 For the commercially designated area in the east side of Bicentennial Drive at the Bayers Lake Interchange, development of Mixed Commercial/Residential uses shall be by development agreement. Boundaries and phases of the development shall be determined through the agreement.
- 3.3.1 The overall objectives to be achieved through the development agreement are:
  - a. to create a high quality, attractive and efficient mix of commercial and residential development through sound land use planning; and
  - b. to encourage imaginative and innovative planning.
- 3.3.2 It is envisioned that commercial enterprises that generally do not require the business interdependencies associated with the Central Business District will be the dominant form of commercial use. Uses to be encouraged include:
  - a. service commercial including processing and assembly, communications, research and institutional;
  - b. retail;
  - c. office and;
  - d. residential.



- 3.3.2.1 It is envisioned that the broadest mix of uses will occur in eastern quadrants of the Bicentennial Drive and Parkland Drive intersection. Any retail use of a scale and character designed to serve the regional consumer market, such as large-format outlets, shall be confined to the south-east quadrant of the Parkland Drive/Bicentennial Drive interchange.
- 3.3.2.2 No use shall entail an unacceptable nuisance such as odour or noise.
- 3.3.3 In establishing the type and density of development to be permitted in any agreement, the Municipality will have regard to traffic, parking, public transportation, sewer, storm sewer and water capacities.
- 3.4 The overall character shall be of a prestigious mix of commercial and residential development. This shall be encouraged through consideration of the following:
- a. a high quality standard of building design and streetscape;
  - b. signage, landscaping, parking and utilities standards consistent with the intended prestigious image of the area;
  - c. harmonious relationships between proposed commercial existing or proposed residential uses and between differing forms of commercial uses, through effective urban design and landscape treatment;
  - d. development practices which take advantage of the natural features of the site by integrating existing vegetation and topographical features wherever appropriate;
  - e. An interesting and varied entrance corridor that provides a signature for the area on both private and public lands fronting Lacewood Drive; and
  - f. a transportation system allowing for convenient automobile, transit and pedestrian circulation.
- 3.5 All commercial areas not within areas designated for detailed planning and not considered neighbourhood commercial centres pursuant to Policy 3.1.1 shall be resolved as to type at the time of adoption of a new land use by-law pursuant to Implementation Policy 3.7.
- 3.6 The City should adopt regulations to discourage the establishment of those commercial uses in commercial areas which contribute to the deterioration of commercial areas through decline in property values and disinvestment in the properties in these areas, and this shall be accomplished by Implementation Policies 4.7, 4.7.1 and 4.7.2.
- 3.7 In considering applications pursuant to Implementation Policy 3.10, Council shall have regard for the guidelines set out below:
- (i) that entrances and exits be arranged in such a way so as to minimize the impact of additional traffic on any adjacent residential areas;
  - (ii) that the proposed use does not entail an unacceptable nuisance such as traffic, smoke, toxic, or noxious effluents and noise;

- (iii) that storage areas be enclosed or be visually screened from the abutting street by such means as planting materials or well-designed fences;
- (iv) that service areas for trucks and other vehicles be located in areas other than the front yards;
- (v) that front yards of an appropriate size be provided, well landscaped and including provisions for tree planting;
- (vi) that drainage from large paved areas be required to be treated in cases where such drainage will result in unacceptable pollution of watercourses or water bodies;
- (vii) that appropriate measures be taken to prevent erosion or deposit of sediments away from the development site during construction and afterwards;
- (viii) that the building envelope be located in such a manner as to provide a sufficient area for landscaped open space in both front and side yards
- (ix) that areas of significant natural, aesthetic and amenity value be protected as part of the site design in accordance with Policy Sets 7 and 8 of this Plan as appropriate;
- (x) that there be an appropriate setback or other separation of any building from abutting residential properties and that a portion of such setback be landscaped; and
- (xi) that the applicant provide a statement of the environmental impacts of the proposed development on and off the site and identify the ways and means to mitigate any negative effects, particularly as they relate to such aforementioned matters as air and water pollution, erosion and sediment control, and protection of significant natural, aesthetic, and amenity value;
- (xii) such other land use considerations as Council may from time to time deem necessary, based on guidance provided by the policies of this Plan.

3.8        **The HRM should adopt regulations to control the location of amusement centres through restricting the use to major commercial areas, shopping centres, and this shall be accomplished by Implementation Policies 3.13, 3.13.1 and 3.13.2. (RC-Jun 16/09; E-Oct 24/09)**

3.9        For commercial areas the land use by-law may regulate the number, size, height, illumination and location of signs to ensure that development is in keeping with the character of the respective commercial areas.

## 4. INDUSTRIES

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

4.1 **On the Peninsula, along the harbour's edge, only those industries which are harbour-related should be encouraged and allowed to grow. Areas for such development to occur shall be designated on the basis of existing uses, possible alternative uses and compatibility with residential areas, major community facilities, and the transportation network as shown on Map 9. (RC-Jun 16/09; E-Oct 24/09)**

4.1.1 On the Peninsula, along the waters edge, only those industries which are harbour-related should be encouraged and allowed to grow. On the waterfront, lands designated industrial that are not immediately adjacent to the waters edge should be developed for industrial purposes in response to the demands of the market and needs of the City.

4.1.1.1 Council may consider the development on non-harbour related commercial and industrial use in areas designated "Industrial" and zoned harbour related uses only by development agreement provided that the long term intent of these area for harbour industrial uses is preserved. In considering such developments Council shall ensure that the proposed use:

- a) is not detrimental to the port or other harbour related industries;
- b) will generate only a level of vehicle trips that can be reasonably accommodated on the present city street system; and
- c) that the long term intent that the area be used for harbour related uses is preserved.

4.1.1.2 The development agreement shall contain provision for the time when and conditions under which the agreement shall be able to be discharged by Council. This agreement may provide that the buildings be removed to ensure development for harbour related industries continues to be possible.

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

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

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

- 4.3.1 A mixture of commercial, industrial and related enterprises shall be encouraged in the Bayers Lake and Ragged Lake areas. The development standards identified in Policy 4.4 shall ensure appropriate economic development of the lands, accommodating a broad range of industrial, commercial and related uses, and complementing the physical and environmental characteristics of the land.
- 4.3.2 Except where they are harbour related uses and located in areas zoned for that purpose, the City shall require that junk yards be permitted only in areas designated Industrial and zoned for general industrial purposes (I-3).
- 4.4 Further to Policy 4.3.1, the Land Use By-law shall require that:
- (a) sufficient and properly surfaced parking for employees and customers is provided;
  - (b) all open space areas including yards and setbacks are landscaped;
  - (c) loading and unloading areas are controlled in terms of location and screening in respect to their adjacency to collector roadways;
  - (d) the number and size of large signs advertising the business on the lot as well as signage for individual businesses are limited;
  - (e) billboards are prohibited; and
  - (f) lakes, streams, and other waterbodies are protected by requiring a minimum setback of any development.
- 4.5 The City shall encourage industrial development in those areas, designated generally on Map 9, within the context of Policies 4.1 to 4.4. In those areas which have been designated for detailed area planning, the City shall resolve the exact nature of the desired land use pattern through the detailed area planning process.
- 4.6 In considering applications pursuant to Implementation Policy 3.10 Council shall have regard for the guidelines set out below:
- (i) that uses permitted be restricted to industrial or commercial uses;
  - (ii) that entrances and exits be arranged in such a way so as to minimize the impact of additional traffic on any adjacent residential area;
  - (iii) that the proposed use does not entail unacceptable nuisances, such as traffic, smoke, toxic or noxious effluents, and noise;
  - (iv) that storage areas be enclosed or be visually screened from the abutting street by such means as planting materials or well-designed fences;
  - (v) that service areas for trucks and other vehicles be located in areas other than the front yards;
  - (vi) that front yards of an appropriate size be provided, well landscaped and including provision for tree planting;
  - (vii) that drainage from large paved areas be required to be treated in cases where such drainage will result in unacceptable pollution of watercourses or water bodies;
  - (viii) that appropriate measures be taken to prevent erosion or deposit of sediments away from the development site during construction and afterwards;

- (ix) that the building envelope be located in such a manner as to provide a sufficient area for landscaped open space in both front and side yards;
- (x) that areas of significant natural, aesthetic and amenity value be protected as part of the site design in accordance with Policy Sets 7 and 8 of this Plan as appropriate;
- (xi) that there be an appropriate setback of any building from abutting residential properties and that a portion of such setback be landscaped; and
- (xii) that the applicant provide a statement of the environmental impacts of the proposed development on and off the site and identify the ways and means to mitigate any negative effects, particularly as they relate to such aforementioned matters as air and water pollution, erosion and sediment control, and protection of significant natural, aesthetic, and amenity value;
- (xiii) such other land use considerations as Council may from time to time deem necessary, based on guidance provided by the policies of this Plan.

## 5. INSTITUTIONS

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

- 5.1 Unless clearly inappropriate for the good development of the City, existing regional and City-wide institutional facilities shall be encouraged to remain in their present locations and efforts shall be made to protect, maintain and upgrade them.
- 5.2 The City shall encourage institutional development of a major nature in those areas designated generally on Map 9. The City shall develop standards and boundaries which will protect neighbouring areas, especially residential areas, from encroachment and nuisance effects.
- 5.3 The City shall encourage institutional development of a major nature in those areas designated generally on Map 9. Pursuant to Policy 5.2, where such areas fall within the bounds of a designated area for detailed planning, the City shall resolve the exact nature of the desired land use pattern through the detailed area planning process.
- 5.4 **The property at the northern corner of Windsor Street, Young Street and Bayers Road (PID # 00153106) was formerly part of the CFB Halifax - Willow Park. The site forms a unique opportunity for commercial and high density residential development as it is outside an established residential neighbourhood but an appropriate site for high density residential development. Notwithstanding the policies 5.1 through 5.3, a mix of residential and commercial uses shall be considered by Development Agreement in accordance with the *Halifax Regional Municipality Charter*. (RC-Jan 10/17;E-Mar 4/17)**
- 5.5 Any development permitted pursuant to Policy 5.4 shall be achieved by attention to a variety of factors for which conditions may be set out in the Development Agreement, such as but not limited to: (RC-Jan 10/17;E-Mar 4/17)
- a) that the proposal is a comprehensive plan for the development of the lands in their entirety and may include construction phasing;
  - b) that the development is comprised of a mixture of residential and compatible commercial uses;
  - c) that the proposal shall contain three above ground buildings which transitions in height from low to high rise, with the lowest building at Young Street (five storeys maximum), and providing a transition to the northern and western corners of the site. The tallest building shall be located in the norther portion of the site with a maximum height of twenty- five storeys;
  - d) that a combined (residential/commercial) floor area ratio (FAR) of 4.38 for the site shall not be exceeded and a maximum floorplate width of 32m above the seventh floor not be exceeded;

- e) that a minimum building spacing of 22.86m be maintained between the two tallest buildings and that the building at Young Street be a minimum of 15.24m from the two tallest buildings.
- f) ground floor land uses facing Windsor Street and Young Streets shall be primarily commercial and that the building fronting on Young Street contain a minimum of 50 percent of the gross floor area of the building;
- g) to promote pedestrian interest and create a high quality design attention, ground floor uses shall have a high level of transparency and include frequent prominent entryways to adjacent public streets where there are multiple occupancies. Site landscaping, appropriate lighting and coordinated signage shall be considered;
- h) the appropriate scale and massing of the building(s) for the lot area and configuration;
- i) the architectural design of the building including a high quality design using durable exterior building materials, variations in the facade and mass of the building shall be provided to provide visual interest;
- j) the integration of underground parking and buildings so that the ground floor of all buildings facing a public street are at or near the grade of the adjacent sidewalk;
- k) the size and visual impact of utility features such as garage doors, service entries, and storage areas, shall be minimized and that mechanical equipment shall be concealed;
- l) the creation of high quality design detail at pedestrian level through attention to such matters as site landscaping, fencing, minimal surface, parking, prominent building entrances, appropriate lighting and coordinated signage;
- m) that residential dwelling unit types have a minimum of 50% of the dwelling units are a minimum of two bedrooms and have a minimum area of 92.9 sq. m. and that they are located throughout the development;
- n) safe and appropriate vehicular and pedestrian access and egress is achieved through a complete network of pedestrian walkways and driveway including an east-west pedestrian linkage;
- o) that vehicular parking is primarily provided within an interior parking garage that has access from both Young Street and Windsor Streets;
- p) that there is an adequate supply of vehicular and bicycle parking;
- q) that rooftop areas include landscaped outdoor amenity space;
- r) the provision of useable on-site amenity space and recreational amenities of a size and type adequate for the resident population;
- s) that environmental factors, including sun/shadow and wind conditions are suitable;
- t) there are suitable onsite solid waste facilities; and
- u) the adequacy of sewer and water servicing capacity for the site.

(RC-Jan 10/17;E-Mar 4/17)



## 6. HERITAGE RESOURCES

### Definitions

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

"Heritage Conservation Area" means an area of concentration of properties unified by similar use, architectural style or historical development, which retains the atmosphere of a past era and which is registered in the Halifax Registry of Heritage Property.

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

- 6.1 The City shall continue to seek the retention, preservation, rehabilitation and/or restoration of those areas, sites, streetscapes, structures, and/or conditions such as views which impart to Halifax a sense of its heritage, particularly those which are relevant to important occasions, eras, or personages in the histories of the City, the Province, or the nation, or which are deemed to be architecturally significant. Where appropriate, in order to assure the continuing viability of such areas, sites, streetscapes, structures, and/or conditions, the City shall encourage suitable re-uses.
- 6.1.1 The criteria by which the City shall continue to identify such areas, sites, structures, streetscapes and/or conditions identified in Policy 6.1 are set out in the official City of Halifax report entitled An Evaluation and Protection System for Heritage Resources in Halifax (City Council, 1978).
- 6.1.2 The City should designate those properties which meet the adopted criteria as registered heritage properties or registered heritage conservation areas and protect them within the terms of the Heritage Property Act.
- 6.2 The City shall continue to make every effort to preserve or restore those conditions resulting from the physical and economic development pattern of Halifax which impart to Halifax a sense of its history, such as views from Citadel Hill, public access to the Halifax waterfront, and the street pattern of the Halifax Central Business District.
- 6.3 The City shall maintain or recreate a sensitive and complimentary setting for Citadel Hill by controlling the height of new development in its vicinity to reflect the historic and traditional scale of development.
- 6.3A **Notwithstanding Policy 6.3, but subject to the Rampart requirements of the Halifax Peninsula Land Use By-law, HRM shall permit an increase in the maximum building height on lands at the south-east corner of Sackville Street and South Park Street from 23 metres to 49 metres, where a new multi-district recreation facility is to be developed in whole or as part of a mixed-use development on the lands known as the CBC Radio and YMCA properties. With the additional height, there shall be provisions for the**



**upper storeys of a building on these lands to be stepped back from Sackville Street and South Park Street. (RC-Jun 25/14; E-Oct 18/14)**

**6.3A.1 Pursuant to Policy 6.3A, a multi-district recreation facility means a building or part of a building that is a minimum of 6500 square metres of gross floor area, which is used for community recreation activities, for which a membership or instruction fee may be charged, and that includes a gymnasium, an exercise room, a swimming pool, meeting rooms, and community gathering areas. (RC- Jun 25/14; E-Oct 18/14)**

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

6.3.2 Within the area bounded by North Street, Robie Street and Inglis Street, no development shall be permitted that is visible over the top of the reconstructed earthworks on the Citadel ramparts, from an eye-level of 5.5 feet above ground level in the Parade Square of the Citadel.

6.3.3 Policy 6.3.2 above shall not be deemed to waive any other height or angle controls.

6.4 The City shall attempt to maintain the integrity of those areas, sites, streetscapes, structures, and/or conditions which are retained through encouragement of sensitive and complementary architecture in their immediate environs.

6.4.1 The City shall regulate the demolition and exterior alterations under the provisions of the Heritage Property Act, and should secure inducements for retention, maintenance and enhancement of registered heritage properties.

6.4.2 The City shall study the use of preservation easements and restrictive covenants to determine the extent to which they can be used in the preservation of registered heritage properties.

6.4.3 The City shall consider acquisition of registered heritage properties whenever acquisition is the most appropriate means to ensure their preservation.

6.4.4 The City shall organize and maintain a data bank on heritage conservation methods including data on costs, sources of funding, techniques, methods, and materials used on successful recycling or restoration projects, both for its own use and to encourage private sector involvement in heritage conservation.

6.5 The City shall budget an annual amount to ensure that a fund is available should purchase or other financial involvement be considered by the City for a registered heritage property. The specific terms of this budget are set forth in Policy 11.3.2 of this section of this Plan.

6.6 In the purchase or lease of space for its own use, the City shall first consider accommodation in designated heritage structures.

6.7 The City shall investigate the possibility of establishing Heritage Conservation Zones to protect registered heritage conservation areas and registered heritage

streetscapes under the provisions of the Planning Act. The results of such investigation should be incorporated as amendments to this Plan and to the Land Use By-law.

6.8 In any building, part of a building, or on any lot on which a registered heritage building is situated, the owner may apply to the City for a development agreement for any development or change in use not otherwise permitted by the land use designation and zone subject to the following considerations:

- (i) that any registered heritage building covered by the agreement shall not be altered in any way to diminish its heritage value;
- (ii) that any development must maintain the integrity of any registered heritage property, streetscape or conservation area of which it is part;
- (iii) that any adjacent uses, particularly residential use are not unduly disrupted as a result of traffic generation, noise, hours of operation, parking requirements and such other land use impacts as may be required as part of a development;
- (iv) that any development substantially complies with the policies of this plan and in particular the objectives and policies as they relate to heritage resources.

## **7. COMMUNITY FACILITIES**

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

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

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

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

## 8. ENVIRONMENT

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

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

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

- 8.12.3     The Municipality shall also encourage the respective provincial and federal approval authorities to refer any marine related infrastructure or infilling requests and applications occurring within Halifax Harbour, including the Northwest Arm, to the Development Officer for review of compliance with the Land Use By-law. (RC-May 1/07; E-Jul 21/07)**



## 9. TRANSPORTATION

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

- 9.1 The City shall encourage an efficient transit system linking major employment areas and community facilities with community centres and neighbourhoods.
  - 9.1.1 The City shall investigate the appropriateness of establishing or encouraging park-ride facilities.
- 9.2 It shall continue to be the City's policy to establish truck routes. Such routes shall minimize impacts on residential neighbourhoods and transit efficiency.
  - 9.2.1 The City shall periodically review its policies with regard to truck routes and their designation to ensure their conformity to this Plan.
  - 9.2.2 The City shall investigate the potential for use of all or part of the railway cut on the Peninsula as a route for trucks and transit vehicles.
- 9.3 Design standards for all streets within the City shall pay particular attention to the provision of adequate and safe pedestrian routes.
  - 9.3.1 The City shall develop and enforce necessary pedestrian controls to assure safety.
- 9.4 The transportation system within residential neighbourhoods should favour pedestrian movement and discourage vehicular through traffic in both new and existing neighbourhoods. A pedestrian system that utilizes neighbourhood streets and paths to link the residents with the commercial and school functions serving the area will be encouraged.
- 9.5 The City should encourage transportation systems which minimize adverse environmental effects, particularly pollution, social disruption, inefficient use of land, and inefficient energy consumption.
- 9.6 In accordance with the official City report entitled Land Development Distribution Strategy, 1977, the principal street network shall be that network which is shown as "accepted" on Map 8 herein (which conforms generally to the Regional Transportation Plan network, Appendix "D" of the Halifax-Dartmouth Regional Development Plan, April, 1975).

- 9.6.1 For the "accepted" principal street network, the City shall not permit and shall discourage any proposed changes with respect to location, construction and upgrading except in conformance with the detailed policies below, in addition to the general policies in this Plan.
- 9.6.2 The City does not accept those street linkages indicated as "not accepted" on Map 8 as principal streets pending further study. That study shall be carried out as part of the Transportation Strategy Statement called for in Part III of this document. The City, upon review and adoption of the Transportation Strategy, shall amend this Plan as appropriate.
- 9.6.3 In designing, constructing, upgrading or maintaining principal streets, priority shall be given to the needs of public transit, rather than to those of private automobiles.
- 9.6.4 The City should require all street and highway construction proposals in Halifax to conform to and to demonstrate how they conform to the City's emphasis on transit.
- 9.6.5 The City shall review all street and highway construction proposals in Halifax for conformity with the City's objectives regarding traffic management (see official City report entitled Land Development Distribution Strategy, 1977).
- 9.6.6 The City should not enter a contract for any development that would adversely affect the principal street network, unless such development would be clearly desirable because of its positive effects as determined by its conformity with, or furtherance of, the principles established by the policies of this Plan.
- 9.6.7 The City shall control the number, location, and spacing of access points, and the intensity of frontage development along principal streets by appropriate means to be developed as part of the Transportation Strategy Statement called for in Part III, Section I of this document and shall maintain good sign control to ensure that the functions of the street system are protected where these are not already controlled by the Provincial Department of Highways.
- 9.6.8 The City shall set appropriate standards as part of the detailed area planning process to regulate strip commercial development. These standards will be directed at solving the problems connected with this type of development; for example, excessive turning movements and access points, fragmented and poorly located parking, difficulties of pedestrian circulation, servicing problems, and nuisance to adjacent uses.
- 9.6.9 The City shall delay or seek to delay any decision to construct Northwest Arm Drive from the Herring Cove Road to Purcell's Cove Road and any decision to construct a Northwest Arm Bridge until:
- (i) the Halifax-Dartmouth Regional Development Plan, including the transportation plan, is re-evaluated;

- (ii) detailed area plans have been completed for the Old South End and Peninsula Centre areas;
- (iii) thorough impact studies of the Drive and the Bridge on the natural, social and economic environments of Mainland South and the Halifax Peninsula have been made, evaluated, and accepted by the City.

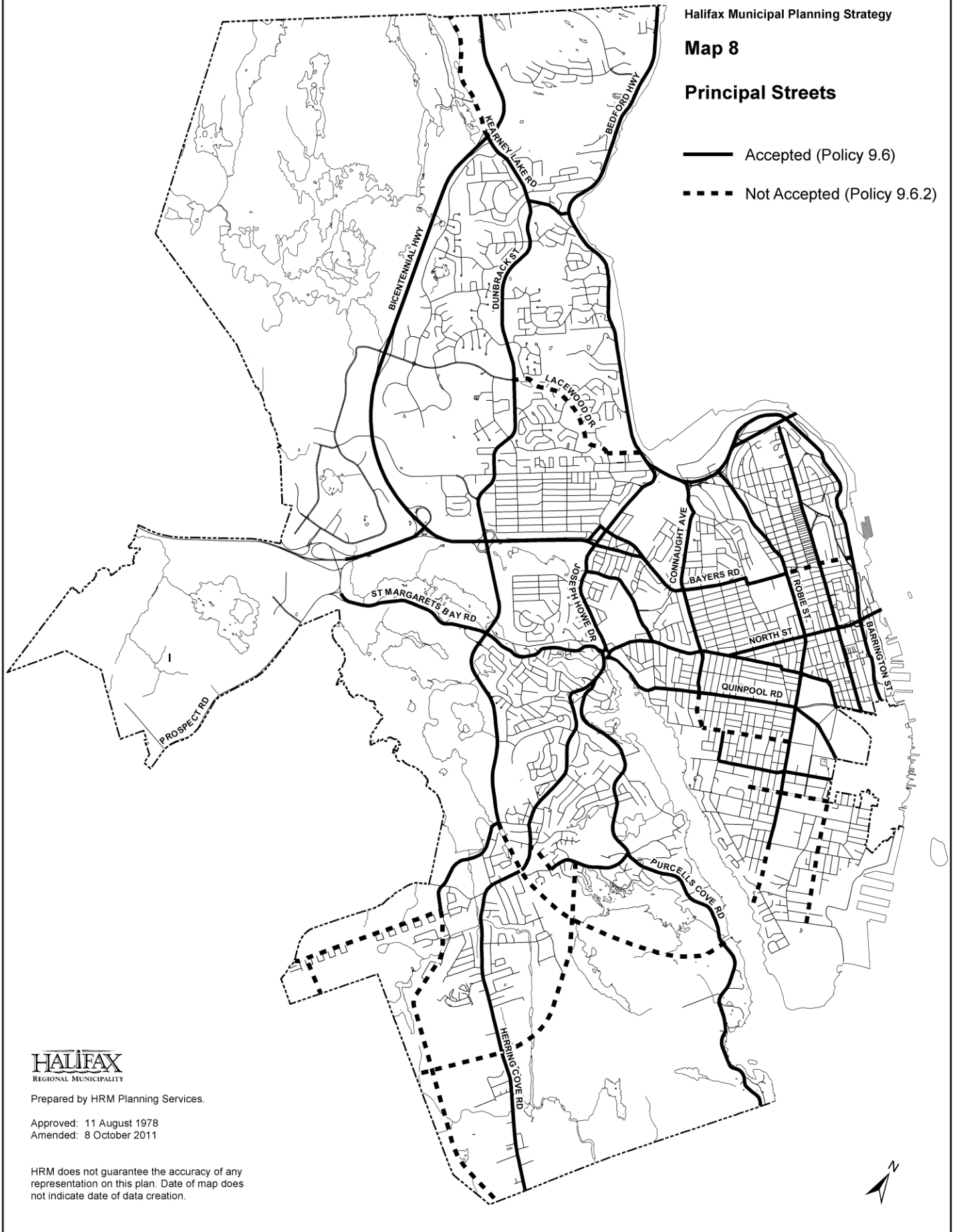
9.7 The City should develop a program for the systematic development of bicycle, pedestrian, and skiing pathways. The initial focus of the program should be on the connection of City parks and scenic areas by such pathways. The City should attempt to supplement the options available in journey-to-work travel modes by providing bicycle pathways.

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

## Map 8

### Principal Streets

- Accepted (Policy 9.6)
- - - Not Accepted (Policy 9.6.2)



Prepared by HRM Planning Services.

Approved: 11 August 1978  
Amended: 8 October 2011

HRM does not guarantee the accuracy of any representation on this plan. Date of map does not indicate date of data creation.

## 10. ENVIRONMENTAL HEALTH SERVICES

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

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

## **11. MUNICIPAL FINANCE**

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

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

## **12. CITIZEN PARTICIPATION**

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

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

### **13. CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT STRATEGY**

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

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

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

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

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

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

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



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

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

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

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

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

#### Transfer Stations and Processing Facilities

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

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

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

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

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

## C&D Disposal Facilities

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

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

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

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

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

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

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

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

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

### Site Plan Approval

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

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

### Existing C&D Operations

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

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

### Community Liaison Committee (CLC)

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

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

## **14. INFRASTRUCTURE CHARGES**

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

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

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

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

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

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

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

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

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

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

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

### Objectives

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

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

### Policy Statements

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



#### Policy 14.1

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

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

#### Policy 14.2

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

#### Policy 14.3

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

#### Policy 14.4

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

#### Policy 14.5

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

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

#### Policy 14.6

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

#### Policy 14.7

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

#### Policy 14.8

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



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

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

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

**Policy 14B-1**

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

## **16. GENERALIZED FUTURE LAND USE MAP**

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

### **~~SECTION III - CENTRAL BUSINESS DISTRICT~~**

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

### **~~SECTION IV - HALIFAX WATERFRONT DEVELOPMENT AREA~~**

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

**SECTION V  
SOUTH END AREA PLAN  
OBJECTIVES AND POLICIES**

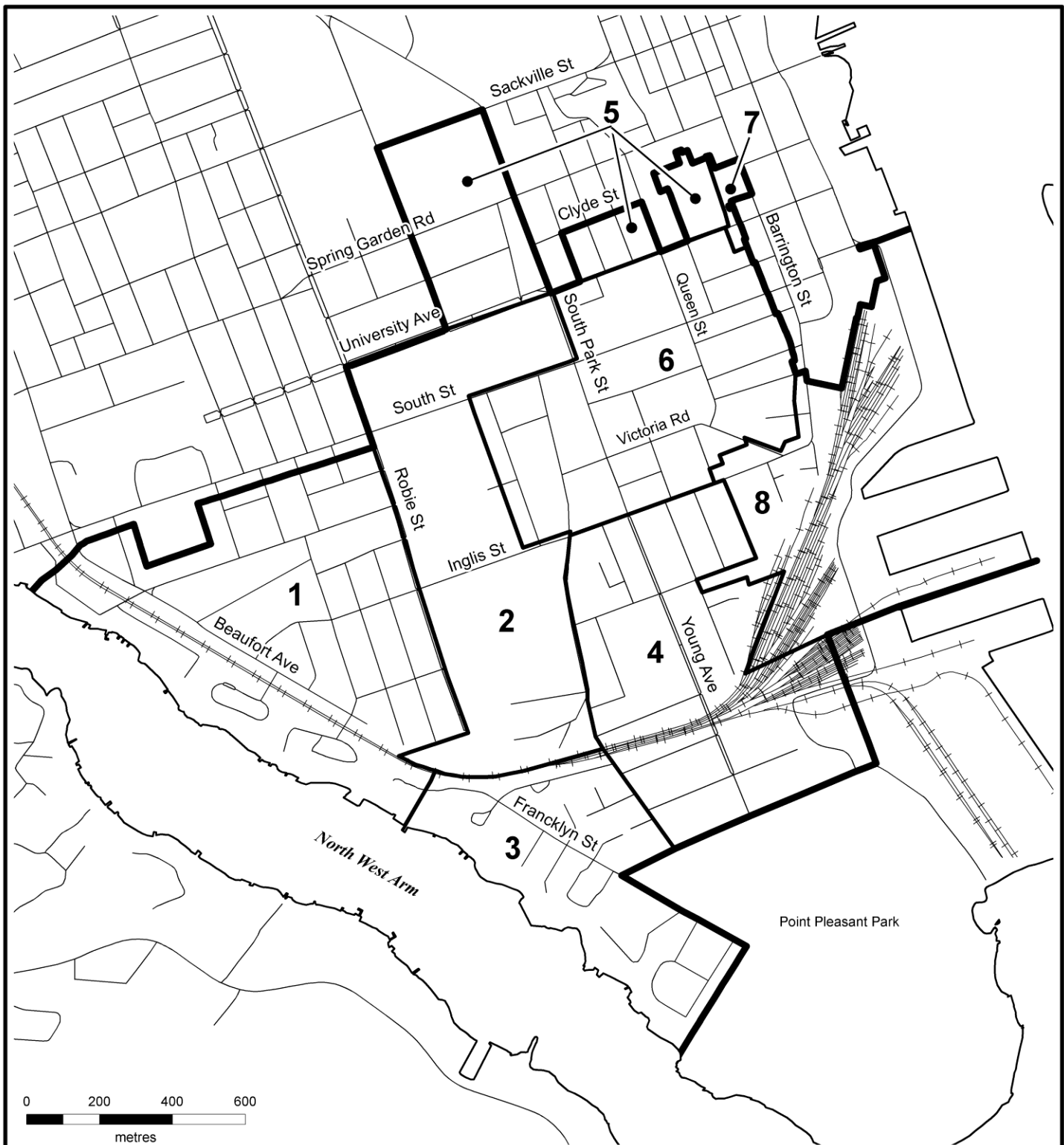
**CONTENT**

The detailed objectives and policies for the South End shall be considered as part of this Municipal Development Plan, pursuant to Part II, Section II, Policy 2.5.2.

There is no description herein of the analytic underpinnings for the objectives and policies. The reader is referred to the official City of Halifax report entitled South End Detailed Area Plan (City of Halifax, 1981) for a description of the analysis and general premises of this Plan.

**AREA DEFINITION**

**For the purpose of this Municipal Planning Strategy, the South End Area shall be as set out in Map 1 of this Section V. (RC-Jun 16/09; E-Oct 24/09)**



South End Area Plan

## Map 1

## Planning Districts

**HALIFAX**  
REGIONAL MUNICIPALITY



Amended: 1 June 2013

Halifax Municipal Planning Strategy

HEC

## **DEFINITION OF TERMS**

Definition of certain terms used in this Section are as follows and have been included for clarification.

### **TERM**

### **DEFINITION**

This Plan

Means the South End Detailed Area Plan.

Interior Conversion of  
Existing Structures

Involves the rearrangement of internal space within a building to change its unit structure. Conversions may involve the addition of stairways or porches to provide access to new units created in the conversion process.

Family-type Housing  
Accommodation

Means a dwelling unit containing two or more bedrooms.

Neighbourhood  
Commercial Use

Means a grocery store or drug store.

## **1. RESIDENTIAL ENVIRONMENTS**

**Objective:** The maintenance of the South End as vital inner-city neighbourhoods with a broad mix of family and non-family housing accommodation.

1.1 Residential neighbourhoods shall be maintained and expanded by encouraging retention and rehabilitation of existing structures and units and by permitting new stock through infill and complementary redevelopment.

1.1.1 Several forms of infill housing shall be encouraged by the City as appropriate to the diverse physical characteristics of the individual districts and neighbourhoods.

1.1.1.1 Forms of infill housing which shall be permitted in the South End include:

- (a) the interior conversion of existing structures;
- (b) additions to existing structures, either through infilling between existing structures or additions to the rear of existing structures;
- (c) building on vacant lots in the forms prescribed by this Section of the Plan; and
- (d) low-rise housing within the densities prescribed by this Section of the Plan.

1.1.1.2 The Zoning By-law shall further define elements of scale, proportion, setback and use consistent with the policies of this Plan to ensure compatibility with the districts and neighbourhoods.

1.1.1.3 Repealed

1.1.2 Residential redevelopment shall be permitted in the areas designated pursuant to this Plan and may be encouraged elsewhere provided it is consistent with the policies of this Plan.

1.2 Residential uses should be buffered from non-residential uses which are inappropriate to a stable, healthy, enjoyable living environment.

1.3 The City shall encourage the retention and creation of family-type housing accommodation in the South End.

1.3.1 In order to achieve these purposes, the City does hereby request that the Halifax School Board not effect any complete school closures in the South End without prior consultation with the Council of the City of Halifax, in order that the Council may first ascertain whether such closures may work to the detriment of the retention and creation of family-oriented neighbourhoods, and the nature of any prudent actions the Council may seek to take or direct in furthering its Plan.

1.3.2 In the preparation of Zoning By-law regulations to carry out the intent of this Plan, the City shall have regard to the following for family-type housing accommodation:

- (i) that buildings containing family-type dwelling units should provide, on the lot, both soft-surfaced and hard-surfaced open space areas for the exclusive use of the building's occupants;
  - (ii) that any new residential development containing more than fourteen family-type dwelling units provide adequate open space of appropriate size to accommodate the requirements of the residents, enclosed on all sides, landscaped and buffered; and
  - (iii) that such space be visible from the building.
- 1.4 For the purposes of this Plan, the City shall further define residential environments as comprising three categories:
  - (i) Low-Density Residential;
  - (ii) Medium-Density Residential; and
  - (iii) High-Density Residential.
- 1.4.1 Areas shown as "Low-Density Residential" on the Future Land Use Map of this Plan shall be regarded as areas for family-type housing accommodation. All new residential developments in these areas shall be detached single-family dwellings.
- 1.4.1.1 In low-density residential areas conversion of existing housing stock shall be permitted, provided that:
  - (i) a maximum number of dwelling units in any building shall be three;
  - (ii) family-type dwelling units shall be at least 1,000 square feet in floor area;
  - (iii) where the conversion is to two units (that is, adding an additional dwelling unit), one of the units shall be a family-type dwelling unit; and
  - (iv) where the conversion is to three units (that is, adding two units), two of the three units shall be family-type dwelling units.
- 1.4.1.2 **The area bounded by Oakland Road, Bellevue Avenue, Inglis Street, and Beaufort Avenue contains a development pattern which is not closely aligned with the requirements of the R-1 (Single Family) Zone under the Halifax Peninsula Land Use By-law. In order to better reflect the existing character of the aforementioned area under the Halifax Peninsula Land Use By-law, the latter shall be amended to introduce an area-specific zone titled R-1A (Single Family A) Zone. While the R-1A Zone shall share similar permitted uses and requirements as the R-1 Zone, it shall differ in terms of minimum lot area, minimum lot frontage and front yard requirements. (RC-Sep 27/11; E-Nov 26/11)**
- 1.4.1.3 **1017 and 1021 Beaufort Avenue are located in the area described by Policy 1.4.1.2 and combine to create an area of land large enough to allow for the development of a new public street. In order to enable an alternative to public road construction that acts to protect significant features on these lands while also allowing for development that reflects**

the existing character of the area, detached one family dwelling development may be considered by development agreement in accordance with the *Halifax Regional Municipality Charter*. (RC-Mar 31/15;E-May 16/15)

**1.4.1.4** In considering development agreements pursuant to policy 1.4.1.3, Council shall consider the following:

- (a) the development contains a maximum of six detached one family dwelling houses, all of which may be located on a consolidated lot;
- (b) the development includes a tree preservation plan generally consistent with the character of surrounding development;
- (c) the architectural design of each house is generally consistent with the character of surrounding houses;
- (d) the height of each house is consistent with the permitted height of surrounding houses;
- (e) the appropriate placement of each house in relation to surrounding properties;
- (f) the separation distance between each house;
- (g) the footprint and gross floor area of each house;
- (h) the size, location and design of accessory buildings;
- (i) the types of home occupations;
- (j) provision for vehicular access and egress;
- (k) provision for on-site parking;
- (l) provision for site disturbance, erosion control, site grading, and stormwater management; and
- (m) provision for historical on-site signage.

(RC-Mar 31/15;E-May 16/15)

**1.4.2** Areas shown as Medium-Density Residential on the Future Land Use Map of this Plan shall be regarded as residential environments which provide a mix of family and non-family dwelling units in buildings of not more than four storeys. For such areas, the City shall amend its Zoning By-law in accordance with Policies 1.4.2 to 1.4.2.3 inclusive. In any building a minimum of 50 percent of the units shall be family-type dwelling units.

**1.4.2.1** The forms of infill housing permitted in Medium-Density Residential Areas shall include:

- (a) interior conversion;
- (b) additions to existing structures;
- (c) infilling between existing structures; and
- (d) small-scale development on vacant lots.

**1.4.2.2** In Medium-Density Residential areas, family-type dwelling units shall be a minimum of 800 square feet.

**1.4.2.3** In Medium-Density Residential areas, the City shall not permit any building to be converted or added to such that more than 14 dwelling units are contained within the building.



- 1.4.3 Areas shown as High-Density Residential on the Future Land Use Map of this Plan shall be regarded as primarily non-family residential areas.
- 1.4.3.1 In High-Density Residential areas the City shall amend its Zoning By-law to require a minimum of one family-type housing unit for every two non-family units in each building and the minimum size for such family units shall be 800 square feet.
- 1.4.3.2 Repealed.
- 1.4.3.3 The City shall review the open space, angle control and density requirements of the Zoning By-law, and shall consider such alternative control mechanisms as lot coverage, ratio of floor area to site area, and setback requirements for siting of apartment buildings, provided that the intents of this Plan will be furthered.
- 1.4.3.4 Pursuant to Policy 1.4.3.3 and within six months of the approval of this Plan, the City shall confirm or amend, as appropriate, such controls.
- 1.5 The City shall have regard for the servicing of residential areas by public transit and shall, as necessary, make appropriate representations to the Metropolitan Transit Corporation for the purposes of promoting efficient and sufficient service.
- 1.6 The disposition of all City-owned land shall be in accordance with the policies of this Plan.
- 1.6.1 When disposing of City-owned lands in residential areas, consideration will be given first to recreation uses; second, to residential uses; and third, to any other use compatible with residential areas which meet the needs of the residents of the area.
- 1.7 The City shall revise its zoning by-laws to provide that, under the provisions of Section 33(2)(b) of the Planning Act, an apartment building existing on the date of adoption of this Plan destroyed by fire or otherwise, may be reconstructed to its original size and use, notwithstanding the provisions of the Zoning By-law which may apply to the property.
- 1.8 The City shall revise its zoning by-laws to provide that through-block development shall not be permitted for residential uses.

## **2. COMMERCIAL FACILITIES**

**Objective:** Provision for a variety of commercial uses in appropriate locations to serve the needs of the area and compatible with the needs of the City.

**2.1 In the South End it is the HRM's intent to allow for neighbourhood shopping facilities and minor commercial facilities. Commercial uses shall not be encouraged other than in accordance with Part II, Section II of the Municipal Planning Strategy. (RC-Jun 16/09; E-Oct 24/09)**

**2.2** Spot rezonings to permit neighbourhood shopping facilities pursuant to and consistent with Part II, Section II, Policy 3.1.1 of the Municipal Development Plan may be permitted.

**2.2.1** Pursuant to Policies 2.1 and 2.2, the City shall amend its Zoning By-law to provide for a residential neighbourhood commercial zone which provides for a maximum of six residential units and one neighbourhood commercial use in any given development.

**2.3** Minor-commercial uses shall be permitted in areas designated as "Commercial" or "Residential-Commercial Mix" on the Future Land Use Map of this Plan.

**2.3.1** In areas designated as "Residential-Commercial Mix", the City shall permit the following uses:

- (i) residential uses;
- (ii) in new buildings, residential uses with minor commercial uses occupying the ground floor, provided that the commercial uses have independent and direct access to the street; and
- (iii) in existing buildings, minor commercial uses and a mix of minor commercial and residential uses.

**2.3.2** In areas designated as "Residential-Commercial Mix", the City shall not require provision of family-type housing accommodation in any building.

**2.3.3** Pursuant to Policy 2.3.1, the City shall amend its Zoning By-law to provide for two residential commercial zones which would permit residential uses consistent with medium-density and high-density residential areas respectively, and each of which would permit minor commercial uses.

**2.3.4 The area bounded by Barrington Street, 1075 Barrington Street, the VIA railway corridor, and 1015 Barrington Street is positioned between Downtown Halifax and existing multi-unit residential development in the South End Area Plan. In order to better reflect the transitional nature of this area, the Halifax Peninsula Land Use By-law shall be amended to introduce an area-specific zone titled RC-4 (South Barrington Residential/Minor Commercial Zone). The RC-4 Zone shall require pedestrian-oriented commercial uses on a portion of the ground floor facing the public street and residential uses within the remainder of a**

**building. RC-4 Zone provisions shall regulate overall height, streetwall height, setbacks, amenity space, landscaping, buffering adjacent to the railway corridor, and signage. The RC-4 Zone shall require each building to contain a minimum number of residential units with two or more bedrooms, and shall require vehicular parking to be located below grade and inside a building. (RC-Nov 18/14;E-Dec 20/14)**

- 2.4 Minor commercial uses shall be permitted only in the areas so designated in the Plan and expansion of those areas may be permitted only through amendment to this Plan.
- 2.5 The City shall revise its Zoning By-law to provide that, under the provisions of Section 33(2)(b) of the Planning Act, the commercial uses existing at the date of adoption of this Plan in the areas designated as "High-Density Residential" or "Residential-Commercial", specifically those uses on the properties identified as 5450 Inglis Street, 990 Barrington Street, 5620 South Street, and 5230 Tobin Street, if destroyed by fire or otherwise, may be reconstructed to their original size and use, notwithstanding the provisions of the Zoning By-law which may apply to the properties.
- 2.6 For those commercial uses identified in Policies 2.5 and 2.6.1, Implementation Policy 3.14 shall not apply; but the City may consider applications for building or site improvements for those properties by development agreement, provided that:
- a) the use existed on the date of adoption of this Plan;
  - b) the use is not proposed to change to another commercial use, and, in the case of service stations, accessory uses such as a carwash, or a retail use not directly associated with the servicing of vehicles, shall not be permitted;
  - c) the proposed building or site improvements do not have undue negative impacts on adjacent residential uses with respect to scale, traffic, noise and lighting; and
  - d) the intended improvement where such an improvement is of a technological nature is not inappropriate to location in a residential area by reason of possible nuisance or safety hazards to residents of the area.
- 2.6.1 Pursuant to Policy 2.6, the City may consider an application for a redevelopment or conversion of the existing building on the property identified as 5750 Spring Garden Road to a minor-commercial use under the provisions of Section 33(2)(b) of the Planning Act, and shall amend its Zoning By-law accordingly.

### 3. INDUSTRIES

**Objective:** The encouragement of industrial uses in specified areas.

3.1 Industrial development shall be encouraged within the areas designated "Industrial" on Map 2 of this Plan.

**3.1.1 For the purposes of this Plan, industrial development which is harbour related shall be encouraged pursuant to Part II, Section II of the Municipal Planning Strategy. (RC-Jun 16/09; E-Oct 24/09)**

3.1.2 The City should seek to strengthen and support the designated industrial areas. In doing so, the City should consider any appropriate incentives proposed which would lead to the strengthening of the City's economy and tax base. Particular attention should be paid to the ways and means of encouraging high technology industries, such as communications, research, computer and electronics firms, which tend to have minimal negative external effects.

3.2 In developing zoning by-law regulations to carry out the intent of this section of the Plan, or in reviewing development proposals where a discretionary decision of City Council is requested, the City shall have regard for the following:

- (i) compatibility of industrial uses with adjacent residential areas through careful treatment of building siting and form, specifically through establishment of regulations regarding such matters as building height, setback, building proportion and scale, as are necessary for industrial uses; and
- (ii) mitigation of negative impacts of industrial uses on adjacent residential areas where such impacts may arise from vehicular service requirements of industrial uses.

3.2.1 Pursuant to Policy 3.2, a business service zone shall be established and applied to properties fronting on South Bland and Atlantic Streets. The zone will provide for a range of business and service uses which can be accommodated without being detrimental to the surrounding residential neighbourhood by virtue of aesthetics, environmental degradation, excessive traffic or noise. Outdoor storage and display shall be prohibited and zone requirements established towards building and parking area location and landscaping.

3.3 In designated industrial areas, uses accessory to industrial uses, such as commercial uses and commercial services, such as, but not limited to, restaurants which will not detract from the industrial areas, may be permitted by contract agreement, and the City shall amend its Zoning By-law accordingly.

#### **4. INSTITUTIONS**

**Objective:** The encouragement of institutional uses in specified areas.

- 4.1 For the purposes of this Plan, the City shall consider institutional uses as including three types, as follows:
- (i) "Major Institutional Uses" serving primarily City-wide or regional needs;
  - (ii) "Local Institutional Uses" serving primarily the adjacent community; and
  - (iii) "Universities".
- 4.2 The City shall encourage existing institutional uses to remain in their present locations and shall encourage reuse of existing institutional areas where appropriate in preference to expanding areas where institutional uses may be permitted.
- 4.3 The development of major institutional uses shall be permitted in the areas designated "Institutional" on the Future Land Use Map of this Plan.
- 4.3.1 The City shall pay particular attention in major institutional areas to requirements for building scale, proportion and setback so as to ensure that compatibility with adjacent non-institutional areas is fostered.
- 4.4 Local institutional uses shall be permitted in areas designated "Commercial" or "Residential/ Commercial" on the Future Land Use Map of this Plan.
- 4.5 "University" development shall be restricted to the areas designated for such uses on the Future Land Use Map of this Plan. The City shall amend its Zoning By-law to carry out the intent of this policy and Policies 4.5.1 and 4.5.2 below.
- 4.5.1 Where university development is proposed adjacent to residential areas, the City shall ensure that such development maintains the scale of residential development, and is compatible with the proportion, setback and building lines of residential development.
- 4.5.2 Major academic and cultural facilities, such as, but not limited to, laboratories, lecture halls, libraries, theatres and student centres, shall be encouraged to locate within the interior of designated University areas, as defined in Policies 7.2.1 and 7.2.1.1 of this Plan.
- 4.5.3 The City shall require the orderly development of University areas and shall not consider rezoning applications which would permit an expansion of the boundaries of University areas until such time as potential building sites within the boundaries of university areas have been used.
- 4.5.4 Deleted (**RC-Jun 16/09; E-Oct 24/09**)

- 4.5.5 Pursuant to Policies 4.5.1 and 4.5.2, the City shall amend its Zoning By-law to provide for two University Zones: a high-density zone which would allow all university uses, and a low-density zone with a height limitation of 35 feet or four storeys which would allow only university uses which would have minimal impacts on adjacent residential uses.
- 4.5.5.1 Pursuant to Policy 4.5.5, the City shall apply such zones as follows:
- (i) the low-density zone to the periphery of the St. Mary's University Campus and to the entirety of the Pine Hill Divinity College Campus; and
  - (ii) the high-density zone to the interior of the St. Mary's University Campus and to the entirety of the Technical University of Nova Scotia Campus.

## **5. HERITAGE RESOURCES**

- 5.1           The City shall continue to seek the retention, preservation, rehabilitation and restoration of areas, streetscapes, buildings, features and spaces in the South End area consonant with the City's general policy stance on heritage preservation (See Section II, Policy Set 6).

## **6. RECREATION**

**Objective:** The maintenance and improvement of existing recreation facilities and the development of new active and passive open-space areas to serve the residents of the South End.

6.1 The City shall ensure that existing open space areas are maintained and improved, where necessary, for the enjoyment of residents in the South End or the City as a whole, as appropriate.

6.2 The City shall ensure that any new public open-space areas in the South End abut public streets in order that they may be more accessible, easily viewed and supervised, and to enhance their perception as public spaces.

6.2.1 The City shall endeavour to provide additional open-space through such means as the conversion of publicly-owned land to open space; the conversion of institutionally-owned land to open space through leasing arrangements or purchase; and provision of funds in the City's budget for land acquisition.

6.2.2 The City should investigate the closure of local streets and lanes which have minimal significance for the movement or storage of vehicles for use as neighbourhood parks.

6.3 The City shall continue to maintain the character of the Public Gardens as a major open-space area, and shall establish development standards which would minimize shadow-casting on the Public Gardens. In this regard, the City shall be guided by the policies for District V of this Plan.

6.4 Should the Sir Frederick Fraser School be relocated, the City shall endeavour to secure ownership of the site, and shall develop said site for a public park including giving consideration to an extension of Victoria Park to this site.



## **7. DISTRICT POLICIES**

### **District**

**Definition:** For the purposes of setting out the detailed district policies of this Plan, the South End is divided into eight districts as shown on Map 1.

7.0 Height Precincts shall be established by policy in accordance with the general intent for land-use control as defined by the policies of this Plan. These heights are based on:

- (i) the forms of development and distribution of land uses identified on the Generalized Future Land Use Map of this Plan;
- (ii) the necessity to ensure that appropriate development of any given lot may be secured within the policies of this Plan; and
- (iii) to fulfill the policy intent that quality residential, commercial, institutional and industrial environments are maintained and encouraged without undue impact on adjacent land use.

The heights established pursuant to this policy are as shown on Maps 2-1 to 2-8 inclusive.

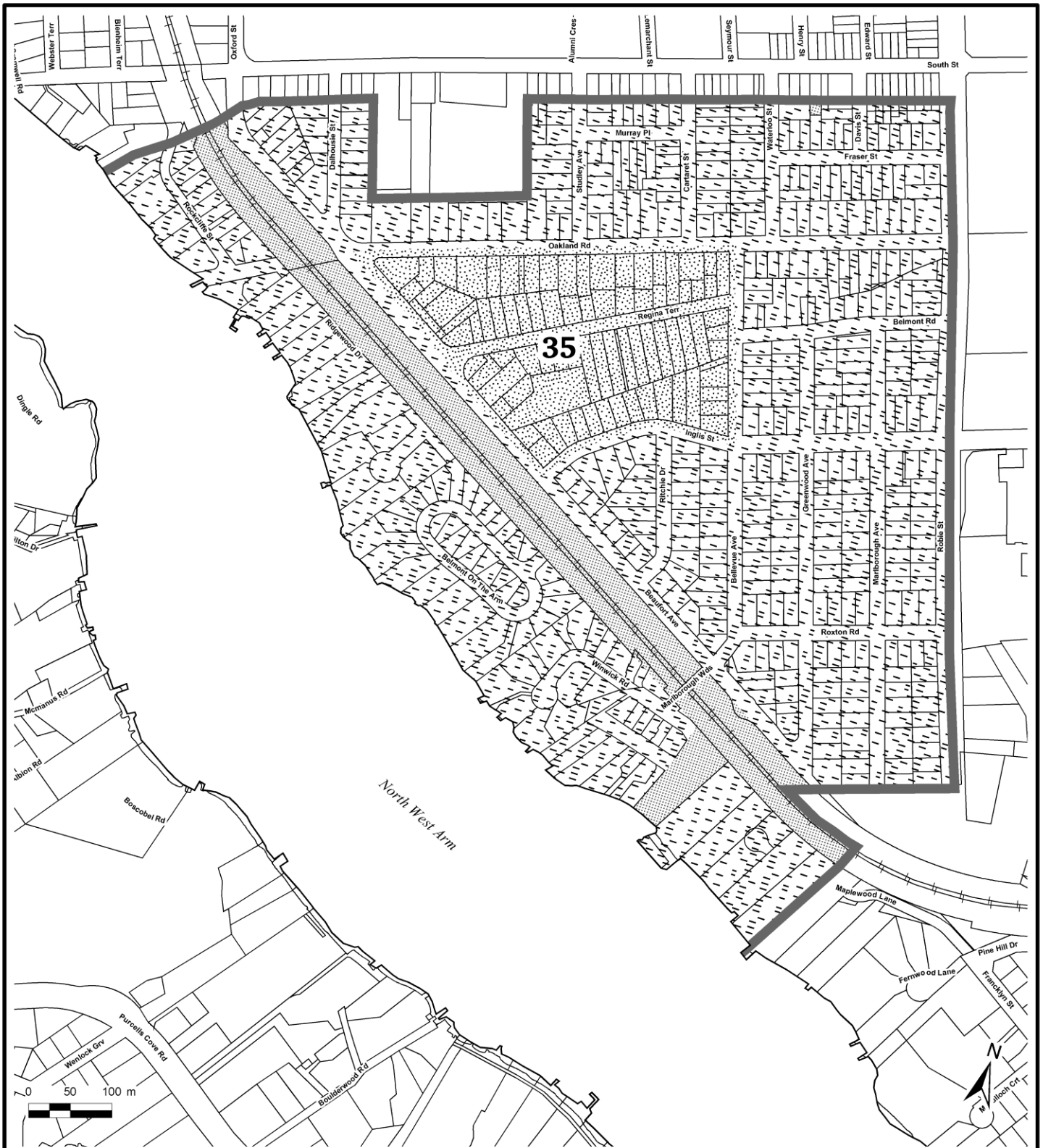
**7.0.1** The Land Use By-law shall require that heights established by Policy 7.0, for properties zoned **R-1A and R-2A** and those referred to in Policy 7.4.2, be measured between the highest point of the roof and the mean grade of the finished ground adjoining the building. **(RC-Sep 27/11; E-Nov 26/11)**

7.0.2 The Land Use By-law shall require that heights established by Policy 7.0, for properties zoned **RC-4 (RC-Nov 18/14;E-Dec 20/14)**, R-1, except those referred to in Policy 7.4.2, and R-2, be measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street.

