

Item No. 11.2.1
Halifax Regional Council
October 2, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original Signed
Councillor David Hendsbee, Chair of Marine Drive, Valley and Canal
Community Council

DATE: September 25, 2012

SUBJECT: MPS & LUB Amendments to Planning Districts 14/17 for the Proposed
River-lakes Secondary Planning Strategy

ORIGIN

The Marine Drive, Valley and Canal Community Council September 6th and special meeting of September 25, 2012.

RECOMMENDATION

It is recommended that Halifax Regional Council Give First Reading and set a date for a public hearing to consider adopting the River-lakes Secondary Planning Strategy and accompanying land use regulations under the Municipal Planning Strategy and Land Use By-Law for Planning Districts 14 and 17 as set forth in Attachment 2 (By-Law to Amend the Municipal Planning Strategy for Planning Districts 14 and 17) of the August 20, 2012 staff report; Revised Attachment 3 (By-Law to Amend the Land Use By-Law for Planning Districts 14 and 17), as set out in the staff presentation made to Marine Drive, Valley and Canal Community Council on September 6, 2012; and Attachment 4 (By-law to Amend the Regional Municipal Planning Strategy for the Halifax Regional Municipality) of the August 20, 2012 staff report with a further amendment to Attachment 2 and Revised Attachment 3 as follows:

- Change the proposed VG (Village Gateway) Zone to a proposed FRB (Fall River Business) Zone of Revised Attachment 3, as set out in the staff presentation made to Marine Drive, Valley and Canal Community Council on September 6, 2012;
- Replace the words "the main building" with the words "any building supply outlet" in Section 14E.3 of the proposed FRB (Fall River Business) Zone of Revised Attachment 3, as set out in the staff presentation made to Marine Drive, Valley and Canal Community Council on September 6, 2012; and
- Insert the words "of building supply outlets" after the word "building size" in sentence 5 of the preamble to Policy RL-9 and replace the words "commercial buildings" with the words "building supply outlets" in clause (c) of Policy RL-9 of Attachment 2 of the Staff Report dated August 20, 2012.

BACKGROUND

A staff report dated August 20, 2012 outlining the Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) amendments for Planning Districts 14 and 17 to carry out the proposed River-lakes Secondary Planning Strategy, along with a recommendation report from the Halifax Watershed Advisory Board dated August 15, 2012 was before the Community Council during their September 6, 2012 meeting.

During the presentation, staff noted an amendment to Attachment 3 (By-Law to Amend the Land Use By-Law for Planning Districts 14 and 17), being clause (a) Sections 14A.11, 14C.11, 14D.9, 14E.5 to replace the intervals of required landscaping from 19.6 feet (6 metres) to 15 feet (4.6 metres).

Upon review of the information, the Community Council passed a motion recommending to Halifax Regional Council that a date be set for a public hearing to consider adopting the River-lakes Secondary Planning Strategy and accompanying land use regulations under the MPS and LUB for Planning Districts 14 and 17, with an amendment to the By-Law to Amend the Land Use By-Law for Planning Districts 14 and 17 (Attachment 3 of the August 20, 2012 staff report).

Following the September 6th meeting, it was brought to staff's attention that two recommendations made by the Fall River Vision Implementation Committee on May 5, 2011 were not carried forward in the proposed planning documents presented to Marine Drive, Valley and Canal Community Council on September 6, 2012:

- To zone all properties on the eastern side of Falls Run to a proposed Fall River Business Zone and not the Village Gateway Zone; and
- That the Fall River Business Zone be amended to require that the proposed 20,000 square foot commercial floor space limitation only be applied to Building Supply Outlets.

In order to rectify this matter, staff delivered a presentation to Marine Drive, Valley and Canal Community Council during their September 25, 2012 special meeting, recommending the Community Council rescind their motion of September 6, 2012 and put forward a new motion recommending the proposed changes in the planning documents, outlined in the September 25, 2012 presentation.

Additional information can be reviewed in the attached August 20th staff report, and link to the August 15th Halifax Watershed Advisory Board report
<http://www.halifax.ca/Commcoun/mdvccc/documents/HWABReportMPSandLUBAmendmentstoPlanningDistricts14and17.pdf>

DISCUSSION

At the Community Council's special meeting of September 25, 2012, the Community Council passed a motion suspending the Rules of Order to consider rescission of their September 6, 2012 motion respecting Item 10.1 - MPS & LUB Amendments to Planning Districts 14/17 for the proposed River-lakes Secondary Planning Strategy, followed by a motion rescinding their September 6th motion.

The Community Council then passed a motion recommending that Halifax Regional Council Give First Reading and set a date for a public hearing to consider adopting the River-lakes Secondary Planning Strategy and accompanying land use regulations under the Municipal Planning Strategy and land Use By-Law for Planning Districts 14 and 17 as set forth in Attachment 2 (By-Law to Amend the Municipal Planning Strategy for Planning Districts 14 and 17) of the August 20, 2012 staff report; Revised Attachment 3 (By-Law to Amend the Land Use By-Law for Planning Districts 14 and 17), as set out in the staff presentation made to Marine Drive, Valley and Canal Community Council on September 6, 2012; and Attachment 4 (By-law to Amend the Regional Municipal Planning Strategy for the Halifax Regional Municipality) of the August 20, 2012 staff report with a further amendment to Attachment 2 and Revised Attachment 3 as follows:

- Change the proposed VG (Village Gateway) Zone to a proposed FRB (Fall River Business) Zone of Revised Attachment 3, as set out in the staff presentation made to Marine Drive, Valley and Canal Community Council on September 6, 2012;
- Replace the words “the main building” with the words “any building supply outlet” in Section 14E.3 of the proposed FRB (Fall River Business) Zone of Revised Attachment 3, as set out in the staff presentation made to Marine Drive, Valley and Canal Community Council on September 6, 2012; and
- Insert the words “of building supply outlets” after the word “building size” in sentence 5 of the preamble to Policy RL-9 and replace the words “commercial buildings” with the words “building supply outlets” in clause (c) of Policy RL-9 of Attachment 2 of the Staff Report dated August 20, 2012.

BUDGET IMPLICATIONS

The Budget Implications to this report are outlined in detail in the attached August 20, 2012 staff report.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality’s Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

The Marine Drive, Valley and Canal Community Council meetings are open to members of the public.

ENVIRONMENTAL IMPLICATIONS

The Environmental Implications to this report are outlined in detail in the attached August 20, 2012 staff report.

ALTERNATIVES

No alternatives were provided by the Marine Drive, Valley and Canal Community Council.

ATTACHMENTS

1. Staff report dated August 20, 2012 (Previously circulated to Regional Council for September 25, 2012 meeting)
2. Revised By-Law to Amend the Land Use By-Law for Planning Districts 14 and 17 (Revisions made to Attachments 2 and 3 of the August 20, 2012 staff report)

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Krista Vining, Legislative Assistant, Office of the Municipal Clerk, 490-6519



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Marine Drive, Valley and Canal Community Council