7.0.3 The Land Use By-law shall require that heights established by Policy 7.0, for properties other than those referred to in Policies 7.0.1 and 7.0.2, be measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street.

7.0.4 The Land Use By-law shall include a Height Precinct Map to implement the height limits established by Policy 7.0.

7.0.5 Any change in the allowable height or any increase in height by a development agreement as shown on Maps 2.1 to 2.8 inclusive, except pursuant to Policies 7.2.1.1, 7.5.2.1, 7.8.2.1 and 7.8.2.2, may be permitted only by amendment to the Municipal Planning Strategy.



## Height Precincts District 1

- 00** Maximum permitted height in feet
- Height precinct boundary

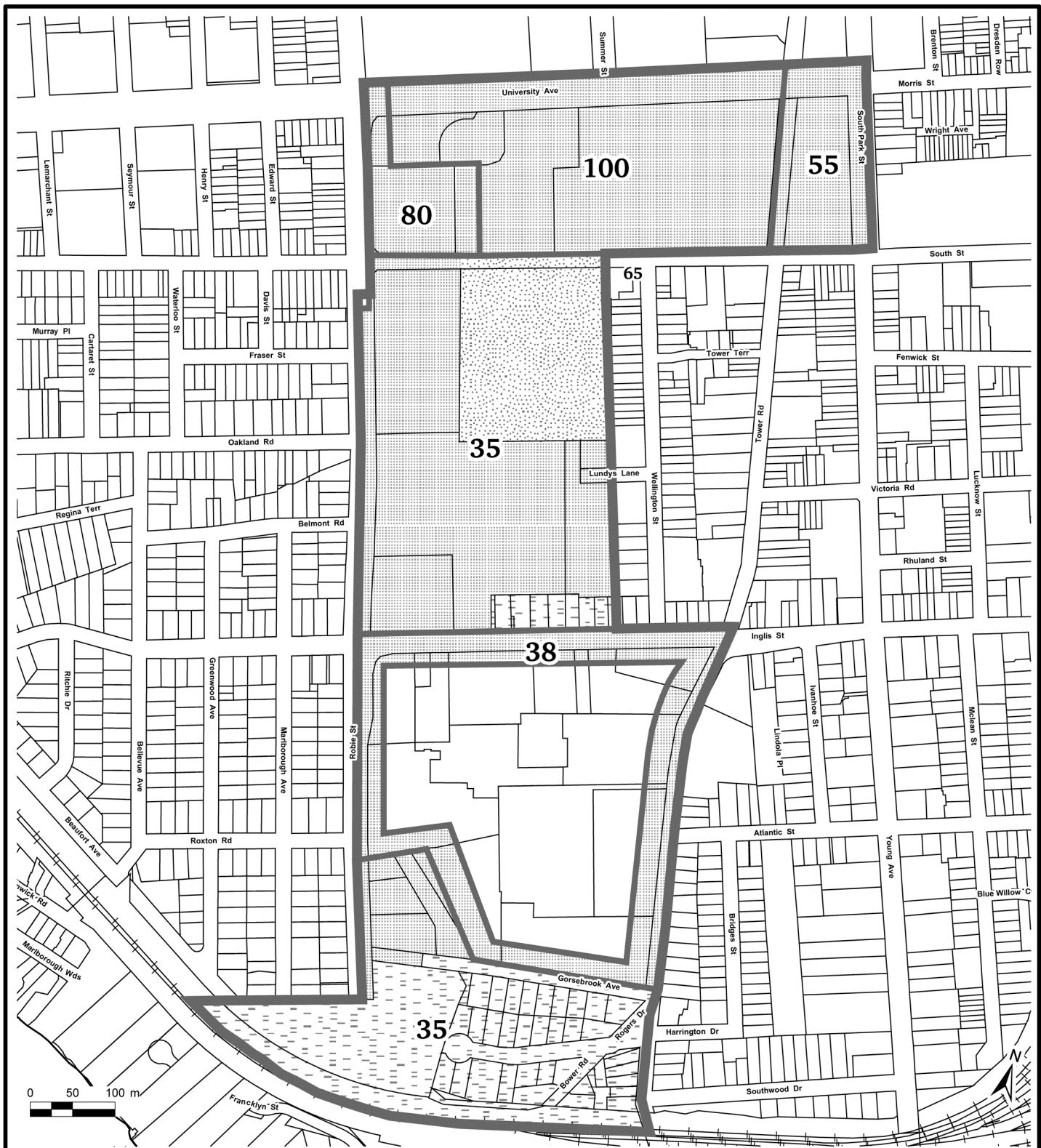
- Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building
- Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street
- Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street

**HALIFAX**  
REGIONAL MUNICIPALITY

Effective: 29 November 2011

MAP 2-1

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## Height Precincts District 2

**00**

Maximum permitted  
height in feet



Height precinct boundary



Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building



Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street



Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street

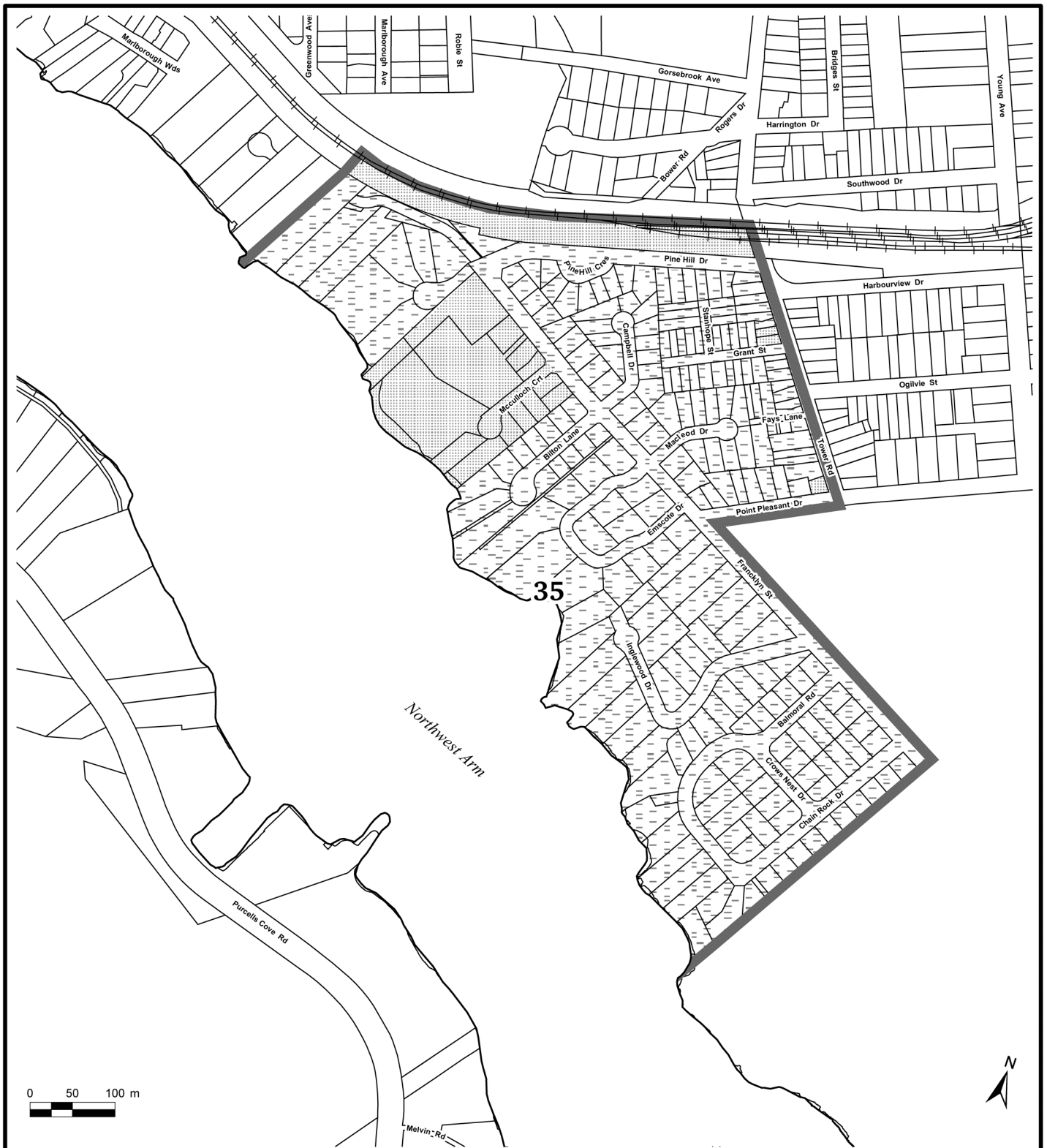
**HALIFAX**  
REGIONAL MUNICIPALITY  
PLANNING AND  
DEVELOPMENT SERVICES

Effective: 18 December 2004

MAP 2-2

file: /data3/work/planning/hilary/hfx\_maps/hp2-2.pdf (HEC)





## Height Precincts District 3

**00**

Maximum permitted  
height in feet



Height precinct boundary



Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building



Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street



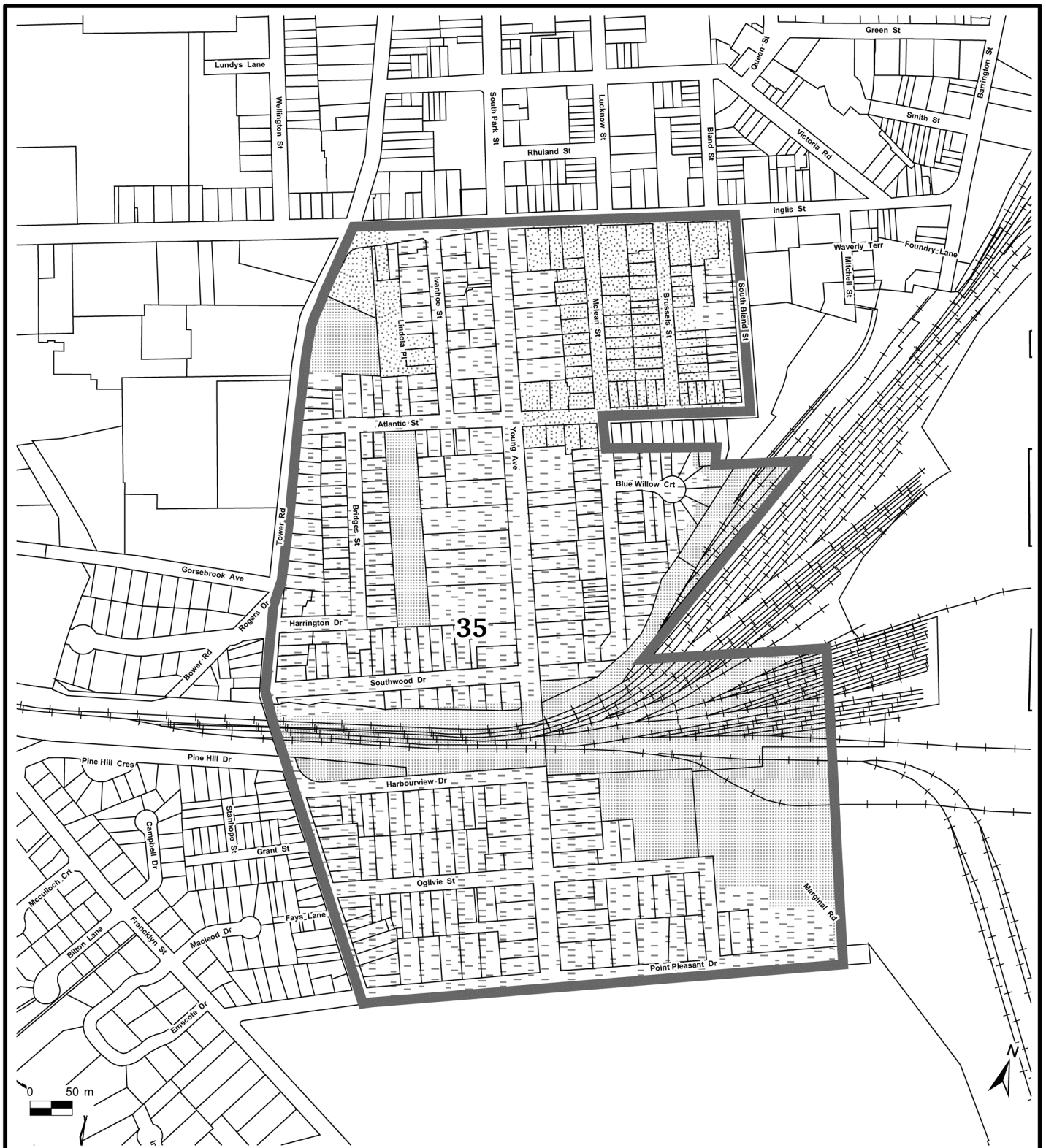
Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street

**HALIFAX**  
REGIONAL MUNICIPALITY  
PLANNING AND  
DEVELOPMENT SERVICES

Effective: 18 December 2004

MAP 2-3

file: /data3/work/planning/hilary/hfx\_maps/hp2-3.pdf (HEC)



## Height Precincts District 4

**00**

Maximum permitted  
height in feet



Height precinct boundary



Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building



Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street



Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street

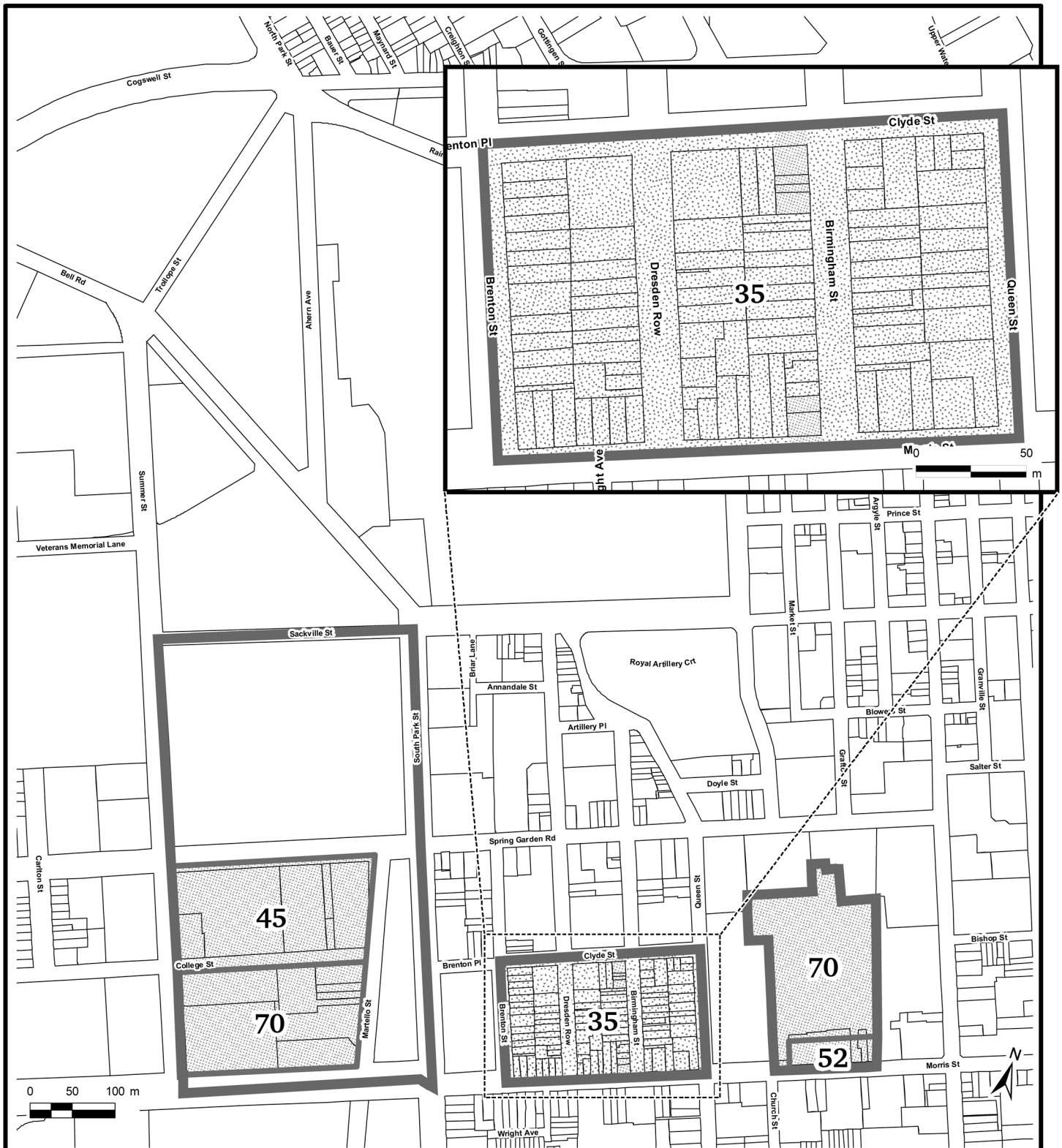
**HALIFAX**  
REGIONAL MUNICIPALITY  
PLANNING AND  
DEVELOPMENT SERVICES

Effective: 18 December 2004

MAP 2-4

file: /data3/work/planning/hilary/hfx\_maps/hp2-4.pdf (HEC)





## Height Precincts District 5

**00**

Maximum permitted  
height in feet



Height precinct boundary



Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building



Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street



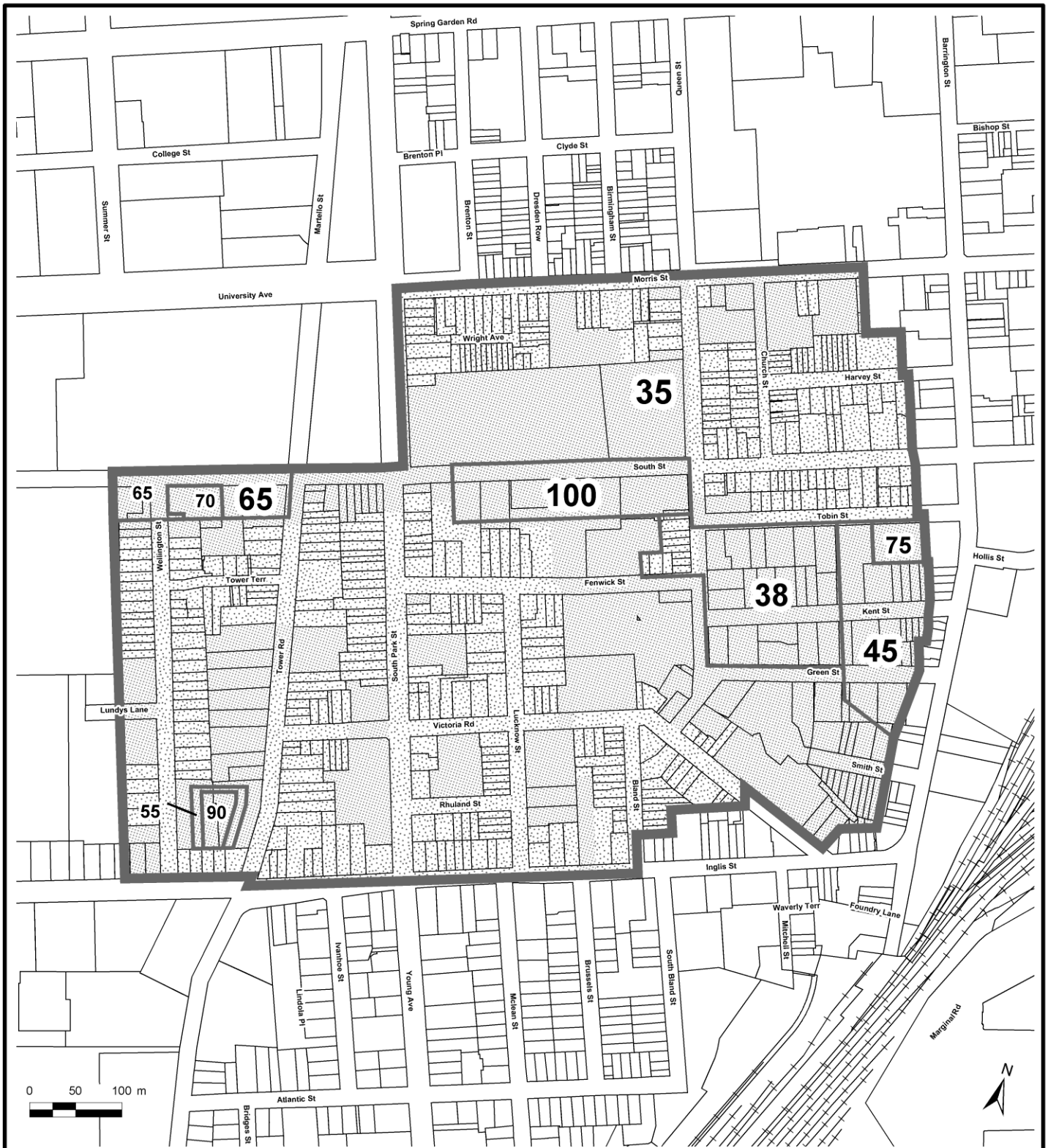
Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street

**HALIFAX**  
REGIONAL MUNICIPALITY  
COMMUNITY DEVELOPMENT  
PLANNING SERVICES

Effective: 24 October 2009

MAP 2-5

file: T:\work\planning\hilary\Halifax\SouthEnd\hp2-5.pdf (HEC)



## Height Precincts District 6

**00** Maximum permitted  
height in feet

**□** Height precinct boundary



Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building



Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street



Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street

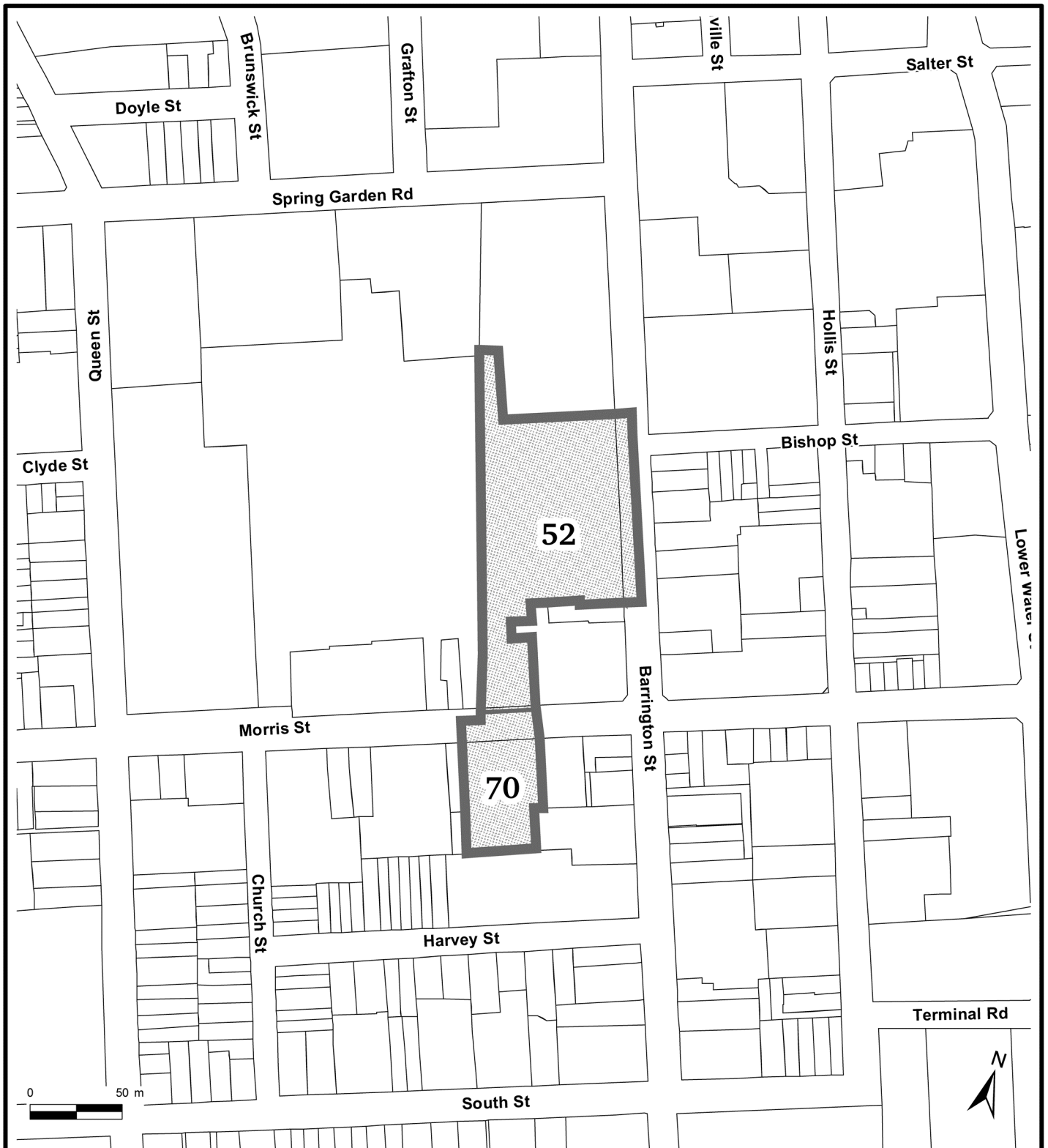
**HALIFAX**  
REGIONAL MUNICIPALITY  
COMMUNITY DEVELOPMENT  
PLANNING SERVICES

Effective: 1 June 2013

MAP 2-6

file: T:\work\planning\hilary\Halifax\SouthEnd\hp2-6.pdf (HEC)





## Height Precincts District 7

**00**

Maximum permitted  
height in feet



Height precinct boundary



Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building



Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street



Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street


**HALIFAX**  
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PLANNING SERVICES





## Height Precincts District 8

**00** Maximum permitted  
height in feet

 Height precinct boundary



Area where maximum permitted height is measured between the highest point of the roof and the mean grade of the finished ground adjoining the building



Area where maximum permitted height is measured between the highest point of the building, exclusive of any non habitable roof and the mean grade of the finished ground adjoining the building between the building and the fronting street



Area where maximum permitted height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street

**HALIFAX**

- 7.1 DISTRICT I
- 7.1.1 To ensure that adjacent institutional uses do not encroach upon the residential character of District I, the City shall not permit the expansion of Dalhousie University and Saint Mary's University into District I.
- 7.1.2 On some areas of Oakland Road, between Robie Street and Beaufort Avenue, a distinctive streetscape is created by large open areas. The configuration of new lots shall be controlled so as to maintain this streetscape.
- 7.1.3 **Pursuant to Policies 1.4.1.3 and 1.4.1.4, a development agreement may be considered for a development comprised of detached one family dwelling houses at 1017 and 1021 Beaufort Avenue. (RC-Mar 31/15;E-May 16/15)**
- 7.2 DISTRICT II
- 7.2.1 In preparing zoning by-law regulations to carry out the intent of this Plan, the City shall have regard to the following with respect to Saint Mary's University:
- (i) that university uses which generate substantial activity such as, but not limited to, theatres, auditoriums, laboratories and student union buildings be restricted to the interior of the campus; and
  - (ii) that University uses adjacent to residential areas at the periphery of the campus be limited as to intensity of use, scale, and setback so as to be compatible with and minimize negative impacts on adjacent residential development.
- 7.2.1.1 The City may consider an application for a university use at the periphery of the Saint Mary's University campus under the provisions of Section 33(2)(b) of the Planning Act, where such an application proposes a use, building height, and/or setback not permitted by the Zoning By-law and, in consideration of such application by City Council, have regard for mitigation of negative impacts on and compatibility with adjacent residential areas.
- 7.2.2 The most appropriate reuse of the parking lot west of the Children's Hospital on South Street and Robie Street shall be considered by the City to be institutional.
- 7.2.2.1 The Land Use By-law shall require that the maximum height of any development on the parking lot shall be 80 feet, and a setback of 20 feet shall be required from any street line.
- 7.2.3 Should the City decide to construct a new fire station for the southern part of the Peninsula to replace Fire Station No. 3, priority consideration shall be given to the existing site, and, where appropriate, in conjunction with City-owned lands to the east.

- 7.2.4 In the disposition of the Halifax Civic Hospital, Welfare Office No. 1, or Fire Station No. 3, the City shall give priority consideration to major institutional uses which are functionally related to the medical and research facilities currently located on or adjacent to University Avenue. If such a use is deemed inappropriate by the City, secondary consideration shall be given to local institutional uses, specialized residential uses or a recreational facility or area.
- 7.2.5 The City shall amend its Zoning By-law to require that any addition, alteration or replacement of the Sir Frederick Fraser School shall maintain the same setback from University Avenue, a 40 foot setback along South Park from University Avenue, a 40 foot setback along South Park Street, and a 30 foot setback along South Street and Tower Road.
- 7.2.5.1 The Land Use By-law shall require that the maximum height of any development on this block shall be 55 feet.
- 7.2.6 The City shall amend its Zoning By-law to zone the Gorsebrook lands in accordance with the medium-density residential land-use category of this Plan, and the City may consider applications for development for residential uses for the Gorsebrook lands, under the provisions of Section 33(2)(b) of the Planning Act and, in so doing, the City shall have regard for:
- (i) the relationship between any new building and Gorsebrook Field to the south and west in terms of setbacks and appropriate transition of the open space;
  - (ii) that portion of Gorsebrook Field recommended for development as medium-density housing be at a scale compatible with adjacent residential development to the east on Wellington Street;
  - (iii) that priority consideration be given for rowhousing; and
  - (iv) that high-density residential uses may be permitted, provided such uses front on South Street.
- 7.2.6.1 Pursuant to Policy 7.2.6 above, the City may further consider applications for development for institutional uses for said lands under the provisions of Section 33(2)(b) of the Planning Act, and in so doing, the City shall have regard for:
- (i) the relationship between any new institutional building to adjacent land uses in terms of setbacks and appropriate transitions of the open space;
  - (ii) that a portion of the lands be dedicated for park use associated with Gorsebrook Field; and
  - (iii) that the City would consider an application which included a recreation complex.

7.3 DISTRICT III

7.3.1 The City shall zone Pine Hill Divinity College in accordance with the low-density university use provision, as set out in Policy 7.2.1 above for Saint Mary's University.

7.3.1.1 The City may consider an application under the provisions of Section 33(2)(b) of the Planning Act for major university uses on the Pine Hill Divinity College Campus and, in so doing, shall have regard for:

- (i) the compatibility of said use if located in a new building with adjacent residential areas, in terms of scale, setbacks, and building mass;
- (ii) provision of appropriate side yards for any new building where the building adjoins residential properties;
- (iii) access and egress provisions to the public street system; and
- (iv) the degree to which the characteristics of the proposed use are consistent with maintenance of the quality of the surrounding residential environment in terms of level of activity, hours of activity, traffic generation and such other considerations as may be determined from a land-use standpoint to be relevant.

7.4 DISTRICT IV

7.4.1 Notwithstanding Policy 1.4.2.3, for those properties designated as Medium Density Residential on the Future Land Use Map of this Plan and fronting South Bland Street, the City shall permit a maximum of four units. The Land Use By-law shall further define elements of scale, proportion, setbacks, lot size, lot frontage, coverage and parking consistent with the policies of this Plan to ensure compatibility with the development patterns of this medium density neighbourhood.

7.4.2 Notwithstanding Policy 1.4.2.3, for those properties designated as Low Density Residential on the Future Land Use Map of this Plan and fronting on the streets of Atlantic (east of Young Avenue), Brussels and McLean, the Land Use By-law shall further define elements of scale, proportion, setbacks, lot size, frontage, coverage and parking consistent with the policies of this Plan to ensure compatibility with the development patterns of this neighbourhood.

7.5 DISTRICT V

7.5.1 The City shall encourage continuation of the diversity of land uses currently located in District V, which include university, institutional, open space, commercial and residential uses.

7.5.2 In the area bounded by College Street, Summer Street, Spring Garden Road, and South Park Street, the City shall amend its Zoning By-law to establish height precincts to ensure the preservation of the character of the Public Gardens as an open space area.

- 7.5.2.1 The City may consider an application under the provisions of Section 33(2)(b) of the Planning Act for a development which would exceed the height precinct so established through Policy 7.5.2 above, and, in so doing, the City shall have regard for the amount of shadow cast on the Public Gardens and the potential negative impacts which may arise therefrom.
- 7.5.3 **The Land Use By-law shall require that the maximum height of any development on the north side of Morris Street between Barrington and Queen Streets or the west side of Barrington Street between Morris Street and Spring Garden Road shall be 52 feet. In the remainder of the Sexton Campus of Dalhousie University (formerly the Technical University of Nova Scotia campus), the Land Use By-law shall require that the maximum height of any development shall be 70 feet. (RC-Jun 16/09; E-Oct 24/09)**
- 7.5.4 Deleted (RC-Jun 16/09; E-Oct 24/09)
- 7.5.4.1 Deleted (RC-Jun 16/09; E-Oct 24/09)
- 7.5.5 Notwithstanding the residential/commercial designation at the intersection of Queen Street and Morris Street a residential/ commercial development may be considered only by development agreement which meets the following requirements:
- (a) The provisions of the high density residential/mixed commercial or the residential/minor commercial zones in respect to permitted uses, lot area, front and rear yards and parking;
  - (b) Conditions sufficient to ensure to Council's satisfaction compatibility to adjacent residential uses and streetscapes in respect to scale and architectural design;
  - (c) No development shall exceed 35 feet in height; and
  - (d) Such other land use considerations as Council may deem necessary based on the policy guidance of this plan.
- 7.5.6 The property known as the south lawn of the Cathedral Church of All Saints, Tower Road shall be designated "Residential-Commercial Mix" on the Generalized Future Land Use Map. The property shall remain zoned as a park and institutional zone. Council may consider applications for a mixed use multiple residential and commercial building through development agreement.
- 7.5.7 Any development permitted pursuant to Policy 7.5.6 shall be compatible with the surrounding area especially the adjacent Cathedral Church of All Saints and Victoria Park and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:
- a. The adequacy of the servicing available to the site;
  - b. The scale, height and massing of the building and the building shall not contain more than 50 dwelling units;



- c. Architectural design compatible with the adjacent building;
- d. Appropriate vehicle and pedestrian access and egress;
- e. Site landscaping and buffering;
- f. The location and amount of parking provided;
- g. Building materials appropriate to the context;
- h. The commercial component shall be limited to the ground floor and the types of commercial shall be limited to uses which would be compatible with the residential component of the building and the adjacent church.

## 7.6 DISTRICT VI

7.6.1 Notwithstanding the residential/commercial designation at the intersection of Queen Street and Morris Street a residential/ commercial development may be considered only by development agreement which meets the following requirements:

- (a) The provisions of the high density residential/mixed commercial or the residential/minor commercial zones in respect to permitted uses, lot area, front and rear yards and parking;
- (b) Conditions sufficient to ensure to Council's satisfaction compatibility to adjacent residential uses and streetscapes in respect to scale and architectural design;
- (c) No development shall exceed 35 feet in height; and
- (d) such other land use considerations as Council may deem necessary based on the policy guidance of this plan.

7.6.2 For those properties designated "High Density Residential" fronting on South Street between the Gorsebrook lands and Tower Road, Council may permit, by development agreement, an office of a nonprofit medical or medical and rehabilitative organization to be located at or below the ground floor of a residential structure.

7.6.3 Proposals under Policy 7.6.2 shall be evaluated against the following criteria:

- (a) that parking is adequate for both the residential use and the office use;
- (b) that adjacent residential uses are not unduly effected as a results of hours of operation, location, parking, and lighting.

7.6.4 Pursuant to Policies 1.1 and 1.3 a multi-unit building may be considered at 5515/17/19 and 5523 Inglis Street (PID 00065706 and PID 00065698) by development agreement.

7.6.4.1 Pursuant to Policy 7.6.4, the building shall be designed so that it is compatible with and enhances the surrounding neighbourhood and does not cause the unreasonable loss of enjoyment to neighbouring properties. When deciding whether to enter into such an agreement, consideration shall be given to the following matters:

- a. the adequacy of the servicing capacity of the site;

- b. the scale and massing of the building;
- c. the location and amount of parking provided;
- d. vehicular and pedestrian access and egress patterns from the surrounding area;
- e. location and form of open space and recreational amenity space;
- f. landscaping including buffering;
- g. the architectural design of the building including heritage elements and exterior materials;
- h. the height of the building shall not exceed 5 storeys;
- i. the number of units and the percentage of family-type units;

7.6.5 Pursuant to Policy 1.1 a multi-unit building may be considered for civic number 5251 South Street (LRIS PID No. 00093153) by development agreement.

7.6.5.1 Any development permitted pursuant to Policy 7.6.5 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:

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

7.6.6 For the property designated as High Density Residential known as LRIS PID No. 41030727 South Street, the Municipality may permit a maximum of three apartment buildings by development agreement.

7.6.6.1 Any development permitted pursuant to Policy 7.6.6 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:

- a) the adequacy of the servicing capacity of the site;
- b) architectural design of both the exterior and interior
- c) the scale, and massing of the building;
- d) the location and amount of parking provided;
- e) accesses to the site and building
- f) site landscaping including buffering;
- g) building materials

7.6.6.2 Notwithstanding the generality of Policy 7.6.6.1, any development permitted pursuant to Policy 7.6.6 shall not:

- a) be higher than View Plane 10

- b) penetrate a view plane
- c) contain more than 210 habitable rooms provided that, if the property is subdivided, each building shall not exceed a density of 250 persons per acre.

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

**7.7A Notwithstanding the High Density Residential designation applied to PID 41030735, the Fenwick Tower lands, and other policies of this Municipal Planning Strategy, Council may consider a redevelopment proposal for the entirety of these lands by development agreement.**

**7.7A.1 In considering a development agreement proposal pursuant to policy 7.7A, Council shall have regard for the following:**

- a) that a proposal is a comprehensive plan for the development of the lands in their entirety and includes construction phasing;
- b) that the development conforms with the Citadel Rampart and View Plane requirements;
- c) that the development is comprised of a mixture of residential dwelling unit types, with a minimum of 50% of the dwelling units that are comprised of a minimum of two bedrooms and that are spread throughout the development, and commercial uses that are compatible with residential uses;
- d) that there is an adequate supply of vehicular and bicycle parking;
- e) that vehicular parking is exclusively provided within an interior parking garage that has access from both South Street and Fenwick Street;
- f) that the proposal is a single building with an underground parking garage, above which the form and land use of individual building elements is consistent with the following:
  - i. the existing Fenwick Tower may be enlarged towards Fenwick Street and its existing exterior cladding shall be replaced, along with the addition of a new penthouse;
  - ii. Fenwick Tower shall contain commercial uses within its first three levels, residential uses throughout the remainder of the building element, with an option for commercial uses upon top level of the building;
  - iii. at the base of Fenwick Tower, along Fenwick Street, there shall be Townhouse style dwelling units with an option for at grade commercial uses;
  - iv. to the north-west of Fenwick Tower, there may be a building element that is a maximum of 8 storeys and a maximum of 85 feet above the level of the parking garage rooftop, that shall be comprised of ground floor commercial uses and either residential dwelling units or office uses;
  - v. upon South Street, there may be a building element that is a maximum of 10 storeys from South Street and in



- conformity with the Citadel View Plane requirements, that shall be comprised of ground floor commercial uses and upper storey residential uses;
- vi. connecting South Street and Fenwick Street, there shall be a pedestrian passageway that is accessible to the general public and that may have one and two storey building elements along it, above the level of the parking garage rooftop, that shall have ground floor commercial uses and either second floor commercial or residential uses;
- g) that rooftop areas around the base of the building elements described above and the pedestrian passageway, are comprised of landscaping;
- h) that mechanical equipment and other utilitarian features are concealed;
- i) that environmental factors, including sun/shadow and wind conditions are suitable for in the intended use of the site; and
- j) that the form of the development is of a high quality and that the development and its land uses are suitable with surrounding properties.

(RC-Feb 1/11; E-Mar 26/11)

**7.7B.1** For the properties designated as Medium Density Residential located at 1034, 1042, 1050, and 1056 Wellington Street, and notwithstanding policies 1.1.1.1, 1.4.2, and 1.4.2.3, Council may consider a redevelopment proposal for the entirety of these lands by development agreement for a comprehensively designed residential multi-unit development which would not exceed 30.5 metres in height or ten storeys whichever is less not including rooftop amenity space access and mechanical space, and with to a maximum total of 141,000 square feet of Gross Floor Area. (RC-Jan 13/15;E-Feb 28/15)

**7.7B.2** In considering a development agreement proposal pursuant to policy 1.4.2.4, Council shall have regard for the following:

- a) the adequacy of servicing to the site;
- b) the required parking being wholly contained within an enclosed structure and architecturally integrated into the residential building;
- c) adequate building height transition from a high point at the north end of the site to a low point at the south end of the site in recognition of the surrounding context;
- d) access and egress patterns which minimize the impact of vehicle access on the public realm;
- e) a building design which utilizes appropriately durable and high quality finishing materials; and
- f) that the development is comprised of a mixture of residential dwelling unit types, with a minimum of 50% of the dwelling units that are comprised of a minimum of two bedrooms and that are spread throughout the development.

(RC-Jan 13/15;E-Feb 28/15)

7.8 DISTRICT VIII

- 7.8.1 Any change in use of the lands of the Canadian National Railway shall be the subject of a detailed study by the City. Such study shall include consideration of any change in use within the land use management framework established by the South End Detailed Area Plan, and within the context of the general transportation policy framework of the City of Halifax.
- 7.8.2 The Land Use By-law shall require that the maximum height of new industrial development within District VIII, in areas zoned as non-harbour-related industrial, shall be 35 feet.
- 7.8.2.1 Pursuant to Policy 7.8.2 above, the City may consider applications for industrial development where such development exceeds the height prescribed under the provisions of Section 33(2)(b) of the Planning Act and, in so doing, the City shall have regard for:
- (i) consistency with Policy Set 3 of this Plan; and
  - (ii) avoidance of significant shadow effects on adjacent residential areas.
- 7.8.2.2 Pursuant to Policy 7.8.2 above, the City may consider applications for residential development where the proposed location is adjacent to existing residential uses under the provisions of Section 33(2)(b), and in so doing the City shall consider as guidelines:
- (i) that the height of the proposed development is limited to 50 feet or six storeys;
  - (ii) that family-type accommodation shall not be a requirement for unit mix in such development; and
  - (iii) that there be adequate buffering from industrial uses which may adjoin the property on which the development is proposed.
- 7.8.3 Except as otherwise provided for by the Business Service Zone, where an industrial use abuts a residential zone, the City shall amend its Zoning By-law to require a minimum setback of 25 feet from the street line, or from the residential zone line, as appropriate.
- 7.8.4 The City shall seek the full cooperation of proprietors of industrial enterprises in establishing voluntary programmes to improve the visual appearance of industries in the South End.
- 7.8.5 Deleted (**RC-Jun 16/09; E-Oct 24/09**)

## 8. TRANSPORTATION

**Objective:** Maintenance of the existing transportation system in the South End with an emphasis on balancing transportation requirements of various land uses so as to maintain the quality of all types of environments in the area.

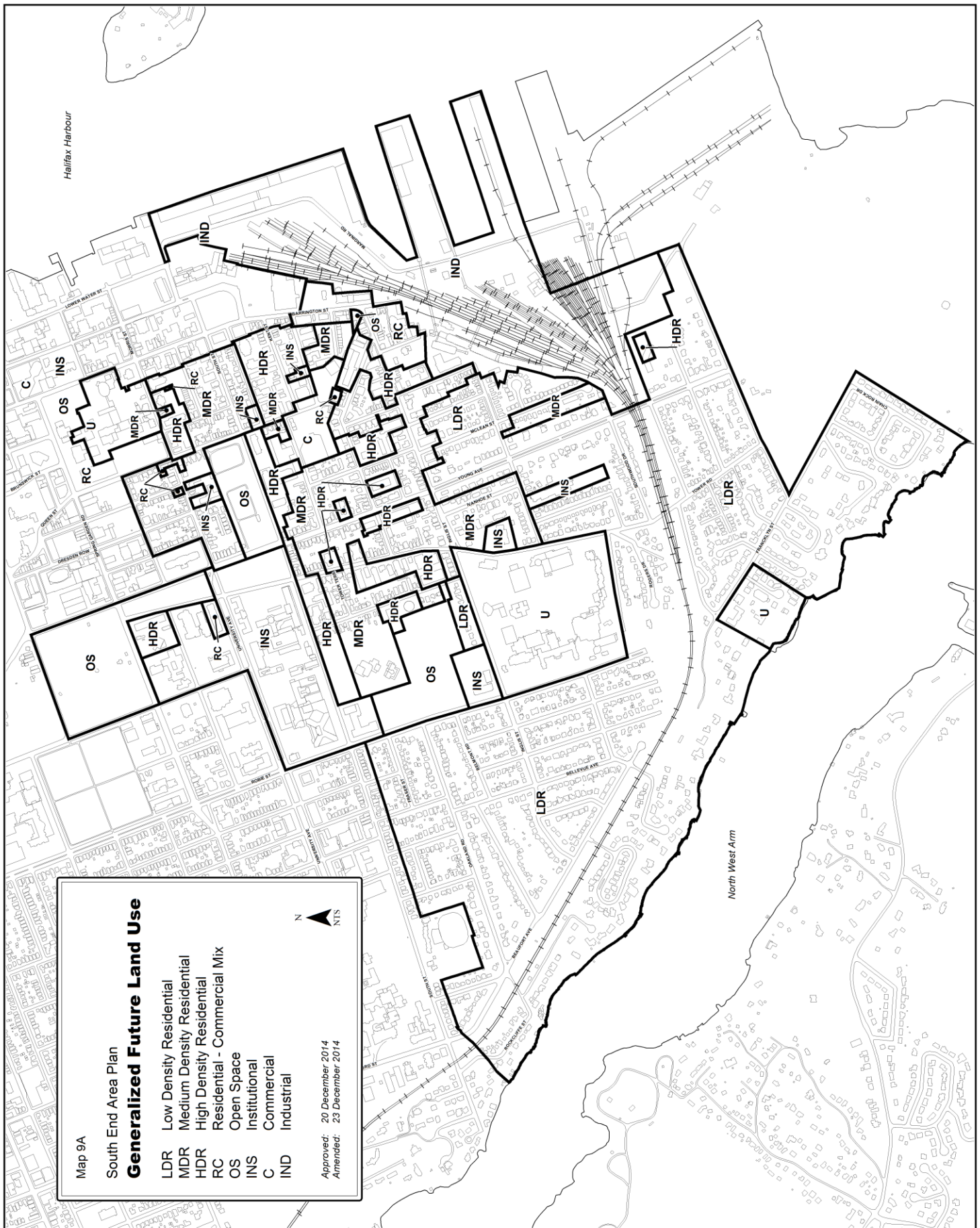
8.1 The City shall carry out a study of the transportation network within the South End area as part of a study of the transportation system for the Peninsula, and the terms of reference for such study shall include the following:

- (i) a review of the appropriateness of the Morris Street, South Street, and Robie Street streetlines with a view to lifting said streetlines unless definitive need for a widened street in this area is determined;
- (ii) a review of the traffic circulation in the immediate vicinity of McLean Street with a view to reducing the degree to which truck traffic presents a conflict;
- (iii) a review of the Harvey/Church Street traffic situation;
- (iv) attention to the requirement for pedestrian circulation, particularly as it relates to the location of community facilities;
- (v) a review of truck routes in or at the edges of the area; and
- (vi) attention to the context provided by the City's overall transportation policies as set out in Part II, Section II of the Municipal Development Plan.

8.2 In reviewing applications for major non-residential uses, the City shall pay particular attention to the proposed access and egress locations to City streets for such applications.

## **9. GENERALIZED FUTURE LAND USE MAP**

- 9.1 The Generalized Future Land Use Map (Map 9A) shall be considered as the expression of intent of the City of Halifax for a future land use pattern based on the policies outlined in this Plan.
- 9.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply, as appropriate, but shall be subordinate to the primary objectives and policies.



**SECTION VI**  
**PENINSULA CENTRE AREA PLAN**  
**OBJECTIVES AND POLICIES**

**CONTEXT**

The detailed objectives and policies for Peninsula Centre shall be considered as part of this Municipal Development Plan, pursuant to Part II, Section II, Policy 2.5.2.

There is no description herein of the analytic underpinnings for the objectives and policies. The reader is referred to the official City of Halifax report entitled Peninsula Centre Detailed Area Plan (City of Halifax, 1981) for a description of the analysis and general premises of this Plan.

**AREA DEFINITION**

For the purpose of this Municipal Development Plan, the Peninsula Centre Area shall be as set out in Map 1 of this Section VI.

**DEFINITION OF TERMS**

Definitions of certain terms used in this Section are as follows and have been included for clarification.

**TERM**

**DEFINITION**

This Plan

Means the Peninsula Centre Detailed Area Plan.

Interior Conversion of Existing Structures

Involves the rearrangement of internal space within a building to change its unit structure. Conversions may involve the addition of stairways or porches to provide access to new units created in the conversion process.

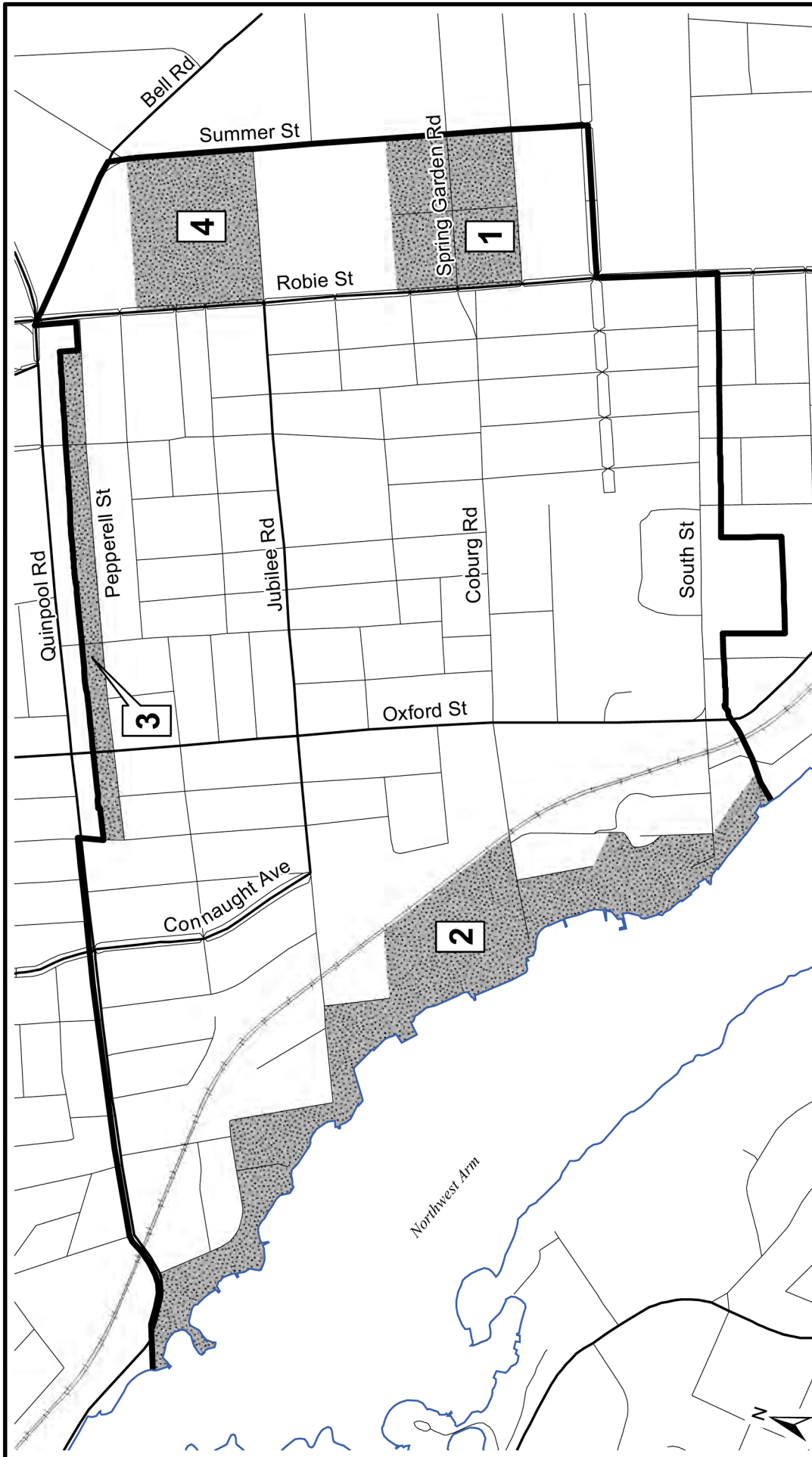
Family-Type Housing Accommodation

Means a dwelling unit containing two or more bedrooms.

Neighbourhood Convenience Store

Means a grocery store or a drug store.





Peninsula Centre Area Plan - Map 1

### Peninsula Centre Sub-Areas

- 1 Spring Garden Road Sub-Area
- 2 Northwest Arm Sub-Area
- 3 Pepperell Street Sub-Area
- 4 Camp Hill Sub-Area

## **1. RESIDENTIAL ENVIRONMENTS**

**Objective:** The maintenance of Peninsula Centre as a predominantly low-rise residential neighbourhood with an emphasis on housing accommodation for family households.

1.1 In the Peninsula Centre Area, residential development shall occur through retention and rehabilitation of housing stock, and provisions shall be made for infill and, in selected areas, redevelopment.

1.1.1 The City shall encourage the retention and creation of dwelling units suitable for families with children.

1.1.2 For the purposes of this Plan, a single definition of infill housing shall not be employed. The diverse physical and social elements of residential areas should be respected through the selective application of several forms of compatible infill housing.

1.1.3 The forms of infill housing permitted in Peninsula Centre shall include:

- (a) interior conversion;
- (b) additions to existing structures;
- (c) filling-in-between existing buildings; and
- (d) building on vacant lots.

1.1.4 For the purposes of this Plan, the concept of compatibility shall be deemed to require that infill housing projects are compatible with and enhance the existing development context of a neighbourhood. The City shall use as a guideline in considering rezonings, zoning amendments or contract agreements the key principle of not significantly changing the character of an area when reviewing infill housing proposals.

1.1.5 Without limiting the generality of Policy 1.1.4 above, the City shall, in reviewing proposals for compatibility with the surrounding area, have regard for the relationship of the proposal to the area in terms of the following:

- (a) land use;
- (b) scale and height;
- (c) population density;
- (d) lot size, lot frontage, setback, lot coverage and open space; and
- (e) service requirements, including parking.

1.1.6 Further to Policy 1.1.5 above, existing development standards will be assessed against their capacity to achieve the policies of this Detailed Area Plan with respect to infill housing and with respect to preservation of existing housing. Existing development standards will be amended as necessary to implement the policies of this Plan.

1.1.7 Further to Policy 1.1.6 above, open space and landscaping will be given special attention to ensure that amenity space in new development projects is



useable and to foster attractive residential environments which address the needs of a variety of household types.

- 1.1.8 The Zoning By-law shall be amended to include height limitations for development in accordance with Policies 4.6.3, 4.7.2, 8.1.1 and 8.4.1 and in accordance with the general intent for land-use control as defined by the policies of this Plan. Where there is not specific guidance by the policies of this Plan for specific height limitations, such limitations shall be included based on:
- (i) the forms of development and distribution of land use identified on the Generalized Future Land Use Map (Map 2) of this Plan;
  - (ii) the necessity to ensure that appropriate development of any given lot may be secured within the policies of this Plan; and
  - (iii) to fulfill the policy intent that quality residential, commercial, institutional and industrial environments are maintained and encouraged without undue impact on adjacent land uses.
- 1.2 The City shall encourage the retention and creation of family-type housing in Peninsula Centre.
- 1.2.1 Family-type housing units should be provided with private open space at grade comprising both soft-surfaced and hard-surfaced areas for the exclusive use of occupants of the building in which said family units are located.
- 1.2.2 Any new residential development containing more than twenty family-type dwelling units should provide a children's play area enclosed on all four sides, landscaped and buffered appropriately, of not less than 2,000 square feet. Such play areas shall be required to be located on the south or west side of the building and be located in such a manner as to be visible from the building.
- 1.2.3 In reviewing applications for rezonings, zoning amendments, or contract agreements, the City shall be guided by Policies 1.2.4 and 1.2.5 with respect to family-type housing units.
- 1.2.4 Residential development shall be planned to ensure maximum buffering between children's activity areas and parking areas, streets and other similar safety hazards.
- 1.2.5 For development applications which include family-type housing units, the City shall have regard for the provision of opportunities for visual surveillance and supervision of children's play areas through site designs which maximize the views from windows in the building and from public areas to children's activity areas.
- 1.3 For the purposes of this Plan, the City shall further define residential environments as comprising three categories:
- (i) low-density residential;
  - (ii) medium-density residential; and

(iii) high-density residential.

- 1.4 All new developments in areas designated as low-density residential shall be single-family dwellings, except as otherwise provided by Policies 1.8, 2.1 and 6.1.1 of this Plan.
- 1.4.1 The City shall, for areas designated as low-density residential on the Future Land Use Map of this Plan, amend its Zoning By-law to provide for interior conversions only of any residential building in existence on the date of adoption of this Plan to convert to a maximum of three units, provided that any such unit is a minimum of 1,000 square feet, that the building does not increase in height or volume, and that one parking space per unit is provided with a requirement that there shall be no parking in the front yard.
- 1.5 Areas shown as medium-density residential on the Future Land Use Map of this Plan shall be regarded as family-oriented neighbourhoods which provide a mix of predominantly family housing units in single-family dwellings, semi-detached dwellings, duplexes, and, where appropriate, rowhousing and buildings which, through conversions or additions, provide apartment accommodation.
- 1.5.1 In areas designated as medium-density residential areas, two family-type housing units shall be required for each non-family-type housing unit in each building, except as otherwise provided for by Policies 1.5.4 and 1.7 of this Plan.
- 1.5.2 For those areas designated as medium-density residential on the Future Land Use Map of this Plan, the City shall amend its zoning by-laws to permit interior conversions of or additions to existing buildings to permit up to a maximum of four dwelling units, provided that two family-type dwelling units are provided for each non-family-type dwelling unit, and provided that:
- (a) this provision shall apply only to buildings existing on the date of adoption of this By-law;
  - (b) one unit shall be permitted where the lot size is less than 3,300 square feet; two units where the lot size is between 3,300 and 5,000 square feet; three units where the lot size is between 5,000 and 6,000 square feet; and a maximum of four units where the lot size is greater than 6,000 square feet;
  - (c) 300 square feet of open space shall be provided per family-type unit and 50 square feet of open space per non-family-type unit;
  - (d) for buildings with more than two units, one parking space shall be provided per family-type unit and one parking space shall be provided for every two non-family-type units;
  - (e) no parking shall be permitted in front yards; and
  - (f) no part of the addition, if any, shall exceed the height of the existing structure.
- 1.5.3 For areas designated as medium-density residential on the Future Land Use Map of this Plan, the City shall amend its zoning by-laws, specifically the

standards for lot size and lot frontage, to accord with the characteristic measurements of a lot in the area.

- 1.5.4 The City shall, for the properties abutting Coburg Road between Oxford and Spring Garden Road, and the properties abutting Robie Street between Pepperell Street and South Street, which are designated as medium-density residential, amend its zoning by-laws to permit interior conversions only of existing buildings, provided that any such dwelling units created in such conversions shall be a minimum of 600 square feet, and provided that there is no change in height or volume of such buildings.
- 1.5.4.1 The City shall not permit further encroachment of non-residential uses in said areas, except as provided for by Policy 2.1 of this Plan.
- 1.5.5 Because of the unique configuration of the property designated medium-density on the Future Land Use Map of this Plan and identified as P.I.D. 00137273 Cedar Street and its relationship to abutting properties, no development, other than a detached single unit dwelling, shall be permitted, except by development agreement
- 1.5.5.1 Any development permitted pursuant to Policy 1.5.5 shall:
- (a) be limited to those uses permitted by the R-2 General Residential Zone;
  - (b) meet the provisions of the R-2 General Residential Zone of the land use by law; and
  - (c) be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:
    - (i) land use;
    - (ii) architectural design;
    - (iii) scale, height and massing of the building;
    - (iv) population density;
    - (v) lot size, lot frontage, setback, lot coverage and open space;
    - (vi) adequacy of the servicing capacity
    - (vii) the location and amount of parking provided;
    - (viii) accesses to the site and building;
    - (ix) site landscaping including buffering; and
    - (x) building materials
- 1.6 Buildings in areas shown as high-density residential on the Future Land Use Map of this Plan shall be required to provide, at a minimum, a mix of family and non-family type dwelling units at a ratio of 1:2.
- 1.7 Notwithstanding the policies above, where a residential building is proposed to contain a maximum of two units, only one unit shall be required to be a family-type unit.
- 1.8 In areas designated as low-density residential or medium-density residential, the City shall consider, under the provisions of Section 33(2)(b) of the Planning Act

(contract zoning provisions), applications for rowhousing and, as part of that consideration, the City shall require the following:

- (i) a minimum site size of 10,000 square feet;
- (ii) no demolition of housing stock in existence on the date of adoption of this Plan;
- (iii) conformance in all other respects to the rowhousing provisions in the Zoning By-law;
- (iv) frontage on a public street;
- (v) a minimum unit size of 1,500 square feet;
- (vi) a distance of 15 feet between any rowhousing unit and any existing buildings; and
- (vii) a side yard of ten feet at each end of the development.

- 1.9 In reviewing applications for rezonings, zoning amendments or contract agreements in areas where the Plan provides for a change in use from non-residential uses to residential uses, the City shall be guided by Policies 1.9.1 to 1.9.6 of this Plan.
- 1.9.1 Public expenditure for new services which may be required for development at the time of application shall not exceed those currently provided for within the City's capital budget.
- 1.9.2 The City shall ensure that any trees or other natural vegetation or open spaces affected by the proposed development shall be preserved where possible.
- 1.9.3 The City shall have regard for the adequacy of outdoor lighting in public and private areas of the development and the sight lines to those areas from all parts of the development.
- 1.9.4 The City shall have regard for the proximity of the development to recreational facilities including neighbourhood parks, district parks and regional parks. In addition, the availability of informal paths of an active recreational setting within a development shall be assessed and encouraged where appropriate.
- 1.9.5 The City shall have regard for the serviceability of the development by public transit and give due consideration to any changes in the routing of public transit vehicles or public transit stops to accommodate said development, and, where appropriate, it shall take action through representations to the regional transit authority.
- 1.9.6 The City shall have regard for the creation of pedestrian linkages between the proposed development, neighbourhood commercial uses, and recreational facilities. Where possible, the City shall encourage improved pedestrian linkages through sidewalk renewal, improved lighting, and appropriate street furniture.
- 1.10 The City shall consider any disposition of lands which it owns in Peninsula Centre within the policy framework established by this Plan.

- 1.10.1 When disposing of City-owned land, the City shall give priority consideration to residential uses unless said use would be in conflict with the policies of this Plan.
- 1.10.2 If, by the policies of this Plan, a residential use is inappropriate, the City shall have regard for the areas designated by this Plan for institutional, commercial and/or university areas, and shall seek to promote uses compatible with said land use designations.
- 1.11 The City shall pay particular attention in developing appropriate zoning regulations to carry out the policies of this Plan, and in reviewing applications for rezonings, zoning amendments or contract agreements for areas of transition between residential and non-residential uses, to the relationship between such uses, and shall attempt to minimize any negative impacts which may potentially occur.
- 1.12 The City shall revise its zoning by-laws to provide that, under the provisions of Section 33(2)(b) of the Planning Act, any residential building existing on the date of adoption of this Plan destroyed by fire or otherwise, may be reconstructed to its original size and use, notwithstanding the provisions of the zoning by-law which may apply to the property.
- 1.13 The City shall not seek amendments to legislation of the Province of Nova Scotia respecting Rosebank and Norwood Subdivisions.
- 1.14 Notwithstanding the Mid Density Residential Designation of the southern portion of the property known as 6112 Quinpool Road bounded by Quinpool Road, Vernon Street and Pepperell Street, and in conjunction with Policy 2.9 of Section XII of this Municipal Planning Strategy, the Municipality shall permit a mixed use residential and commercial building by development agreement. (RC-Jun 25/13; E-Aug 17/13)**
- 1.14.1 Any development permitted pursuant to Policy 1.14 shall be achieved through attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to the criteria found in Policy 2.9 and 2.9.1 of Section XII of this Municipal Planning Strategy. (RC-Jun 25/13; E-Aug 17/13)**
- 1.15 Notwithstanding the Medium Density Residential Designation of the south-west corner of Coburg Road and Seymour Street, the Municipality shall consider a residential or mixed use residential and commercial building by development agreement. In considering such development agreements, Council shall consider the following:**
- (a) appropriate scale, massing and setbacks from neighbouring properties and uses;**
  - (b) reduced building setbacks of up to 1.8 metres (6 feet) from shared property lines provided design features and step backs are incorporated to mitigate potential impacts on neighbouring properties;**

- (c) appropriate transition of the building with respect to the lower rise buildings along Seymour Street;
- (d) no portion of the building, including mechanical equipment and penthouses, shall exceed 20.1 metres (66 feet) in height;
- (e) the building shall be constructed of high quality durable materials;
- (f) commercial uses intended to serve the local neighbourhood, such as grocery store uses, drug store uses, and personal service uses may be permitted at the ground level;
- (g) underground monthly or yearly commercial parking may be permitted provided parking is also provided to a minimum of 1/3 of the residential units;
- (h) to promote pedestrian interest, where commercial uses are located at the ground level, the ground level shall have a high level of transparency and there shall be frequent entryways where there are multiple occupancies;
- (i) to promote a mix in residential units, a minimum of one third of the residential units shall be 74 square metres (800 square feet) or larger;
- (j) all vehicular parking shall be located underground;
- (k) no vehicular or service access points shall be located on Coburg Road;
- (l) the size and visual impact of utilitarian features such as garage doors, service entries, and storage areas, shall be minimized; and adequate water and sewer capacity to service the development.

(RC-Apr 5/16;E-May 21/16)

**1.16** The property located at 6345 Coburg Road, the northeast corner of Coburg Road and Larch Street (PID 00048397), comprised of a dwelling house, has been identified as a site for comprehensive multi-unit residential re-development.

The surrounding Coburg Road context features a development fabric of multi-unit mixed residential built form with an adjacent 16-storey building to the west, a four-storey building to the east and is located opposite the University of Kings College campus.

Thus, given that the site provides proximity to Halifax peninsula employment, shopping and institutional amenities, is accessible via active transportation and serviced by high frequency public transit, and notwithstanding the residential objective and policies of this Section, a multi-unit residential use by development agreement shall be enabled in accordance with the *Halifax Regional Municipality Charter*.

(RC-Jan 24/17;E-Mar 11/17)

**1.16.1** Any redevelopment permitted pursuant to Policy 1.16 shall be achieved by consideration of a variety of factors for which conditions may be set out in the development agreement, such as, but not limited to, the following:

- a) Appropriate scale and massing of the building for the lot area and configuration.

- b) **An overall building height which does not exceed the following:**
    - i) **Maximum building height of 17.5 metres, to a maximum of five storeys;**
    - ii) **Maximum streetwall height of 14 metres, to a maximum of four storeys;**
    - iii) **A maximum height of 10.5 metres to a maximum of three storeys for all portions of the building within 12 metres of the north property boundary; and**
    - iv) **Required building setbacks a minimum of 2.43 metres in depth on Larch Street and Coburg Road.**
  - c) **Building elevations which face the street should include complimentary streetscaping elements reflecting the characteristics of the low density built form of the existing surrounding neighbourhood. More specifically, the building should ensure the streetscape accomplishes the following:**
    - i) **The primary residential entry shall be located on Coburg Road;**
    - ii) **Main floor units facing Larch Street, the abutting property of Civic No. 1525 Larch Street and Coburg Road shall have individual unit entries; and**
    - iii) **High quality and durable building materials shall be used to reflect the prominence of the site.**
  - d) **Dwelling unit variation shall be required in the building in accordance with the following:**
    - i) **A minimum 25% of units shall contain two or more bedrooms, with a minimum unit size of 83 square metres; and**
    - ii) **Each floor of the building shall contain a mix of unit types per floor with a minimum of two 2-bedroom units per floor.**
  - e) **High quality exterior building materials and variations in the façade and mass of the building to provide visual interest.**
  - f) **Vehicular parking be provided underground, with no surface parking provided.**
  - g) **The size and visual impact of utility features such as garage doors, service entries and storage areas shall be minimized and mechanical equipment is concealed.**
  - h) **The creation of high quality design detail at the pedestrian level through attention to details including but not limited to entrance treatments, landscaping and lighting.**
    - i) **Ground floor level features individual unit entry doors.**
    - j) **The adequacy of sewer and water servicing for the site.**
- (RC-Jan 24/17;E-Mar 11/17)**



## **2. COMMERCIAL FACILITIES**

**Objective:** The provision for a variety of neighbourhood convenience stores and minor commercial uses in convenient and accessible locations which do not adversely affect adjacent residential uses.

- 2.1 Neighbourhood convenience stores shall require that a limited distance be travelled and should be located within a residential neighbourhood so as to minimize the use of private automobiles to reach them. They should be located at the intersection of local streets, and should occupy only the ground floor of a building. The floor area of grocery stores shall not exceed 1,000 square feet, and the floor area of drug stores shall not exceed 1,400 square feet.
- 2.1.1 The City shall not predesignate the location of new neighbourhood convenience stores and shall approve such convenience stores only through a rezoning process to a neighbourhood commercial zone.
- 2.1.2 Pursuant to Policies 2.1 and 2.1.1, the City shall amend its Zoning By-law to provide for a residential neighbourhood commercial zone which provides for a maximum of four residential units and one neighbourhood commercial use in any given development.
- 2.2 Minor commercial centres should service several neighbourhoods and may include a variety of retail, professional and local office uses in accordance with Part II, Section II, Policy 3.1.2 of the Municipal Development Plan. Minor commercial uses shall be permitted in areas designated as commercial on the Future Land Use Map of this Plan.
- 2.2.1 In areas east of Robie Street and north of Spring Garden Road designated as high-density residential or in areas designated as residential-commercial mix on the Future Land Use Map of this Plan, the City may permit the ground floor of buildings to be occupied by office uses, in accordance with Policy 8.1.3 of this Plan.
- 2.2.2 The City shall deny rezonings to permit a minor commercial use in areas not designated as commercial on the Future Land Use Map of this Plan.
- 2.3 Commercial uses of a City-wide or regional nature shall not be permitted in Peninsula Centre in accordance with Part II, Section II, Policies 3.2 and 3.2.1 of the Municipal Development Plan.
- 2.4 The Land Use By-law shall include a zone for the property of Ben's Bakery Limited on the south and north side of Pepperell Street which is presently in use as a bakery, such zone to:
  - (i) provide for a bakery as a permitted use, including accessory uses thereto;
  - (ii) provide for the present use to continue;
  - (iii) require a height limit of 33 feet or three storeys; and
  - (iv) provide adequate parking.



- 2.5 If at any time Ben's Limited or its successors finds it necessary to relocate elsewhere, the City shall undertake, in cooperation with the owner, to examine alternative residential, commercial and mixed use redevelopment options, including associated Plan and Zoning By-law amendments, for re-use of the property identified in Policy 2.4 above within the context of a requirement to properly integrate new uses with adjacent residential areas, provided that adequate notice is given to the City.

### 3. INSTITUTIONS

**Objective:** The provision of local institutional uses to serve the needs of the residents of Peninsula Centre and adjacent residential areas, and the containment of major institutional uses of a City-wide, regional or provincial nature within prespecified boundaries.

3.1 The development of institutional uses shall be restricted to the area designated for such uses on the Future Land Use Map of this Plan.

3.1.1 The City shall, in considering rezoning applications for institutional uses in designated areas, normally not approve major institutional uses such as hospitals and such institutional uses as clubs where the specific use requested is not restricted to a use which is primarily recreational in nature. The City in considering such applications shall have regard for impacts on adjacent residential areas, other institutional uses and whether the use proposed is appropriate in terms of the intents of this Plan.

3.1.2 The City shall ensure that the built form of major institutional developments is compatible with the scale, proportion and setback of adjacent non-institutional uses.

3.1.3 Facilities related to major institutional uses shall not be permitted to locate in residential areas. Such facilities shall be required to locate within the areas designated for said uses.

3.2 Institutional uses of a local nature, such as, but not limited to, schools and places of worship shall be encouraged to remain in their present locations.

3.2.1 The City shall give priority consideration to re-use of properties previously used for local institutional uses to uses which are neighbourhood-serving and which include medium-density residential, recreation, community facilities and/or private non-profit activities.

3.3 For that area located generally between Coburg Road, South Street, Oxford Street and the railway cuts designated as "Institutional", the City may consider applications for rezoning to low-density university use.

3.4 The City may, for the property identified as Civic Number 1350 Oxford Street, consider an application for high-density residential development, pursuant to the authority of Section 33(2)(b) of the Planning Act. As part of that consideration, the City shall require conformity with the provisions of the Zoning By-law with respect to height.

3.5 Notwithstanding the Institutional designation of 1270 Oxford Street, LRIS PID No. 78154, the Municipality may permit a multi-unit residential building by development agreement.

3.5.1 Any development permitted pursuant to Policy 3.5 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for

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

- a) the architectural design of the building including building materials;
- b) the scale, height, and massing of the building;
- c) the adequacy of parking provided;
- d) safe accesses to the site and building;
- e) site landscaping and tree preservation;
- f) location, form and function of open space and recreational amenity space;
- g) provision of family-type units.

#### **4. UNIVERSITIES**

**Objective:** The continued development of university areas as a focal point for academic, social and cultural activities, and the containment of university uses within prespecified boundaries.

- 4.1 University uses shall be restricted to the areas designated for such uses on the Future Land Use Map of this Plan, and within such areas university uses shall be encouraged.
- 4.2 The City shall require the orderly development of areas designated "University" and unless extraordinary circumstances warrant changes, the City should not consider amendments to this Plan which would allow expansion of said areas until such time as all potential building sites within said areas have been used.
- 4.3 Where a university prepares a master plan for its campus, the City shall request participation in that process and shall respond to such plans within the context of the policies of this Plan.
- 4.4 The City shall amend its Zoning By-law to require that development at the interface of residential areas maintains the scale of existing residential areas and is compatible with the proportion, setback and building lines of those areas.
- 4.5 Pursuant to Policy 4.4 above, the City shall amend its Zoning By-law to provide for two university zones: a high-density zone which would allow all university uses, and a low-density zone which would allow only university uses which would have minimal impacts on adjacent residential uses.
- 4.6 In areas which are zoned for high-density university use, pursuant to the policies of this Plan, the City shall allow intense university uses and university uses which generate a significant level of activity, except as provided for by Policy Set 4.6 herein.
  - 4.6.1 The City shall amend its Zoning By-law to permit intense university uses at the periphery of university areas where they front on City streets, as set out in Policies 4.6.2 and 4.6.4 below, provided that design and circulation elements of any proposal are sufficient so as to ensure that potential negative impacts on adjacent residential areas are minimized, and provided that the scale and setback of buildings is appropriately regulated.
  - 4.6.2 In any area designated as university on the Future Land Use Map of this Plan, the City shall amend its Zoning By-laws to require a setback along South Street from LeMarchant Street to Oxford Street, along Oxford Street from South Street to Coburg Road, and along Coburg Road from Oxford Street to LeMarchant Street of a minimum of 50 feet.
  - 4.6.3 Pursuant to Policy 4.6.2 above, the Zoning By-law shall be amended to provide that any development which is located within the area designated as university and which borders the 50 foot setback requirement shall be restricted to a height of 55 feet or five storeys, such height limitation to be maintained to a distance

from the street line of 75 feet for all streets except Coburg Road, where the distance shall be required to be 100 feet and the buildings should be required to include facade articulation elements for those facades which face City streets.

- 4.6.3.1 The City shall amend its Zoning By-law to permit a structure to a maximum height of five feet within the setback area defined in Policy 4.6.3 above, provided such structure is set back a minimum of 15 feet from the street line.
- 4.6.4 The City shall amend its Zoning By-law to permit intense university uses to the street line along University Avenue west of Robie Street and to require a rear yard setback of 20 feet for any university use which abuts University Avenue between Henry Street and Robie Street.
- 4.7 In areas which are zoned for low-density university uses, the City shall amend its Zoning By-law to require careful treatment of said uses and consideration shall be given to the following:
  - (i) uses which are located on local streets shall, for the most part, be limited to uses for academic offices, seminar rooms and university residential uses;
  - (ii) university residential uses shall be developed in conformity with the scale and character of the surrounding residential area;
  - (iii) the siting of buildings on lots shall be required to generally conform to the characteristics of surrounding residential areas; and
  - (iv) parking lots shall not be permitted in such areas unless such parking lots are adequately buffered from City streets or from adjacent residential uses.
- 4.7.1 The City shall encourage re-use of existing buildings for university uses in areas zoned for low-density university use and shall encourage renovation and a greater intensity of uses within the scale and characteristics of surrounding residential areas.
- 4.7.2 In areas which are zoned for low-density university uses, such zone shall include provisions to restrict heights of buildings to 35 feet or four storeys, and to require setbacks which accord with the characteristic setback on the street.
- 4.7.3 The City shall permit rezoning to periphery university use only where the existing zoning is residential in the area designated "university" on the Future Land Use Map of this Plan between LeMarchant and Robie Streets, and where the intended use does not front on University Avenue, provided that all other intents of this Plan are satisfied.
- 4.8 The City shall encourage the provision of adequate parking facilities associated with university uses.
- 4.8.1 The City shall encourage Dalhousie University to continue its present policy of attempting to buffer parking areas and attempting to introduce high quality design standards for university uses at the periphery of university areas.
- 4.8.2 The City shall amend its Zoning By-law to require that all parking lots in areas on the periphery of the university area be buffered from adjacent residential uses.

- 4.8.3 The City shall require that, as new university development proceeds at a minimum, parking shall be maintained at its present level, which, at the time of adoption of this Plan, was 1,730 parking spaces.
- 4.8.4 The City shall encourage Dalhousie University, should it consider a major parking facility, to locate such facility in an appropriate manner within the context of the policies of this Plan adjacent to South Street and opposite the present Sports Complex location.
- 4.9 The City shall continue to encourage effective use of public transit by university employees and students.
- 4.10 The City shall not permit any university use in areas which are not designated for same on the Future Land Use Map of this Plan unless such uses are permitted by the Zoning By-law and except as provided for by Policy 3.3 of this Plan.

## 5. **COMMUNITY FACILITIES**

**Objective:** The provision of community services and facilities for residents of Peninsula Centre in a variety of settings readily accessible to residential areas.

- 5.1 The City shall encourage the maintenance of existing community facilities of both a public and private nature in their present location.
- 5.2 In considering the re-use of existing community facilities such as schools, the City shall consult with the residents of the area through a public meeting forum to determine priorities for re-use of such facilities.



## **6. HERITAGE RESOURCES**

- 6.1 The City shall continue to seek the preservation, rehabilitation and restoration of areas, streetscapes, buildings, features and spaces in the Peninsula Centre area consonant with the City's general policy stance on heritage preservation (See Section II, Policy Set 6).
- 6.1.1 For the registered heritage property, known as Thornvale, Thornvale Avenue, the City may permit by contract agreement any use other than those permitted by the zoning designation of the area (for instance, a professional office use) where said use would not unduly disrupt adjacent residential uses in terms of traffic generation, noise, hours of operation, parking requirements and such other land-use impacts as may be identified as part of the review process.

## **7. TRANSPORTATION**

**Objective:** Maintenance of the existing transportation system in the Peninsula Centre area with an emphasis on discouraging through traffic on local streets.

- 7.1 The City shall carry out a study of the transportation network within the Peninsula Centre area and the terms of reference for such study shall include the following:
- (i) an emphasis on reducing through traffic on local streets and an emphasis on reducing the volume of traffic on streets which are primarily residential in use and which are not designed as major arterials;
  - (ii) attention to the requirement for pedestrian circulation particularly as it relates to the location of community facilities; and
  - (iii) attention to the context provided by the City's overall transportation policies as found in Part II, Section II of the Municipal Development Plan.
- 7.2 Notwithstanding Policy 7.1 above, the City shall continue to attempt to reduce the incidence of through traffic on residential streets in the Peninsula Centre area where such streets are not equipped to handle volumes of traffic of a level suited to arterial streets.
- 7.3 The City shall require that particular attention be paid in preparation of the Quinpool Road Detailed Area Plan to the potential for increased residential traffic in adjacent residential areas in the Peninsula Centre area.
- 7.4 In reviewing applications for rezonings, zoning amendments or contract agreements for major non-residential uses, the City shall pay particular attention to the proposed access and egress locations to City streets for such applications.
- 7.5 The City shall actively seek to reduce the use of residential streets for commuter parking, including seeking authority for a residential parking sticker system.

## **8. SUB-AREA POLICIES**

### **Sub-Areas**

**Definition:** For the purpose of setting out the detailed sub-area policies of this Plan, sub-areas shall be identified as shown on Map 1.

#### **8.1 SPRING GARDEN ROAD SUB-AREA**

8.1.1 The City shall amend its zoning by-laws to include a height restriction on development in the vicinity of the Public Gardens so as to ensure a minimum of shadow casting on the Public Gardens.

8.1.2 The City shall consider an application under the provisions of Section 33(2)(b) of the Planning Act for a development in the Spring Garden Road Sub-Area north of Spring Garden Road which would exceed the height precinct so established through Policy 8.1.1 above, and, in so doing, the City shall require that any proposed development not cast a significant amount of shadow on the Public Gardens during that period of the year during which the Public Gardens is open to the public.

8.1.3 The City shall consider an application under the provisions of Section 33(2)(b) of the Planning Act for inclusion of office uses in an apartment building, provided that:

- (i) the said uses are located on the ground floor of the building;
- (ii) access is separately accessible to the said use; and
- (iii) parking spaces associated with said uses are separately accessible for spaces associated with the apartment uses.

8.1.4 For the area designated "High-Density Residential" on the southwest intersection of Spring Garden Road and Summer Street and extending to College Street, the City may consider applications for residential developments under the development agreement provisions of the Planning Act beyond the height precincts established pursuant to Policy 8.1.1, provided that no development shall be permitted which would cast shadows on the Public Gardens any day between February 21 and October 21 each year.

#### **8.2 NORTHWEST ARM SUB-AREA**

8.2.1 In any area shown as low-density residential, which is located within the area defined in Policy 8.2.1.1 along the present shoreline of the Northwest Arm only single-family dwellings shall be permitted and development by agreement pursuant to Policy 1.8 shall not be considered. For those lots which front on the Northwest Arm such dwellings shall be on lots with a minimum lot area of 8,000 square feet, a minimum distance of 30 feet between buildings, and a minimum setback from the shoreline of 30 feet.

8.2.1.1 The area for which Policy 8.2.1 applies shall be that area between the Northwest Arm and a line as follows: beginning at the northern boundary of Peninsula Centre at Armview Avenue, extending along Armview Avenue to Pryor Street,

along Pryor Street to Jubilee Road, along Jubilee Road to Fairfield Road, along Fairfield Road to a line extending southerly along the eastern boundaries of the properties between Fairfield Road and Coburg Road, to Coburg Road, thence along Birchdale Avenue to the southernmost property line of Civic No. 1462 Thornvale Avenue, thence along said property line to Thornvale Avenue, thence southerly along Thornvale Avenue to its intersection with Webster Terrace, thence along Webster Terrace to South Street, thence along the rear property lines of the properties fronting on the Northwest Arm to the southern boundary of Peninsula Centre.

8.2.1.2 Notwithstanding the provisions of Policy 8.2.1, for the area identified in Policy 8.2.1.1, the City shall exempt Lots 6 and 7 of Thornvale Subdivision from such provisions in the Zoning By-law and shall require that said lots be developed in accordance with the provisions of the R-1 Zone.

8.2.1.3 Notwithstanding the provisions of Policy 8.2.1 for the area identified in Policy 8.2.1.1, the addition of an 18<sup>th</sup> dwelling unit through interior conversion of the existing building identified by civic number 6770 Jubilee Road (LRIS PID No. 00079038) may be considered by an amendment to the existing development agreement for the subject property (approved by Council on July 15, 1982).

8.2.1.3.1 Any development permitted pursuant to Policy 8.2.1.3 shall be designed so that there are no change in the scale, height, and lot coverage of the existing building. When determining whether to enter into such an amending agreement, consideration shall be given to the following matter:

1. That structural changes to the exterior of the existing building are of a minor nature. **(RC-Jun 28/07; E-Aug 6/05)**

8.2.2 The City shall seek to provide a public pathway along the Northwest Arm only in the following ways:

- (i) on publicly-owned lands when control of use is available in such a manner as to prevent nuisance to adjacent properties; and
- (ii) in cases where redevelopment is proposed, where the conditions identified in (i) above obtain, and where agreement with the landowner can be negotiated.

8.2.3 The City shall require that any change in use of lands in an area designated as institutional shall be restricted to uses primarily recreational in nature and related to the Northwest Arm.

8.2.4 The City shall require that views down existing City streets to the Northwest Arm be maintained.

### 8.3 PEPPERELL STREET SUB-AREA

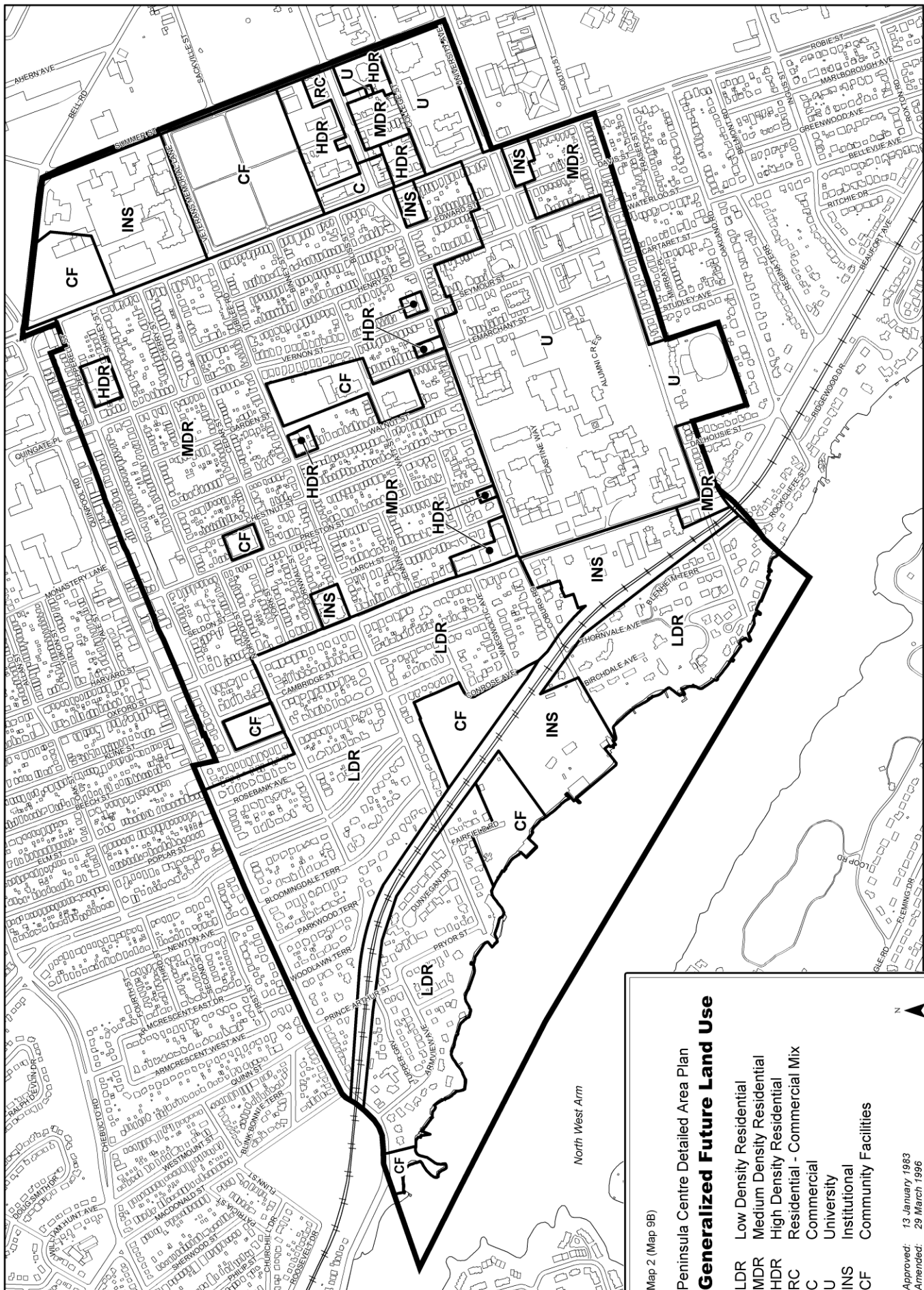
8.3.1 The City shall encourage the development of residential uses along Pepperell Street.

- 8.3.2 The City shall seek to gain authority which would enable restriction of access to commercial properties from Pepperell Street.
- 8.3.3 The City may, for the property identified as Civic No. 1971 Preston Street, enter a development agreement to permit office uses associated with a bakery pursuant to the authority of the Planning Act. As part of that consideration, the City shall require that:
- (a) the general character of the existing building shall be maintained;
  - (b) only office uses accessory to a bakery shall be permitted;
  - (c) the external evidence of the office use shall be minimized; and
  - (d) the development agreement shall be terminated when the property is no longer used for office purposes accessory to a bakery.
- 8.3.4 Repealed 7 September 1990.
- 8.3.5 Repealed 7 September 1990.
- 8.3.6 Repealed 7 September 1990.
- 8.3.7 The City shall prohibit the development of additional parking lots or areas along the north side of Pepperell Street.
- 8.4 CAMP HILL SUB-AREA
- 8.4.1 The City shall amend its zoning by-law, as it applies to the property of Camp Hill Hospital, to include:
- (i) a requirement for a setback equivalent to the facade of the existing building from the Robie Street street line for any building fronting on Robie Street; and
  - (ii) a height limitation of six storeys at the setback line identified in (i) above for any building fronting on Robie Street.
- 8.4.2 The City shall discourage the use of Jubilee Road as a main thoroughfare to and from the institutional areas on Robie Street.
- 8.4.3 In any development of the Camp Hill Hospital Complex, the City shall consider as access requirement that the primary access to the site be located on Summer Street and that the primary traffic egress from the site be located on Robie Street with right turns only permitted at that point.

## **9. GENERALIZED FUTURE LAND USE MAP**

- 9.1 The Generalized Future Land Use Map should be considered as the expression of intent of the City of Halifax for a future land use pattern, based on the policies outlined in this Plan.
- 9.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.







## **SECTION VII**

### **FAIRVIEW AREA SECONDARY PLANNING STRATEGY**

#### **OBJECTIVES AND POLICIES**

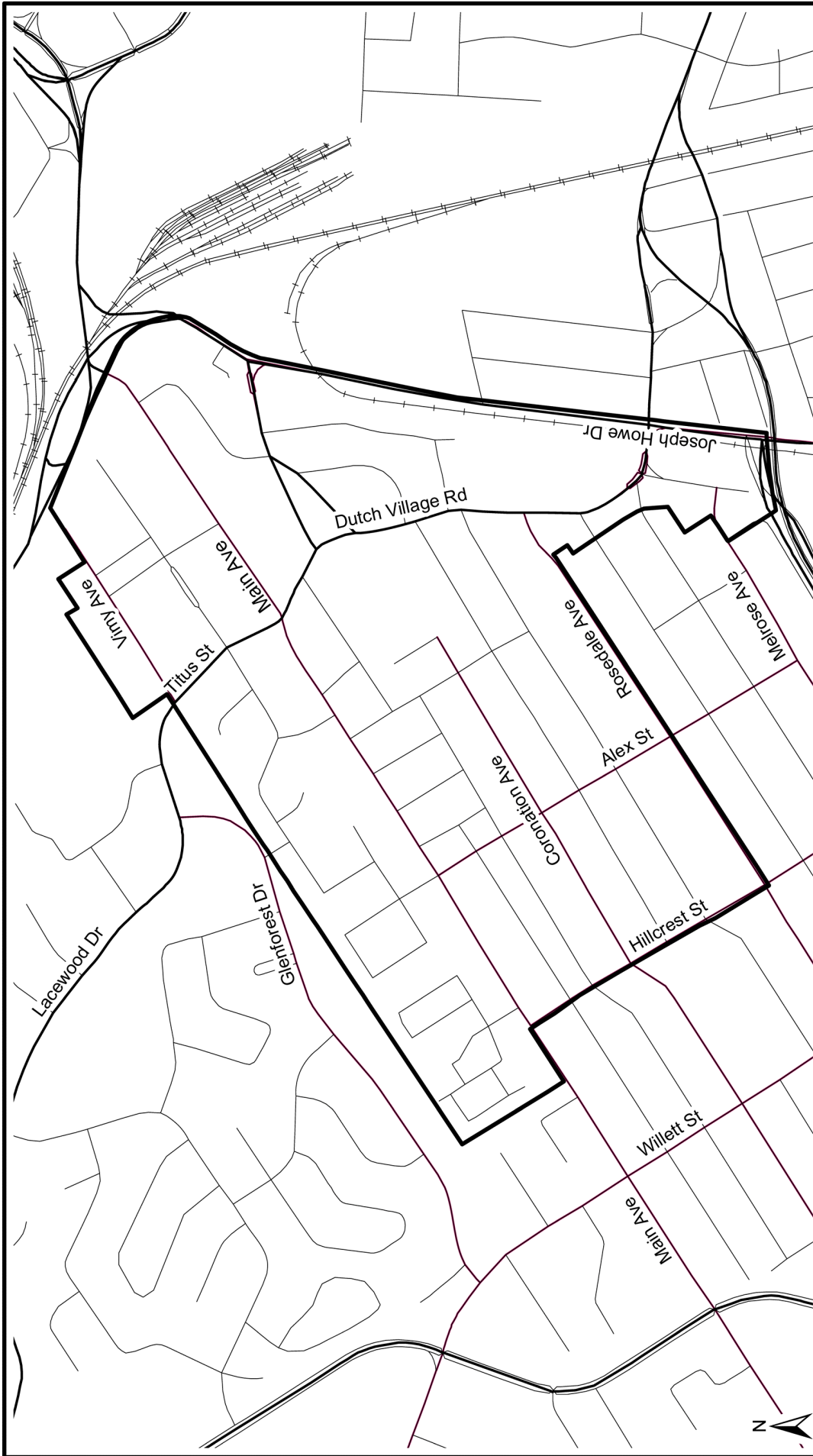
The following objectives and policies were adopted by City Council on January 31, 1985 as a secondary plan in the municipal planning strategy, the City of Halifax Municipal Development Plan, to have the title and effect as stated:

#### **CONTEXT**

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

#### **AREA DEFINITION**

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



Fairview Area Plan

## Fairview Plan Area Boundary

**HALIFAX**  
REGIONAL MUNICIPALITY  
COMMUNITY DEVELOPMENT  
PLANNING SERVICES



Approved: 5 July 1985

## **1. RESIDENTIAL ENVIRONMENTS**

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

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

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

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

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

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

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

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

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

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

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

### **Designations**

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

### **Commercial Designation**

- 2A.2. Lands located on Joseph Howe Drive, Dutch Village Road, Titus Street and Alma Crescent shall be designated as Commercial. This designation is intended to provide for a variety of commercial and residential uses that service the needs of the broader Fairview community. The designation will introduce controls on the external appearance of structures. The designation will permit development of a height and scale up to a mid-rise form through an as of right process. However, high-rise buildings may be considered subject to a development agreement process within Area A (Plan Dutch Village Road Overview Map).**

- 2A.2.1. The Halifax Mainland Land Use Bylaw shall be amended to create a commercial zone (Dutch Village Road Mixed Use Zone) that permits multi-unit residential, retail, office uses, restaurants, personal service uses, institutional uses, community facilities and related commercial uses that service the local community. To encourage the retention of small scale, local businesses, and to reduce the impact of new commercial uses on low density residential environments, retail uses will have a limited ground floor area in Area D. Parking shall not be permitted in the front yard, but instead is encouraged below ground, or otherwise internal to a building. The Dutch**

**Village Road Mixed Use Zone will permit low-rise (buildings up to 11 metres) to mid-rise buildings (buildings taller than 11 m to 25 m), but will not permit single unit residential buildings.**

#### **Dutch Village Road Residential Designation**

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

#### **Building and Streetwall Heights**

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

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

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



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

### **Highrise Buildings**

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

- a) the maximum height of a building shall be 37.5 m;**
- b) buildings exceeding a height of 25 metres shall be designed in a podium and tower configuration where the maximum height of the podium shall be 16.5 metres for lands located along Joseph Howe Drive and 13.5 metres for lands located on Dutch Village Road;**
- c) Zone in the Halifax Mainland Land Use By-law with respect to side yard setbacks, residential unit mix and ground floor height;**
- d) towers shall have a minimum of 25 m separation distance with other towers and no tower shall be closer than 12.5 metres from a side or rear lot line;**
- e) the tower portion of the building, excluding any podium, shall have a maximum floor plate of 625 m<sup>2</sup> per floor;**
- f) surface parking shall not be located between a building and adjacent street;**
- g) the building shall have a maximum front yard setback of 3 metres. Where a property fronts two streets, this maximum will apply to both street frontages; and**
- h) buildings shall be located close to the street to create a defined street wall and occupy a minimum of 65% of a given property's frontage. All buildings, regardless of their use, should have easily identifiable entry points for each individual uses.**

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

- a) towers shall be placed away from streets, open space, and neighbouring properties to reduce visual and physical impacts of the tower and allow the base of the building to be the primary defining element for the site and adjacent public realm;**
- b) site design that incorporates landscaping, conspicuous building entrances, and considers the impact of retaining walls, lighting and signage to enhance the design of the building and limit the impacts on adjacent properties;**

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

#### **Commercial Development in Residential Areas**

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

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

#### **Non-conforming Uses and Structures**

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

- a) the capacity of the existing municipal services is not adversely affected;
- b) all provisions of the Minor Commercial Zone, other than use, are met;

- c) where the property is zoned Dutch Village Road Mixed Use Zone, the proposal shall meet all the provisions of the Dutch Village Road Mixed Use Zone, other than use; and
  - d) the proposed use is more compatible with the land use designation than the existing use with respect to traffic generation, safety, noise and air pollution.
- 2A.10. Non-conforming structures that are used for commercial purposes will be allowed to be extended, enlarged, or altered as long as the extension, enlargement or alteration complies with the Halifax Mainland Land Use By-law, or a variance is granted by the Development Officer, and provided that a non-conforming use is not extended into any new addition of the building.**

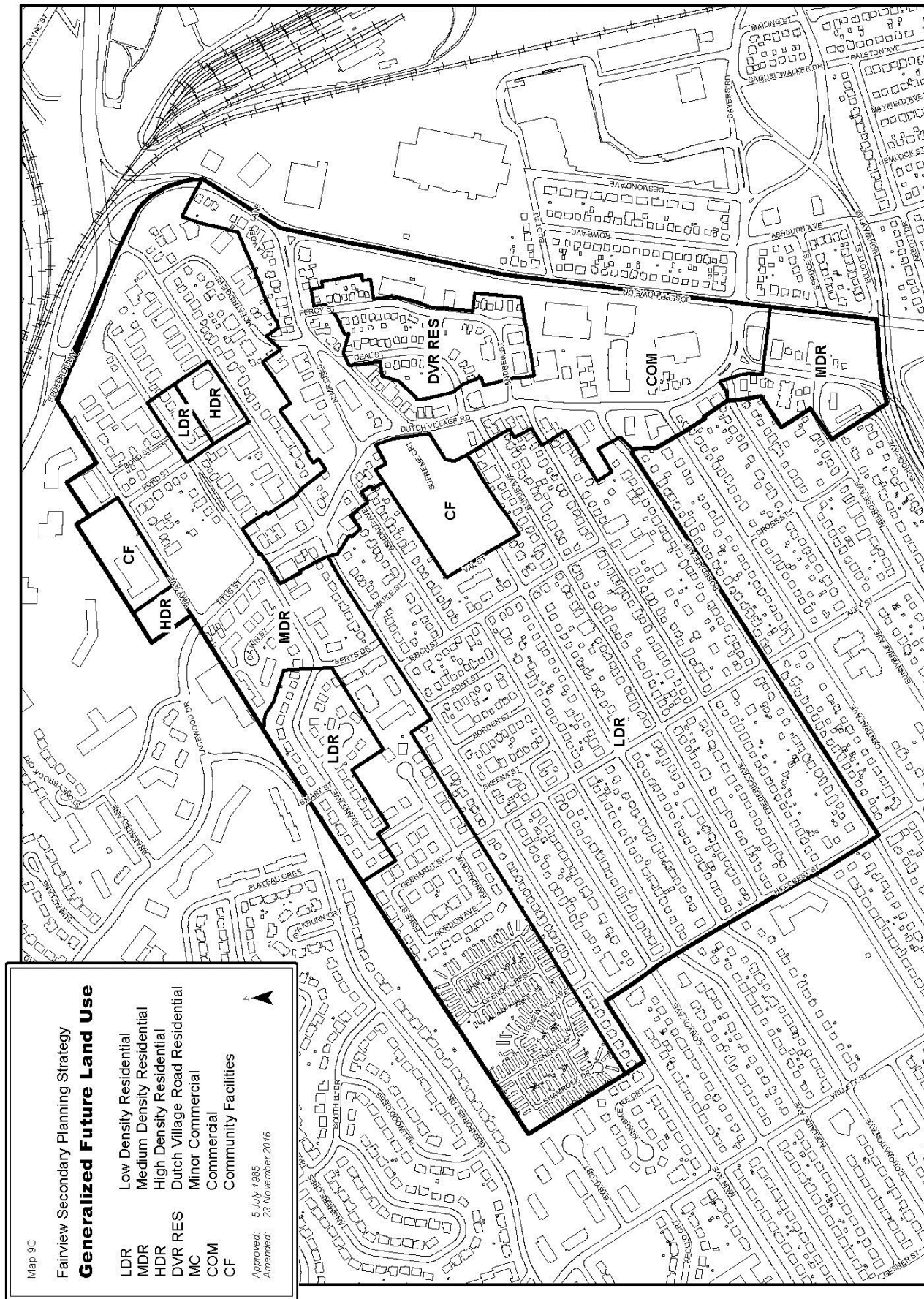
#### **Existing Development Agreements**

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

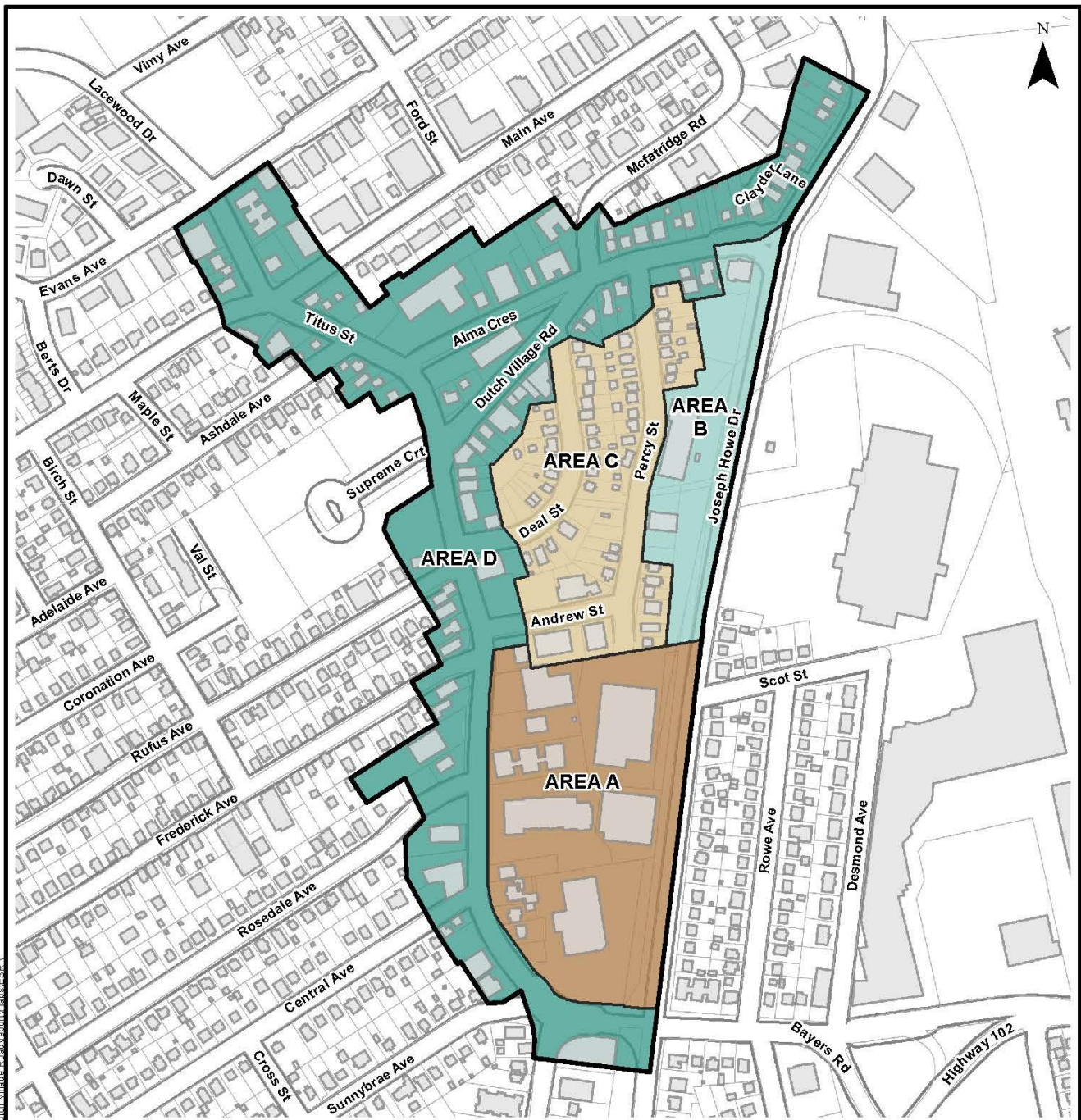
### **3. GENERALIZED FUTURE LAND USE MAP**

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







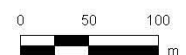


**Schedule A-2: Map 9C(1)**  
**Plan Dutch Village Road Overview Map**

- Area A
- Area B
- Area C
- Area D

**HALIFAX**

PLANNING & DEVELOPMENT



15 August 2016

Plan Dutch Village Road

HRM does not guarantee the accuracy of any representation on this plan.

**SECTION VIII**  
**BEDFORD HIGHWAY SECONDARY PLANNING STRATEGY**  
**OBJECTIVES AND POLICIES**

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

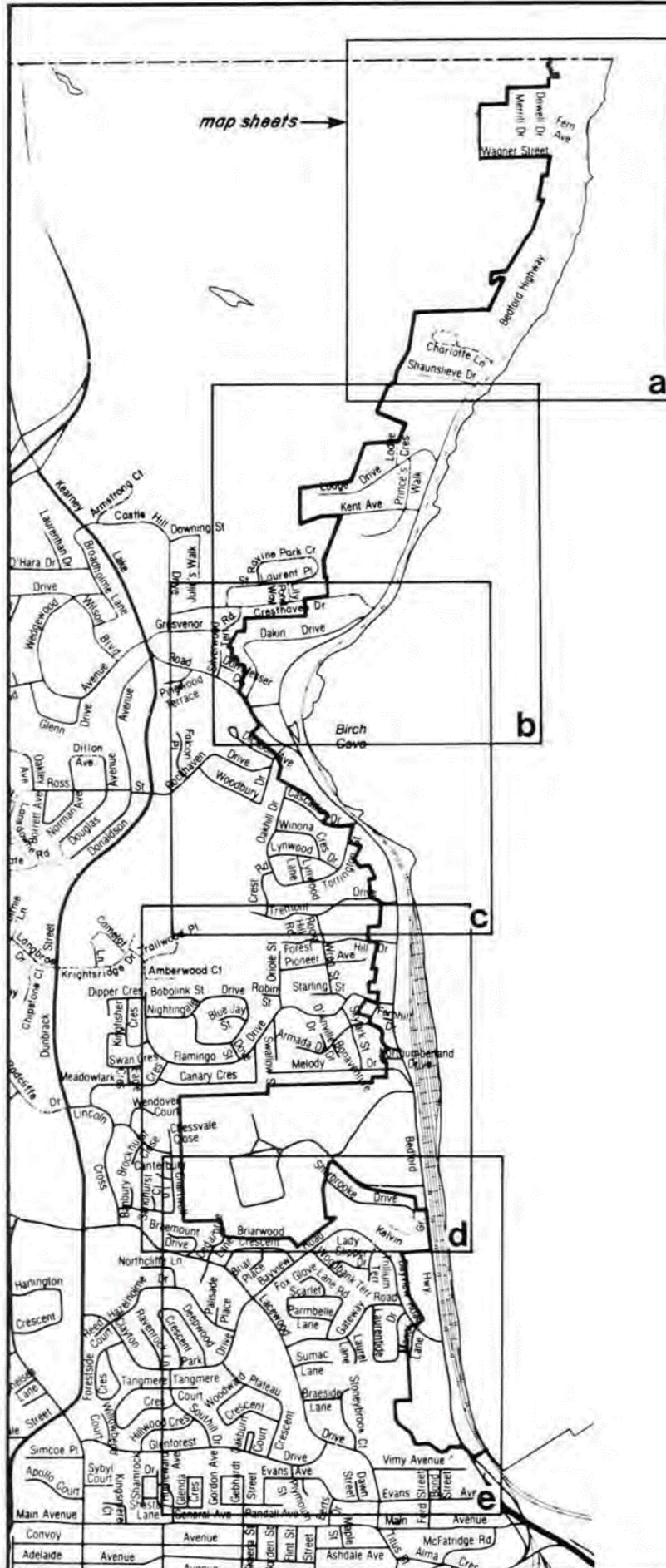
**CONTEXT**

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

**AREA DEFINITION**

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





Map 1

Bedford Highway Secondary Planning Strategy

## Bedford Highway Area Plan Boundary

Approved: 28 May, 1985

Amended: 28 August 2002

1:25000

KLW

## **1. RESIDENTIAL ENVIRONMENTS**

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

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

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

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

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

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

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

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

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

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

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

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

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

## **2. COMMERCIAL FACILITIES**

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

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

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

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

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

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

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

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

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

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

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

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



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

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

### 3. **INDUSTRIAL**

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

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



#### **4. INSTITUTIONAL**

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

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

## **5. COMMUNITY FACILITIES**

**Objective:** The provision of new recreation areas in appropriate locations, and the improvement of access to existing areas where necessary, particularly the Bedford Basin shoreline.

5.1 The City shall seek to preserve all areas of the Bedford Basin shore not required for railroad use as open space for public recreation purposes.

5.1.1 Pursuant to Section II, Policy 7.4.3 of the Municipal Planning Strategy the City shall seek to provide public access to the Bedford Basin shore. The City shall investigate, in particular, the feasibility of providing safe public access to Hogan's Point.

5.1.2 Pursuant to Section II, Policy 7.4.3 of the Halifax Municipal Planning Strategy and Policy EC-8 and the Halifax Harbour Plan, Map 9, of the Regional Municipal Planning Strategy, the Municipality shall seek to provide an Active Transportation Multi-use Trail along the western shore of the Bedford Basin from Hogan's Point in the south to the northern boundary of the Halifax Plan Area. The waterfront trail shall be designed in accordance with HRM's Active Transportation Plan, Facility Planning and Design Guidelines. Once established, the Active Transportation Multi-use Trail will serve to provide uninterrupted views of the Bedford Basin. (RC-Jan 11/11; E-Mar 12/11)

5.1.2.1 Pursuant to Policy 5.1.2, the Municipality shall seek to acquire both water lots and lands on the eastern side of the Bedford Highway with frontage to ensure adequate access for all users, to preserve views of the Bedford Basin from the Bedford Highway, provide opportunities for trailheads and parking and to generally further opportunities for residents of the Municipality to interact visually and physically with the Bedford Basin. (RC-Jan 11/11; E-Mar 12/11)

5.2 The City shall provide secondary access to Hemlock Ravine from Bedford Highway consistent with Policy 6.2 of this Bedford Highway Strategy and with the concept plan for Hemlock Ravine.

5.3 The existing Department of National Defence Calibration Barge located east of Birch Cove within a defined waterlot is used for the calibration of acoustic instruments and is the only facility of this type within Canada. Certain types of construction activity can have a negative impact on their operation, such as but not limited to, marine related activities, placing fill at the water's edge, soil compaction activities and pile driving. Due to the unique nature of this facility, HRM will pursue opportunities to work co-operatively with the Department of National Defence with the objective to minimize disruption of their normal operations. (RC-Jan 11/11; E-Mar 12/11)

5.4 A potential site for a Wastewater Treatment Plant has been identified immediately south of the Prince's Lodge waterlot. Should this project

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

## **6. ENVIRONMENT**

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

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

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

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

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

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

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

## **7. TRANSPORTATION**

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

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

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

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

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

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

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

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

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

## **8. ENVIRONMENTAL HEALTH SERVICES**

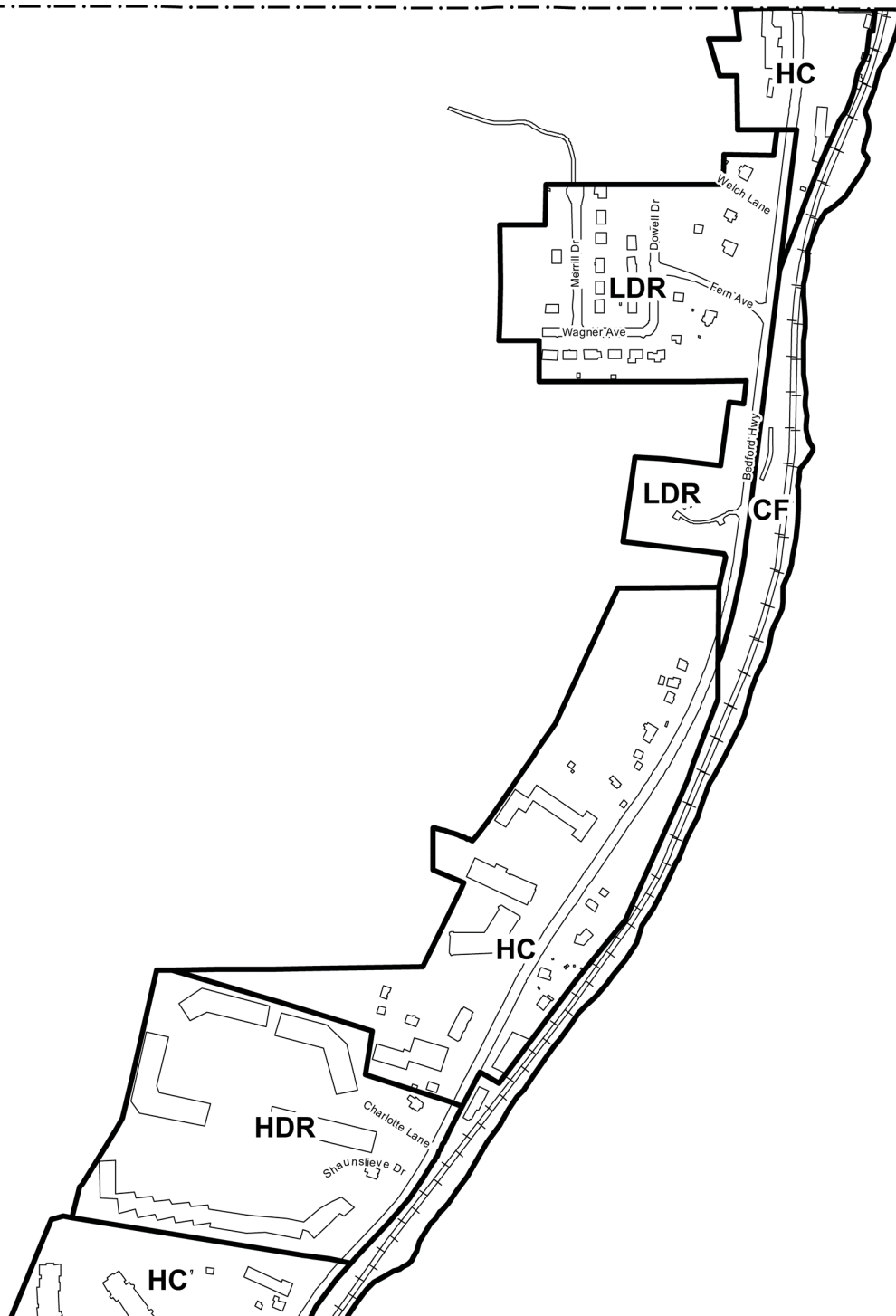
**Objective:** Encouragement of development only where municipal water and sewer services are already available or, if such services are not available, where the developer can provide acceptable services.

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



## **9. GENERALIZED FUTURE LAND USE MAP**

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



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metres

## Bedford Highway Secondary Planning Strategy

Map 9Da

### Generalized Future Land Use

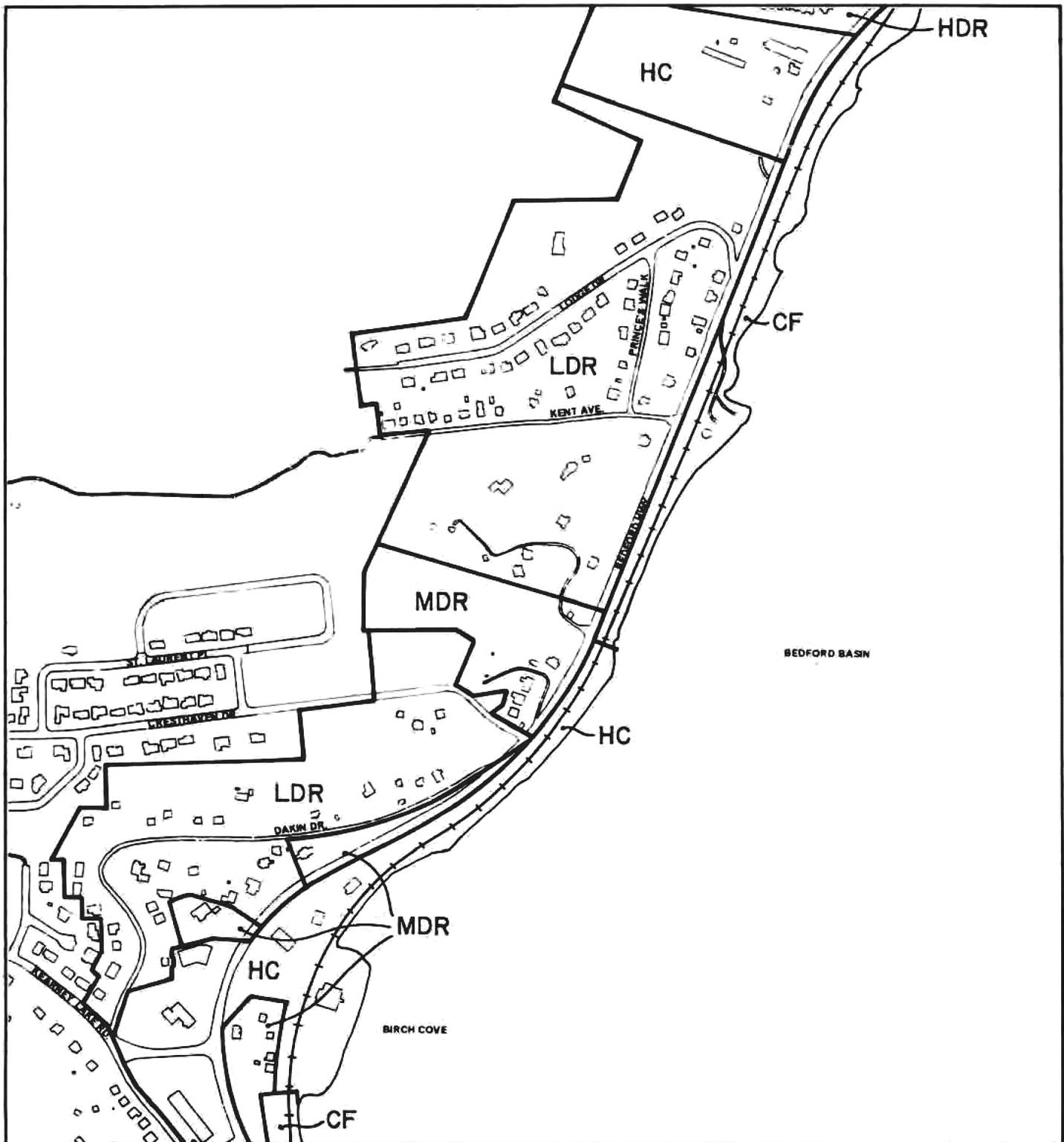
LDR	Low Density Residential	HC	Highway Commercial
HDR	High Density Residential	CF	Community Facilities

**HALIFAX**  
REGIONAL MUNICIPALITY  
COMMUNITY DEVELOPMENT  
PLANNING SERVICES

Approved: 28 May 1985  
Amended: 12 March 2011

Halifax Municipal Planning Strategy

HEC



Bedford Highway Secondary Planning Strategy

Map 1b (Map 9Db)

## Generalized Future Land Use

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

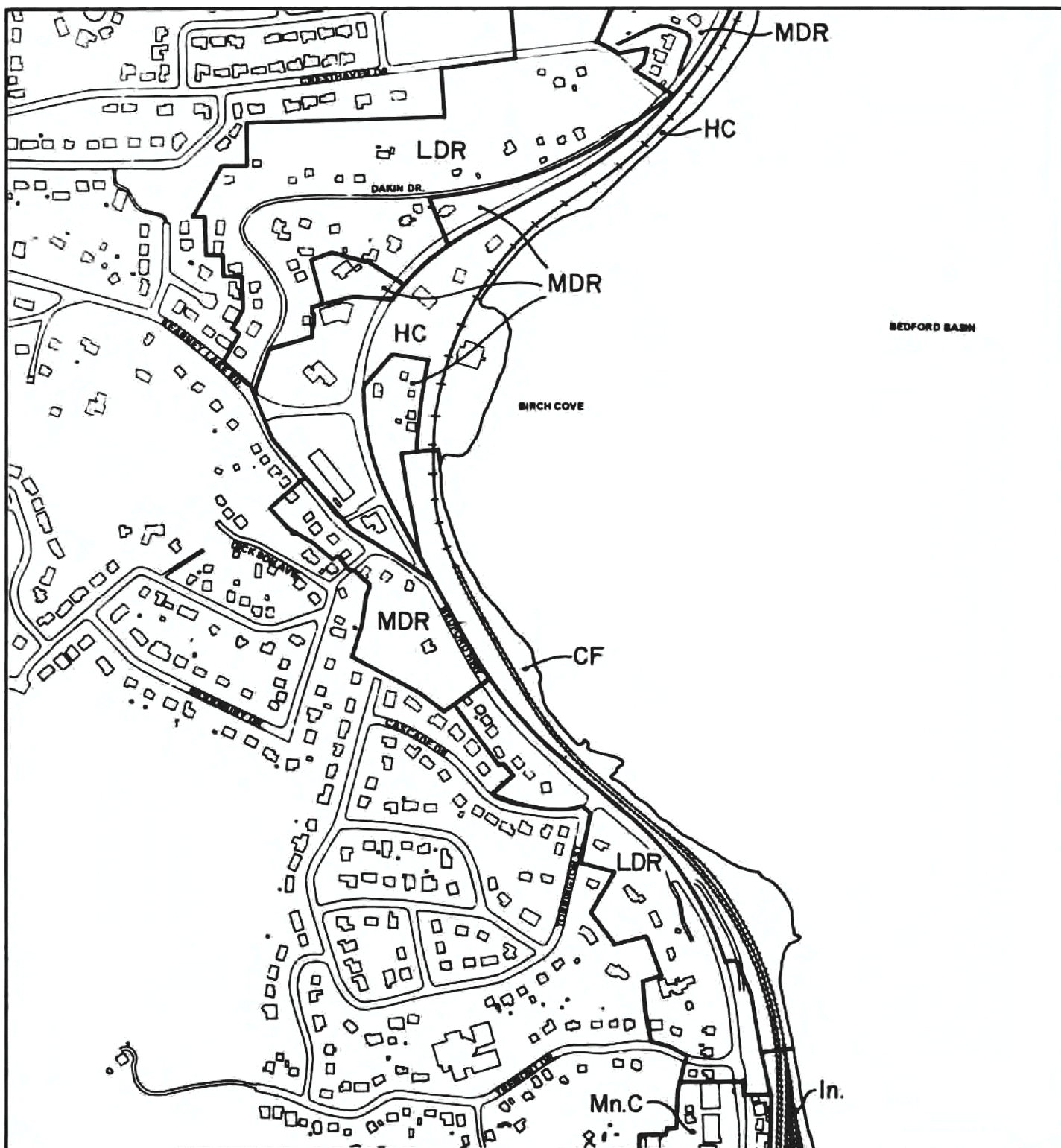
HC Highway Commercial  
CF Community Facilities

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



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Bedford Highway Secondary Planning Strategy

Map 1c (Map 9Dc)

## Generalized Future Land Use

LDR Low Density Residential  
MDR Medium Density Residential  
Mn.C Minor Commercial

HC Highway Commercial  
CF Community Facilities

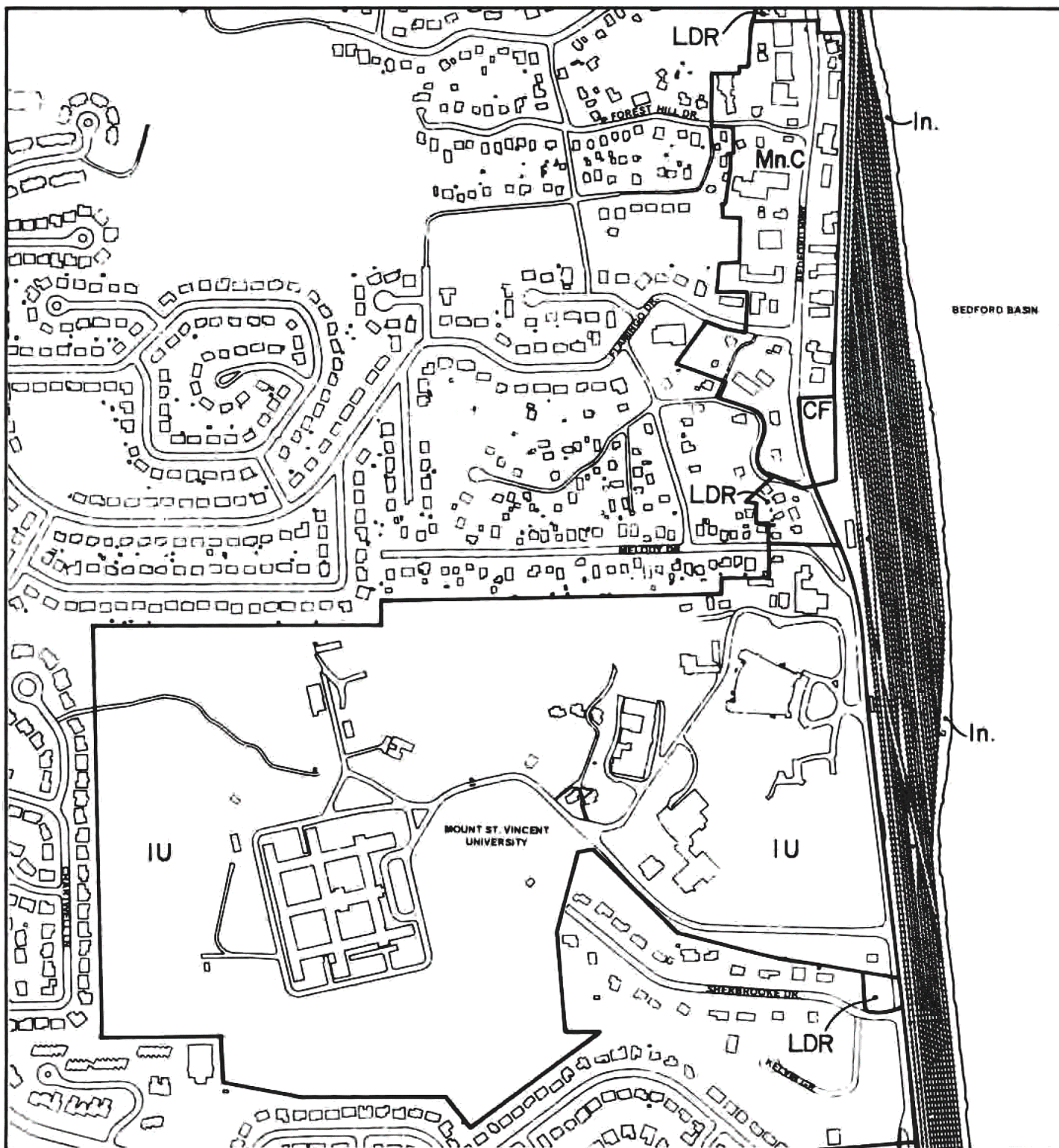
Approved: 28 May, 1985  
Amended: 11 October, 1995



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Bedford Highway Secondary Planning Strategy

Map 1d (Map 9Dd)

## Generalized Future Land Use

LDR Low Density Residential  
HDR High Density Residential  
HC Highway Commercial

IU Institutional - University  
In. Industrial

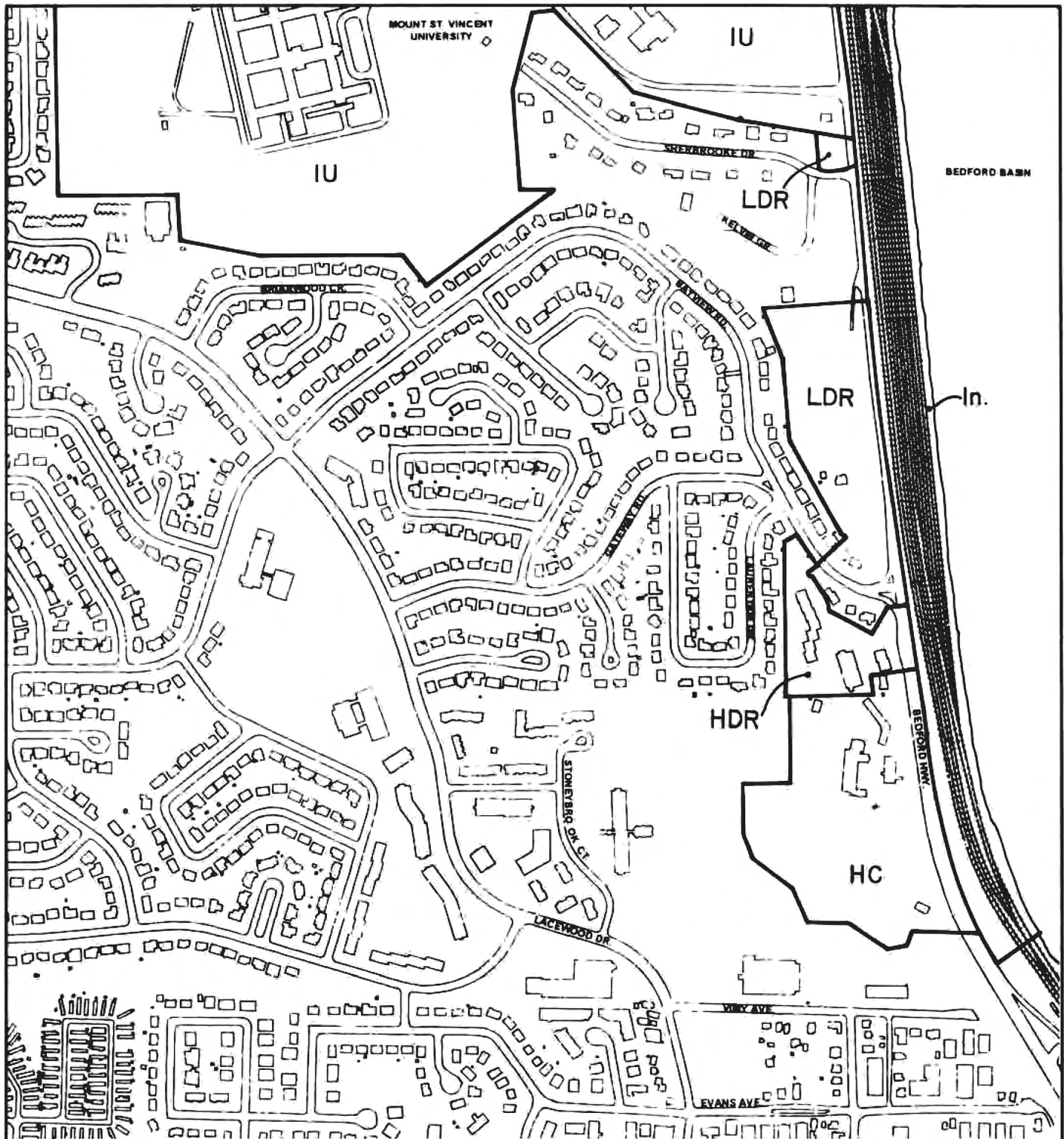
Approved: 28 May, 1985  
Amended: 11 October, 1995



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Bedford Highway Secondary Planning Strategy

Map 1e (Map 9De)

## Generalized Future Land Use

LDR Low Density Residential  
Mn.C Minor Commercial

CF Community Facilities  
In. Industrial

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



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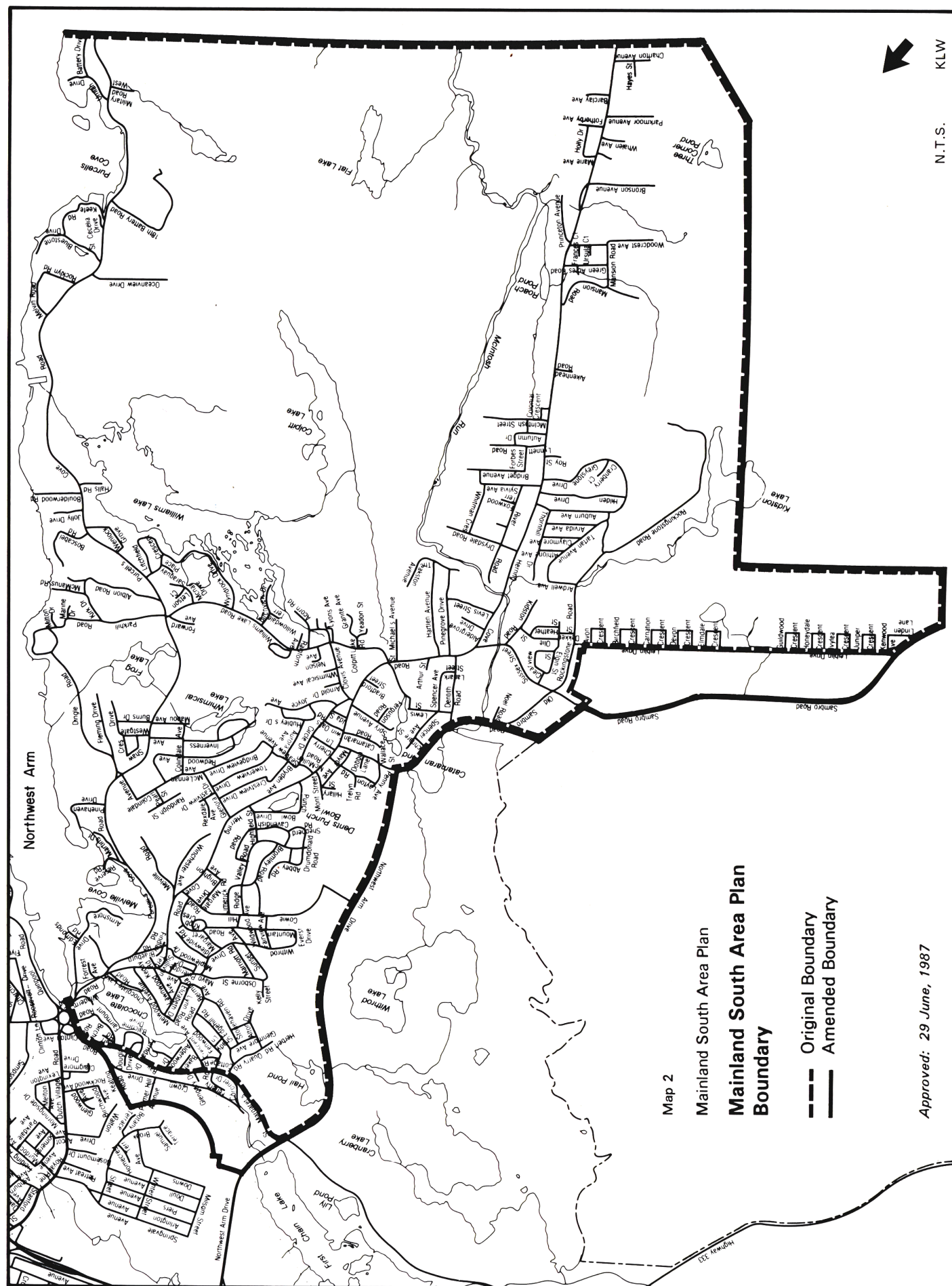
**~~SECTION IX - SPRING GARDEN ROAD COMMERCIAL AREA PLAN~~**  
**Deleted (RC-Jun 16/09; E-Oct 24/09)**

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

**DEFINITION OF AREA**

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





## **1. RESIDENTIAL ENVIRONMENTS**

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

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

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

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

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

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

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

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

1.2.3 Notwithstanding the Low Density Residential designation of Block F, Kelly Street, LRIS PID No. 40724973, the Municipality may permit a residential complex by development agreement. Such complex shall consist of an apartment building, townhouses or other ground related innovative housing forms, parkland and two assisted living facility apartment buildings.

1.2.3.1 Any development permitted pursuant to Policy 1.2.3 shall be compatible with the surrounding area. This shall be achieved by attention to a variety of factors for which conditions may be set out in a development agreement, such as but not limited to:

- (a) Architectural Design, Scale, Building Height and Mass

- i) The height of the apartment building and buildings containing assisted living facilities shall not exceed four residential storeys, exclusive of an underground parking garage, and may not exceed 50 feet in height.
  - ii) The apartment building shall be located adjacent to the existing apartment building, shall not exceed 70 dwelling units and shall comply with the requirements of the R-3 Zone.
  - iii) Buildings containing assisted living facilities shall be located adjacent to the existing nursing home, shall not contain more than 190 assisted living units and shall comply with the requirements of the R-3 zone.
  - iv) Notwithstanding (iii), the calculation of density and the requirement for parking for the buildings containing assisted living facilities may be determined on the basis of similar facilities in urban settings.
  - v) The townhouses or other ground related innovative housing forms shall be located adjacent to the existing low density housing, shall not exceed a total of 50 dwelling units and shall comply with the provisions of the R-2T zone.
  - vi) Building materials shall be compatible with the community.
- (b) Site Design and Landscaping
- i) Provision shall be made for adequate recreation, vehicular and pedestrian circulation, site lighting and open areas to address the needs of the residents of all the buildings and in particular those containing assisted living facilities.
  - ii) The layout and design of the buildings, services and site grading shall provide for the retention of healthy mature trees.
  - iii) No building shall be constructed within 50 feet of properties fronting on Osborne Street, Stonehaven Road, Walter Havill Drive and Street B, Stanley Park, as shown on plan P200/20332 of City of Halifax Case 5419.
  - iv) The area of Block F abutting properties fronting on Osborne Street, Stonehaven Road, Walter Havill Drive and Street B, Stanley Park, as shown on plan P200/20332 of City of Halifax Case 5419, shall be maintained as a buffer area for a depth of 40 feet within which only limited construction activity will be permitted with minimal removal of existing trees and only in order to accommodate support infrastructure for the development (e.g. stormwater management, recreation infrastructure). The buffer may be reduced in width to 20 feet where site grading, servicing or support infrastructure must be accommodated and in those locations a visually obscuring fence shall be provided. Where the apartment building or assisted living buildings abut existing one or two unit dwellings the forty foot buffer will be maintained.

- v) Any agreement made pursuant to policy 1.2.3 shall include provisions for the continued maintenance and upkeep of the buffer areas and fencing as required by clause (b)iv.
- vi) The ravine at the west end of Block F shall be maintained in a natural state.
- vii) Planting and screening of air conditioners, dumpsters, propane tanks, service areas, driveways, parking areas, etc. is required.
- viii) Adequate and safe vehicular and pedestrian accesses to the site and buildings shall be provided.
- ix) The parking areas shall be located such that they do not interfere with the safe access of pedestrians and are able to be screened from the public street.
- (c) Additional Considerations
  - i) Every effort shall be made to reduce traffic impacts on the adjacent neighbourhood.
  - ii) An assessment of the adequacy of municipal servicing systems available to the site shall be undertaken and any required improvements shall be addressed to the satisfaction of the Engineer prior to development.
  - iii) Assisted living facilities shall be defined as residential buildings that may include a range in uses from full care nursing homes to facilities which provide personal and/or medical care and have a common dining area. Assisted living facilities shall from part of future development proposals.
  - iv) The development may be phased but no more than 25% of the development shall be permitted to proceed prior to rehabilitation and completion of Kelly Street.

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

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

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

- 1.2.7** Within the area identified by policy 1.2.6, no more than three apartment house developments shall be permitted. Each apartment house development may incorporate non-residential uses permitted by the zoning on the property and shall:
- (a) contain no less than 190 feet of frontage on Herring Cove Road;
  - (b) contain no less than 60,000 square feet of lot area;
  - (c) contain no more than 42 dwelling units, a minimum of 50 percent of which must contain 2 or more bedrooms;
  - (d) be limited to a maximum of height of 55 feet;
  - (e) be contained within a single building, which contains no more than 4 storeys; and
  - (f) be limited to no more than 3 storeys at the rear (eastern) portion of the building.
- (RC-Jun 10/14; E-Jul 26/14)

- 1.2.8** In considering development agreements pursuant to policies 1.2.6 and 1.2.7., Council shall consider the following:
- (a) the architectural design of the building includes high quality building materials, articulation of and variation to the building facades, and fine-grained architectural detailing;
  - (b) the creation of high quality design detail at street level through attention to such matters as site landscaping, conspicuous building entrances, appropriate lighting and co-ordinated signage, and no surface parking between the building and the street;
  - (c) the relationship of the building to the street, adjacent properties and uses; and, the mitigation of impacts on the amenity, convenience and development of adjacent properties through effective urban design and landscape treatment;
  - (d) appropriate separation of residential and commercial uses;
  - (e) provision for vehicular and pedestrian access and egress patterns;
  - (f) the adequacy of the servicing capacity of the site;
  - (g) the majority of vehicular parking is provided underground;
  - (h) the development provides adequate indoor and outdoor amenity space for residents on site;
  - (i) the development provides a lighting plan;
  - (j) where the development is located at an intersection, architectural treatments are incorporated to emphasize the building's relationship to the corner;
  - (k) where a cemetery is present on the development site, the provision of appropriate protection and access; and
  - (l) the provisions contained in policy 7.3 of this Section.
- (RC-Jun 10/14; E-Jul 26/14)

- 1.2.9** Within the area identified by policy 1.2.6, the land use by-law shall permit one 3 unit dwelling, provided the 3 unit dwelling is located at 292 Herring Cove Road. The land use by-law shall identify the site where the 3 unit dwelling is permitted and shall limit the 3 unit dwelling to 2 storeys and include provisions to ensure the building is appropriately positioned in relation to adjacent development. (RC-Jun 10/14; E-Jul



26/14)

- 1.2.10** Notwithstanding the Low-Density Residential designation of the HRM park located at the intersection of Herring Cove Road and Williams Lake Road, identified as ‘Pocket park’ on Map 4 Schedule I, the Park and Institutional Zone shall be applied to this property. (RC-Jun 10/14; E-Jul 26/14)
- 1.2.11** Notwithstanding policy 3.1, the land use by-law shall identify the HRM park located at the intersection of Herring Cove Road and Williams Lake Road, identified as ‘Pocket park’ on Map 4 Schedule I, and shall limit the use of the site to public park uses. (RC-Jun 10/14; E-Jul 26/14)
- 1.2.12** For the properties at 348 Purcell’s Cove Road (PID #00270975, 41158452 and 00633511), in order to recognize the longstanding land uses and existing building locations and sizes, the Halifax Mainland Land Use By-law shall be amended to permit the existing uses and buildings to remain at their present locations as of the effective date of this provision, notwithstanding that building setbacks and other By-law requirements may not be met, subject to the following: (RC-Aug 2/16;E-Sep 3/16)
- a) A dwelling and an accessory building shall be permitted on Lot G2 (PID #41158452) and a portion of a water lot (PID #00633511) in their existing locations; (RC-Aug 2/16;E-Sep 3/16)
  - b) On Lot G1 (PID #00270975), one existing building which is accessory to the dwelling on Lot G2 shall be permitted at a height of three storeys. Two additional existing accessory buildings shall be permitted at a height of one storey in their existing locations on Lot G1; (RC-Aug 2/16;E-Sep 3/16)
  - c) No additions to existing buildings which would increase the floor area nor any new buildings shall be permitted on any lot, with the exception of accessory buildings on Lot G1 which do not exceed one storey in height; and (RC-Aug 2/16;E-Sep 3/16)
  - d) Nothing shall prevent repairs and renovations to or the replacement of any existing building. (RC-Aug 2/16;E-Sep 3/16)
- 1.2.12.1** The provisions of Policy 1.2.12 shall not exempt the existing buildings from any associated approvals from agencies which may be necessary in order to obtain development and construction permits for the existing buildings. (RC-Aug 2/16;E-Sep 3/16)
- 1.3** In areas designated as "Medium-Density Residential" on the Generalized Future Land Use Map, detached dwellings, semi-detached dwellings, duplex dwellings, townhouses and apartments containing a maximum of four units two of which must be family-type, shall be permitted and neighbourhood commercial uses may be permitted pursuant to Policies 2.1.1 and 2.1.2 of this Plan.
- 1.3.1** In areas designated as "Medium-Density Residential" on the Generalized Future Land Use Map Council may zone to permit apartments provided that



their height is limited to a maximum of four storeys and in assessing such rezonings Council shall consider compatibility with the existing neighbourhoods and the adequacy of municipal infrastructure.

1.3.2 Pursuant to Policy 1.3.1, the Land Use By-law shall be amended to include regulations which limit the height, density and unit size.

1.3.3 For the purposes of Policies 1.3 family-type units shall mean those with two or more bedrooms conducive to family-type living.

**1.3.4 In areas designated as “Medium Density Residential” on the Generalized Future Land Use Map Council may consider townhouse style residential developments according to the development agreement provisions of the *Halifax Regional Municipality Charter*. This form of development is appropriate where subdivision regulations for townhouses can not be met, due to lack of frontage on a public street, or where developments are located on major collector or arterial streets, and direct access to the street is undesirable. In considering such an agreement, Council shall have regard for the following:**

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

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

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

- 1.5.1 Pursuant to Policy 1.5, the Land Use By-law shall provide a new zone, the Residential Development District, within which "Low-Density Residential" development and public community facilities shall be permitted and other development shall be permitted only under the contract development provisions of the Planning Act and the requirements in Schedule I.
- 1.5.2 Notwithstanding Policy 1.5.1, Policy 2.1.4 of Section II shall remain in force and the City shall maintain a Holding Zone until such time as municipal services are available.
- 1.5.3 For the area designated as "Residential Development District" known as Melville Ridge as shown on Map 1 of Schedule I, the City may by an amendment to the existing development agreement permit a change in use of and/or an addition to the existing building at 15 Shoreham Lane and a sign on Ramsgate Lane near Purcell's Cove Road.
- 1.5.3.1 Any change in use permitted pursuant to Policy 1.5.3 shall be health care related.
- 1.5.3.1.1 Any addition permitted pursuant to Policy 1.5.3 shall not include any type of residential accommodation such as but not limited to dwelling units, residential care/retirement facility or nursing home.
- 1.5.3.2 Any addition permitted pursuant to Policy 1.5.3 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors such as but not limited to:
- (i) architectural design
  - (ii) height
  - (iii) setbacks
  - (iv) buffering
  - (v) access
  - (vi) materials
  - (vii) lighting
- 1.5.3.3 Any sign permitted pursuant to 1.5.3 shall be non-commercial in nature.
- 1.5.3.4 Any sign permitted pursuant to Policy 1.5.3 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors such as but not limited to:
- (i) architectural design
  - (ii) heights
  - (iii) setbacks
  - (iv) materials
  - (v) lighting
- 1.5.3.5 For the area designated as "Residential Development District" known as Melville Ridge as shown on Map 1 of Schedule I, notwithstanding that the site is less than three acres and does not provide a mixture of residential uses nor a mix of dwelling unit types, the Municipality may, by development

agreement pursuant to Schedule I, permit residential care and retirement facility on Lot 4 Ramsgate Lane. **(RC- Feb 19/08; E- March 29/08)**

- 1.5.3.5.1 Any development permitted pursuant to Policy 1.5.3.5 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors such as but not limited to:
- (i) architectural design
  - (ii) screening of air conditioners, dumpsters, propane tanks, driveways, etc
  - (iii) service entrances
  - (iv) building materials
  - (v) lighting
  - (vi) parking
  - (vii) accesses to the site and building
- 1.5.3.5.2 Without limiting the generality of the foregoing, the Municipality shall have regard for the following:
- i) The height of the building shall not exceed four storeys nor elevation 174.5.
  - ii) the building shall comply with the size of building requirements of the R-4 Zone (angle controls) from Melville Avenue.
  - iii) No portion of the building shall be closer to Melville Avenue than 40 feet.
  - iv) Vehicular access shall not be permitted from Melville Avenue.
  - v) The footprint of the building shall not exceed 14,200 square feet.
  - vi) The area of Lot 4 abutting Melville Avenue for a depth of 35 feet shall be maintained as a buffer area within which no construction activity is to take place nor any existing trees removed except as required to install a water line or as required for safety reasons.
  - vii) Any agreement made pursuant to policy 1.5.3.5 shall include provisions for the continued maintenance and upkeep of the buffer area as required by clause vi.
  - viii) The layout and design of the building and services shall follow for the retention of mature trees.
- 1.5.3.5.3 Because certain residences on Melville Avenue are serviced with individual wells, and as any development permitted pursuant to policy 1.5.3.5 could impact on the source of the supply of the said wells, it shall be the intention of council to ensure that an acceptable quality of water in sufficient amounts is maintained by:
- i) Requiring that municipal water be provided to those properties now served by wells except where the owners do not want to connect to municipal water.
  - ii) Requiring that municipal water is available prior to any blasting or any other activity on Lot 4 which could effect the supply of well water.
  - iii) Requiring that as part of any permit application, the developer supply site development details including methods of excavation, methods of reducing impacts of construction on adjacent residences and the time schedule for construction.

- iv) If deemed necessary, requiring a performance security to ensure that any conditions made pursuant to 1.5.3.5.3(iii) are carried out.

1.5.4 For the area designated as "Residential Development District" known as Regatta Point as shown on Map 2, of Schedule I, notwithstanding that the site is less than three acres and will result in greater than 15% of the land being used for apartment uses, the City may, by development agreement, permit a maximum of four townhouses on lot RP-7 Spinnaker Drive and an apartment building containing a maximum of 48 units on lot RP-6 Purcell's Cove Road.

1.5.5 Any development permitted pursuant to policy 1.5.4 shall be compatible with the surrounding area and consistent with Regatta Point and this shall be achieved by having regard for the following:

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

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

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

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

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

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

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

- 1.5.6.4 Any development permitted pursuant to Policy 1.5.3.5 may be exempt from guideline 8 of Schedule I of this Section provided that adequate measures are taken to ensure water quality and flow are not diminished and that such measures receive approval from the Nova Scotia Department of the Environment.
- 1.5.7 For the area designated as “Residential Development District” known as the former BC Silver School site as shown on Map 3 of Schedule I, notwithstanding that policy 1.5 calls for, “an emphasis on a mix of dwelling types,” the Municipality may by development agreement pursuant to Schedule I, permit a subdivision of single detached dwellings with development specifications that differ from those of the R-1 and R-2 zones. (RC-Feb 19/08; E-Mar 29/08)**
- 1.6 The City shall maintain zoning regulations which encourage stability and maintenance of the prevalent character and integrity of residential neighbourhoods.
- 1.7 It is the intent of the City to encourage energy efficient and energy conserving residential development and may adopt regulatory controls through the Land Use By-law in order to further this intent.
- 1.8 The Land Use By-law shall permit the reconstruction of any non-conforming residential building existing on the date of adoption of this Strategy to the original size and density in the event that said building is destroyed by fire or otherwise.

## **SCHEDULE I**

### **GUIDELINES FOR RESIDENTIAL DEVELOPMENT DISTRICT**

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

#### **Uses Which May be Permitted**

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

#### **Site Development Guidelines**

##### **5. Residential**

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

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

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

##### **6. Commercial**

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

#### **Landscaping and Open Space**

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



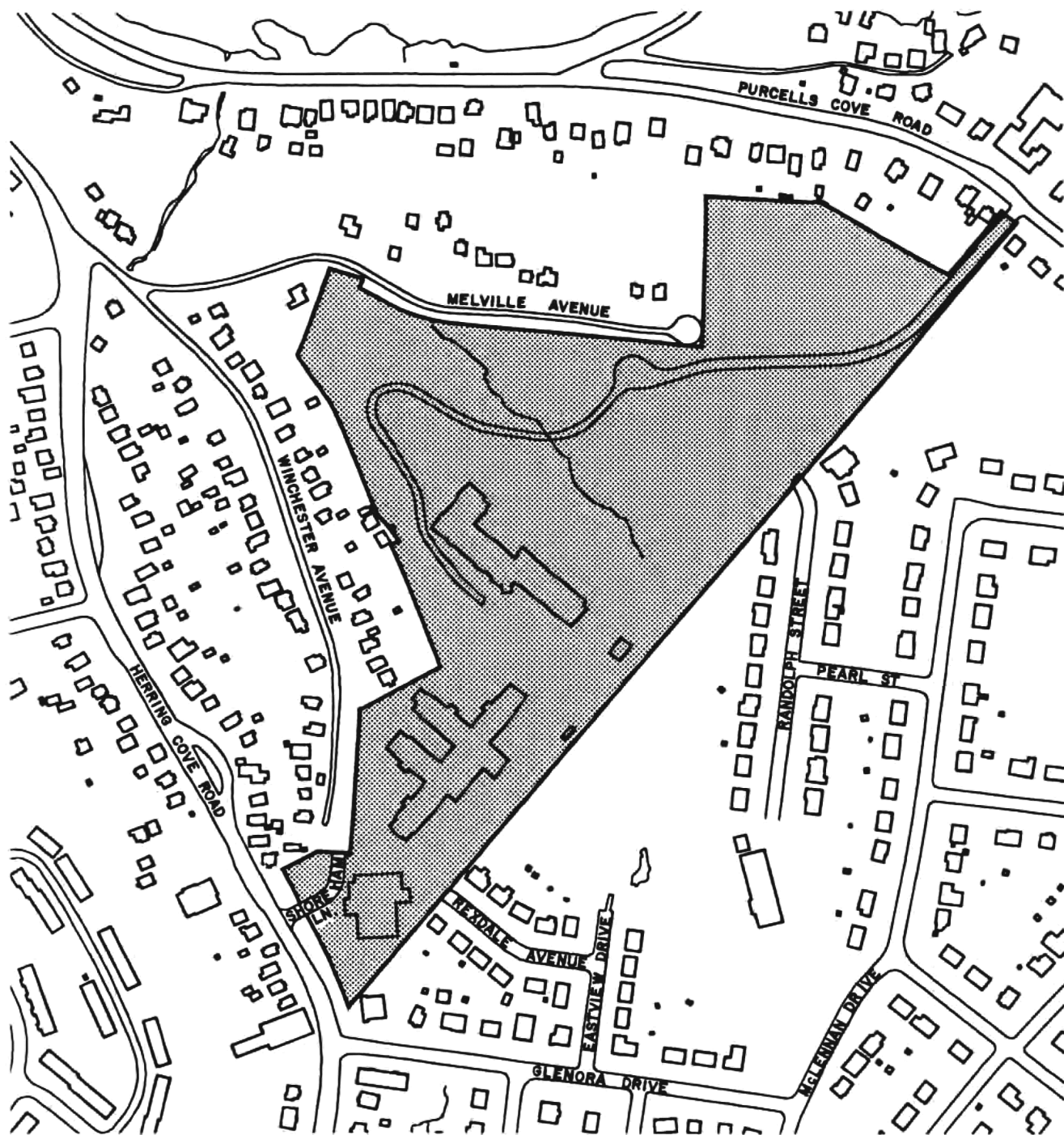
8. No residential or accessory building shall be constructed within 50 feet of any lake, watercourse, or water body. No commercial or accessory structure shall be constructed within 100 feet of any lake, watercourse, or water body.
9. Any proposal to construct a community facility or institutional use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

#### Circulation

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

#### General

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



Mainland South Area Plan

Map 1  
Schedule I

## Melville Ridge

 Melville Ridge

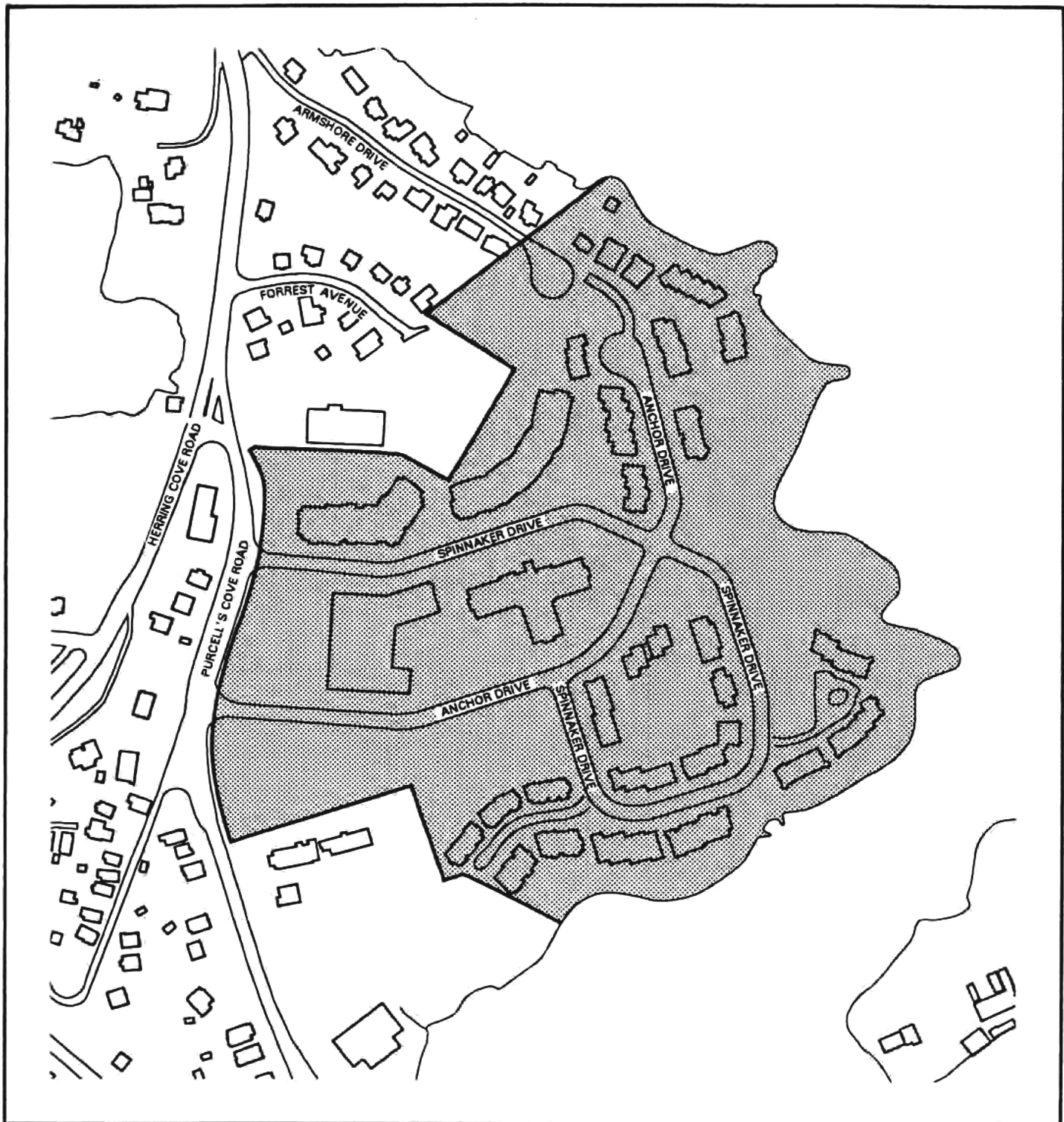
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Mainland South Area Plan

Map 2  
Schedule 1

## Regatta Point

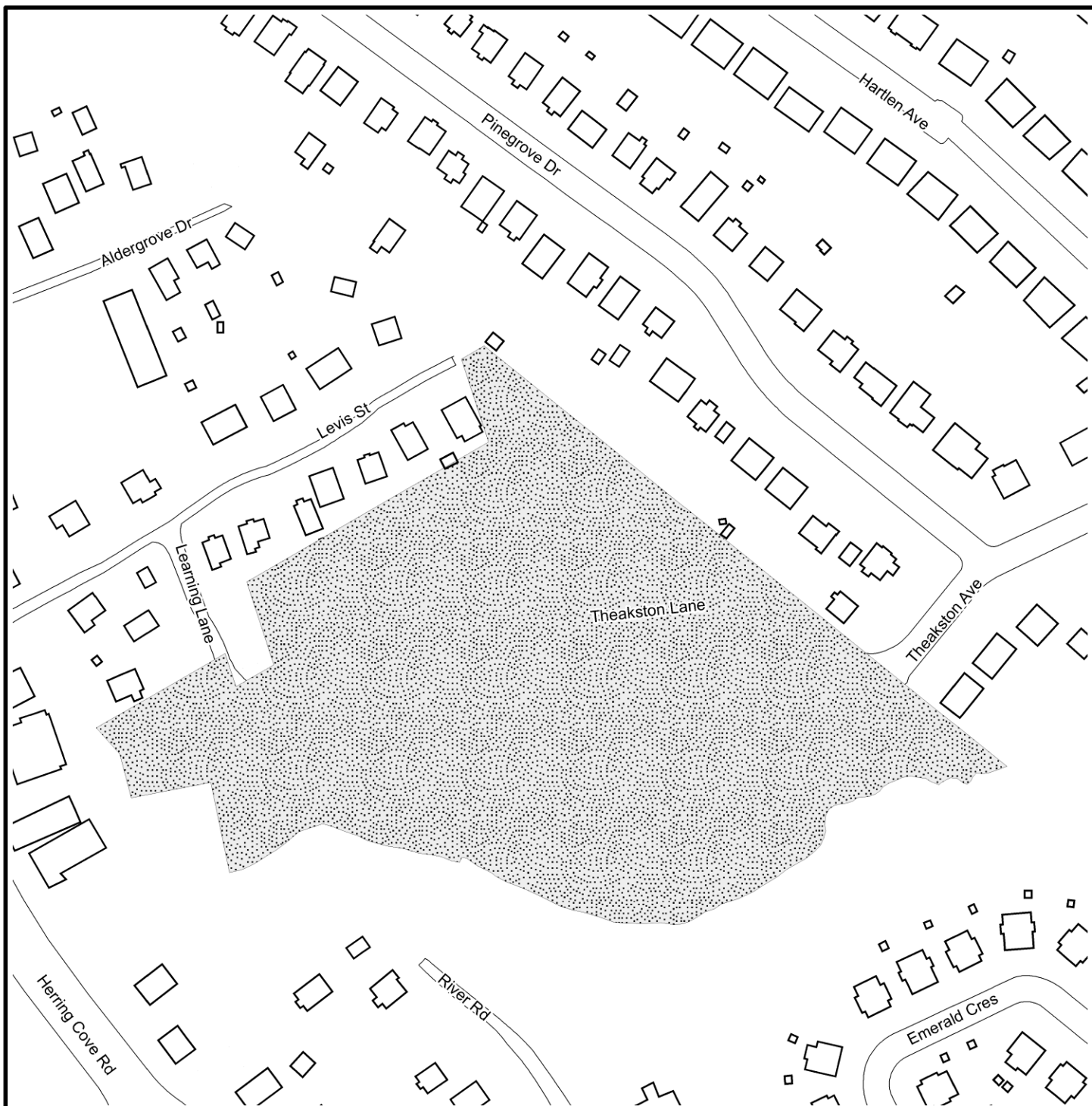
 Regatta Point

Approved: 29 March, 1996




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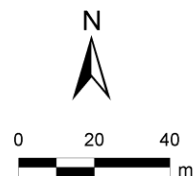


Mainland South Area Plan

Former BC Silver School Site

 Former school site

### Map 3 Schedule I



Approved: 29 March 2008

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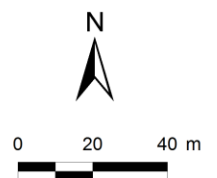
Mainland South Area Plan

## Map 4 Schedule I

### Policy 1.2.5 Area

 Policy 1.2.5 Area

Effective: 26 July 2014



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## **2. COMMERCIAL**

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

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

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

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

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

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

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

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

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

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



- (d) outdoor storage of inoperative motor vehicles, boxes, crates, or any other materials shall be prohibited; and
  - (e) an area between the street line and the parking area along the part of the street line not required for the curb cut or pedestrian entrance shall be landscaped.
- 2.3 The designated "Minor Commercial" areas along the Herring Cove Road and Dentith Road are the primary retail and business areas in Mainland South; and minor commercial uses shall be restricted to areas so designated.
- 2.3.1 **Minor Commercial uses, excluding service stations, recycling depots, motor vehicle repair, and billboards, shall be permitted on Minor Commercial designated properties within the area identified on Map 4 Schedule I. These properties shall be identified by the land use by-law. (RC-Jun 10/14; E-Jul 16/14)**
- 2.3.2 **Notwithstanding policy 2.3.1, Council may consider apartment house developments pursuant to policies 1.2.5, 1.2.6, 1.2.7 and 1.2.8 of this Section. (RC-Jun 10/14; E-Jul 16/14)**
- 2.4 Major commercial centres are commercial facilities as set out in Section II, Policy 3.1.3 and shall be permitted in areas designated "Major Commercial" on the Generalized Future Land Use Map.
- 2.4.1 Pursuant to Policy 2.5, the Land Use By-law shall regulate parking with respect to location and amount, landscaping and vehicular access. Building location and size shall also be regulated.

### 3. INSTITUTIONAL

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

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

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

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

#### **4. RECREATIONAL**

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

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

## 5. TRANSPORTATION

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

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

## **6. MUNICIPAL SERVICES**

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

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

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

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

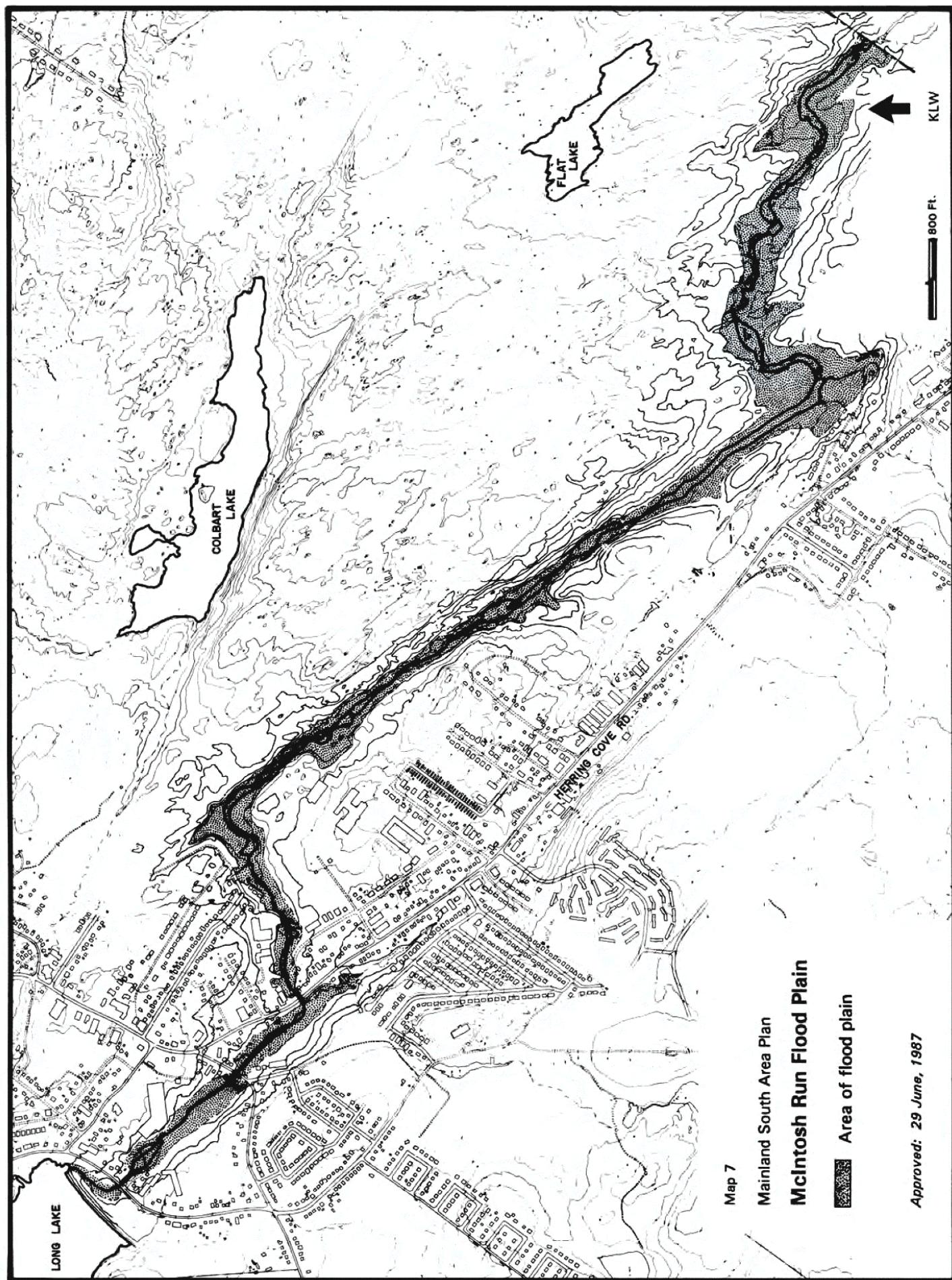
6.2.1 The City shall investigate alternative measures for flooding and drainage control, and erosion and sedimentation control with regard to the disposal of storm water, and shall develop appropriate regulations or legislation to implement such measures.

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

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

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







## **7. ENVIRONMENT**

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

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

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

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

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

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

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

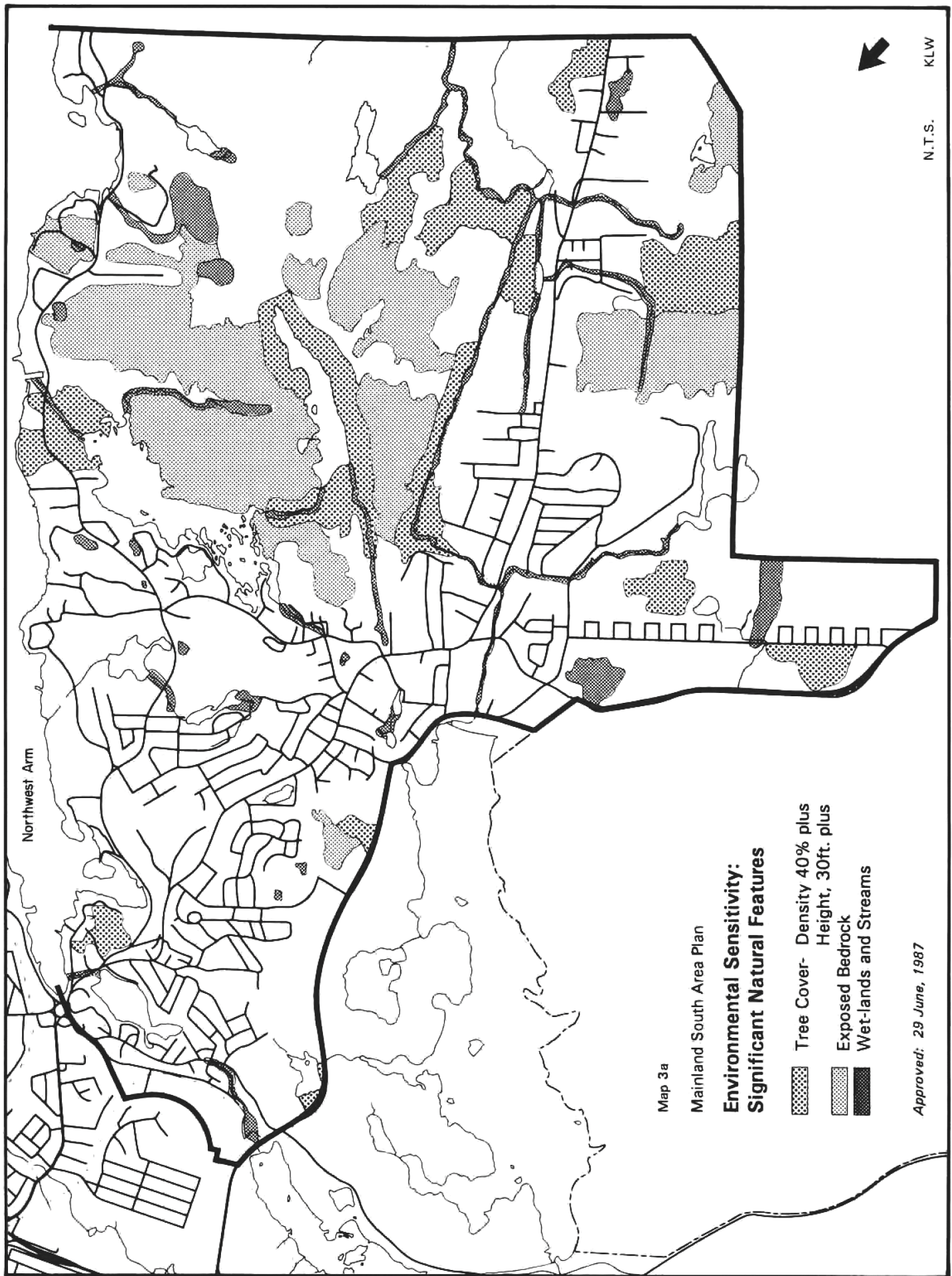
7.4 The City shall require setbacks for new development adjacent to lakes, watercourses or waterbodies for the purposes of maintaining and enhancing a high quality lakes and waterways system for development considered pursuant to Policy 1.5.1.

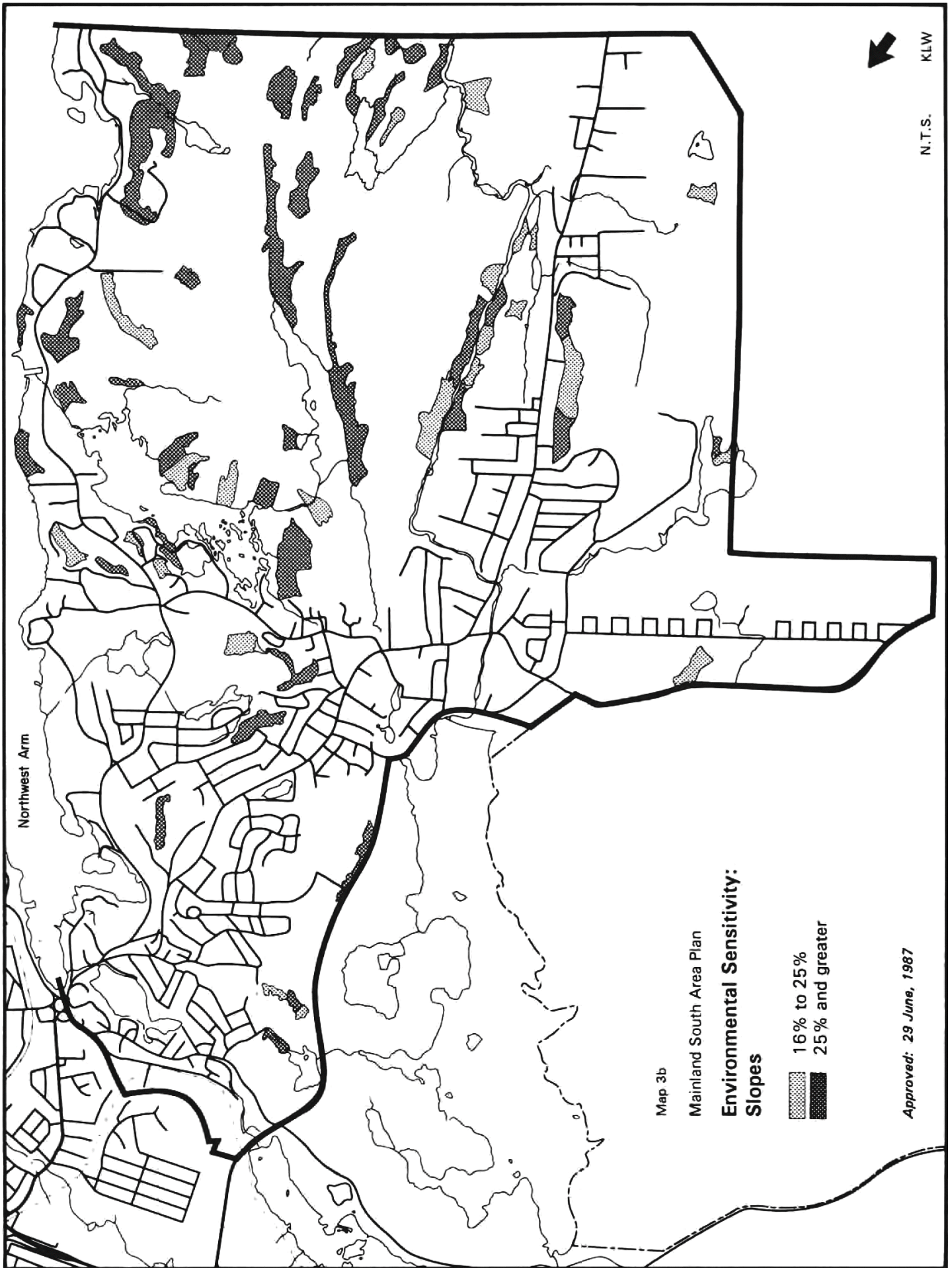
7.4.1 The City shall undertake an analysis of flooding along the McIntosh Run and prepare suitable policy and regulatory controls to protect the watercourse.

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

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

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







## **8. GENERALIZED FUTURE LAND USE MAP**

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

## **SECTION XI**

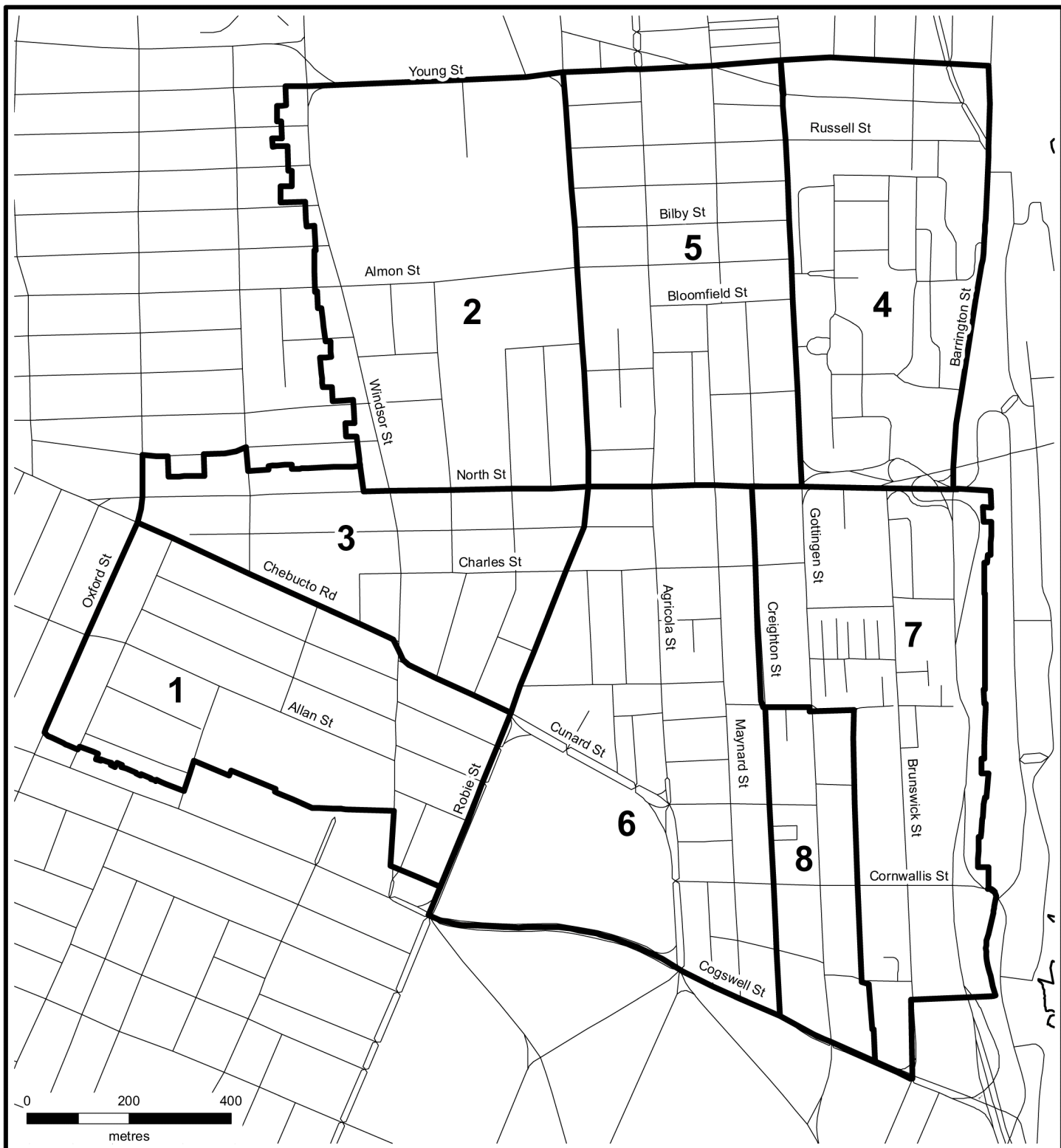
### **PENINSULA NORTH SECONDARY PLANNING STRATEGY**

#### **AREA DEFINITION**

The Peninsula North Area shall be as set out in Map 1 of this Section.

#### **OVERALL OBJECTIVE**

To create a lively and interesting environment in Peninsula North with a mixture of land uses and a physical environment that is aesthetically pleasing, safe, and well-maintained.



Peninsula North Planning Area

## Map 1

### Planning Area Boundary

**HALIFAX**  
REGIONAL MUNICIPALITY  
COMMUNITY DEVELOPMENT  
PLANNING SERVICES





## **1. RESIDENTIAL ENVIRONMENTS**

**Objective:** Stable residential communities in Peninsula North that offer a variety of housing types to meet the needs of a range of income and age groups.

- 1.1 To foster stable residential areas and to preserve the character of Peninsula North, the retention and rehabilitation of structurally sound housing units shall be encouraged.
  - 1.1.1 Where redevelopment is proposed for sites with structurally sound housing units, the retention and rehabilitation of such existing units and the integration of new structures with these shall be encouraged.
  - 1.1.2 In the area bounded by Cunard, Robie and Oxford Streets, and Chebucto and Quinpool Roads, those forms of housing that provide opportunities for low-rise senior citizen accommodation shall be encouraged.
  - 1.1.3 The property located at the southeast intersection of Harvard Street and Chebucto Road (6328 Chebucto Road; LRIS PID No. 133496) shall be zoned to permit a corner grocery store.
  - 1.1.4 **In the area bounded by North, Robie, Cogswell and Barrington Streets, with exception of the portion falling outside of Peninsula North Area, housing options for all income levels will be encouraged; developments that address the needs of surrounding community and help promote neighbourhood stability shall also be encouraged. (RC-Jun 16/09; E-Oct 24/09)**
- 1.2 In this Section, residential environments means:
  - (i) low-density residential;
  - (ii) medium-density residential; and
  - (iii) high density residential.
- 1.2.1 In areas shown as low-density residential on the Generalized Future Land Use Map of Section XI, single-detached housing development shall be permitted.
- 1.2.2 Further to Policy 1.2.1 the land use by-law requirements for development shall be more in keeping with the present development pattern in respect to such matters as lot size, lot area and front yard setbacks.
- 1.3 In areas shown as medium-density residential on the Generalized Future Land Use Map of Section XI, residential development in the following forms shall be permitted:
  - (i) single family dwellings;
  - (ii) duplex housing;
  - (iii) semi-detached housing; and
  - (iv) buildings containing three or four units.

- 1.3.1 In medium-density residential areas the conversion of structures existing at the date of approval of the applicable area of Section XI as shown on Map 1 to a maximum of two apartment units per structure, shall be permitted provided:
- (i) there is no increase in the height or volume of the building;
  - (ii) that one unit contains two or more bedrooms;
  - (iii) there is one parking space for every dwelling unit; and
  - (iv) the minimum parking size and location on the lot is regulated.
- 1.3.2 Notwithstanding the medium density residential designation and Policy 1.3, along the north side of North Street between Clifton Street and Gladstone Street certain properties shall be zoned to use. More specifically, Civic 6129 North Street shall be zoned minor commercial; and Civic 2609 Gladstone Street shall be zoned high density residential.
- 1.3.3 In Area 5 of this Section, the conversion of buildings existing on 14 July 1979 in the Medium Density Residential areas south of Russell Street (NIP III area), for more intensive residential uses shall be encouraged in order to promote investment in the existing residential buildings, and to strengthen the residential character of the area.
- 1.3.3.1 In the area described in Policy 1.3.3 above, the conversion of an existing building to a maximum of four residential units per structure shall be permitted 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 2 or more bedrooms.
- 1.3.4 The conversion of buildings existing on 14 July 1979 in the Medium Density area bounded by North, Gottingen, Cogswell, North Park and Agricola Streets (NIP I) for more intensive residential uses shall be encouraged in order to promote investment in the existing residential buildings and to strengthen the residential character of the area.
- 1.3.4.1 In the area described in Policy 1.3.4 above, the conversion of an existing building to a maximum of four residential units per structure shall be permitted provided that:
- (a) there is no increase in the height and volume of the building;
  - (b) at least one of the units in the converted building contains two or more bedrooms.
- 1.3.5 Notwithstanding the Medium Density Residential designation and Policy 1.3, certain properties within Area 7 of this Section shall be zoned as general residential conversion and townhouse to maintain the conformity of some existing developments and to allow limited redevelopment potential for other properties.
- 1.3.6 Notwithstanding the Medium Density Residential designation and Policy 1.3, certain townhouse developments shall be zoned to use in order to maintain

conformity. More specifically, Civic 2414-2450 Creighton Street and 2096-2122 and 2012-2020 Bauer Street shall be zoned as general residential conversion and townhouse.

- 1.3.7 In Areas 6 and 8 of this Section, the land use by-law shall include specific provisions for the development of one family dwelling houses with respect to lot size, side yard setbacks, and lot coverage, in order to maintain the traditional development pattern characterized by the size of lots and building placement.
- 1.3.8 In Areas 6 and 8 of this Section, the land use by-law shall include a provision to allow the development of any lot existing on the date of adoption of this Section for a one family dwelling house if the lot does not meet minimum lot frontage and lot area requirements.
- 1.4 In areas shown as high-density residential on the Generalized Future Land Use Map of Section XI, residential development in the following forms shall be permitted:
  - (i) low-density residential;
  - (ii) medium-density residential;
  - (iii) apartment houses.
- 1.4.1 **In the area bounded by North, Robie, Cogswell and Barrington Streets, with exception of the portion falling outside of Peninsula North Area, housing options for all income levels will be encouraged; developments that address the needs of surrounding community and help promote neighbourhood stability shall also be encouraged. (RC-Jun 16/09; E-Oct 24/09)**
- 1.4.2 In the high-density residential area which is bounded by Welsford Street, Robie Street, Parker Street and the southern boundary of the Peninsula North Plan area, the land use by-law shall include a maximum height limit of 35 feet to maintain low rise development and to ensure that there is compatibility with the character of the surrounding neighbourhood.
- 1.4.3 In order to maintain a low rise development which is compatible with the character of the surrounding neighbourhood, the land use by-law shall limit the height and density of the area known as Quinpool Court (Civic Numbers 2155 and 2225 Monastery Lane, and 2080 and 2070 Quingate Place; LRIS PID Numbers 40176570, 40176588 and 40176596) to that which is in existence on the date of approval of this Plan.
- 1.4.4 In the high density residential area along Windsor Street between North Street and Young Street the land use by-law shall include a maximum height limit of 40 feet to maintain the existing low rise character and ensure compatibility with the surrounding neighbourhood.
- 1.4.5 Repealed

- 1.4.6 In Area 7 of this Section, the land use by-law shall include a height limit to maintain the existing medium rise form and to protect surrounding residential uses, for certain properties designated High Density Residential on the west side of Gottingen Street.
- 1.4.7 In Area 6 of this Section, the land use by-law shall include a height limit to maintain the existing low rise form and ensure compatibility with the character of surrounding neighbourhoods, for any property designated High Density Residential with the exception of 5885 Cunard Street and 5565 Cornwallis Street which are currently high rise apartment developments.
- 1.4.8 In Area 8 of this Section, the land use by-law shall include a height limit to maintain and promote a medium rise form of residential and commercial development for properties designated High Density Residential and Major Commercial and located south of Prince William Street on the west side of Maitland Street.
- 1.4.9 Notwithstanding Policy 1.4 in Area 8 of this Section, existing parking lots and parking structures in the High Density Residential designation shall be permitted uses given their proximity to and history of use by the Gottingen Street Commercial Area. For greater clarity, this policy shall not permit new parking lots to be created nor allow additions of area to the parking lots existing on the date of adoption of this plan.
- 1.4.10 Notwithstanding the High Density Residential designation and Policy 1.4, the existing office building at 5450 Cornwallis Street shall be zoned for general business purposes.
- 1.5 At-grade vehicular parking, loading, and unloading facilities may be permitted by development agreement for the following properties:
- (a) Civic No. 6290 Yale Street (LRIS No. 177212)
  - (b) Civic No. 6284-86 Yale Street (LRIS No. 177220)
  - (c) Civic No. 6278 Yale Street (LRIS No. 177246)
  - (d) Civic No. 6272 Yale Street (LRIS No. 177253)
  - (e) Civic No. 2021 Oxford Street (LRIS No. 24778)
  - (f) Civic No. 2046 Robie Street (LRIS No. 140061)
- 1.5.1 Development agreements pursuant to Policy 1.5 shall provide that:
- (a) the parking area shall be constructed and maintained with a stable surface such as asphalt or concrete and shall be drained in accordance with engineering standards of the City;
  - (b) no signs shall be erected except to indicate the operation and purpose of the lot;
  - (c) any illumination of such parking area shall be designed and placed to direct the light away from adjoining residential properties;
  - (d) the portion of the lot used for the parking of vehicles shall be bordered on all sides contiguous to a property used for residential purposes by a wall or

- opaque fence not less than five feet in height to visually screen the parking area from the residential properties;
  - (e) a minimum of a four-foot wide area between the streetline and the parking surface along that part of the streetline not required for the curb cut or pedestrian entrance shall be landscaped, and the parking area visually screened from the street without obstructing the field of vision at the entrances and exits required for public safety;
  - (f) the parking lot shall be used only for at-grade vehicular parking, loading or unloading and the permitted residential use. Uses such as but not restricted to the sale, repair, servicing, or storage of motor vehicles, the storage of boxes, crates or any other accessory commercial uses including commercial refuse containers shall be prohibited;
  - (g) where the rear of the parking area is immediately adjacent to another parking area, and there is easy motor vehicle access from one to another, then an appropriate stationary traffic diverter or barrier, such as a low wall, planter, or landscaped area, shall be erected to channel the flow, reduce the speed of traffic, and inhibit the use of the lot as a through-vehicle route between City streets.
- 1.5.2 The City shall encourage the development of residential uses along Yale Street.
- 1.5.3 The City shall encourage the retention of the dwelling at 6318 Yale Street.
- 1.5.4 The City shall discourage the development of parking lots or areas additional to those identified in Policy 1.5 along Yale Street.
- 1.6 In Area 3 of this Section Implementation Policy 3.14 may be used in considering development agreements to permit the reconstruction of any non-conforming residential use destroyed by fire or otherwise to an extent of 75 percent or more of market value.
- 1.7 For the properties designated as High Density Residential known as LRIS PID Nos. 150425, 150433 and 40723462, at the intersections of Robie/West/Cunard Streets, the Municipality may permit an apartment building by development agreement.
- 1.7.1 Any development permitted pursuant to Policy 1.7 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:
- (a) adequacy of the servicing capacity of the site;
  - (b) architectural design;
  - (c) the scale, height, and massing of the building;
  - (d) the location and amount of parking provided;
  - (e) accesses to the site and building;
  - (f) site landscaping including buffering;
  - (g) building materials.

- 1.8 For the properties designated as Medium Density Residential known as LRIS PID No. 00150631 Cunard Street and 40267916, 00150573 and 40267908 June Street, the Municipality may permit an apartment building by development agreement. LRIS PID No. 00150631 Cunard Street and 40267916, 00150573 and 40267908 June Street may be subdivided so that portions of the apartment building are located on separate lots.
- 1.8.1 Any development permitted pursuant to Policy 1.8 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:
- a) the adequacy of the servicing capacity of the site;
  - b) architectural design of both the exterior and interior;
  - c) the scale, and massing of the building;
  - d) the location and amount of parking provided;
  - e) accesses to the site and building;
  - f) site landscaping including buffering;
  - g) building materials
- 1.8.2 Notwithstanding the generality of Policy 1.8.1, any development permitted pursuant to Policy 1.8 shall not:
- a) exceed 105 feet in height (exclusive of the mechanical penthouse) above the elevation of the Cunard Street street line where it is intersected by the east boundary of LRIS PID No. 00150631
  - b) contain more than 306 habitable rooms
- 1.8.3 Notwithstanding any other policies, the Land Use By-law shall allow for the reconstruction of an apartment building that was in existence immediately before it was demolished on March 3, 2006, at the South-East corner of Creighton and Buddy Daye Streets (PID 40877292). (RC-Aug 1/06; E-Aug 12/06)**
- 1.9 For the properties known as Civic No. 5784 Charles Street (Dave's Bottle Exchange - PID No. 00151431, 00151449, 00151662 and 00151670), notwithstanding the Medium Density Residential designation, the Municipality may permit a multiple-unit residential building with commercial space which is not permitted by the land use designation and zone (LUB) requirements by development agreement. (RC-Nov 13/07; E-Dec 15/07)**
- 1.9.1 Any development permitted pursuant to Policy 1.9 shall be compatible with the surrounding area and this shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:**
- (a) the adequacy of the servicing capacity of the site;**
  - (b) the architectural design of the building including building materials and colour;**



- (c) the scale of the building in relation to the scale of those on John Street and the surrounding neighborhood;**
- (d) safe access to the site and building;**
- (e) the adequacy of combined vehicular and bicycle parking facilities; and**
- (f) the provision of above-grade recreational open spaces for the residents. (RC-Nov 13/07-E-Dec 15/07)**

## **2. COMMERCIAL FACILITIES**

**Objective:** A variety of appropriately located commercial facilities to serve the needs of both the resident and working populations of Peninsula North and the City as a whole.

- 2.1 Minor commercial centres shall be medium-scale commercial areas within walking or easy vehicular distance to several neighbourhoods, offering a variety of retail goods, services and activities to the surrounding neighbourhoods.
- 2.2 In areas designated as minor commercial centres, commercial centres, commercial uses serving more than one neighbourhood shall be permitted. They shall include such uses as retail shops, rental services, household repair shops, personal services, offices, specified entertainment uses, institutions, restaurants, service stations, community centres, but shall not include billboards. Medium-density residential uses shall also be permitted.
  - 2.2.1 In areas designated as minor commercial centres, a mix of residential and commercial uses in one structure should be encouraged and the land use by-law shall permit this. Residential uses shall be encouraged to locate in commercial buildings provided that the following conditions are met:
    - (i) that residential uses are located above the first floor;
    - (ii) there is a maximum of four dwelling units;
    - (iii) there is separate access at the ground level;
    - (iv) provision of one parking space for every unit of two or more bedrooms and for every four or less bachelor and one bedroom units.
  - 2.2.2 Notwithstanding the medium density residential designation and Policy 1.3 the property at the southwest corner of North and Windsor Streets, zoned commercial immediately prior to the adoption of this Section, shall be zoned to a local business zone in order to limit the intensity of commercial development.
  - 2.2.3 Notwithstanding the Minor Commercial designation and Policy 2.2, certain commercial uses shall be zoned as general business in order to maintain conformity. More specifically, Civic 5663-69 and 5562-68 Cornwallis Street and 2223 North Park Street shall be zoned as general business.
  - 2.2.4 The land use by-law shall include provisions for the Minor Commercial zone, which require building setbacks and the buffering of any on-site parking areas, to protect residential areas from the impact of adjacent commercial uses.
- 2.3 In areas designated major commercial, uses consistent with Section II, Policy 3.1.3 shall be permitted.
  - 2.3.1 In order to promote investment in commercial and residential redevelopment and to prevent conflict between new and existing uses the city may, through the land use by-law, identify areas that provide an opportunity for and will benefit from comprehensive site planning.

- 2.3.2 In those areas identified in the land use by-law pursuant to Policy 2.3.1 all residential and mixed residential-commercial development over four units shall be by agreement.
- 2.3.3 In considering agreements pursuant to Policy 2.3.2, Council shall consider the following:
- (i) the relationship of new development to adjacent properties and uses; and, the mitigation of impacts on the amenity, convenience and development potential of adjacent properties through effective urban design and landscape treatment;
  - (ii) the appropriate integration of the development into the traditional grid street system of the Peninsula;
  - (iii) the design and layout of the development should encourage vehicular traffic to use Principal Streets and discourage traffic from infiltrating through existing neighbourhoods;
  - (iv) the creation of high quality design detail at street level through attention to such matters as landscaping, signs, building entrances, and vehicle layby areas;
  - (v) the provision of high quality open space and leisure areas of a size and type adequate for the resident population;
  - (vi) residential and commercial densities consistent with municipal services;
  - (vii) encouraging high quality exterior construction materials such as masonry; and
  - (viii) other relevant land use considerations which are based on the policy guidance of this Section.
- 2.4 In the major commercial area along the east side of Agricola Street from North Street to a point approximately midblock between Russell and Macara Streets, the land use by-law shall include a maximum height limit of 35 feet to maintain the existing low rise character of this street and to ensure compatibility with the existing residential areas to the east.
- 2.5 In Area 6 of this Section, the land use by-law shall include a height limit to maintain the existing low rise form and ensure compatibility with the character of surrounding residential neighbourhoods, for any property zoned as general business.
- 2.6 The major commercial area of Gottingen Street (the commercial core) is one of the primary commercial areas serving Peninsula North. Infill commercial development on vacant portions of the street and the development of a full range of uses for the existing commercial properties is permitted.
- 2.6.1 Major commercial uses which would strengthen and enhance the commercial function of Gottingen Street should be focused in the commercial core.
- 2.7 To promote commercial redevelopment in the major commercial area and the residential/commercial mix areas along Gottingen Street which continue the existing commercial form of Gottingen Street, the land use by-law shall include regulations related to the provision of direct sidewalk access to buildings, and

design considerations for buildings with larger street frontage to create pedestrian interest and interaction at street level.

- 2.8        Parking requirements for larger commercial lots in the major commercial and the residential/commercial mix area along Gottingen Street shall be established in the land use by-law so that major new commercial development, or major additions to existing developments add to the supply of parking spaces in the Gottingen Street area.
- 2.8.1     All parking areas for Gottingen Street commercial or industrial development shall be of high quality and shall be visually buffered from adjacent properties with residential zoning, and landscaping shall be provided for any parking area bordering a street.
- 2.8.2     Additional short-term on-street parking on Gottingen Street will help to promote the development of Area 8 as a commercial and mixed use area serving the municipality. Therefore, an investigation of increasing the number of on-street parking spaces on Gottingen Street shall be initiated when long term changes in the overall traffic patterns of Gottingen Street, prompted by improvements such as the widening of the MacDonald Bridge, are established.
- 2.9        In Area 8 of this Section, a height limit shall be established for the Major Commercial area of Gottingen Street and for the Residential/Commercial mix area along Gottingen Street to maintain a medium rise building form and to ensure compatibility with surrounding residential properties.
- 2.10      In order to encourage the development and the conversion of existing buildings for residential purposes in the major commercial area of Gottingen Street, residential uses shall be permitted in the Major Commercial designation of Area 8 which meet commercial requirements related to building form, size, placement, parking standards, and open space.
- 2.11      The property located at the northeast corner of Gottingen and Cogswell Streets is the entrance to the Gottingen Street commercial core and has unique site characteristics related to its location and orientation. To encourage and facilitate innovative development which addresses the unique characteristics of this site, any development which does not meet applicable land use by-law regulations may be permitted by development agreement.
- 2.11.1    In considering agreements pursuant to Policy 2.11, Council shall consider the following and may include such provisions in the agreement:
  - a)        The design of any building or buildings located on this corner lot shall recognize and address the transition on this site between the pedestrian oriented commercial focus of Gottingen Street, and the traffic movement function of Cogswell Street.
  - (ii)    The height of any development shall be compatible with commercial and institutional uses on Gottingen and Cogswell Streets, but in no case shall any development protrude through a

viewplane nor shall any development exceed the height precincts established for the commercial core.

- (iii) The design of any portions of building or the site facing Gottingen Street or the corner of Cogswell and Gottingen shall be of high quality and shall be pedestrian oriented through attention to such matters as building materials, building details including windows, landscaping, fencing, walls, lighting, building entrances, and pedestrian walkways.
- (iv) The design of any portions of building or the site facing Cogswell Street shall be high quality through attention to such matters as building materials, building details, landscaping, fencing, walls, lighting, and building entrances.
- (v) Parking, vehicular access and loading areas, if provided, shall be located, sized, and designed in a manner which ensures the safe and efficient movement of vehicles to and from the site, and the safe movement of pedestrians to and from the development as well as pedestrians travelling between Cogswell and Gottingen Streets.
- (vi) The size, design and placement of both free standing and fascia signs for any development on this lot shall not impede the safety or comfort of pedestrians or of automobile traffic shall enhance the image of the development as a component of the entrance to Gottingen Street.

2.12 Properties which are within predominately residential areas but which border major commercial areas of Area 8, and have developed a mix of residential and commercial uses, shall be designated as “Residential-Commercial Mix” on the Generalized Future Land Use Map (Map 9Gh) of this Plan. This designation recognizes the existence of commercial uses, parking lots and parking structure serving the Gottingen Street area, while promoting the redevelopment and infill of these areas for a range of residential uses.

2.13 Properties in Area 8 fronting on the west side of Gottingen Street but which are outside of the existing commercial core area as denoted by the Major Commercial Designation, shall be designated as “Residential-Commercial Mix” on the Generalized Future Land Use Map (Map 9Gh) of this Plan.

2.14 In areas designated as “Residential-Commercial Mix”, the following uses shall be permitted:

- (i) residential uses;
- (ii) new buildings, residential uses with minor commercial uses occupying the ground floor or below grade, or minor commercial uses on the ground floor or below grade;
- (iii) in existing buildings, minor commercial uses and mix of minor commercial and residential uses, including existing minor commercial uses located above the ground floor;
- (iv) existing parking lots and parking structures;
- (v) lounges in association with restaurants for properties fronting on Gottingen Street, provided that the intensity of use shall be controlled

through limitations on the size of such lounges and ensuring that they are subordinate to the restaurant use.

- 2.14.1 To ensure compatibility of these Residential-Commercial Mix areas with the surrounding residential areas, the land use by-law shall include provisions to restrict height.
- 2.14.2 To promote the conversion or redevelopment of buildings in areas designated Residential-Commercial Mix, which on the date of adoption of this Section contained a mix of residential and minor commercial uses; minor commercial uses shall not be permitted to expand within the building.
- 2.15 The Area referred to in Policy 2.13 above contains a large amount of vacant land and is outside of the established commercial core of Gottingen Street. To encourage and facilitate innovative commercial and residential development, or a mixture of these uses, a development which does not meet applicable land use by-law regulations may be permitted by development agreement.
- 2.15.1 In considering agreements pursuant to Policy 2.15, Council shall consider the following and may include such provisions in the agreement.
- (i) The focus of any development shall be for medium to high density residential uses of limited height, and may include minor commercial uses which serve the needs of the neighbourhoods of Peninsula North;
  - (ii) Minor commercial uses may be permitted above the ground floor of a commercial or mixed use development, if the development of these uses in both type and concentration, is not contrary to the goals for the commercial core as stated specifically in Policy 2.6.1 of this Section;
  - (iii) Any development shall be compatible in scale, form and function with residential and commercial development fronting on Gottingen, Gerrish or Creighton Streets, and in no case shall the height of any development exceed the height limits established by the applicable height precinct;
  - (iv) High quality of design detail at street level shall be ensured through attention to such matters as building materials, landscaping, fencing, signs, building entrances, and open space areas;
  - (v) Parking or loading areas, vehicle access points, and site or building lighting shall be located, sized and designed to reduce the impact on adjacent residential areas, and on both vehicular and pedestrian traffic on Gottingen Street.
  - (vi) Appropriate and safe pedestrian links between Gottingen Street and the Creighton Street residential area shall be encouraged.
  - (vii) Other relevant land use considerations based on the policy guidance of this Section.
- 2.16 Notwithstanding the Major Commercial Designation of 2594 Agricola Street, LRIS PID No. 00169276, the Municipality may permit a mixed use building, commercial and residential, by development agreement.**
- 2.16.1 Any development permitted pursuant to Policy 2.16 shall be compatible with the surrounding area and this shall be achieved by attention to a**



**variety of factors for which conditions may be set out in the development agreement, such as but not limited to:**

- (a) the adequacy of the servicing capacity of the site;**
  - (b) the architectural design of the building including building materials;**
  - (c) the scale of the building;**
  - (d) safe access to the site and building;**
  - (e) the adequacy of parking facilities;**
  - (f) the provision of amenity or open space for the residents; and**
  - (g) the provision of affordable and accessible residential units.**
- (RC-Jun 12/07; E-Jun 23/07)**

### **3. INSTITUTIONS**

**Objective:** An environment in which institutional uses may co-exist in harmony with surrounding uses.

3.1 Concentrations of institutional uses shall be discouraged. In addition to areas shown as Institutional on the Generalized Future Land Use Map of this Peninsula North Strategy, future institutional uses may be considered in all areas through rezoning.

3.1.1 Rezoning to institutional use in areas designated residential shall be considered only where the use or uses permitted in the zone are related to and serve the needs of the residents of the area, and are compatible with adjacent uses in terms of scale, height, and architectural features.

3.2 The City shall encourage the retention of the day care centre located in Quinpool Court at 2155 Monastery Lane.

3.3 Where federally owned land is no longer required for such purposes as Canadian Armed Forces and Canadian National Railways use, the City shall encourage the use of the land for purposes in accord with the policies of this Section.

**3.4 On the eastern side of Gottingen Street, between Russell Street and Kaye Street (PID # 40850463), the Municipality may permit, by development agreement, a mid-rise, mixed use residential and commercial building of up to 33 m in height.**

**3.4.1 In considering an application under Policy 3.4, Council shall pay particular attention to the building's design to ensure that the building creates an animated streetscape through active ground floor uses with frequent entries and pedestrian scaled design features.**

**3.4.2 Without limiting the generalities of Subsection 3.4.1, Council should encourage retail uses, individually accessed residential units, or a combination of both uses to occupy most of the street frontage of the building's base.**

**3.4.3 If individually accessed residential units are proposed, they should have front doors on the street, with appropriate front yard privacy measures such as setbacks and landscaping. Front entrances and first floor slabs for individually accessed residential units should also be raised above grade level for privacy, and should be accessed through means such as steps, stoops and porches.**

**3.4.4 In considering an application under Policy 3.4, Council may permit commercial uses to occupy both the ground floor and the second floor.**

**3.4.5 In considering an application under Policy 3.4, Council shall pay particular attention to the building's interface with the existing sloping**

street conditions.

- 3.4.6** In order to break up the massing of the building, Council shall require that the building's design be articulated into three separate and distinguishable sections: a base section, a middle section, and a top section.
- 3.4.7** In order to ensure visual interest in the building, Council should encourage other opportunities to articulate the massing of the building by including vertical and horizontal recesses or projections, datum lines, and changes in material, texture or colour.
- 3.4.8** Any development permitted pursuant to Policy 3.4 shall be exempt from the angle control requirements of the R-3 (Multiple Dwelling) Zone of the Land Use By-law.
- 3.4.9** Any development permitted pursuant to Policy 3.4 shall be exempt from the open space requirements of the R-3 (Multiple Dwelling) Zone of the Land Use By-law.
- 3.4.10** Any development permitted pursuant to Policy 3.4 shall not exceed a population of 200 persons on the site.
- 3.4.11** For the purpose of calculating population density for any development permitted pursuant to Policy 3.4, the following population counts shall apply:
- (i) bachelor units shall be assigned one (1) person per unit;
  - (ii) one-bedroom units shall be assigned two (2) persons per unit; and,
  - (iii) all other dwelling units, including townhouse-style dwelling units, shall be assigned 2.25 persons per unit.
- 3.4.12** For the purpose of determining the amount of parking to be provided for any development permitted pursuant to Policy 3.4, each dwelling unit shall be assigned one (1) parking space, while the commercial portion of the development will not require the provision of parking.
- 3.4.13** Further to Subsection 3.4.12, any parking to be provided on site shall be located underground.
- 3.4.14** In considering an application under Policy 3.4, Council shall ensure that vehicular and service access to the building has minimal impact on the streetscape by minimizing the width of the frontage it occupies, and by requiring a design that integrates both functions.

(RC-Sep 27/11; E-Dec 10/11)

#### **4. RECREATION**

**Objective:** The increase and improvement of the variety and useability of recreation land and facilities in Peninsula North.

4.1 The improvement of existing recreation spaces shall be sought by such means as upgrading facilities, improving landscaping, and adding new facilities.

4.2 On City-owned recreation land in Peninsula North, the City shall emphasize intensity of use and shall attempt to provide a variety of activities for a variety of user groups.

4.3 The City shall, after consultation with the community, attempt to provide adequate lighting of community playing fields to improve the safety and promote greater use of these spaces.

4.4 The City shall seek additional land for the creation of tot-lots, neighbourhood, and community parks. The City should consider potential recreation sites that are a minimum of 5,000 square feet.

4.5 In the acquisition of land for small-scale recreation use, the preference shall be given to locations that are:

- (i) appropriately dispersed throughout the area;
- (ii) removed from principal streets, truck routes, or busy intersections;
- (iii) close to concentrations of housing units;
- (iv) visible from the street; and
- (v) of suitable topography to accommodate a variety of uses.

4.5.1 In the development of sites for community or neighbourhood recreation spaces, the following should be provided:

- (i) a sense of enclosure;
- (ii) protection from the wind;
- (iii) the multi-use of recreation spaces by such means as creating small playing and activity spaces; and
- (iv) a sense of safety by such means as positioning parks to maximize surveillance from the street and adjacent residential structures.

4.6 The City shall provide opportunities for the participation of people living within a one-half kilometre radius of a neighbourhood park and for community parks, within a one kilometre radius in the planning of facilities for small-scale City-owned recreation spaces.

4.6.1 The City should make use, whenever possible, of land on a temporary basis for recreation purposes where permanent park facilities are not available.

4.6.2 The City shall seek to negotiate the use of large parking lots as multi-use courts when they are not in use for parking.

- 4.7           The City shall investigate the use of public rights-of-way, public or private lanes or sections of local streets for neighbourhood open spaces, pedestrian and/or bicycle paths where the location is suitable for such use.

## **5. TRANSPORTATION**

- Objective**      Transportation facilities in Peninsula North that will decrease the negative effects of through traffic on residential streets, facilitate the movement of vehicles associated with light-industrial, business and service uses, and minimize traffic conflicts.
- 5.1                Means of promoting the safety of bicycle use between residential areas of Peninsula North and the Central Business District shall be investigated.
- 5.2                The traffic implications of proposals for any large-scale developments shall be assessed and developers encouraged to take measures to alleviate or avoid potential traffic problems, particularly on residential streets.
- 5.3                The possibility of providing municipal parking lots in Peninsula North in appropriate locations when alternate parking solutions are not possible shall be investigated. Such parking lots should be paved and adequately buffered from the street and adjacent uses and should only be provided on a cost-recovery basis.
- 5.3.1             A study to investigate parking solutions for the problems created by the winter parking ban shall be undertaken.



## **6. ENVIRONMENT**

**Objective:** An energy-efficient lifestyle in Peninsula North and an aesthetically pleasing environment for the activities that take place in the area.

- 6.1 Whenever possible, on lands in Peninsula North that are in the ownership of the City, the City shall encourage the inclusion of energy-efficient design features in any new residential development projects and the siting of structures in a southerly direction.
- 6.2 The City shall continue its tree-planting program to ensure that all streets benefit.
- 6.3 The City should consider, wherever appropriate, the use of coniferous trees in its tree-planting or landscaping programs.
- 6.4 In all cases in which landscaping or buffering is required, the use of coniferous trees on the north, west and east sides of the property, and deciduous trees on the south side shall be encouraged unless inappropriate to the specific use or site.
- 6.5 Means of improving the environment of minor commercial areas shall be investigated. Improvements should include such items as public benches for use by shoppers, the use of planters or trees along the street, and improvements of sidewalk conditions.

## **7. CANADIAN FORCES BASE STADACONA**

**Objective:** An environment in which CFB Stadacona can develop and grow in a manner which both benefits the economy of the City of Halifax and the Metropolitan region and respects the surrounding urban fabric.

7.1 The city recognizes the importance of CFB Stadacona to the economy of the City of Halifax and to the metropolitan region. As such, the city encourages development and growth at CFB Stadacona which will contribute to the future growth of employment and the economic base of Halifax.

7.2 CFB Stadacona is located within an urban area and is surrounded by commercial, residential and industrial uses. Changes on CFB Stadacona have the potential to impact these surrounding areas. Given this, the city encourages the Canadian Armed Forces to consult with the city if it anticipates change which:

- (i) affects any registered heritage building on CFB Stadacona;
- (ii) directly affects the visual presentation of the periphery of the base to city streets and to surrounding properties. These changes include: the removal of mature trees; landscaping; the demolition and erection of fences and walls; and signage;
- (iii) involves the acquisition of properties for base expansion.

7.3 CFB Stadacona should be restricted to the area designated on the Future Land Use Map of this Plan as Canadian Forces Base, and within this area, such military uses shall be encouraged.

7.3.1 Any expansion of the base to the north should retain a clear division between CFB Stadacona and private residential uses.

7.4 The city encourages the Canadian Armed Forces to seek cooperative solutions to parking issues related to CFB Stadacona.

7.4.1 The city encourages the use of public transit by military employees at CFB Stadacona.

## **8. INDUSTRIES**

- 8.1           The areas designated "Industrial" shall be governed by Part II, Section II, the Industries Policy Set.

## **9. HERITAGE RESOURCES**

**Objective:** The preservation, maintenance and enhancement of buildings, areas, streetscapes and conditions which contribute to the heritage character of certain areas of Peninsula North.

9.1 The City shall control the height of new development within the Peninsula North area in the vicinity of Citadel Hill, pursuant to Policies 6.3, 6.3.1, 6.3.2 and 6.3.3 of Section II.

9.2 All new buildings shall be located so that the views to the Harbour from Citadel Hill, as specifically delineated in the City of Halifax land use by-law regarding viewplanes, are maintained.

9.3 In order to preserve existing structures which are not registered heritage properties, and to promote new development which reflects the architectural character of existing heritage structures and maintains the streetscapes of Brunswick Street, the city shall, through the land use by-law, identify areas where specific architectural controls, standards for building placement, and criteria for building conversion would be desirable.

9.3.1 In the area identified in the land use by-law pursuant to Policy 9.3 above, and shown on Map 3: Brunswick Street Heritage Area, the conversion of a building existing on the date of approval of this section into a converted multiple dwelling house, in the Medium Density Residential Area, shall be permitted in order to encourage the retention of existing buildings in the Brunswick Street area which contribute to the heritage streetscape.

9.3.1.1 In the area identified in the land use by-law pursuant to Policy 9.3.1 above, the conversion of an existing building, which is not a registered heritage property or an accessory use, to a converted multiple dwelling house shall be permitted provided that:

- (i) there is no increase in the height or volume of the building;
- (ii) there are not major changes to the facade of the existing building;
- (iii) at least one unit for every five in the converted building contains two or more bedrooms.

9.3.2 In the area identified in the land use by-law pursuant to Policy 9.3 above, a new apartment house with over four dwelling units, or an addition to an existing building which produces an apartment house with over four dwelling units, may be permitted in areas zoned as general residential by development agreement; any such residential development in the area zoned as general residential conversion and townhouse, multiple dwelling, or general business, shall only be by development agreement.

9.3.2.1 In considering agreements pursuant to Policy 9.3.2, Council shall consider the following:

- (a) the building or addition shall complement adjacent properties and uses, particularly any adjacent registered heritage buildings;
- (b) the impact of vehicle access and egress and parking on adjacent properties and uses shall be minimized;
- (c) the new development shall complement or maintain the existing heritage streetscape of Brunswick Street, by ensuring that features, including but not limited to the following, are similar to adjacent residential buildings particularly any registered heritage properties in the area identified in the land use by-law pursuant to Policy 9.3 above, on which Council shall specify conditions to be met in the development agreement:
  - (i) architectural design including building forms such as roofs, entrances, porches and dormers;
  - (ii) height, scale and massing;
  - (iii) location and style of building details such as doors, windows and exterior walls;
  - (iv) front and side yard setbacks;
  - (v) building materials.
- (d) open space and landscaped areas shall be provided where appropriate;
- (e) other relevant land use considerations which are based on the policy guidance of this Section.

- 9.4 Any development or change in use of any registered heritage property, not otherwise permitted by the land use by-law, shall comply with the provisions set out in the Heritage Resources policies of Section II.
- 9.5 Any development on the west side of Brunswick Street, located outside the Brunswick Street Heritage Area, should reflect the heritage character of existing structures on Brunswick Street.
- 9.6 To promote the residential development of the Brunswick Street Heritage Area, through traffic on Brunswick Street between North and Cornwallis Street should be discouraged and alternate routes for this traffic investigated.
- 9.6.1 The City shall encourage development at CFB Halifax (Dockyard) which does not conflict with Policy 9.6 of this Section.
- 9.7 The area designated as the Brunswick Comprehensive Development District on the Generalized Use Future Land Use Map, which is the district bounded by Brunswick Street, Cornwallis Street, Maitland Street and Portland Place shall be a residential area planned and developed as a whole or in phases based on detailed site development criteria and providing a mixture of forms and designs of residential uses with limited community open space and selected commercial uses.
- 9.7.1 The Brunswick Comprehensive Development District shall be developed in a manner which (1) maintains or enhances the quality of life for the existing neighbourhood and community, (2) complements the existing residential uses in the neighbourhood in design, form and function, (3) complements the

surrounding heritage buildings and the heritage streetscape of Brunswick Street and (4) promotes a variety of building forms and designs.

- 9.7.2 Pursuant to Policies 9.7 and 9.7.1 above, the Land Use By-law shall include a new zone, the Brunswick Comprehensive Development District zone within which any development shall be permitted only by development agreement which shall conform to the following. In these sections an existing building refers to a building existing on the date of adoption of this policy.

**A. Open Space/Landscaping:**

- (i) A limited amount of community open space may be permitted on the site as appropriate. If provided this shall be located at the corner of Brunswick and Cornwallis Street and shall be designed and sized in a manner which enhances the view of Saint George's Church from Brunswick Street.
- (ii) Adequate private open space areas shall be provided for any residential development. The proximity to public open space areas within this neighbourhood shall be considered in determining the amount of private open space required. Overall, a minimum of thirty-five (35) percent of any lot shall be used for private open space and landscaped areas.
- (iii) A landscaping plan shall be provided for each development project. The majority of the landscaped area should be planted, and these landscaped areas should enhance the design of individual buildings and the heritage character of the district.

**B. Site Development**

- (i) The density of residential development shall not exceed the servicing (sewer and water) capacity of the district.
- (ii) The maximum site coverage for buildings, including accessory buildings, on any lot, shall be forty (40) percent.
- (iii) The maximum building footprint for any apartment house or townhouse building shall be seventy-five hundred (7500) square feet.
- (iv) All townhouse buildings shall be limited to ten (10) individual dwellings units.
- (v) Any existing residential building may be internally converted to any number of individual dwelling units.
- (vi) The maximum height of any portion of a building shall be forty (40) feet from natural grade.
- (vii) Notwithstanding (vi) no building shall be constructed so as to protrude through Viewplane #1.
- (viii) Notwithstanding (vi) no building shall be constructed so as to exceed the height of the base of the cupola of the Parish Church of St. George located at 2222 Brunswick Street.
- (ix) Notwithstanding (vi) buildings along Brunswick Street between 2146 Brunswick Street and Cornwallis Street shall be similar in height to the existing residential dwellings at 2138-2146 Brunswick Street.
- (x) The maximum height of any portion of a building which does not front directly on an existing street surrounding the district, shall be (thirty-five) 35 feet from natural grade, unless it can be adequately demonstrated that a height



of up to forty (40) feet from natural grade would not create undue shadowing impacts on existing dwellings in the district.

- (xi) Any multiple dwelling residential development of three (3) units or more, including townhouse buildings, shall contain a minimum of (one-third) 1/3 of family-type units, which shall either be a minimum of 800 square feet in area or shall contain at least two bedrooms.

**C. Building Placement:**

- (i) The street setback of any building fronting on or abutting Brunswick Street shall generally maintain the setback established by the registered heritage buildings at 2138-2146 Brunswick Street.
- (ii) The street setback of any building fronting on or abutting Portland Place shall generally maintain the setback established by the registered heritage building at 5419-25 Portland Place.
- (iii) The street setback of any building fronting on or abutting Cornwallis Street shall be similar to the existing setback of the Akins Court townhouse development located on the south side of Cornwallis Street between Brunswick and Barrington Streets at 5230-5238 Cornwallis Street.
- (iv) The street setback of any building fronting on or abutting Maitland Street shall not be any closer to the existing or new streetline than the existing registered heritage building at 2085-2099 Maitland Street.
- (v) The side and rear yard setbacks of individual buildings shall be similar in size to those of existing residential buildings, particularly registered buildings, located in the district.

**D. Parking:**

- (i) Adequate parking shall be provided for all dwelling units. Consideration shall be given to alternative parking opportunities in the immediate area and the proximity of this district to the downtown core and to transit opportunities. However, no more than twenty-five (25) percent of the total area of any development parcel shall be used for above ground parking purposes including driveway and manoeuvring areas.
- (ii) Any parking or driveway area, adjacent to any existing residential use in this district, shall be suitably buffered from this residential use through appropriately designed fences or landscaping.
- (iii) Parking lot areas shall generally be located in the interior of the district and shall not border directly on any surrounding streets. A limited amount of front yard parking may be considered in the front yard setback area of individual residential units with street frontage on any of the existing streets surrounding the district, it can be adequately demonstrated that this will not negatively impact on the heritage quality of these streetscapes.

**E. Access and Circulation:**

- (i) Driveway access to internal district parking areas shall be permitted on each of the streets surrounding the district. These shall be located in a manner which minimizes the number of access points to any street, and limits the impact on existing residential uses.

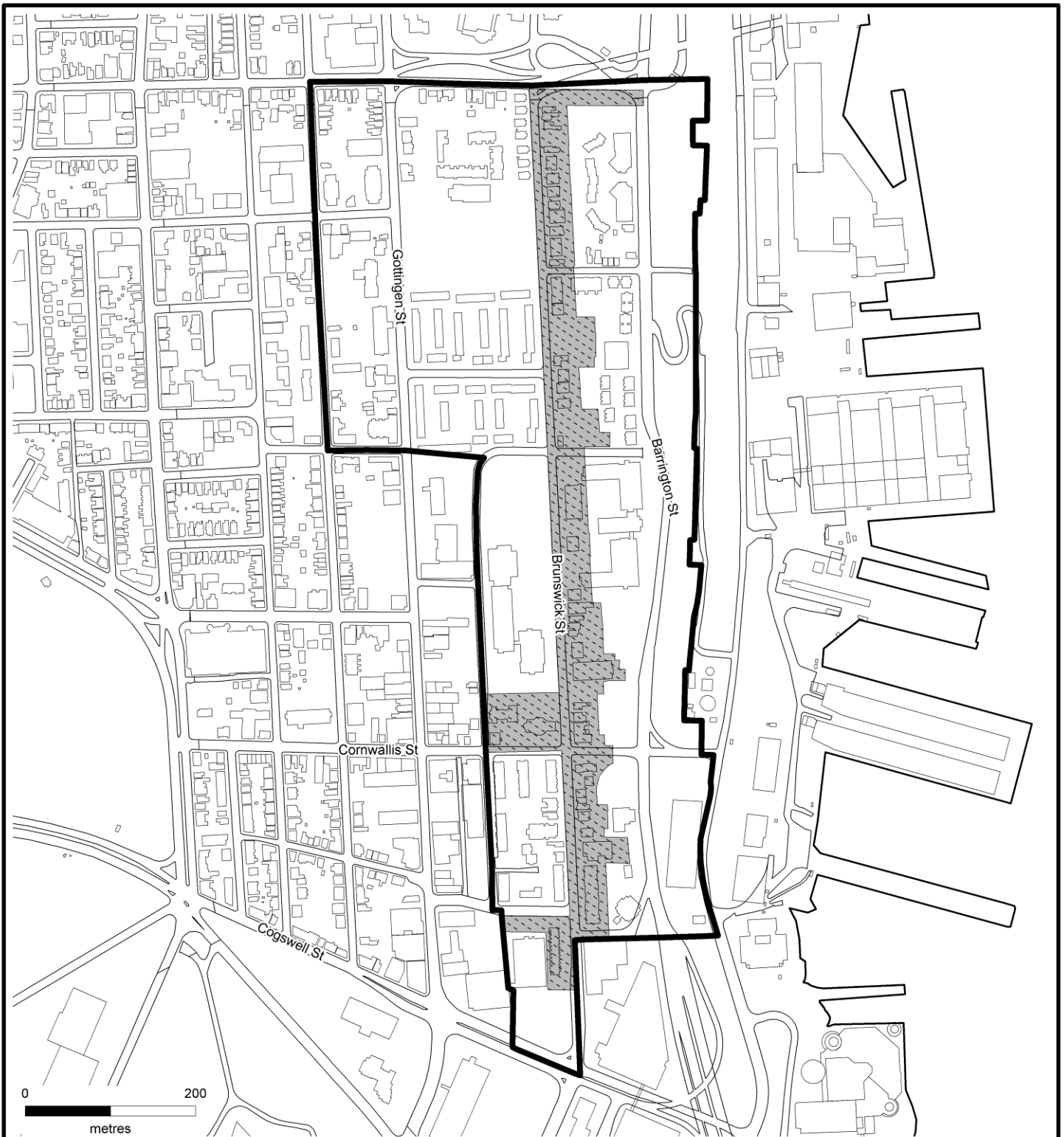
- (ii) New streets or private lanes shall be permitted within this district as long as these generally conform to historic development pattern as represented in the Hopkins Atlas of 1878 and the placement of such streets or private lanes is such that they do not border directly on existing residential properties.

**F. Architectural Design:**

- (i) Development on the site shall complement the surrounding registered heritage properties and the heritage streetscape of Brunswick Street.
- (ii) Any additions or additions to existing registered heritage properties shall enhance the heritage value of these structures.
- (iii) Any additions to any existing building must be compatible to the specific building as well as to surrounding registered heritage properties.
- (iv) New development on the site shall be in keeping with the Colonial, Georgian and Victorian styles of architecture found in the Peninsula North area of Halifax. Building constructed in any one of these design styles shall only contain elements common to this particular design. Such elements shall include but not be limited to roofs, windows, doors, dormers, porches, building materials and colours.
- (v) The criteria set out in Sections B (ii), (iii), and (vi) may be exceeded by a minor amount if it can be shown that this is required to meet the requirements of this section for a specific building design.

**G. Other:**

- (i) A change in use or an addition to any existing registered heritage property within this development district shall conform to the provisions of this policy. For greater clarity, the provisions of Policy 6.8 of Section II shall not apply to such properties within this district.
- (ii) Accessory buildings including but not limited to garages and sheds shall be designed and located based on the provisions for main buildings found in Sections B, C and F of this policy.
- (iii) Additions may be made to existing residential uses in this district, however, such additions shall meet the requirements of this policy.
- (iv) All possible measures shall be taken to mitigate any negative stormwater drainage impacts of any new development or significant additions to any existing development on existing dwellings in the district.



Peninsula North Planning Area - Area 7

Map 3

Brunswick Street  
Heritage Area

 Heritage Area

**HALIFAX**  
REGIONAL MUNICIPALITY  
COMMUNITY DEVELOPMENT  
PLANNING SERVICES



Amended: 24 October 2009

Halifax Municipal Planning Strategy

HEC

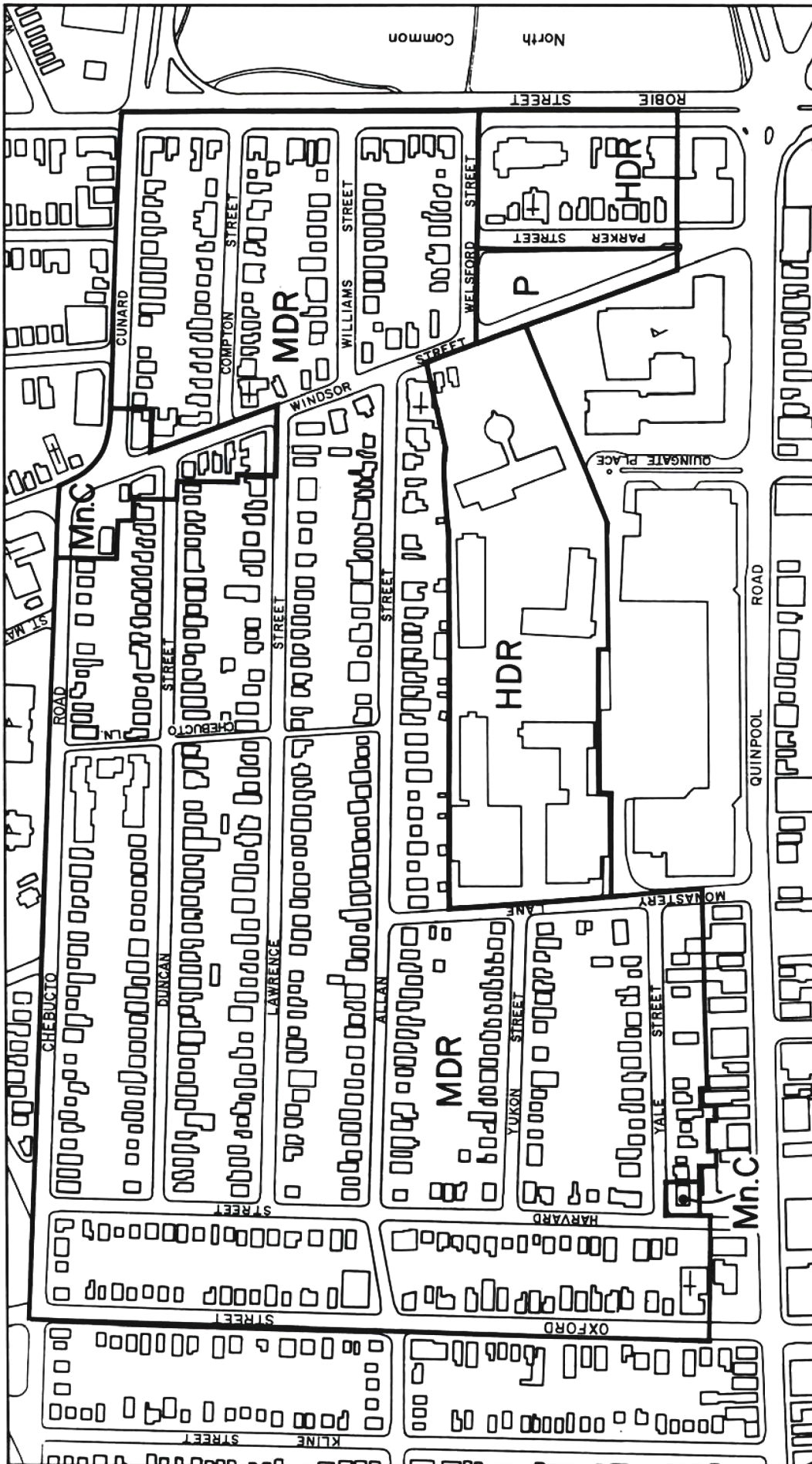
## **10. GENERALIZED FUTURE LAND USE MAP**

- 10.1 The Generalized Future Land Use Map (Map 9G) should be considered as the expression of intent of the City of Halifax for a future land use pattern based on the policies in this Peninsula North Strategy.
- 10.2 The areas of future land use shown on the Generalized Future Land Use Map (Map 9G) shall be determined primarily by the objectives and policies that correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.
- 10.3 Notwithstanding any other provision of this Strategy, a Development Permit may be issued by the Development Officer for a project in respect of which approval was given by Council and where no decision of the Municipal Planning Board has been given reversing such approval, provided that the development agreement is completed within the time limit specified in the development agreement.
- 10.4 For the area designated Medium Density Residential on the north side of Windsor Street between North and Willow Streets, including civic numbers 2567-69, 2571, 2579, and 2581-83 Windsor Street, Council shall consider the alteration, replacement or expansion of existing structures provided the permitted uses shall be limited to office and residential uses by development agreement in accordance with the provisions of the *Halifax Regional Municipality Charter*. In considering such an agreement, or an amendment to an existing agreement, Council shall have regard for the following:
- (a) The layout and design of the development shall be complementary to the existing character of the neighbourhood, through attention to factors including but not limited to:
    - (i) architectural design;
    - (ii) scale;
    - (iii) the size, location, and landscaping of courts, open spaces, and yards;
    - (iv) the location of primary and secondary entrances to the building;
    - (v) the size, location, and design of fences; and
    - (vi) the effects of any outdoor lighting or sign illumination on adjacent residential properties.
  - (b) Vehicular activity, particularly parking and loading, shall be controlled so as not to adversely affect the neighbourhood in terms of traffic flow and nuisance.
  - (c) Facilities for parking, refuse collection, loading and vehicular access shall be designed to avoid any adverse effects on adjacent properties and the street and to ameliorate existing problems, through attention to such factors as:
    - (i) loading;
    - (ii) surface treatment;
    - (iii) storm drainage; and

- (iv) access from the street.
- (d) Signage shall not create undue impact on the residential character of the neighbourhood.
- (e) Landscaping, screening and buffering may be required to reduce impacts on residential uses.
- (f) Hours of operation may be restricted to reduce impacts on residential uses.

**(RC-Sep 14/10; E-Oct 30/10)**





Peninsula North Planning Area - Area 1

## Generalized Future Land Use

MDR Medium Density Residential  
 HDR High Density Residential  
 Mn.C Minor Commercial  
 P Park and Institutional

(Map 2)  
 Map 9Ga

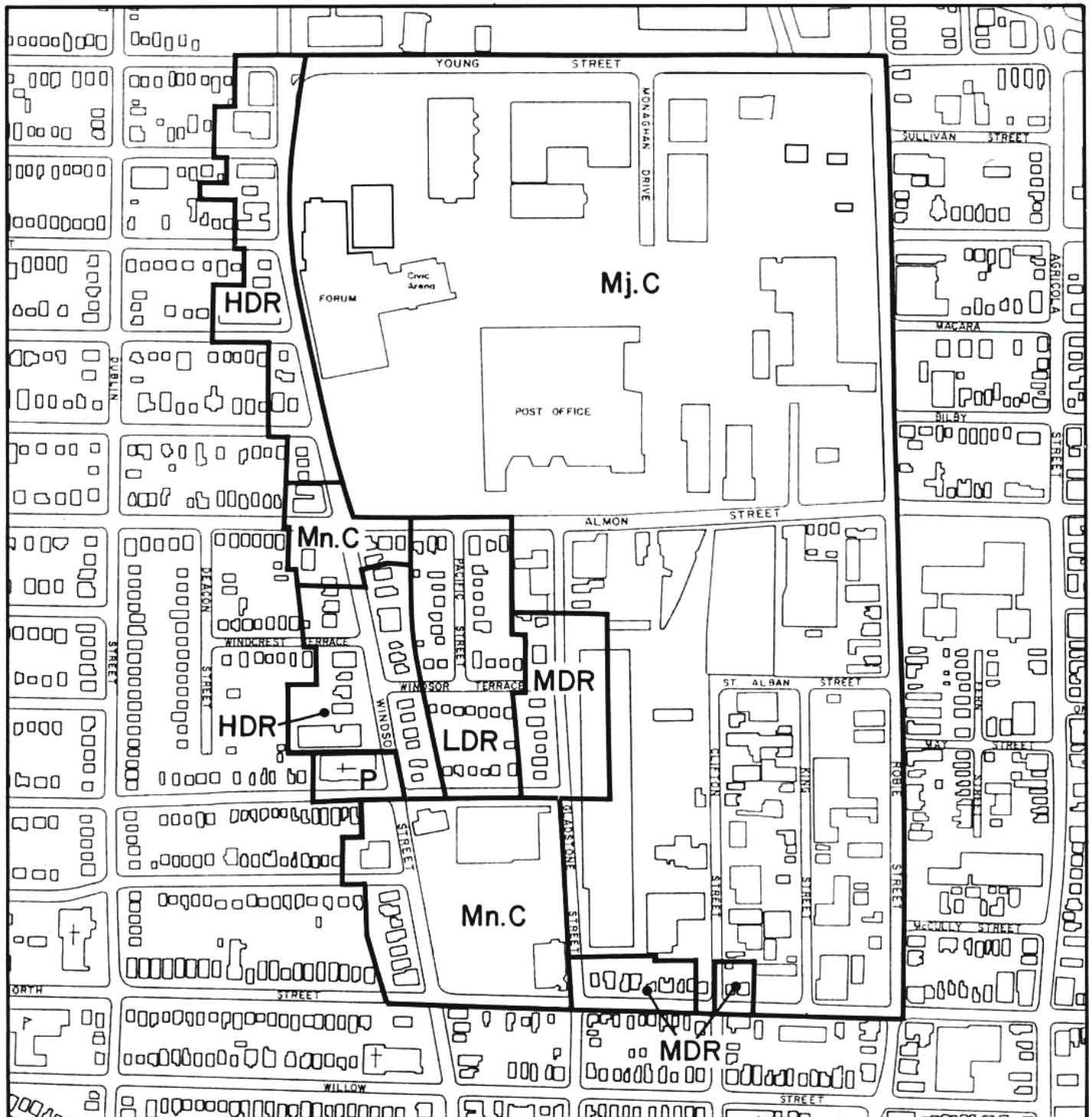


Approved: 13 April, 1993

N.T.S.

KLW





Peninsula North Planning Area - Area 2

(Map 2)  
Map 9Gb

## Generalized Future Land Use

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

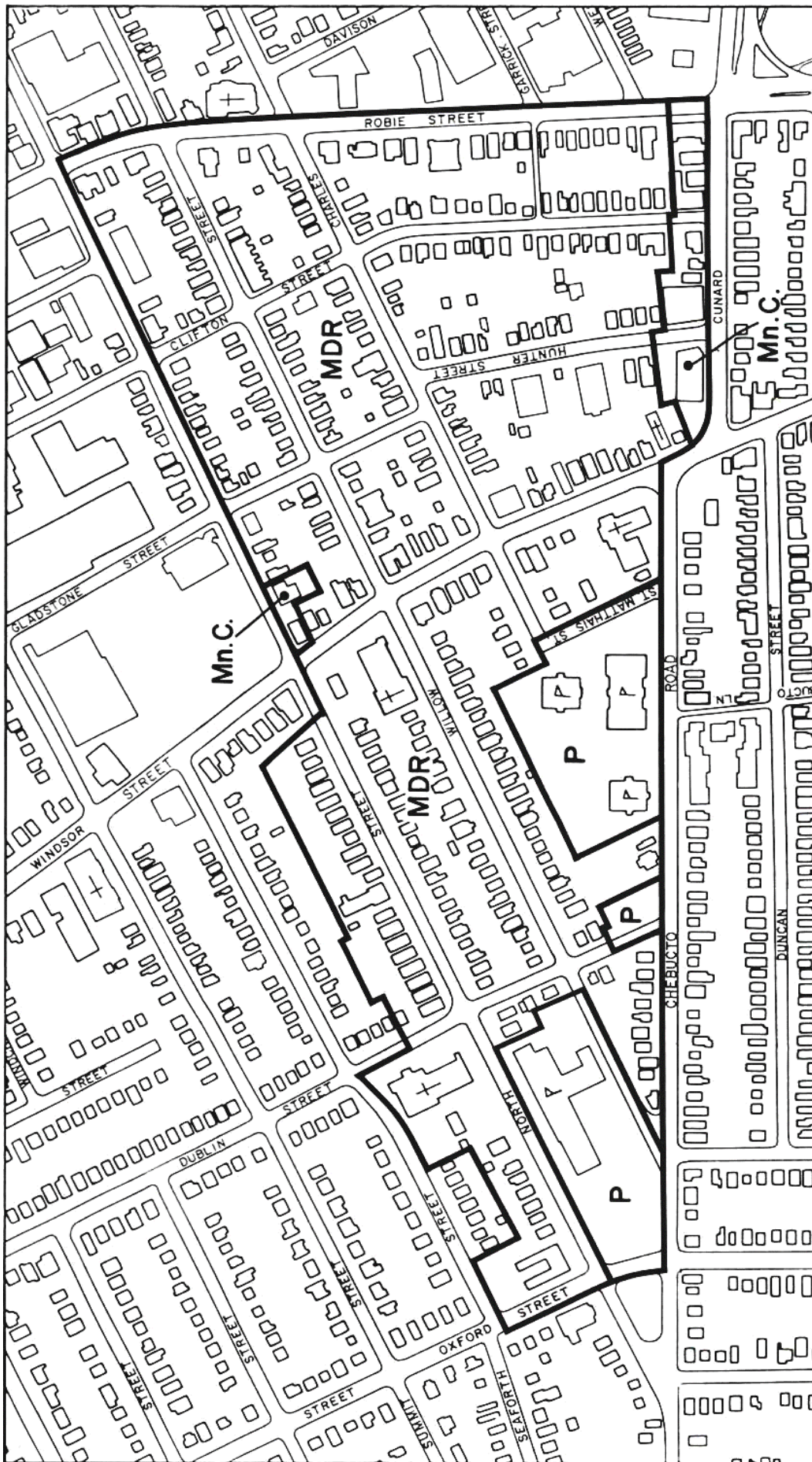
Mn. C Minor Commercial  
Mj. C Major Commercial  
P Park and Institutional

Approved: 24 June, 1993  
Amended: 19 March, 1998



N.T.S.

KLW



Peninsula North Planning Area - Area 3

## Generalized Future Land Use

MDR Medium Density Residential  
Mn.C Minor Commercial  
P Park and Institutional

Approved: 5 July, 1993

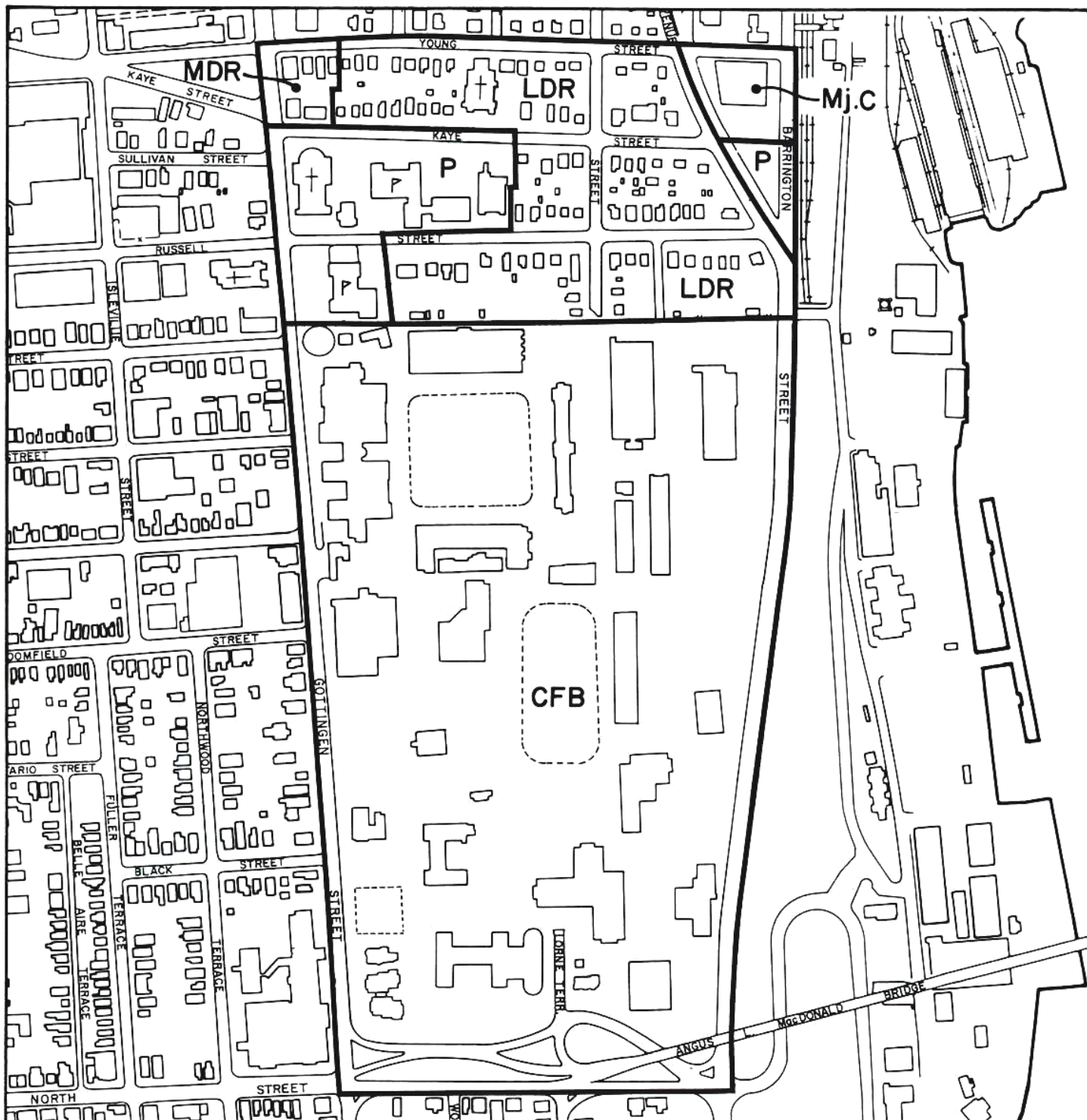
(Map 2)  
Map 9Gc



N.T.S.

KLW





Peninsula North Planning Area - Area 4

(Map 2)  
Map 9Gd

### Generalized Future Land Use (within Area 4 boundary)

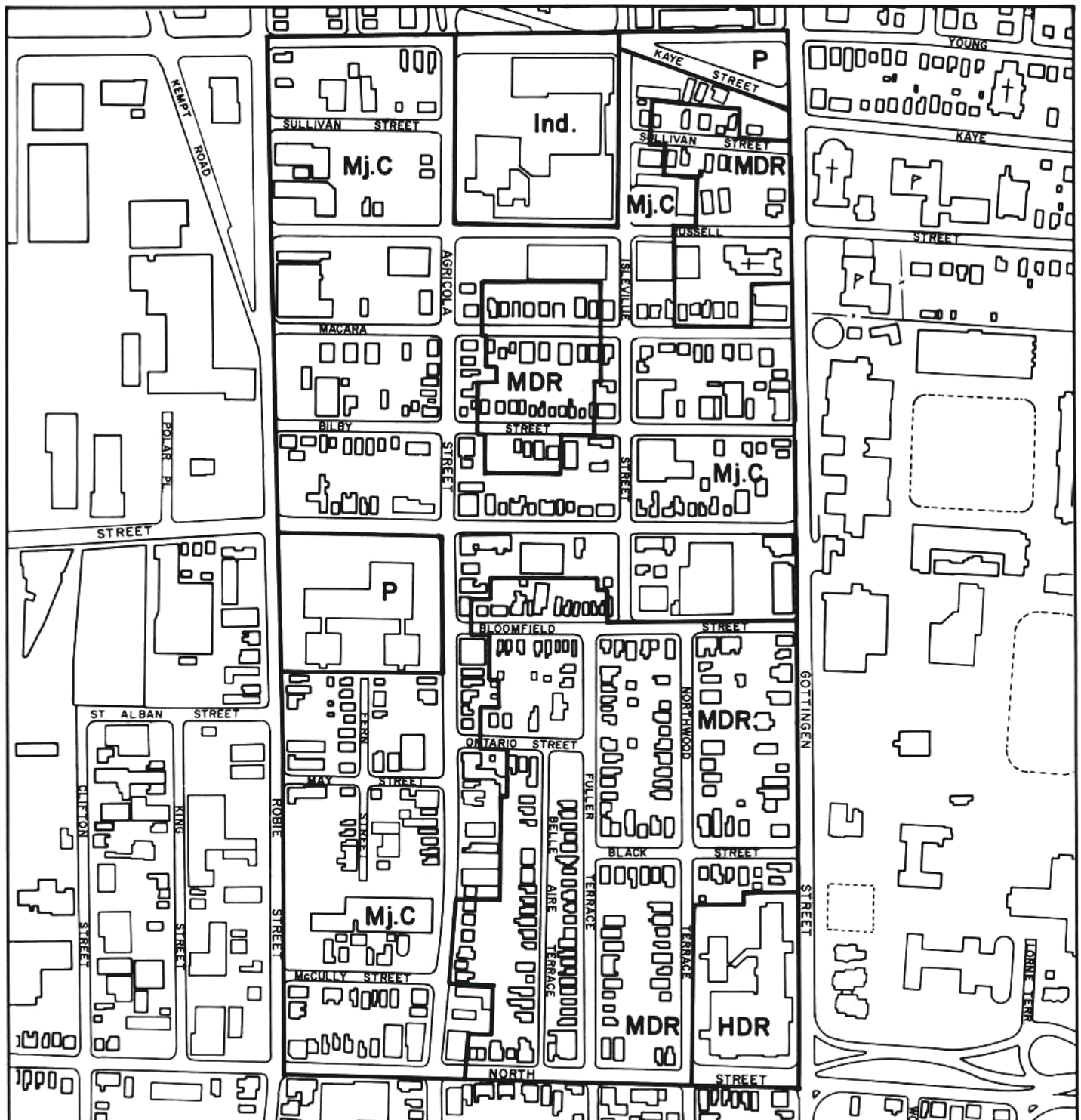
LDR	Low Density Residential	P	Park and Institutional
MDR	Medium Density Residential	CFB	Canadian Forces Base
Mj.C	Major Commercial		

Approved: 25 October, 1993



N.T.S.

KLW



Peninsula North Planning Area - Area 5

Map 9Ge

## Generalized Future Land Use

MDR	Medium Density Residential	Ind	Industrial
HDR	High Density Residential	P	Park and Institutional
Mj.C	Major Commercial		

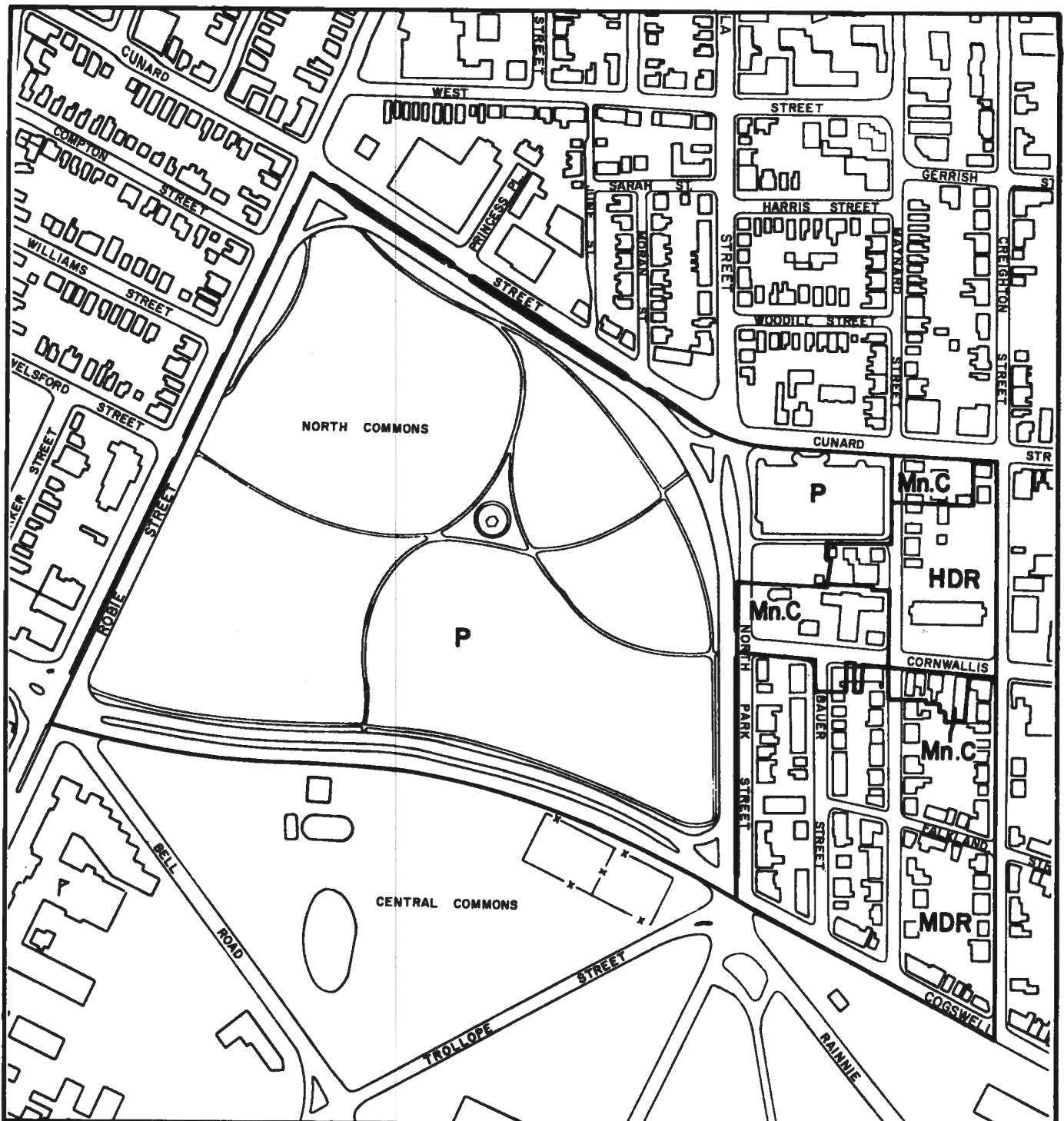
Approved: 22 June, 1994  
Amended: 6 February, 1995



N.T.S. KLV







Peninsula North Planning Area - Area 6

Map 9Gf South

## Generalized Future Land Use

MDR Medium Density Residential  
HDR High Density Residential

Mn.C Minor Commercial  
P Park and Institutional

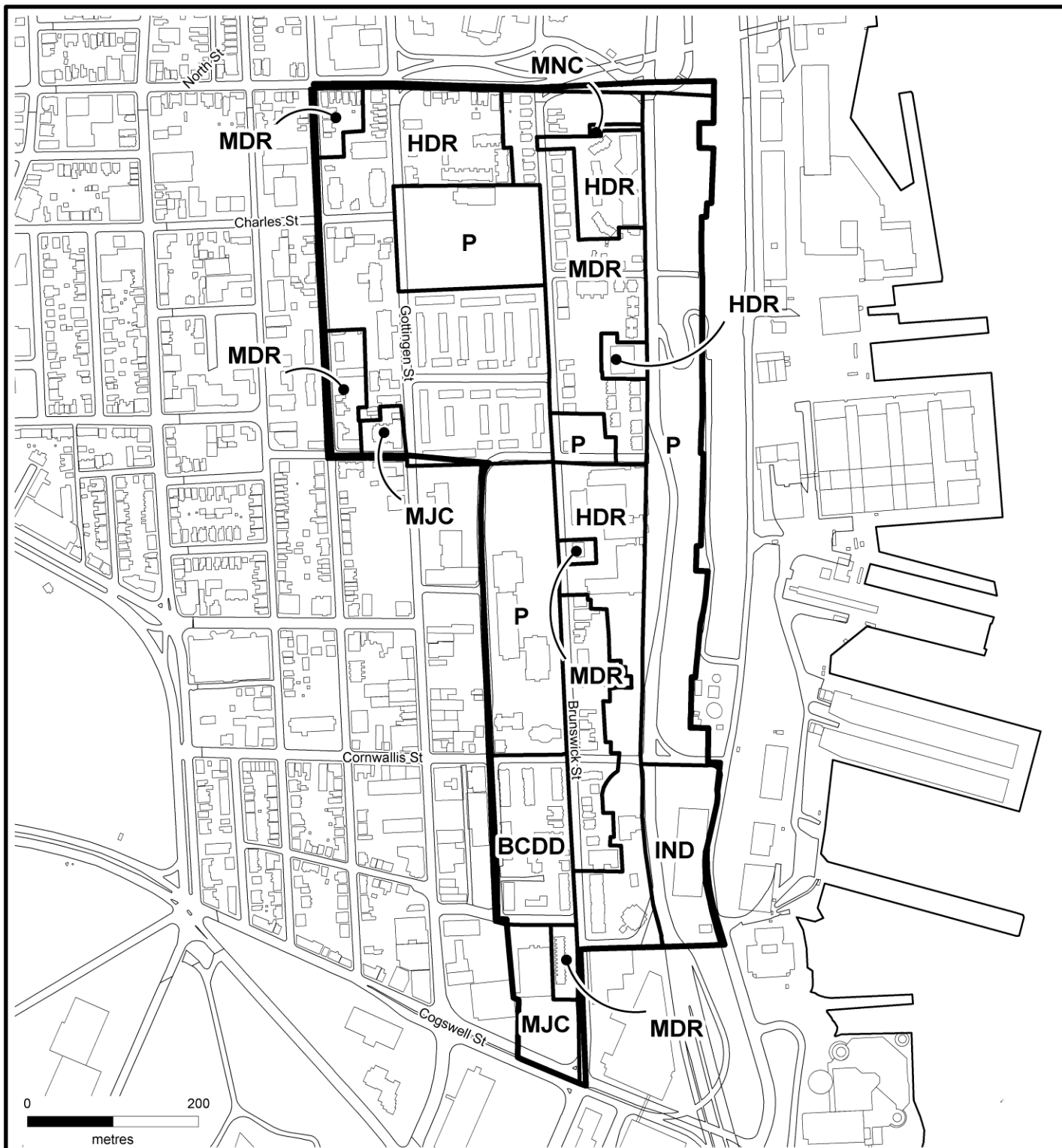
Approved: 23 June, 1995



N.T.S.

KLW





**Peninsula North Planning Area - Area 7**

**Map 9Gg**

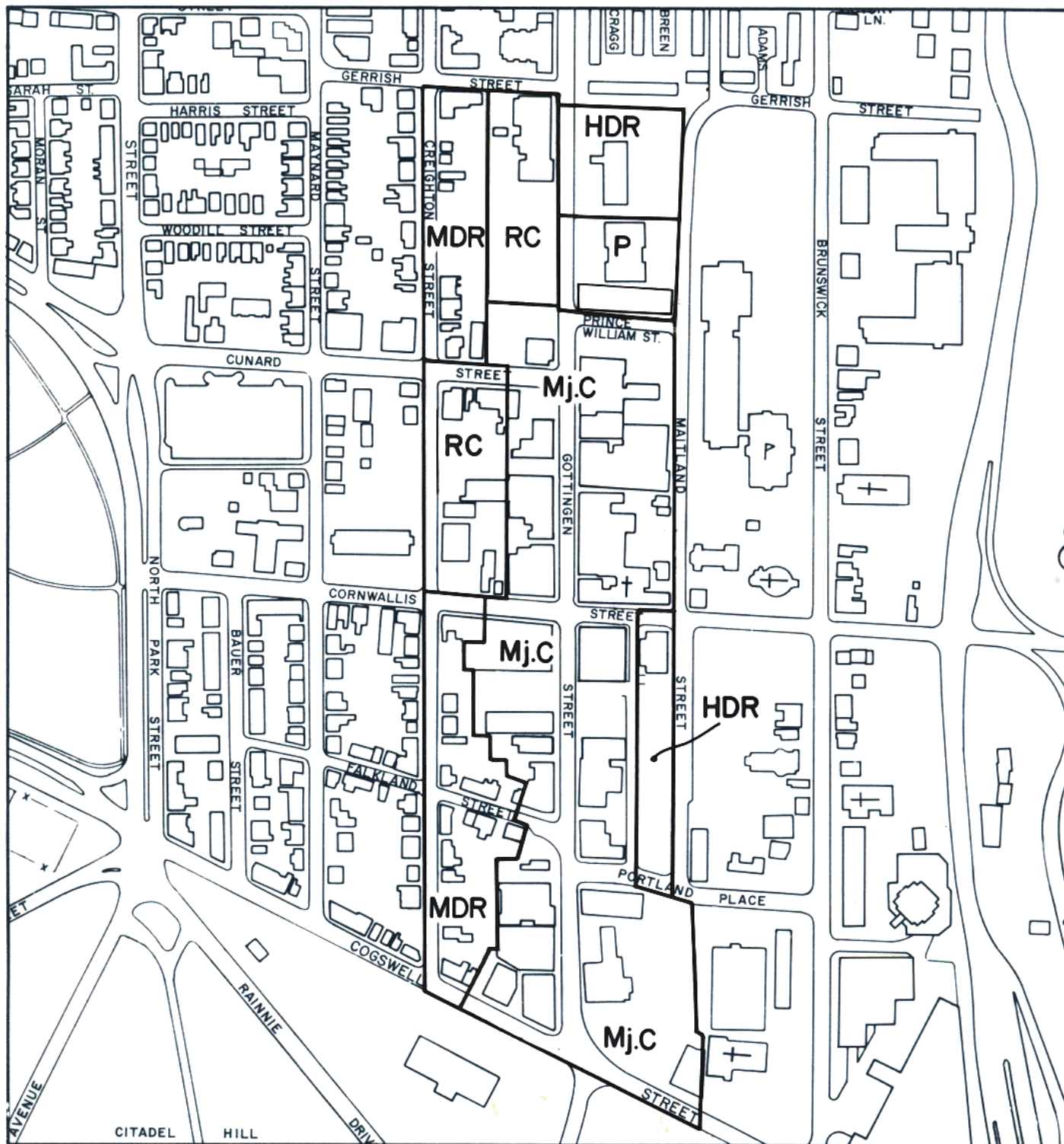
**Generalized Future Land Use**

MDR Medium Density Residential  
 HDR High Density Residential  
 MJC Major Commercial  
 MNC Minor Commercial

IND Industrial  
 P Park and Institutional  
 BCDD Brunswick Comprehensive Development District

**HALIFAX**  
 REGIONAL MUNICIPALITY  
 COMMUNITY DEVELOPMENT  
 PLANNING SERVICES





Peninsula North Planning Area - Area 8

Map 9Gh

## Generalized Future Land Use

MDR Medium Density Residential  
HDR High Density Residential  
RC Residential Commercial Mix

Mj.C Major Commercial  
P Park and Institutional

Approved: 22 June, 2000



N.T.S.

KLW

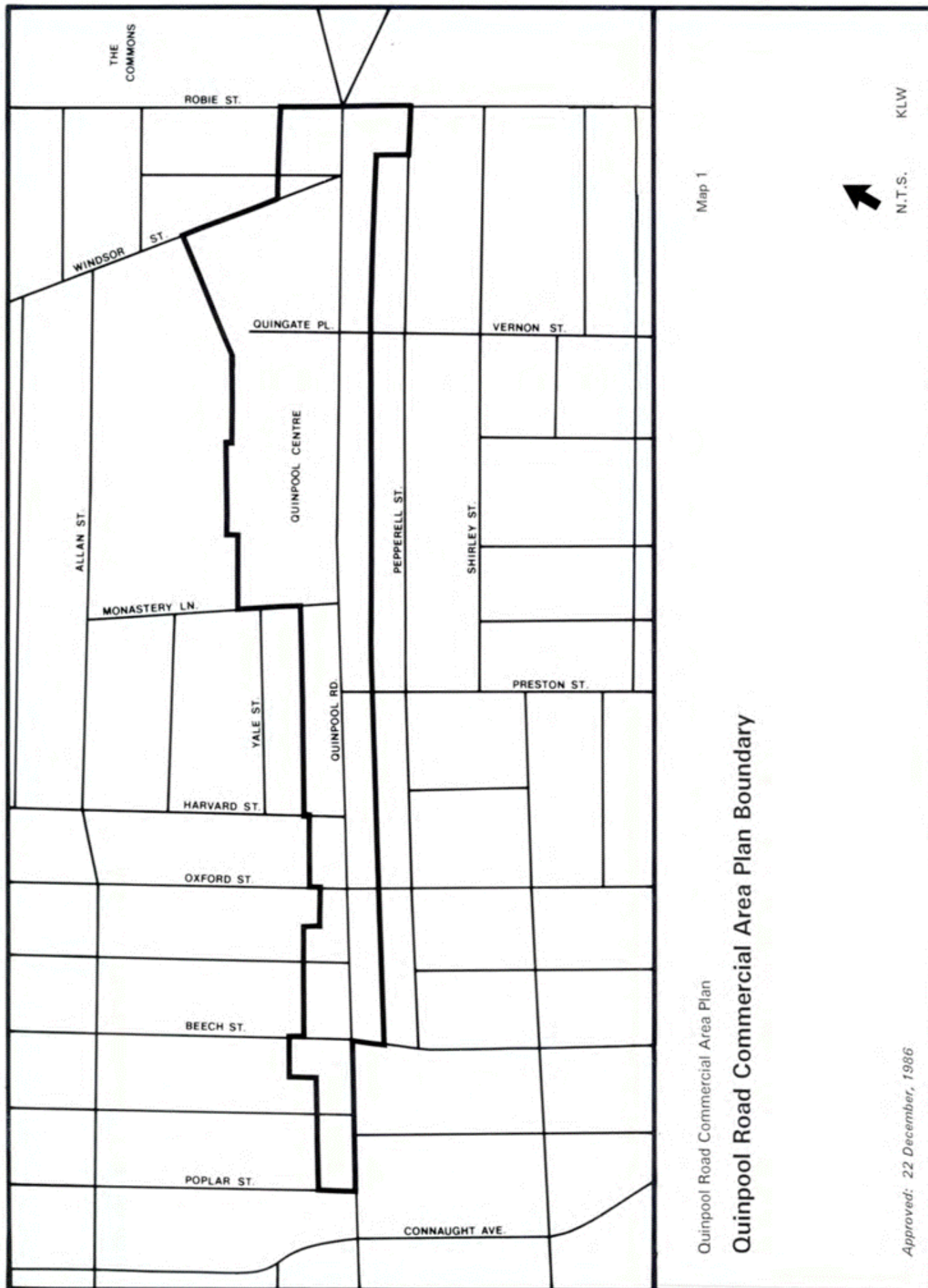
**SECTION XII**  
**QUINPOOL ROAD COMMERCIAL AREA PLAN**  
**OBJECTIVES AND POLICIES**

**AREA DEFINITION**

For the purposes of this municipal planning strategy, the Quinpool Road Commercial Area Plan includes the area shown on Map 1.

**OVERALL OBJECTIVE**

The encouragement of commercial and mixed commercial/residential development which strengthens the community function of the Quinpool Road area, and is in keeping with the scale and character of the adjacent residential neighbourhoods.



**1. RESIDENTIAL ENVIRONMENTS**

1. The areas shown as Residential Environments on the Generalized Future Land Use Map (Map 9h) of this Section shall be governed by Section II, the Residential Environments Policy Set.
- 1.1 The City shall encourage the retention of the dwelling at 2018 Kline Street.



## **2. COMMERCIAL FACILITIES**

**Objective:** The development and promotion of Quinpool Road as a general retail, office, personal service and business service area including mixed residential/commercial uses within the presently established commercial area.

2.1 The Quinpool Road Commercial area should service a market area comprising a large part of the City. Due to this extended market area, and its relative importance to the City as a focus of commercial activity, this centre shall be encouraged to offer a wider range of commercial activity than normally associated with a minor commercial centre as established in Policy 3.1.2 of Part II, Section II of the Commercial Policy Set.

2.1.1 In areas designated "Commercial" on the Generalized Future Land Use Map (Map 9h) of this Section, the City shall permit the following uses: retail shops and rental services, personal services, household repair shops, offices, parking structures, parking lots, bakeries, service stations, restaurants, wholesale uses in conjunction with retail uses, institutions, commercial schools, business services, and residential uses in single-use or mixed-use buildings.

2.2 The City shall establish a height precinct to regulate new development generally consistent with existing development in adjacent residential areas. This height shall be 35 feet to the west of Oxford Street and 45 feet to the east of Oxford Street.

2.2.1 Notwithstanding Policy 2.1.1 and Policy 2.2 the properties known as the Holiday Inn and 6009 Quinpool Road shall be zoned in accordance with their present use and height of the buildings situated thereon the date of approval of this Section and the property known as the Eastland Centre shall be zoned for major commercial uses.

2.3 Repealed.

2.4 For any parking lot or area used for parking, the Land Use By-law shall require that:

- (a) the parking area be provided and maintained with a hard surface of asphalt or concrete;
- (b) the parking area be visually screened by walls or fences from adjacent residential properties;
- (c) any lighting be directed away from adjacent residential properties;
- (d) the parking surface be set back from the streetline and the intervening area be appropriately screened and landscaped to adequately buffer the parking lot from the street; and
- (e) all commercial refuse containers be screened from adjacent residential properties and the street.



- 2.5 For the area known as the "Quinpool Road Lands" namely Quinpool Centre and Quinpool Towers, the City shall permit only that amount of non-residential floorspace allowed by the Development Agreement of April, 1977.
- 2.5.1 The City shall establish a height precinct over the Quinpool Centre and Quinpool Towers consistent with the existing height of the developments.
- 2.6 For buildings with a total commercial floorspace greater than 2,500 square feet the Land Use By-law shall require that parking be provided at 1 space per 1,000 square feet of commercial floorspace.
- 2.7 Property owners shall be encouraged to create pedestrian linkages between Quinpool Road and adjacent residential streets.
- 2.8 **Notwithstanding the provisions of Policy 2.1.1, a lounge in association with a restaurant may be considered by development agreement in areas designated "Commercial" on the Generalized Future Land Use Map (Map 9h) of this Section.**
- 2.8.1 **Considering the proximity to a primarily residential area, any proposal for a lounge use must be carefully evaluated in order to minimize any negative impact on the residential area. Therefore, when determining whether to enter into a development agreement under Section 2.8, Council shall consider the following:**
- (a) **the lounge use shall be secondary to a restaurant use;**
  - (b) **the maximum floor area dedicated to the lounge use shall not exceed 50% of the total seating area of the combined restaurant / lounge establishment;**
  - (c) **the hours of operation of the lounge shall be limited, and in no case shall the lounge be open later than midnight; and**
  - (d) **any outdoor features, such as outdoor seating, patios or music, shall only be permitted in locations where potential impacts on adjacent residential uses are minimized. (RC-Oct 19/10; E-Dec 11/10)**
- 2.9 **Notwithstanding Section 2.2 within the Commercial Facilities Section, for the property known as 6112 Quinpool Road bounded by Quinpool Road, Vernon Street and Pepperell Street and in conjunction with Policy 1.14 of Section VI of this Municipal Planning Strategy, the Municipality shall permit a mixed use residential and commercial building which exceeds 13.72 metres (45 feet) by development agreement. (RC-Jun 25/13; E-Aug 17/13)**
- 2.9.1 **Any development permitted pursuant to Policy 2.9 shall be achieved by attention to a variety of factors for which conditions may be set out in the development agreement, such as but not limited to:**

- (a) the appropriate scale and massing of the building with respect to the low rise neighbourhood along Pepperell Street;
- (b) the height of the building shall transition from a maximum of height of 27.43 metres (90 feet) adjacent to Quinpool Road to a maximum height of 12.19 metres (40 feet) adjacent to Pepperell Street. Height shall be defined as the vertical distance of the highest point of the roof above the mean grade of the finished ground adjoining the building, but shall not include the placement of mechanical equipment;
- (c) the building shall be constructed of high quality durable materials;
- (d) to promote pedestrian interest, where commercial uses are located at the ground floor, the ground level shall have a high level of transparency and there shall be frequent entryways where there are multiple occupancies;
- (e) the building's design shall be articulated into three separate and distinguishable sections; a base section, a middle section, and a top section in order to break up the massing of the building;
- (f) to provide connectivity with the street, minimal setbacks from property lines shall be provided;
- (g) a mixture of residential unit types and sizes shall be provided;
- (h) commercial uses must be located on the ground floor of the building where it fronts Quinpool Road and Vernon Street. Commercial uses may be considered in other areas of the building, but shall not be considered at the 3<sup>rd</sup> level of a building or higher;
- (i) all vehicular parking shall be located underground;
- (j) no vehicular or service access points shall be located on Quinpool Road;
- (k) the size and visual impact of utilitarian features such as garage doors, service entries, and storage areas, shall be minimized;
- (l) the building shall include useable on-site landscaped open space and recreational amenities of a size and type adequate for the residential population;
- (m) there shall be adequate water and sewer capacity to service the development; and
- (n) there shall be controls put in place to reduce conflict with any adjacent or nearby land uses by reason of traffic generation, access to and egress from the site and parking.

(RC-Jun 25/13; E-Aug 17/13)

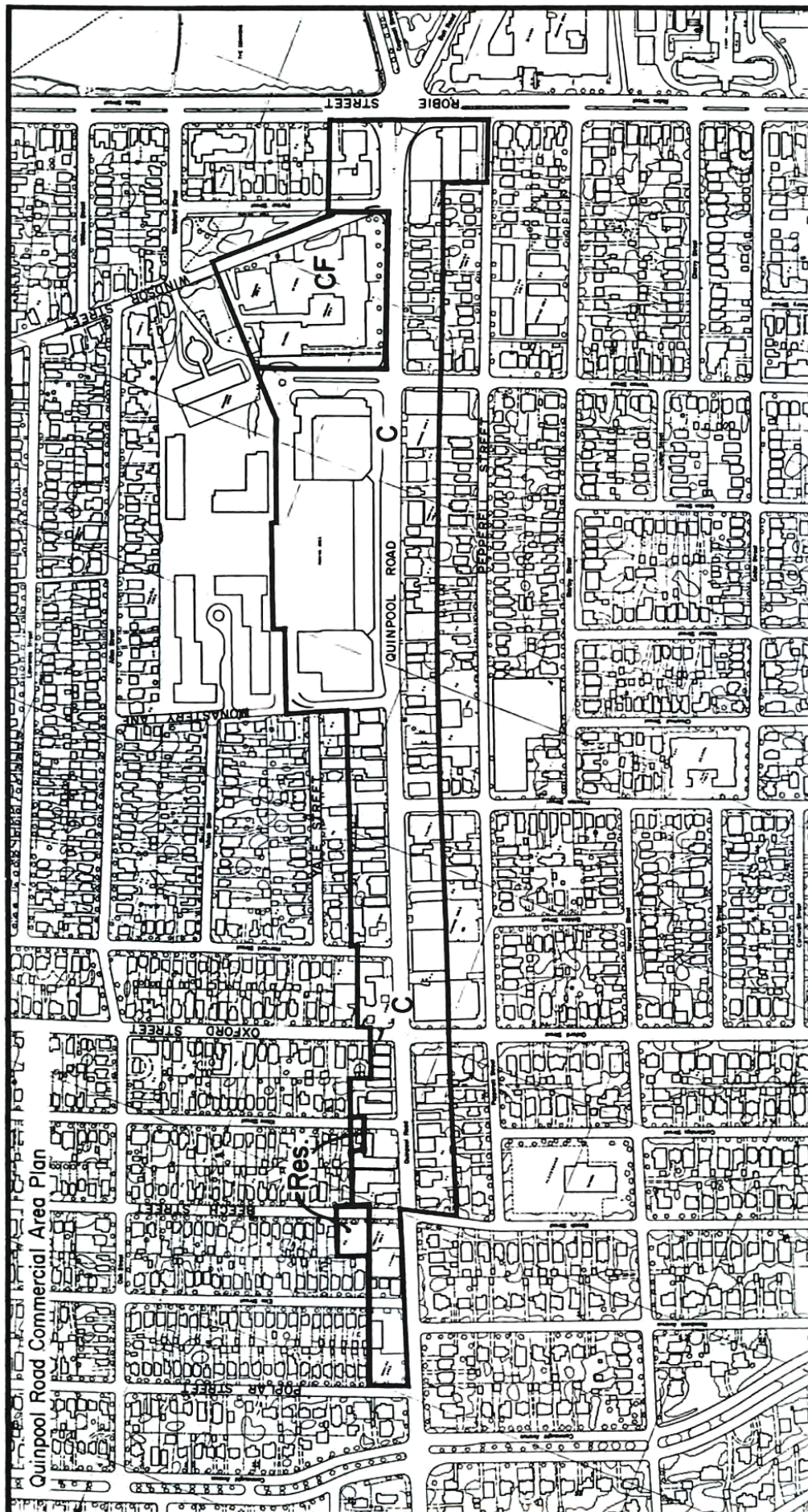
### **3. COMMUNITY FACILITIES**

3. The area designated "Community Facilities" on the Generalized Future Land Use Map (Map 9h) of this Section shall be governed by Part II, Section II, the Community Facilities Policy Set.

#### **4. GENERALIZED FUTURE LAND USE MAP**

- 4.1 The Generalized Future Land Use Map (Map 9h) shall be considered as the expression of intent of the City of Halifax for a future land use pattern, based on the policies outlined in this Section.
- 4.2 The areas of future land use shown on the Generalized Future Land Use Map (Map 9h) shall be determined primarily by the objectives and policies which correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.
- 4.3 Notwithstanding any other provision of this Section, a Development Permit may be issued by the Development Officer for a project in respect of which approval was given by Council prior to the date of 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 limit specified in the development agreement.





Quinpool Road Commercial Area Plan

## Generalized Future Land Use

- C Commercial
- CF Community Facilities
- Res. Residential

Approved: 22 December, 1986



N.T.S. K.L.W.

(Map 2)  
Map 9H

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

**AREA DEFINITION**

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

**OBJECTIVES**

The promotion of a comprehensively planned serviced community which

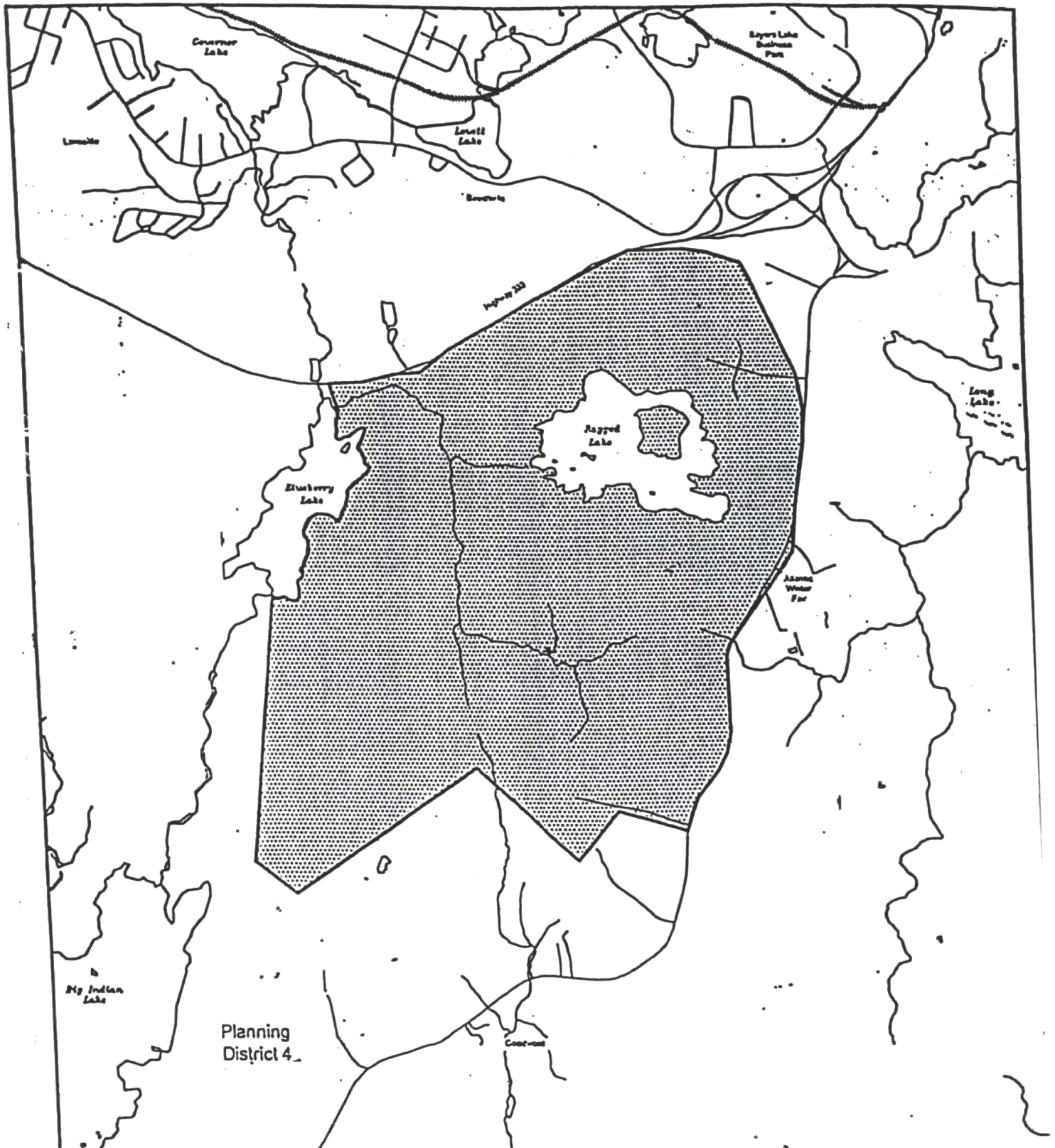
- (a) integrates residential, commercial, business and community facility development with active and passive recreational areas;
- (b) incorporates design features to protect the water quality of the surrounding lakes and watercourses;
- (c) retains public lands around significant lakes and watercourses,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

**POLICIES**

- 1. The Western Common Conceptual Land Use Plan, presented as Map 9I, shall be adopted by Council as the framework for planning and regulatory decisions within this area plan.
- 2. The Western Common Zone shall be established under the Land Use By-law for Mainland Halifax and initially applied to all lands within the Western Common Area Plan with the exception of lands previously developed or serviced for development within the Ragged Lake Business Park. The latter lands shall retain an industrial zone.
- 3. The Western Common Zone shall permit the following uses: conservation related uses, trails, picnic areas, wilderness campsites, public and private parks and playgrounds, historic sites and monuments, recreation uses (excepting golf courses), cemeteries and churches. Related uses may be considered by an amendment to the zone provisions but no provisions shall be made to consider a rezoning or development agreement application except as provided for by policy 5.
- 4. No provision shall be made for development within the Active Recreation, Business Campus, Mixed Residential/Business and Serviced Residential Designations shown on Map 9I until a community planning study is undertaken in accordance with the objectives presented in Schedule IV.
- 5. A Western Common Comprehensive Development District Zone shall be established under the Land Use By-law for Mainland Halifax. Upon satisfactory completion of the study and adoption by resolution of Council, the Municipality may zone the lands to this zone whereby any subsequent development of the land

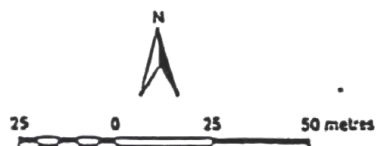


can only be considered by development agreement. Any development agreement application shall conform with the recommendations contained in the approved community planning study.



Map 1  
Area Plan Boundary

 Area Plan



**HALIFAX**  
REGIONAL MUNICIPALITY  
PLANNING SERVICES

May 29, 2000

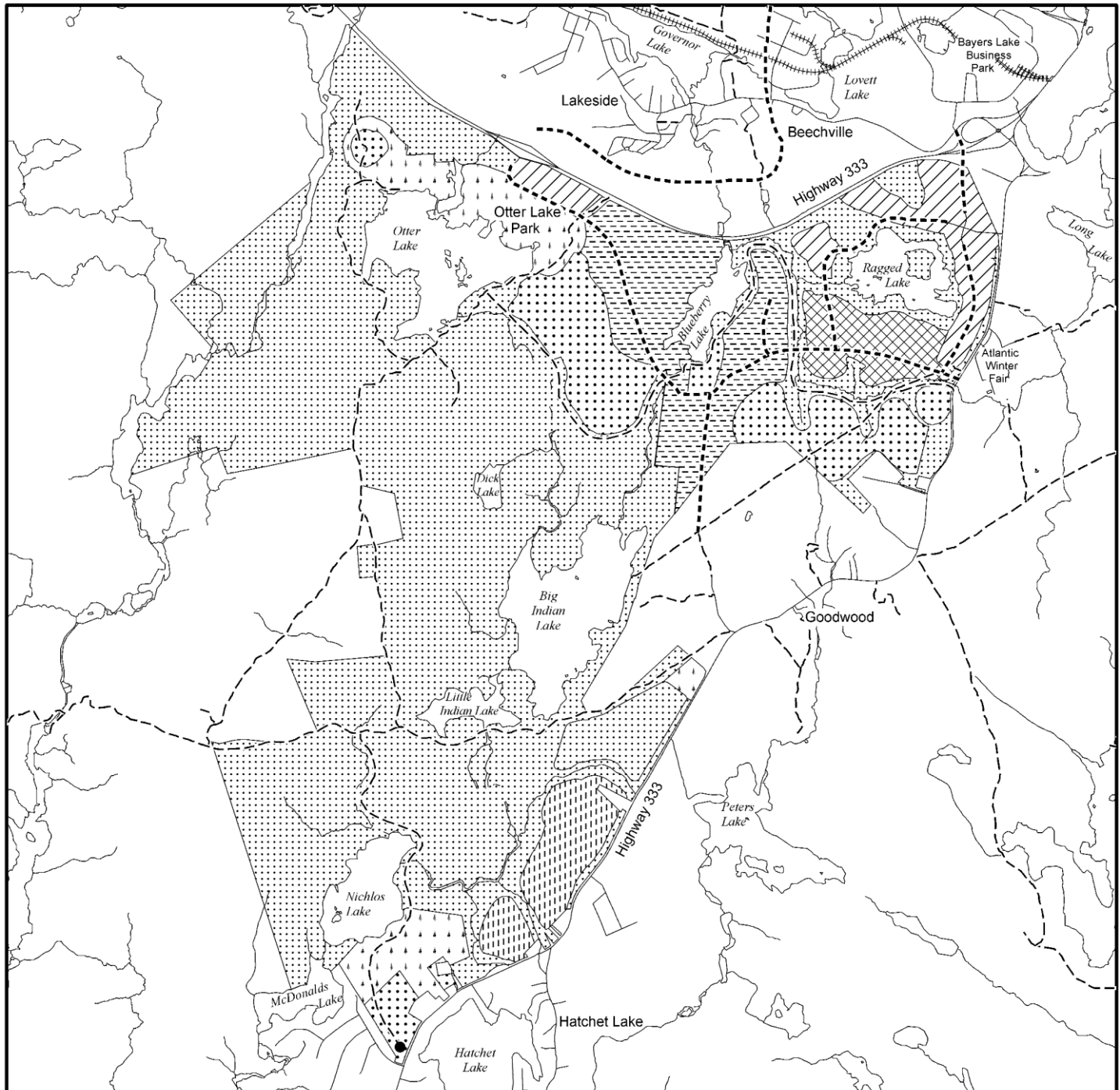
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## **SCHEDULE IV COMMUNITY PLANNING STUDY**

**Objectives:** to prepare a conceptual community plan which

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



**Map 91**  
**The Western Common Conceptual Land Use Plan**

**HALIFAX**  
 REGIONAL MUNICIPALITY  
 PLANNING SERVICES

- |  |   |
|--|---|
| ----- Proposed Roads   | ● Wilderness Trail Head                                   |
| - - - - Trails   |   |
| [Dotted Pattern] Wilderness Common Designation               | [Horizontal Lines Pattern] Served Residential Designation |
| [Tree Pattern] Park Designation                              | [Vertical Lines Pattern] Unserved Residential Designation |
| [Small Dots Pattern] Active Recreation Designation           | [Diagonal Lines Pattern] Business Campus Designation      |
| [Cross-Hatch Pattern] Mixed Residential/Business Designation |   |



1000 0 1000 2000 metres



## **SECTION XIV**

### **THE WENTWORTH SECONDARY PLANNING STRATEGY**

#### **1. BACKGROUND**

After amalgamation of the region's four municipal units in 1996, master planning exercises were initiated as a means of responding to the challenges facing the Municipality in accommodating new growth. In a report prepared for Regional Council in 1998, four potential growth areas were identified as potential infill opportunities which could strengthen links between established communities<sup>1</sup>.

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

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

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

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<sup>1</sup> 1 Report to Mayor Fitzgerald and Members of Halifax Regional Council Re: Master Planning Studies. Dated November 23, 1999.

associated community infrastructure and the responsibilities of each party (property owners/developers and the Municipality<sup>2</sup>:

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

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<sup>2</sup> 2 Report to Mayor Fitzgerald and Members of Halifax Regional Council Re: Public Participation Programs for Governor's Lake North and Hemlock Ravine North (Prince's Lodge) Master Plan Study Areas. Dated November 23, 1999.



## **2. THE COMMUNITY CONCEPT PLAN**

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

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

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






### *Policy MCP-1:*

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

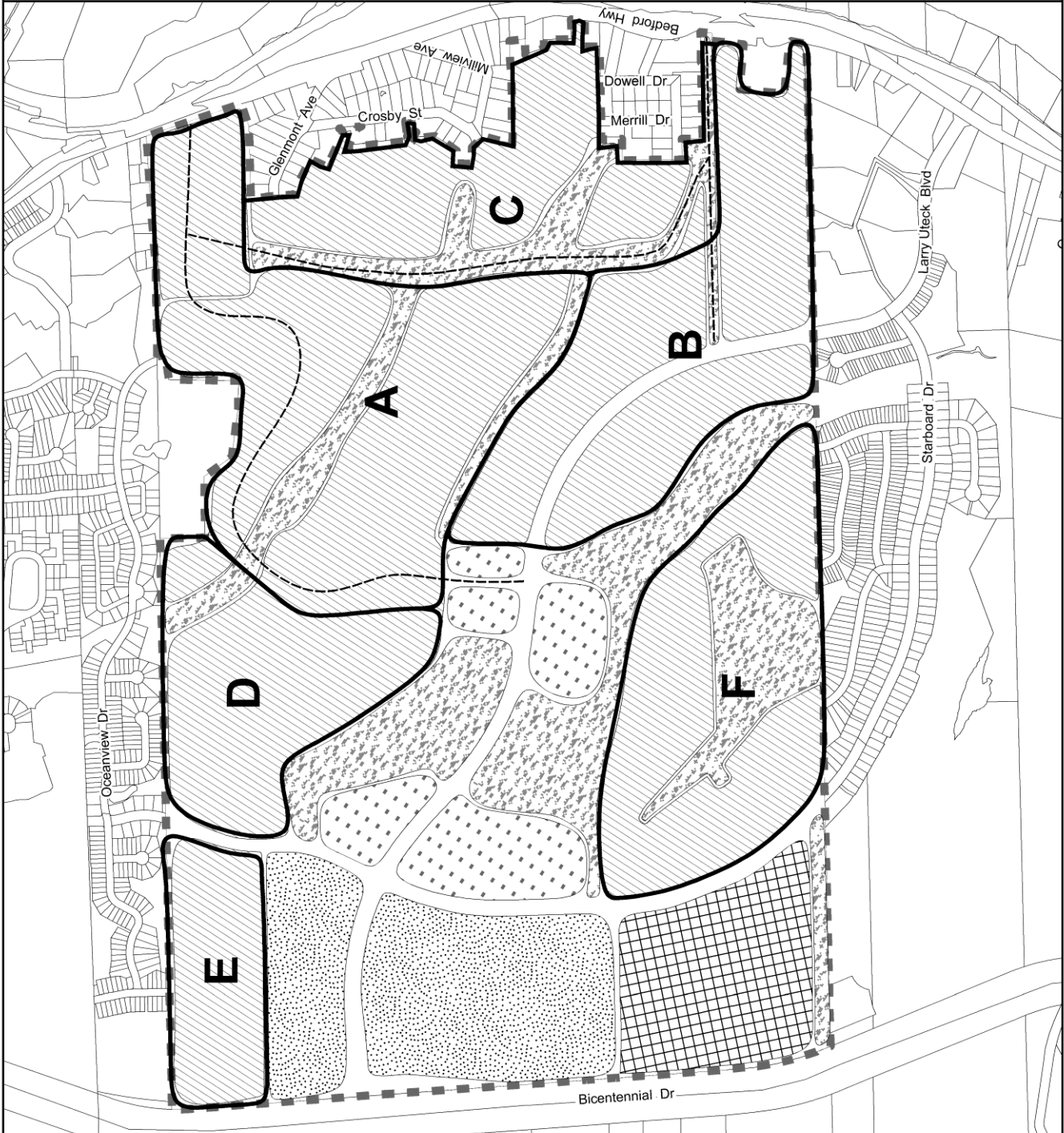
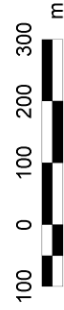
# Schedule 1

## Community Concept Plan Land Use Designation

### Proposed Land Use

-  Residential Neighbourhoods
-  General Commercial
-  Community Commercial / Institutional
-  Mixed Use / Business Campus
-  Park / Open Space (Major Areas)

Note: Neighbourhood Parks to be confirmed by Development Agreement.



18 April 2005

HRM Planning and Development Services  
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#### **4. THE PARKS AND OPEN SPACE DESIGNATION**

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

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

Objectives:

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

*Policy P/OS-1:*

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

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

*Policy P/OS-2:*

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

1. *as illustrated on Schedule I;*

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

*Policy P/OS-3:*

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

*Policy P/OS-4:*

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

*Policy P/OS-5:*

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

*Policy P/OS-6:*

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



## **5. THE COMMUNITY TRANSPORTATION SYSTEM**

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

### **Objectives:**

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

### ***Policy CTS-1:***

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

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

*Boulevard and the Bedford Highway. A minimum lot frontage of fifty feet shall be required and, if warranted, the cost of providing traffic signals at the Bedford Highway intersection shall be the responsibility of the developer;*

6. *a community trail system shall be constructed by the developer of the lands on which it is located with the design specifications negotiated under a development agreement. Variations to the Municipal Service Specifications for sidewalks may be considered where a trail is proposed which would provide improved accessibility for pedestrian travel in the community.*

*Policy CTS-2:*

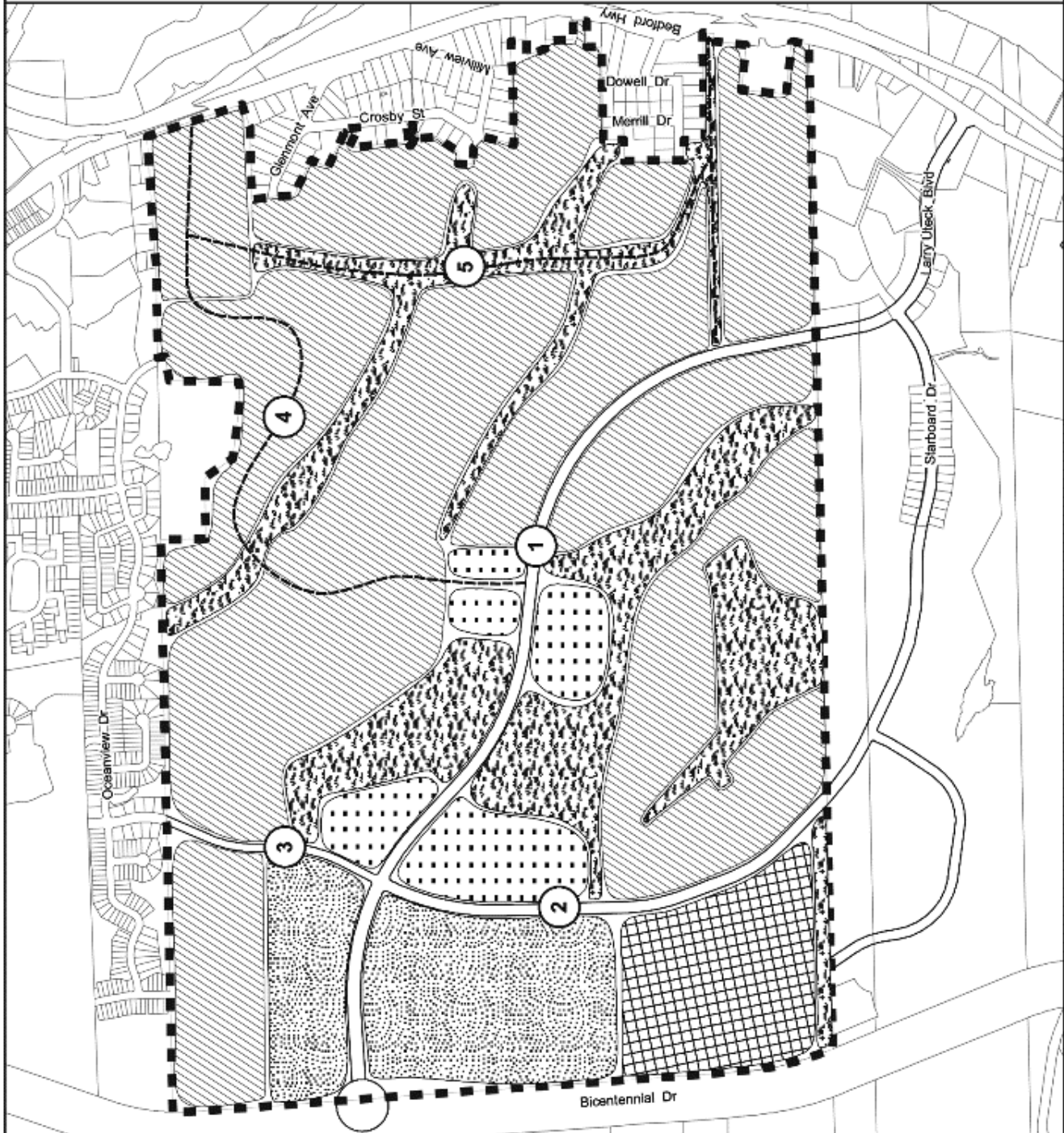
*The Municipality shall prohibit motorized conveyances on all trails, except maintenance, emergency or patrol vehicles, and except electric wheelchairs or similar devices required for mobility by persons with disabilities.*



Schedule II

**Community Concept Plan**  
**Street Hierarchy**

- 1 Larry Uteck Boulevard
- 2 Starboard Avenue
- 3 Nine Mile Drive
- 4 Neighbourhood Collector
- 5 Old Coach Road  
(Linear Walkway)



28 August 2002

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## **7. RESIDENTIAL NEIGHBOURHOODS DESIGNATION**

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

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

Objectives:

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

*Policy RN-1:*

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

*Policy RN-2:*

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

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

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

*Policy RN-3:*

*Each residential neighbourhood shall conform with the following provisions:*

*Neighbourhood "A":*

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

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

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

*Neighbourhood B:*

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

*Neighbourhood C:*

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

*Neighbourhood F:*

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



## **8. COMMUNITY COMMERCIAL/INSTITUTIONAL DESIGNATION**

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

### **Objectives:**

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

### **Policy CCI-1:**

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

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

### **Policy CCI-2:**

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

## **9. THE MIXED USE BUSINESS CAMPUS DESIGNATION**

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

### **Objectives:**

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

### ***Policy MUBC-1:***

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

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



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

***Policy MUBC-2:***

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

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

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

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

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

## **10. THE GENERAL COMMERCIAL DESIGNATION**

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

### **Objectives:**

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

### **Policy GC-1:**

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

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

## 11. ENVIRONMENTAL PROTECTION

### Objectives:

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

### *Policy EP-1:*

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

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

### *Policy EP-2:*

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

### *Policy EP-3:*

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

*Policy EP-4:*

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

*Policy EP-5:*

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

*Policy EP-6:*

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

*Policy EP-7:*

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

*Policy EP-8:*

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

*Policy EP-9:*

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

*Policy EP-10:*

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

## **12. MUNICIPAL SERVICES**

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

In accordance with the objectives and policies regarding infrastructure charges under Part (X) of the Municipal Planning Strategy, a study was undertaken to identify infrastructure needed to service the master plan area, allocate costs between benefitting property owners and the Municipality, and develop a phasing and financial plan<sup>1</sup>. The Halifax Regional Water Commission had also prepared a master plan for a water distribution system to service this area and surrounding communities<sup>2</sup>. A traffic impact study was also prepared to assess traffic implications of this community on the surrounding road network<sup>3</sup>.

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

### **Objectives:**

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

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

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

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

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

*Policy MS-1:*

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

*Policy MS-2:*

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

*Policy MS-3:*

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

*Policy MS-4:*

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

*Policy MS-5:*

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



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

*Policy MS-6:*

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

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

*Policy MS-7:*

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

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

*Policy MS-8:*

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

*Policy MS-9:*

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

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

Schedule III

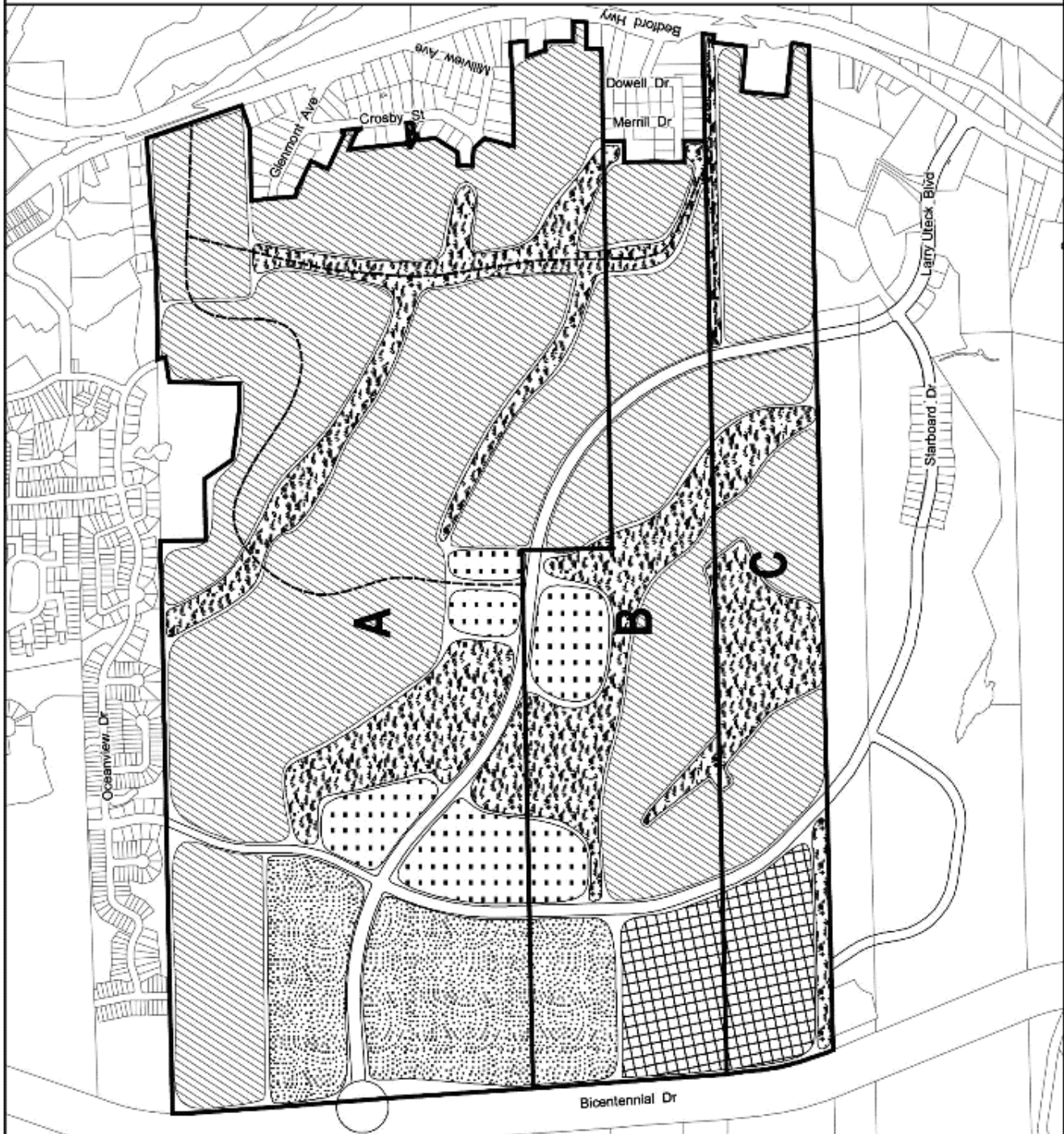
# Community Concept Plan Density Allocations

A = 375 acs  
B = 142 acs  
C = 106 acs



28 August 2002

HRM Planning and Development Services  
file: /data3/work/planning/hilary/projects/  
wentworth\_sched3.pdf





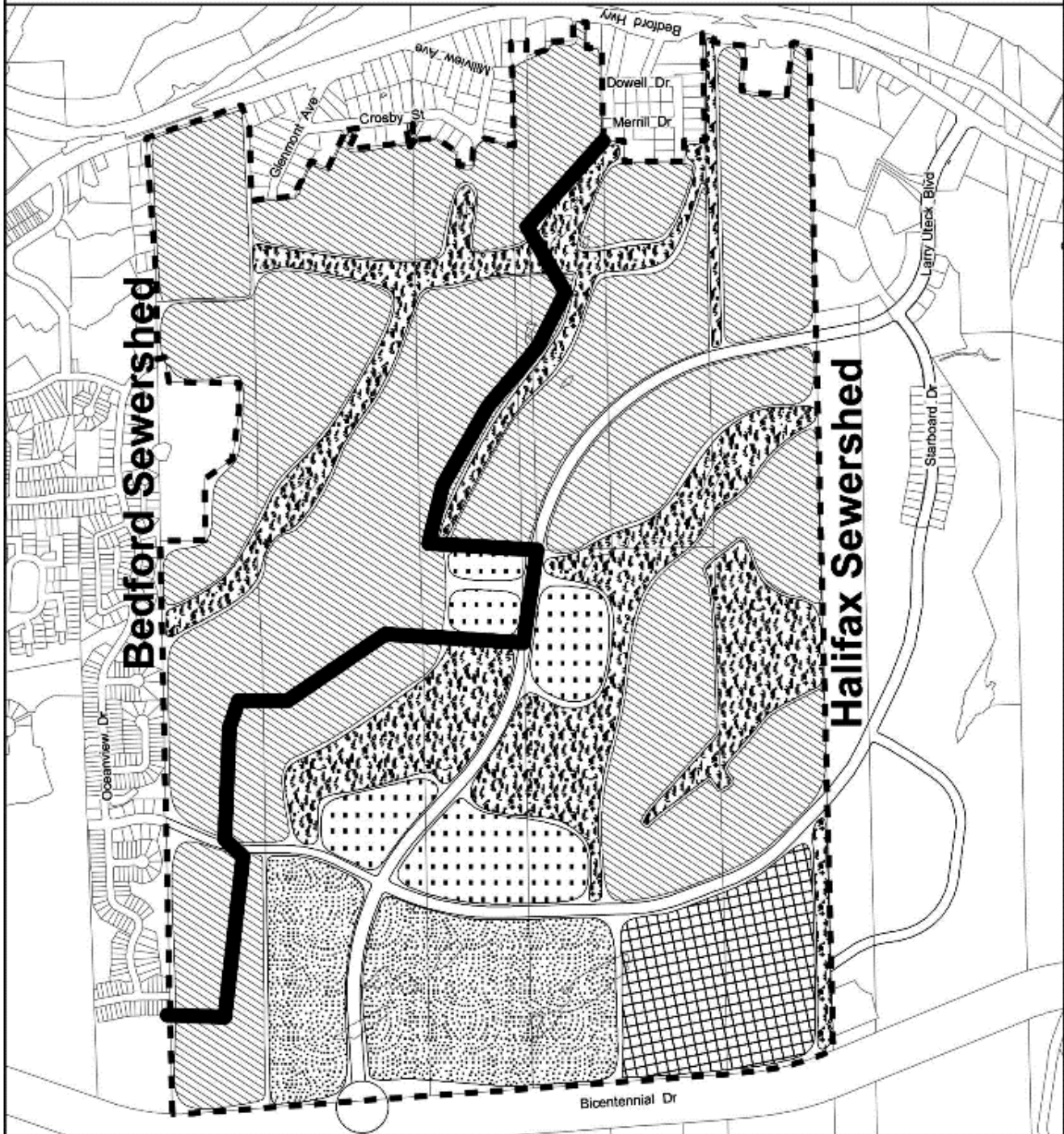
Schedule IV

# Community Concept Plan Sewersheds



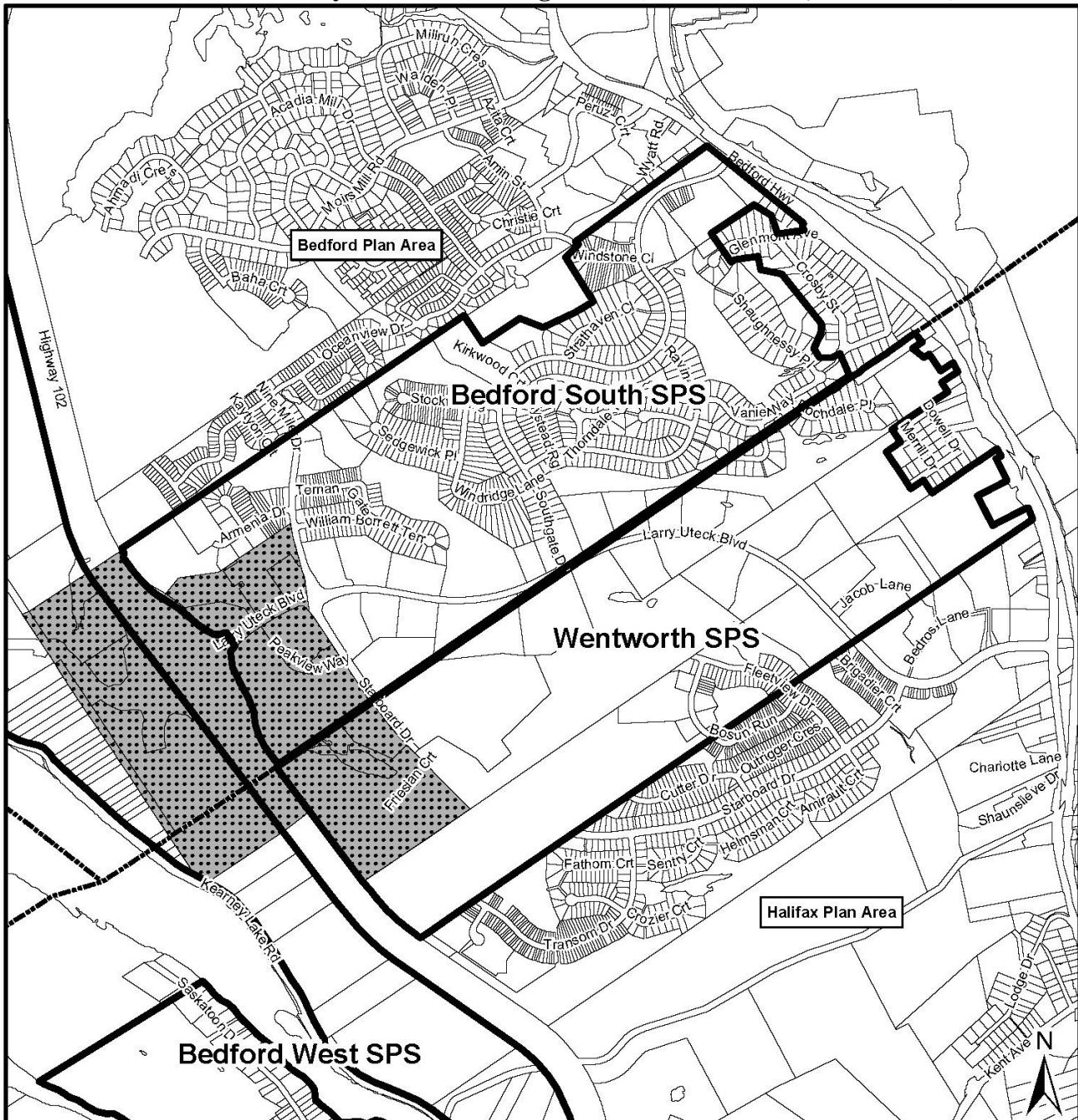
28 August 2002

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wentworth\_sched4.pdf





## Schedule V – Larry Uteck Interchange Node (RC-Nov 18/14;E-Jan 10/15)



### Schedule V - Larry Uteck Interchange Node

Bedford South SPS , Wentworth SPS and Bedford West SPS

 Larry Uteck Interchange Node

 Community plan boundary

Bedford Plan Area  
Halifax Plan Area

**HALIFAX**

0 200 400 m

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

3 July 2014

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## **SECTION XV**

### **THE BEDFORD WEST SECONDARY PLANNING STRATEGY**

#### **1. BACKGROUND**

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

In 2003, Council approved a study area boundary, study terms of reference and a public participation program<sup>4</sup>. The study area boundaries, encompassing a total area of approximately 2,600 acres, are illustrated on Schedule BW-1. The terms of reference were to prepare conceptual community plans which:

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

A public participation committee was appointed with citizen representatives from Bedford, Hammonds Plains, and Prince's Lodge/Clayton Park. The committee's mandate was to

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



ensure the public had opportunities to express opinions; collaborate with staff and developers in preparation of a plan; provide advice on policy and regulatory documents proposed; and confer with the Regional Planning Advisory Committee (the RPC).

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

## **2. ENVIRONMENTAL PROTECTION**

### **Lakes and Watercourses**

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

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

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

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

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

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

#### **Objectives:**

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

*Policy BW-1:*

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

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

*Policy BW-2:*

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

*Policy BW-3:*

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

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

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

*Policy BW-4:*

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

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

*Policy BW-5:*

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

*Policy BW-6:*

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

*Policy BW-7:*

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

**Preservation of Trees and Environmentally Significant Features:**

**Objectives:**

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

*Policy BW-8:*

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

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

*Policy BW-9:*

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

*Policy BW-10:*

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

*Policy BW-11:*

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

*Policy BW-12:*

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

*Policy BW-13:*

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

### **3. MUNICIPAL SERVICES**

The feasibility of servicing the Bedford West area was examined and compared to ten other potential development areas around the metropolitan area under the regional planning program. A study concluded that Bedford West was one of two study areas with minimal constraints to development and had low servicing costs per acre<sup>5</sup>.

Servicing costs were deemed low because there was already considerable infrastructure in the area which could be utilized for new development. The transmission main from the Pockwock Lake water supply to Halifax extends along Kearney Lake Road making a potable water supply readily available. Halifax Regional Water Commission had previously commissioned a study to determine infrastructure needed to service this area<sup>6</sup>.

Traffic from Bedford West is easily accessible to the Bicentennial Highway - a principle arterial road for the region - via interchanges at the Hammonds Plains Road and Kearney Lake Road and from a future interchange proposed with Larry Uteck Boulevard. Annapolis Group Ltd., the major land owner within the Bedford West study area, prepared a transportation plan which concluded that minimal investment in transportation infrastructure would be required by the Municipality to facilitate development of this area<sup>7</sup>. The study identified transportation upgrades needed and a phasing plan.

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

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

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

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

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

<sup>7</sup> MRC Delphi. *Bedford West Master Plan: Transportation Study*. February 2004.



Objectives:

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

#### **4. WATER AND SANITARY SEWER SYSTEMS**

##### *Policy BW-14:*

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

##### *Policy BW-15:*

*The sanitary sewer system shall be designed in conformity with the schematics illustrated on Schedule BW-4 and in accordance with the Municipality's Service Systems Specifications, as amended from time to time. Sewage flow calculations, shall be based on an assumed occupancy of 3.35 persons per single unit, two-unit or townhouse dwelling and 2.25 persons per unit in each multiple unit dwelling; 50 persons per acre for general commercial uses within the Community Commercial Centre shown on Schedule BW-7 or proposed within Sub-Area 9; and 40 persons per acre for mixed use business campus uses; and 30 persons per acre for local commercial, community facility and institutional uses<sup>8</sup>.*

##### *Policy BW-16:*

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

##### *Policy BW-16A:*

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

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

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

***Policy BW-16B***

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

## **5. TRANSPORTATION**

### *Policy BW-17:*

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

### *Policy BW-18:*

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

### *Policy BW-19:*

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

## **6. DEVELOPMENT PHASING AND COST RECOVERY**

### *Policy BW-20:*

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

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

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

### *Policy BW-20A:*

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

### *Policy BW-21:*

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

### **Sub Area 9:**

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

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

***Policy BW-21A:***

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

***Policy BW-21B:***

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

***Policy BW-21C:***

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

***Policy BW-21D:***

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

**The General Commercial Centre**

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

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



**Policy BW-21E:**

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

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

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

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

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

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

## **7. LAND USE: SUB-AREAS 10 AND 11**

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

### ***Policy BW-22:***

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

### ***Policy BW-23:***

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

### ***Policy BW-24:***

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

### ***Policy BW-25:***

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

### ***Policy BW-26:***

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

***Policy BW-27:***

***No municipal services shall be extended to existing developments within Sub-Areas 10 or 11 until consultations have been held with affected property owners to determine:***

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

***Policy BW-28:***

***When municipal services are available for Sub-Areas 10 or 11, a comprehensive development district zone may be applied to undeveloped properties within the Sub-Area to be serviced. No development agreement application shall be considered for approval unless a public participation program has been undertaken to identify development opportunities and constraints and to facilitate collaboration in the preparation of a conceptual concept design for the entire Sub-Area. Any future residential development shall be guided by the following:***

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

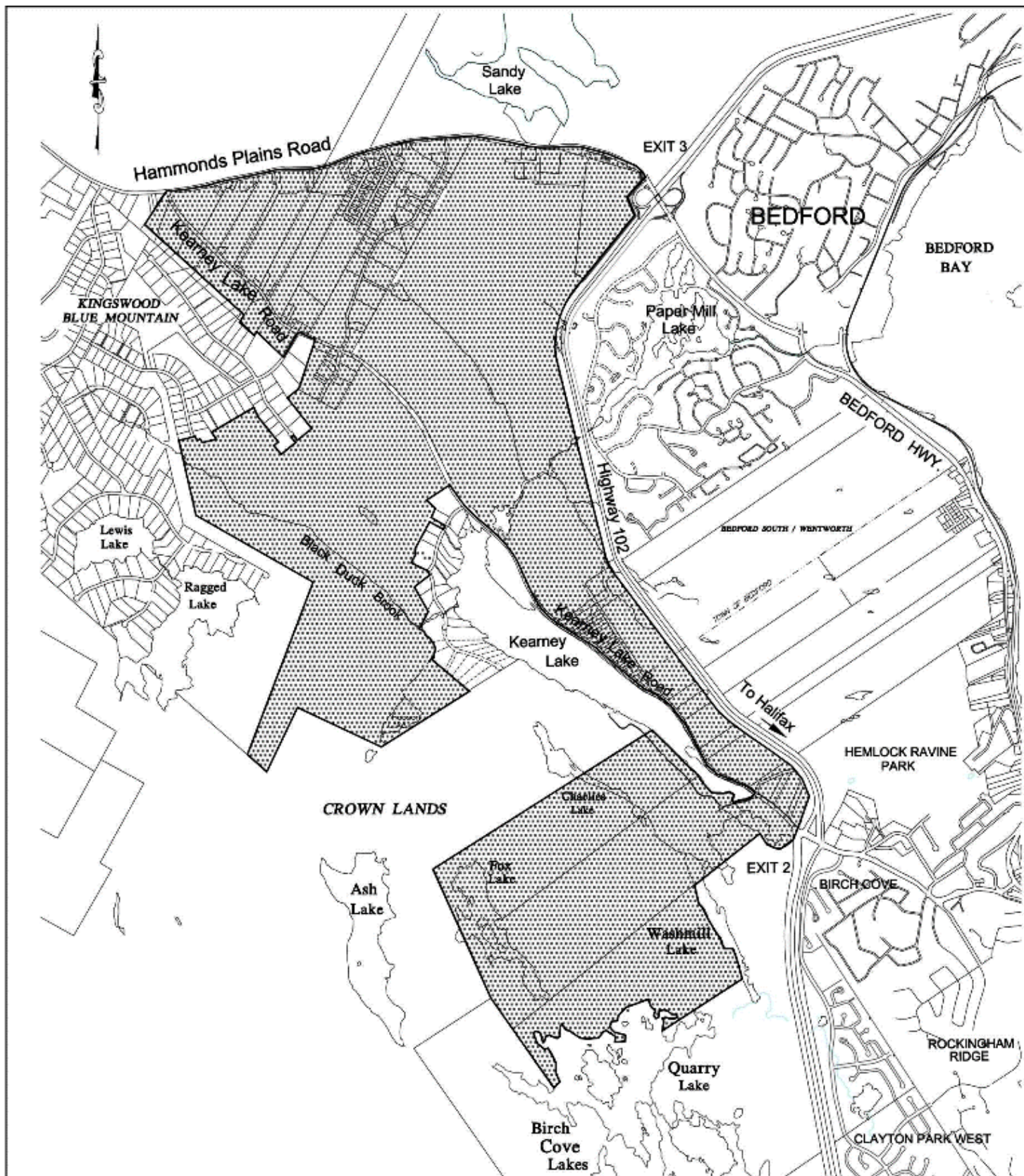
- commercial or industrial developments which is effective in ensuring public safety and mitigating visual or noise impacts;*
- 11. all open space dedications proposed conform with the objectives and policies adopted for open space under this secondary planning strategy and any administrative guidelines adopted by the Municipality; and*
  - 12. the proposal conforms with all applicable provisions and requirements adopted under this Secondary Planning Strategy regarding environmental protection, the community transportation system and municipal services.*

**Policy BW-29:**

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

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



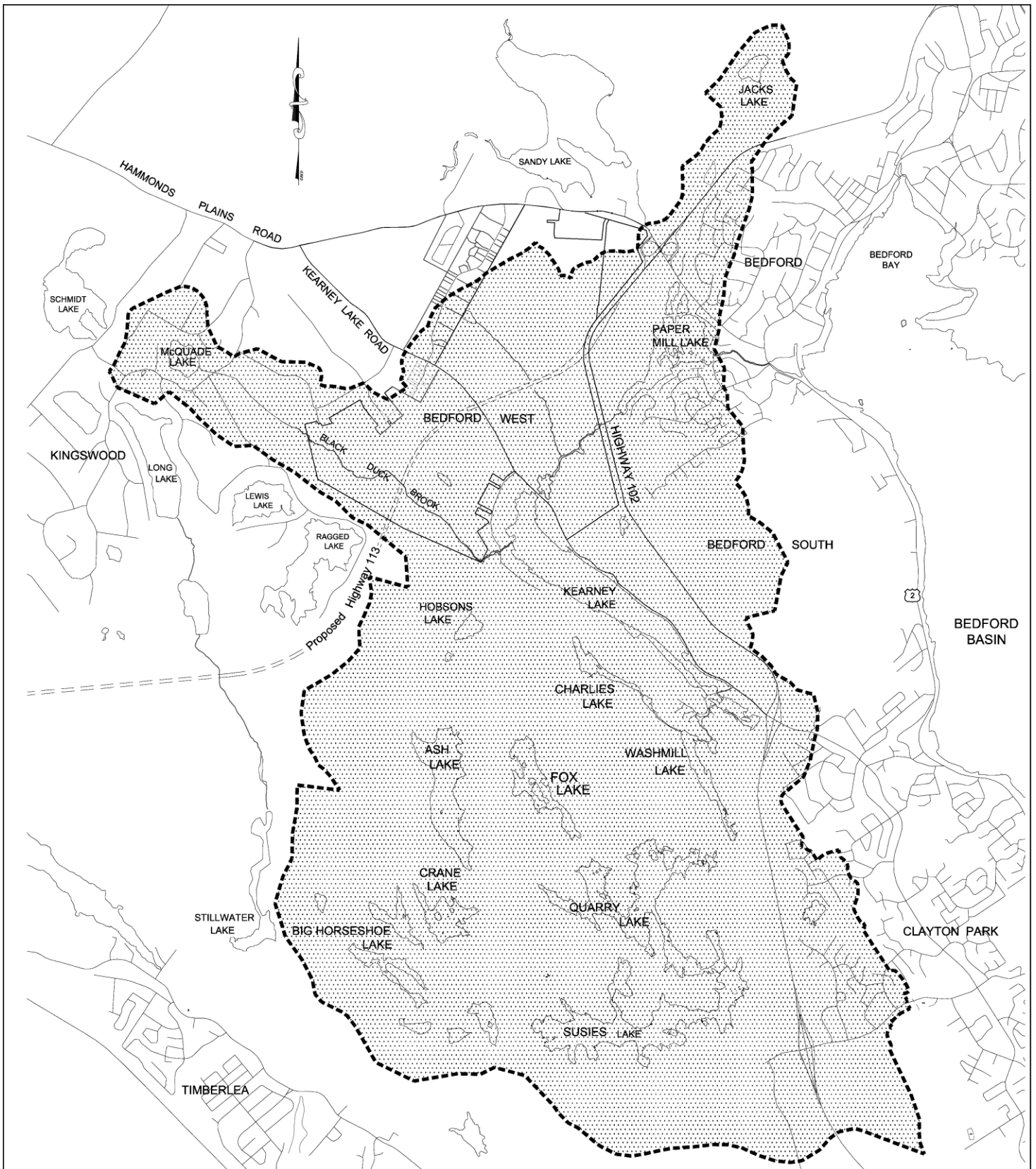


# **STUDY AREA** **BEDFORD WEST**

SCHEDULE BW-1

MARCH, 2005



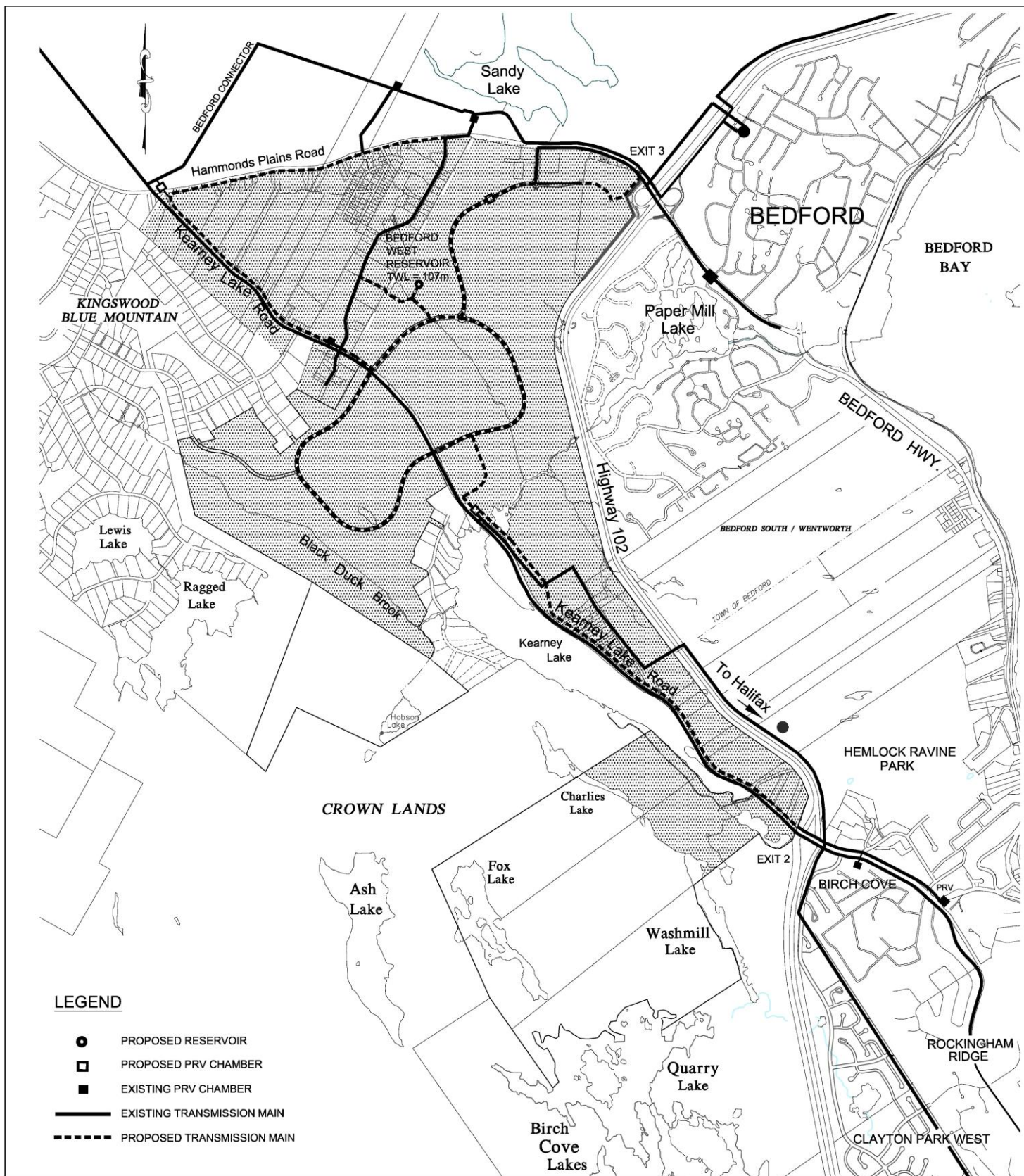


## PAPERMILL LAKE WATERSHED BEDFORD WEST

SCHEDULE BW-2

MARCH, 2005



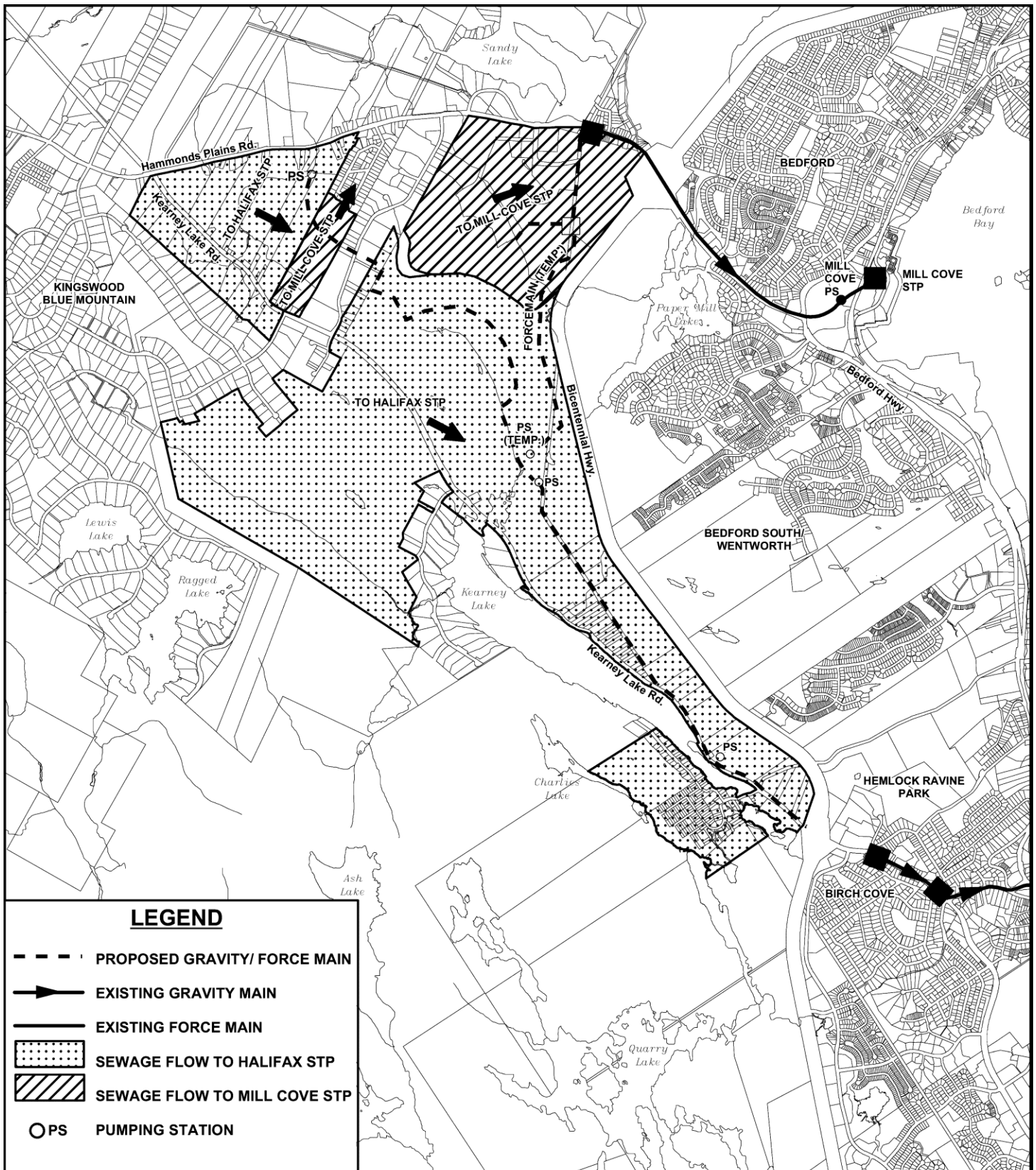


## WATER SERVICE SYSTEM BEDFORD WEST

SCHEDULE BW-3

MARCH, 2005

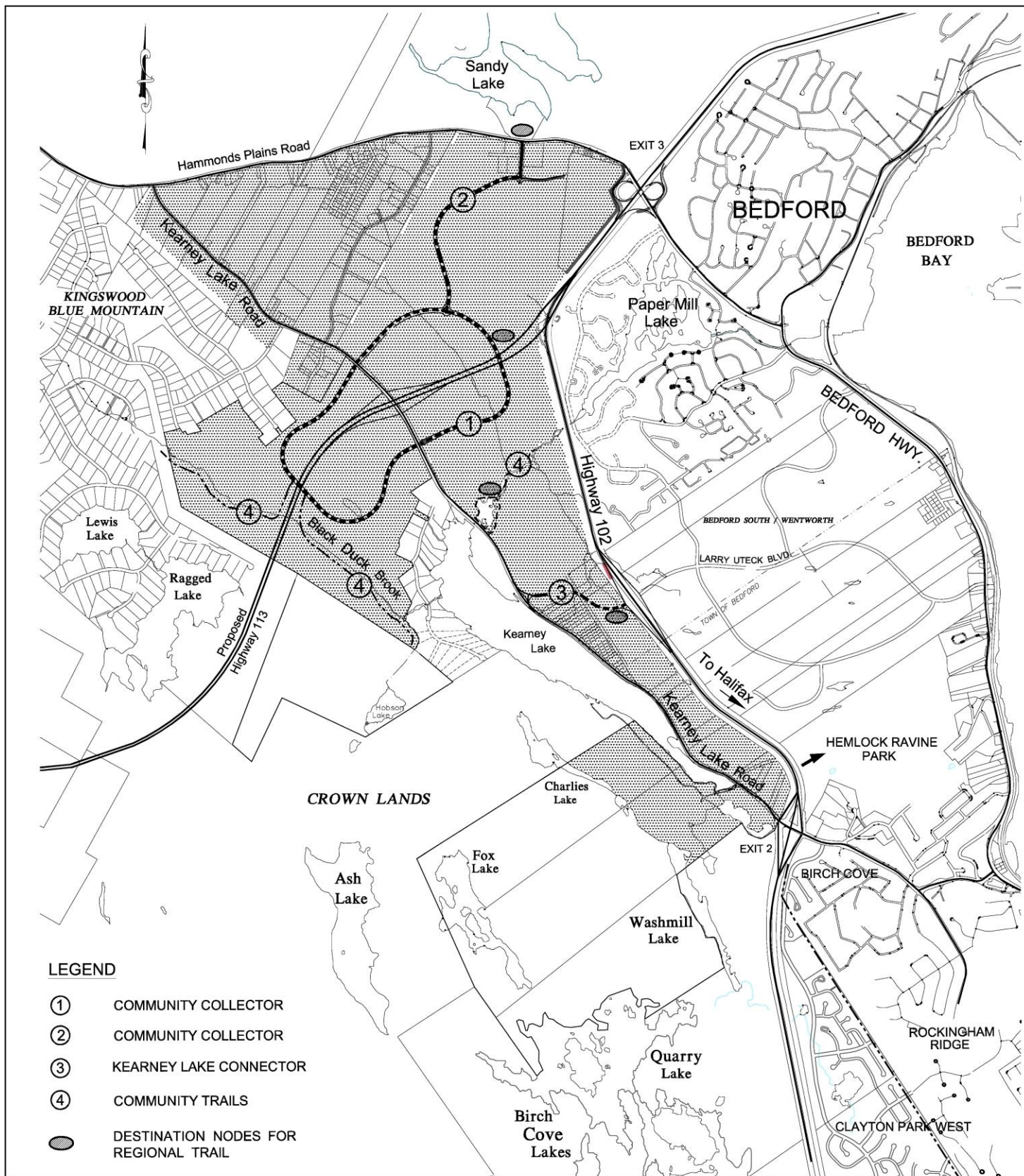




**Schedule BW-4**  
**Sanitary Sewer Servicing Bedford West**

**HALIFAX**  
 REGIONAL MUNICIPALITY  
 Planning Services



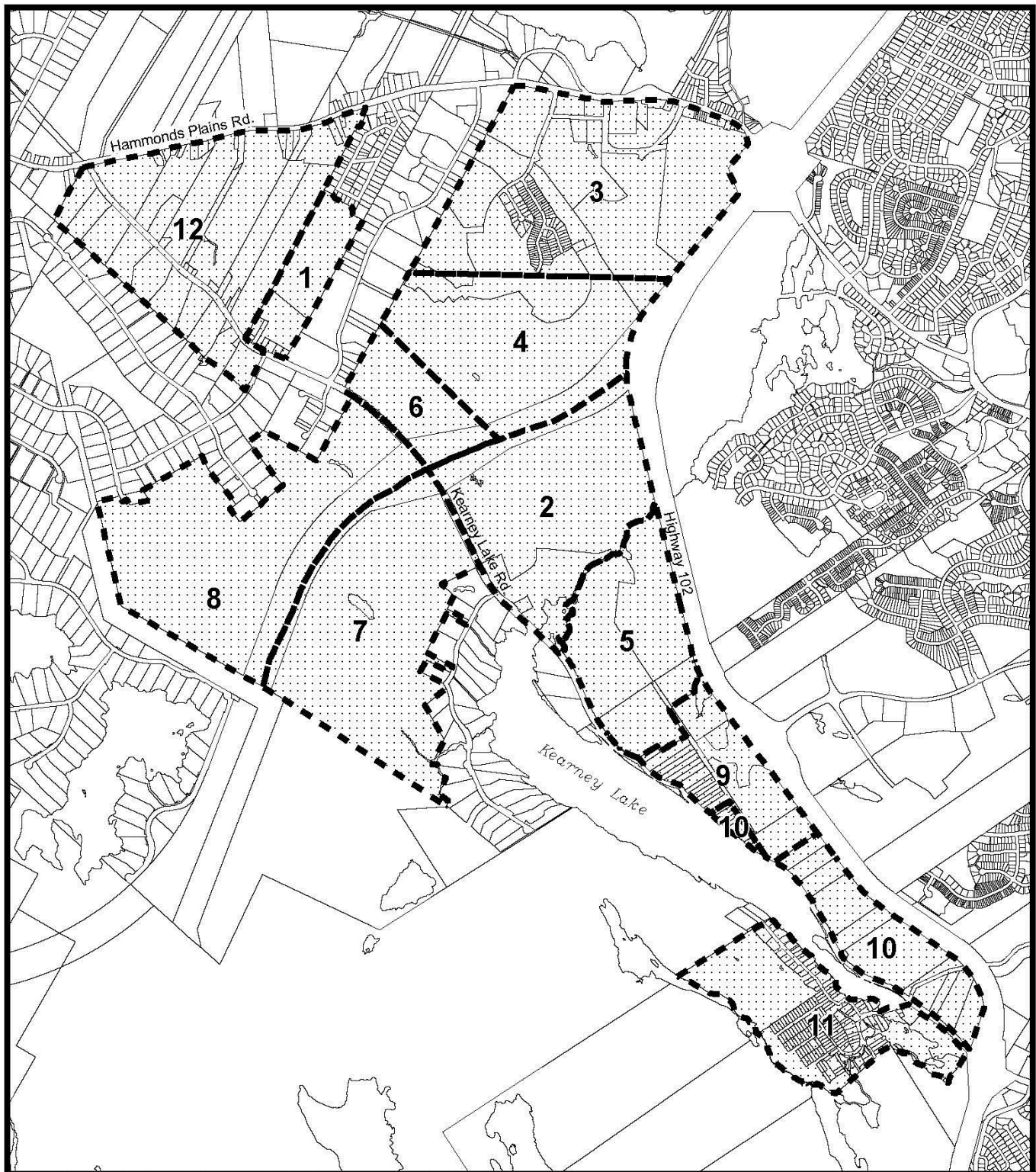


## TRANSPORTATION SYSTEM BEDFORD WEST

SCHEDULE BW-5

APRIL 3, 2006





# Schedule BW-6



Bedford West Development Sub-Areas



**HALIFAX**  
REGIONAL MUNICIPALITY  
Planning Services

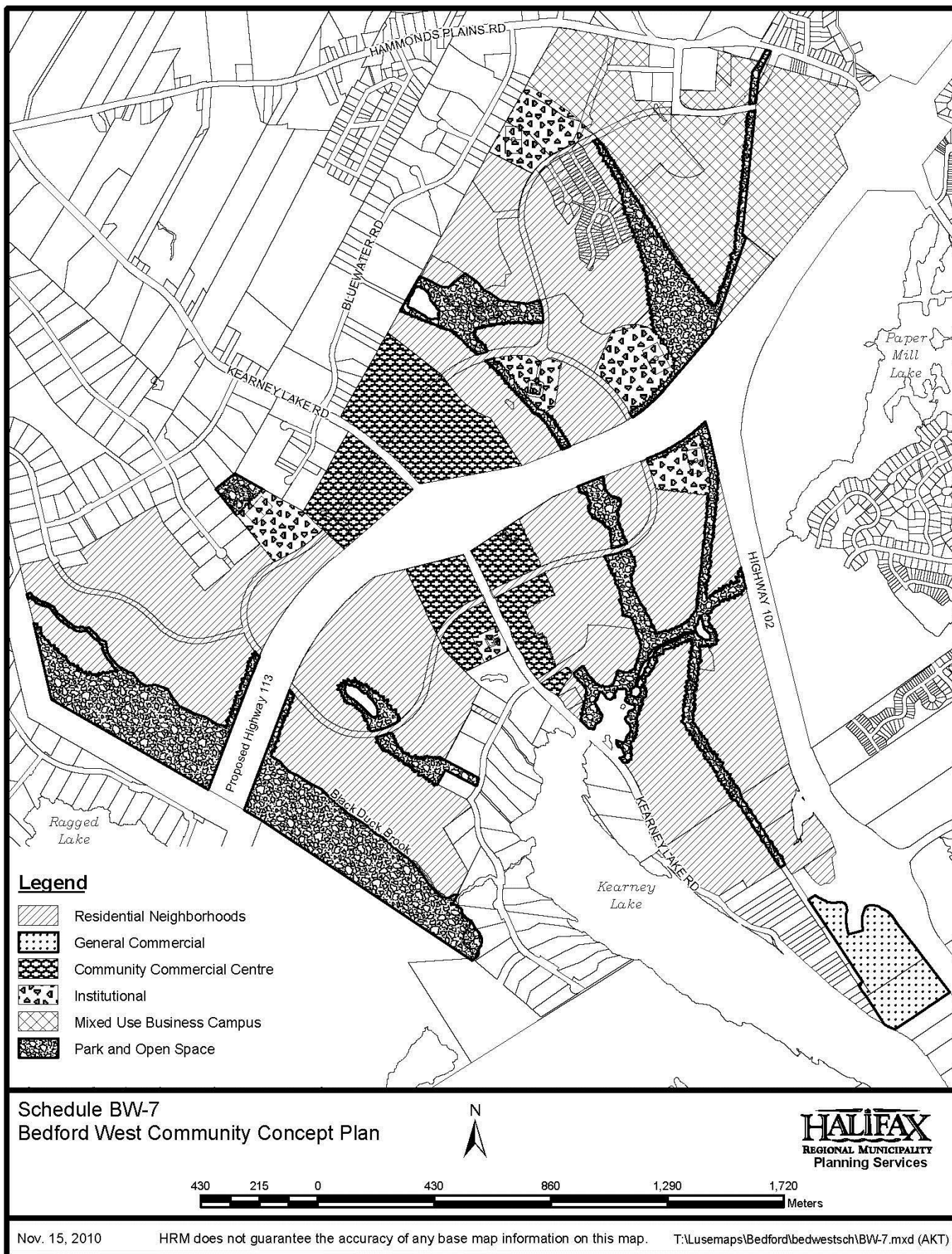


Nov. 15, 2010

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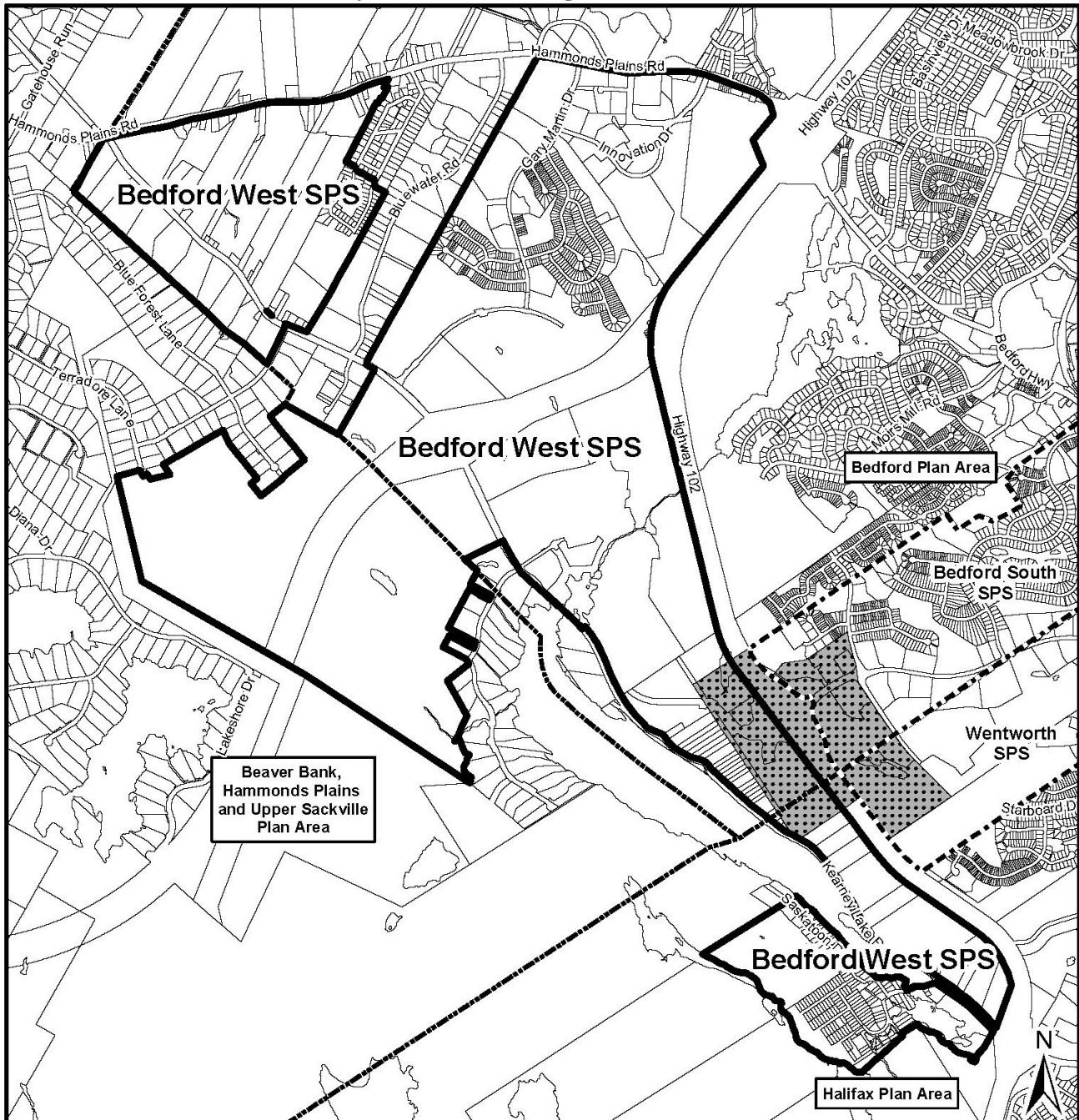
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# Schedule BW-8 – Larry Uteck Interchange Node (RC-Nov 18/14;E-Jan 10/15)



## Schedule BW-8 - Larry Uteck Interchange Node

Bedford West Secondary Plan Area

 Larry Uteck Interchange Node

 Community plan boundary

Bedford Plan Area  
Halifax Plan Area

**HALIFAX**

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

3 July 2014

Case 18514

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## **IMPLEMENTATION POLICIES**

### **GENERAL**

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

### **ZONING**

3. Pursuant to the authority of Section 33 of the Planning Act, the City shall adopt the Zoning By-law, Mainland Area and the Zoning By-law, Peninsula Area, both of the City of Halifax substantially as they presently exist to further the objectives and policies of this Plan, except those by-laws shall first be revised according to the directions established by the detailed policies below.
- 3.1 Repealed 6 June 1990
- 3.1.1 The City shall review all applications to amend the zoning by-laws or the zoning map in such areas for conformity with the policies of this Plan with particular regard in residential areas to Section II, Policy 2.4.
- 3.2 For those areas identified in Section II, Policy 2.5.2 of this Plan, the City shall, pursuant to the authority of Section 33(2)(b) of the Planning Act, establish such development control regulations as are necessary to implement the policies of this Plan.
- 3.2.1 Further to Policy 3.2 above, the areas identified in Section II, Policy 2.5.2 and numbered 4, and 9 shall be identified on the zoning map, and within such areas no development permit for multiple-unit residential development of over 50 feet in height or 25 units, or for a commercial or institutional development of over 35 feet in height or 5,000 square feet in floor area shall be issued, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.
- 3.2.1.1 Policy 3.2.1 above shall not apply to the area identified on Map 1 of Section XI.
- 3.2.2 Repealed.
- 3.2.3 Repealed.

- 3.2.4 In entering into agreements pursuant to Policies 3.2.1, and, above, Council shall be guided by the policies contained in Section II of this Plan, and shall not enter into agreements which are inconsistent with the policies of this Plan.
- 3.2.5 Prior to entering into any agreements pursuant to Policies 3.2.1, and, Council shall advertise its intention to do so and shall hold a public hearing at which time any objections shall be heard.
- 3.2.6 The City should amend this plan and accompanying zoning by-laws as appropriate upon the completion of detailed area plans through the provisions of the Planning Act.
- 3.2.7 Notwithstanding Policy 3.1.4 of Section II of this Plan, Council may consider major office and hotel uses within shopping centres pursuant to Policies 3.2.1 to 3.2.6 of this section. (RC-Apr 1/14; E-May 17/14)**
- 3.3 For the residentially designated undeveloped areas of Mainland North, the City shall, pursuant to Section 38(2)(p) of the Planning Act, establish such development regulations as are necessary to implement the policies of this Plan.
- 3.3.1 Further to Policy 3.3 above, these areas shall be identified on the zoning map and within such areas no development permit shall be issued unless the proposed development has been approved by a resolution of Council, and further, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.
- 3.3.2 Further to Policy 3.3.1 above, the purpose for which land within these areas is to be developed shall be primarily residential, and an emphasis shall be placed on a mix of housing types, shall include provision for local commercial uses that are intended to serve the residents of the immediate area, and shall include provision for automobile, transit and pedestrian circulation and an emphasis on conservation of natural environment features including lakes and waterways, mature trees and natural topographic features. In addition to the above, City Council may consider provision for minor commercial uses in accordance with Policy 3.1.2 in Section II, provided that such uses are consistent with the policies of this Plan, are compatible in design form and function with comprehensively planned development and with development adjacent to a comprehensively planned development, and that such uses are located in such manner as to be in accord with Policy 2.4.1 of Section II, as the principles of said policy may apply to areas of vacant land.
- 3.3.3 The City shall prepare and adopt plans for major public facilities including the location of collector roadways, schools and major community open space in the residentially designated undeveloped areas of the City.
- 3.3.4 In entering into agreements pursuant to Policy 3.3.1 above, Council shall be guided by the policies contained in Section II of this Plan, and shall not enter into agreements which are inconsistent with the policies of this Plan.
- 3.3.5 Prior to entering into any agreements pursuant to Policy 3.3.1, Council shall advertise its intention to do so and shall hold a public hearing at which time any objections shall be heard.

- 3.4 Repealed 6 June 1990.
- 3.5 Deleted **(RC-Jun 16/09; E-Oct 24/09)**
- 3.5.1 Deleted **(RC-Jun 16/09; E-Oct 24/09)**
- 3.5.2 Deleted **(RC-Jun 16/09; E-Oct 24/09)**
- 3.5.3 Deleted **(RC-Jun 16/09; E-Oct 24/09)**
- 3.5.4 Deleted **(RC-Jun 16/09; E-Oct 24/09)**
- 3.5.5 Deleted **(RC-Jun 16/09; E-Oct 24/09)**
- 3.5.6 Deleted **(RC-Jun 16/09; E-Oct 24/09)**
- 3.6 In accordance with Section II, Policy 2.1.4 the City shall establish a holding zone to be in effect at least until such time as the detailed area plan for Mainland South is adopted and approved as an amendment to this Plan.
- 3.6.1 Repealed.
- 3.7 It shall be the intention of the City, subject to further study, to draft a new zoning by-law which would more precisely reflect the intents of this Plan.
- 3.7.1 The City should from time to time review the zoning by-laws of the City to seek ways in which they may be brought into greater harmony with this Plan.
- 3.8 Repealed.
- 3.9 Pursuant to Section II, Policies 4.1, 4.5 and 7.4 and Section II, Map 9, the City shall establish a zone to be applied to these areas and within such zone the City shall permit only harbour-related industrial use and recreation use.
- 3.10 Further to Policies 1.7, 2.5, 2.6, 2.6.1, 3.3, 5.1.1, 7.2.1.1, 7.2.6, 7.2.6.1, 7.3.1.1, 7.5.2.1, 7.5.4, 7.5.5, 7.6.1, 7.7.3, 7.8.2.1 and 7.8.2.2 respectively in Section V of this Plan, the City may, pursuant to the authority of Section 33(2)(b) of the Planning Act, issue a development permit under an agreement with Council pursuant to Section 34(1) of the Act for a development which would not otherwise meet the provisions of the Zoning By-law.
- 3.10.1 In entering agreements pursuant to Policy 3.10, Council shall be guided by the policies contained in Section V of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.
- 3.11 Further to Policies 1.8, 1.12, 6.1.1, 8.1.2, 8.1.3, 8.1.4, and 8.3.3 respectively in Section VI of this Plan, the City may, under the development agreement provisions of the Planning Act, issue a development permit for a development which would not otherwise meet the provisions of the Land Use By-law.

- 3.11.1 In entering agreements pursuant to Policy 3.11, Council shall be guided by the policies contained in Section VI of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.
- 3.12 For areas designated as “industrial” or “commercial” excluding areas designated for detailed planning pursuant to Section II, Policy 2.5.2, and for which intensive development may have significant environmental or land use impacts, HRM may amend its Zoning By-law to provide for developments under Section 249 of the Halifax Regional Municipality Charter. (RC-Jun 16/09; E-Oct 24/09)**
- 3.13 The HRM may, pursuant to the authority of Sections 249 and 251 of the Halifax Regional Municipality Charter permit amusement centres as defined in the Zoning By-law in shopping centres as established in Council’s judgement by Part II, Section II, Policy 3.1.4 and in major commercial areas determined by Council in their judgement or through detailed plans for individual areas, pursuant to Policy 3.1.3 of Part II, Section II. (RC-Jun 16/09; E-Oct 24/09)**
- 3.13.1 The City may, for greater clarity, specify the area within the Zoning By-law, the area(s) within which a development agreement pursuant to Policy 3.13 will be considered.
- 3.13.2 In making a determination pursuant to Policy 3.13, Council shall have regard for the Residential Environments Policies as, and if, they apply and the proximity of such proposed uses to residential areas, schools, and other community facilities.
- 3.14 Council may, by development agreement, permit a non-conforming use to be changed to another less intensive non-conforming use, or permit the structure in which such a use is located to be altered or expanded, provided that:
- a) the layout and design of the property shall be complementary to the fabric of the neighbourhood, and this shall be achieved through attention to a variety of factors including, but not limited to, the following, on which Council shall specify conditions to be met in the development agreement:
    - i) architectural design;
    - ii) the size, location, and landscaping of courts, open spaces, and yards;
    - iii) location of primary and secondary entrances to the building; and
    - iv) size, location, and design of fences.
  - b) vehicular activity, particularly parking and loading, shall be controlled so as not adversely to affect the neighbourhood in terms of traffic flow and nuisance;
  - c) facilities for parking, loading, vehicular access, outdoor display, and outdoor storage shall be designed to avoid any adverse effects on adjacent properties and to ameliorate existing problems, through attention to factors including but not limited to:
    - i) location;
    - ii) surface treatment;
    - iii) storm drainage;
    - iv) access from the street; and

- v) screening, buffering, and landscaping.
- d) except where specific benefits to the neighbourhood can be demonstrated, all additions to a building, all off-street parking and loading areas, and all outdoor display and storage areas shall be set back from the street line by the more restrictive of:
  - i) the minimum setback of the existing building; or
  - ii) the mean setback of the buildings on the adjacent properties on either side; or
  - iii) the minimum setback specified for the zone in which the use is located.
- e) except where specific benefits to the neighbourhood can be demonstrated, additions to the structures on the property shall not:
  - i) further encroach upon the minimum side and rear yards stipulated for the zone in which the property is located; or
  - ii) result in the total lot coverage or building height exceeding the maximum stipulated for the zone in which the property is located;
- f) any outdoor lighting or sign illumination shall be directed away from, or screened from, adjacent residential properties;
- g) no bulk refuse containers shall be visible from the street or from the immediate neighbourhood;
- h) no additional lot area shall be used for outdoor storage, and measures shall be taken to screen any outdoor storage areas from the street and immediate neighbourhood;
- i) with regard to on-site advertising for commercial or industrial uses:
  - i) where the property is located in a residential zone, no additional advertising surface area or illuminated signage shall be added; and
  - ii) in all other cases, such advertising shall not exceed the limits prescribed for the zone in which the property is located.
- j) in the case of commercial and industrial operations in residential zones, the following additional considerations shall also apply:
  - i) there shall be a demonstrable improvement to the neighbourhood;
  - ii) existing conditions resulting in noise, dust, vibration, odour, and emissions shall be required to be ameliorated where these cause a nuisance or hazard; and
  - iii) operating hours shall be restricted to prevent nuisance.
- k) No subdivision of the lot shall have occurred subsequent to the time of the adoption of this section.

3.15 Pursuant to the authority of the Planning Act, the Land Use By-law shall allow for the replacement of deteriorated portions of non-conforming structures or structures containing non-conforming uses. Such replacements shall not change the location nor increase the size or area of the existing encroachment or non-conformity nor result in any increase in the habitable volume of the structure.

3.16 Further to Policies 1.6, 2.3 and 3.3 of Section VII of this Plan, the City may issue a development permit under an agreement with Council for a development which would not otherwise meet the provisions of the By-law.

- 3.16.1 In entering into agreements pursuant to Policy 3.16, Council shall be guided by the policies contained in Section VII of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.
- 3.17 Further to Policy 9.3 of Section VIII of this Plan, the City may issue a development permit under an agreement with Council for a development which would not otherwise meet the provisions of the By-law.
- 3.17.1 In entering into agreements pursuant to Policy 3.17, Council shall be guided by the policies contained in Section VIII of this Plan, and shall not enter into agreements which are inconsistent with those policies of this Plan.
- 3.18 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.18.1 Deleted (**RC-Jun 16/09; E-Oct 24/09**)
- 3.19 Further to Policy 8.3 of Section X of this Plan, the City may issue a development permit under an agreement with Council for a development which would not otherwise meet the provisions of the By-law.
- 3.19.1 In entering into agreements pursuant to Policy 3.19, Council shall be guided by the policies contained in Section X of this Plan and shall not enter into agreements which are inconsistent with the policies of this Plan.
- 3.20 In order to encourage the establishment of child care centres in a variety of locations to meet the varied needs of families, and to allow the consideration of the specific circumstances of an individual location, a child care centre which does not meet applicable land use bylaw regulations may be permitted by development agreement.
- 3.20.1 In considering approval of such development agreements, Council shall consider the following:
- a. for a child care centre located within a dwelling, alterations to the exterior of the building shall not be such that the building no longer appears to be residential in nature. This shall not prevent facilities for physically challenged children, or playground equipment to be erected on the property.
  - b. the hours of operation shall be such that adverse impacts of noise and traffic movements on adjacent residential uses are reduced.
  - c. parking shall be required on the site of the child care centre to accommodate the employees of the centre. Parking areas should, where necessary, be visually buffered from any adjacent residential uses by the use of fences, screening and/or landscaping as appropriate.
  - d. site design features, including landscaping, outdoor play space, parking areas and driveways shall be designed, sized and located to provide for the needs of the users of the facility, as well as to address potential impacts on adjacent residential uses.
  - e. vehicular access to and egress from the child care centre and pedestrian movement shall be accommodated in a manner which encourages safety.



- f. signs for the child care centre shall be of a size, design and placement on the lot which reduces impacts on adjacent residential uses.
  - g. centres shall not be located so as to produce a concentration within a particular neighbourhood. In addition, only one centre with a licensed capacity of more than 14 children shall be permitted on any cul-de-sac.
  - h. all other relevant policies of the municipal planning strategy with particular reference to the Residential Environments section.
- 3.21 Pursuant to the authority of the Municipal Government Act, the Land Use By-law may be amended to allow for additions to structures containing non-conforming uses. Such amendment shall be based on:
- a. Limiting the application of the by law to townhouses, buildings
  - b. containing no more than two dwelling units, buildings which contain a non-conforming use in addition to a townhouse or buildings which contain a non-conforming use in addition to no more than two dwelling units;
  - c. Limiting the use of such addition to residential provided that no additional dwelling units are created;
  - d. In order to prevent the uncontrolled expansion of non-conforming non-residential uses, prohibiting the use of such addition for any non-residential purpose; and
  - e. Requiring that, the addition comply with the requirements of the zone in which the use is permitted.

#### **AMENDMENTS TO THE ZONING BY-LAW**

- 4. When considering amendments to the Zoning By-laws and in addition to considering all relevant policies as set out in this Plan, the City shall have regard to the matters defined below.
- 4.1 The City shall ensure that the proposal would conform to this Plan and to all other City by-laws and regulations.
- 4.2 The City shall review the proposal to determine that it is not premature or inappropriate by reason of:
  - i) the fiscal capacity of the City to absorb the costs relating to the development; and
  - ii) the adequacy of all services provided by the City to serve the development.
- 4.3 More specifically, for those applications for amendments to the zoning bylaw in Mainland South as defined on Map 1, the City shall require an assessment of the proposal by staff with regard to this Plan and the adopted Land Development Distribution Strategy, and that such assessment include the potential impacts of the proposal on: (a) the sewer system (including the budgetary implications); (b) the water system; (c) the transportation system (including transit); (d) existing public schools; (e) existing recreation and community facilities; (f) the provision of police and fire protection services; and any other matter deemed advisable by Council prior to any final approval by City Council.

- 4.4 In an R-4 Zone or an R-3 Zone, the City may, under the provisions of Section 33(2)(b) of the Planning Act, permit modification of the minimum lot area and continuous street frontage provisions of the Peninsula and Mainland Zoning By-laws for R-3 and R-4 uses. A decision of the Council of the City of Halifax to permit such modification may be preceded by a public hearing if deemed necessary, and such modification shall be granted provided:
- (a) the amenity, convenience, character and value of neighbouring properties will not be adversely affected;
  - (b) conditions necessitating such modification are unique to the lot and have not been created by either the owner of such lot or the applicant;
  - (c) the modification is necessary to secure an appropriate development of the lot where such lot is of such restricted area that it cannot be appropriately developed without such modification;
  - (d) the modification is consistent with Section II of this Plan; and
  - (e) the registered owner of the land for which the modification is sought shall enter into an agreement with Council pursuant to Section 34(1) of the Planning Act.
- 4.5 In an R-4 Zone or an R-3 Zone, the City may, under the provisions of Section 33(2)(b) of the Planning Act, permit modification of the provisions of the Peninsula and Mainland Zoning By-laws for R-4 and R-3 uses relating to the five (5) foot height requirement for a part of a proposed building not containing any windows or doors serving habitable rooms. A decision of the Council of the City of Halifax to permit such modification may be preceded by a public hearing if deemed necessary, and such modification shall be granted provided that:
- (a) the amenity, convenience, character and value of neighbouring properties will not be adversely affected;
  - (b) conditions necessitating such modification are unique to the lot and have not been created by either the owner of such lot or the applicant;
  - (c) the modification is necessary to secure an appropriate development of the lot where such lot is of such restricted area that it cannot be appropriately developed without such modification;
  - (d) the modification is consistent with Section II of this Plan; and
  - (e) the registered owner of the land for which the modification is sought shall enter into an agreement with Council pursuant to Section 34(1) of the Planning Act.
- 4.6 For any proposed development, the City may permit modification of the yard or lot area or width provisions of the Peninsula and Mainland Zoning By-laws under the authority of Section 33(2)(b) of the Planning Act. A decision of the Council of the City of Halifax to permit such modification may be preceded by a public hearing if deemed necessary and such modification shall be granted provided that:
- (a) the amenity, convenience, character and value of neighbouring properties will not be adversely affected;
  - (b) conditions necessitating such modification are unique to the lot and have not been created by either the owner of such lot or the applicant;

- (c) the modification is necessary to secure an appropriate development of the lot where such lot is of such restricted area that it cannot be appropriately developed without such modification;
  - (d) the modification is consistent with Section II of this Plan; and
  - (e) the registered owner of the land for which the modification is sought shall enter into an agreement with Council pursuant to Section 34(1) of the Planning Act.
- 4.7 Pursuant to Part II, Section II, Policy 3.6 of this Plan, the City shall establish a new zone to regulate "adult entertainment uses" in commercial areas.
- 4.7.1 In considering applications for rezoning to such a zone, the City shall have regard to the following matters:
  - (a) such zone shall be permitted only within commercial areas designated in this Plan; and
  - (b) the potential effect on the amenity, convenience, character and value of neighbouring properties; and
  - (c) the potential effect on the commercial area as a whole in which the use is intended to be located; and
  - (d) the potential effect on the viability of public or semi-public gathering places in relation to the contiguity of their location to such an intended use.
- 4.7.2 Where, in the opinion of the Council of the City of Halifax, adverse effects will result from a decision to rezone any property to the zone established pursuant to Policy 4.7 above, based on the considerations identified in Policy 4.7.1 above, such application to rezone shall be denied.

## **SUBDIVISION CONTROL**

- 5. The City of Halifax shall apply the subdivision regulations and bylaw adopted by the City on June 16, 1977 as it may be amended from time to time in accordance with Section 49(8) of the Planning Act for all applications for subdivision in the context of this Plan.
- 5.1 The City may amend this Plan and the subdivision regulations as appropriate upon review and adoption of a planned unit development or similar process and regulations as called for by Section II, Policy 2.1.2 of this Plan. The City shall ensure that the subdivision regulations and the planned unit development regulations are complementary.
- 5.2 In areas designated industrial in the Bayers and Ragged Lake areas subdivision regulations shall be adopted which permit roadway and storm drainage standards and requirements that vary from those required elsewhere in the City. More specifically, there shall be no requirement for constructing sidewalks, piped street drainage and curb and gutter.

## **DEVELOPMENT OFFICER**

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

## **PLAN AMENDMENTS**

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

## **PLAN REVIEW**

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

## MUNICIPAL DEVELOPMENT PLAN AMENDMENTS IN CHRONOLOGICAL ORDER OF MINISTERIAL APPROVAL

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



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

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

		Drive (Case No. 5085)		
33.	Map 4 (Mainland South) (amended)	26 Alton Drive (Case No. 5362)	11 Feb 88	25 Jul 88
34.	Section VI, Policy 2.1 (amended)	Neighbourhood Commercial (Case No. 5068)	25 Feb 88	31 Aug 88
35.	Map 9 (amended)	Lacewood and Dunbrack (Case No. 5614)	29 Jun 88	17 Oct 88
36.	Section II, Map 9 (amended); Section VIII, Map 1 (amended)	Bedford Highway Properties (Case No. 5544)	15 Sep 88	25 Jan 89
37.	Section V, Policy 5.1.1 (repealed); Section II, Policy 6.8 (addition)	Heritage Property Amendments (Case No. 5735)	13 Oct 88	13 Feb 89
38.	Section V, Policies 7.6.2, 7.6.3 (additions)	Permit Offices of Non-Profit Organization of a Medical Nature on South Street (Case No. 5221)	04 Jan 89	10 Mar 89
39.	Section X, Policies 2.2.3, 2.2.4 (additions)	Specialty Automobile Shops (Case No. 5750)	27 Apr 89	29 Jun 89
40.	Section X, Map 4 (amended); Map 9 (amended)	Community Park Graves-Oakley and Tremont Plateau Parks (Case No. 5783)	06 Sep 89	05 Oct 89
41.	Section V, Policies 1.2, 2.4 (amended); Section VI, Policy 2.2.2 (amended); Section X, Policy 2.4 (amended); Section XII, Policy 2.3 (repealed); Implementation Policy 10 (repealed)	Implementation Policy 10 (Case No. 5529)	06 Sep 89	12 Oct 89
42.	Section II, Policies 2.1.5, 4.3.1, 4.4 (amended); Implementation Policies 3.6.1 (repealed); 5.2 (addition); Maps 1, 4, 9 (amended)	West Side Bicentennial Drive at Bayers Lake Interchange (Case No. 5751)	23 Aug 89	26 Oct 89
43.	Section VII, Policies 1.3, 1.3.1, 1.3.2 (repealed and replaced)	Ability to rezone greater than 4 units (Case No. 5780)	17 Jan 90	15 Feb 90
44.	Section V, addition of Policy 7.4.1 to District IV Policy Set	South Bland area (Case No. 5829)	11 Apr 90	17 May 90
45.	Section II, Policies 2.4.2, 2.5.4, Maps 2, and 4 (repealed); Map 9 (amended), Implementation Policies 3.1 and 3.4 (repealed) and 3.3 (amended)	Chebucto/Beech Area and Soft Areas (Case No. 5822)	29 Mar 90	06 Jun 90
46.	Section VI, Policy 8.2.1 (amended); Map 2 (amended)	Former Police Club (Case No. 5930)	26 Apr 90	12 Jul 90

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

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



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

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

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

130.	Amendments to Section XII, Part II, by adding Policies 2.8 and 2.81 Amendments to Section XI by adding Policy 1.84	6273 Quinpool Road (Case 00839) Creighton & Buddy Daye Streets	August 1/06 August 1/06	Aug 12/06 Aug 12/06
	Deleting Interim Growth Management, including Map 8a; Adding section following Area Definition in Section IX	Regional Plan	June 27/06	Aug 26/06
131.	Adding “Temporary signage” section to Section II	Project 00327	Sept 26/06	Nov 18/06
132.	Added Policy 2.16&2.16.1 to Section X1	Case 00895 2594 Agricola St	June 12/07	Jun 23/07
133.	Added Policy 1.9 & 1.9.1 to policy 1.8.3	Case # 00870 5784 Charles	Nov 13/07	Dec 15/07
134.	Amended Policy 1.5.3.5 of section 10	Case # 01005 11 Ramsgate Ln.	Feb 19/08	Mar 29/08
135.	Added Policy 1.5.7 of section X	Case # 01004 B.C. Silver	Feb 19/08	Mar 29/08
136.	Added Section IX, Subsection 1.6 to 1.6.7	Case #01046 South Park and Brenton Place	June 10/08	Aug 9/08
137.	Amendments to Section III, by clarifying area definition, also adding Section 2.4 - 2.4.5 to Section IV.	Case # 00971 Keith’s Brewery	June 24/08	Aug 16/08
138.	Amend 2.14 and 2.14.1 of Section II - 6955 Bayers Rd	Case 00930	Aug 12/08	Oct 11/08
139.	Amend Halifax MPS plan area boundary -Map 9	Case 01121	Jan. 20/09	Mar. 28/09
140.	Added Policy to Section II, 2.17 & 2.17.1 (a to h)	Case 01095	April 21/09	June 20/09
141.	Replacing Schedule BW-4 of Bedford West Secondary Planning Strategy	Case 01148	June 2/09	June 27/09
142.	Deletion of all policies relating specifically to areas within Downtown Halifax Secondary Plan Area	HRM by Design	June 16/09	Oct 24/09
143.	Amend Map 9Gb - GFLUM for Peninsula North - Area 2	Case 01240	Oct 20/09	Dec 5/09
144.	Amendment to Halifax MPS Plan area boundary and GFLUM map 9 in regards to the expansion of Bayers Lake Business Park	Case # 01332	Jan 12/10	Apr 17/10
145.	Amendment to Mainland South Secondary Planning Strategy by adding Policies 1.5.5.1 - 1.5.5.3 (Re Regatta Point)	Case # 01003	Jan 19/10	Apr 17/10
146.	Amendment to Mainland South Secondary Planning Strategy by adding Policies 1.3.4 (21 & 23 Mayor Ave. Hfx)	Case # 01130	Feb 2/10	Apr 17/10
147.	Amendment to the Halifax MPS concerning Cedar Street infill	Case # 01248	Mar 30/10	May 1/10
148.	Amendment to the Bedford Highway Secondary Planning Strategy	Case # 01205	Apr 20/10	May 29/10
149.	Added Policies 2.5 and 2.5.1 to Section VII (Fairview Area Second Planning Strategy)	Case #01302	Aug 10/10	Sept 25/10
150.	Replaced Policy 10.4 of the Peninsula North Secondary Planning Strategy GFLM Map	Case # 01356	Sept 14, 2010	Oct 30/10
151.	Replaced Policy 2.8 and 2.8.1 of the Quinpool Road Commercial Area Plan – Commercial Facilities	Case # 16038	Oct 19, 2010	Dec 11/10

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



167.	<b>Add</b> Section XIV, Policy MUBC-3; Section XV, Policy, BW-21F, Schedule V and BW-8 – Larry Uteck Interchange Node.	Case 18514	Nov 18/14	Jan 10/15
168.	<b>Add</b> Section V, Policy 7.7B.1 and 7.7B.2	Case 19326	Jan 13/15	Feb 28/15
169.	Add Section V, Part 1, Policy 1.4.1.3 and 1.4.1.4; Part 7, Policy 7.1.3.	Case 17174	Mar 31/15	May 16/15
170.	<b>Add</b> Section VII, Policy 2.7 and 2.7.1	Case 18510	June 16/15	July 18/15
171.	<b>Add</b> Section II, Policy 2.18, 2.18.1 and 2.18.2	Case 18464	April 5/16	May 14/16
172.	<b>Add</b> Section VI, Policy 1.15	Case 18322	April 5/16	May 21/16
173.	<b>Add</b> Section X, Policies 1.2.12 and 1.2.12.1	Case 18120	August 2/16	Sept 3/16
174.	<b>Delete</b> Section 2 (Commercial Facilities); <b>Add</b> Section 2A (Plan Dutch Village Road), Map 9C(1) – Plan Dutch Village Road Overview Map; <b>Amend</b> Map 9C – Fairview Secondary Planning Strategy GFLUM	Plan Dutch Village Road	Oct 4/16	Nov 26/16
175.	<b>Add</b> Section II, Part 5, Policy 5.4 and 5.5 a) to u)	Case 19531	Jan 10/17	Mar 4/17
176..	<b>Add</b> Section VI, Policy 1.16, 1.16.1 – Peninsula Area Plan	Case 19858	Jan 24/17	Mar 11/17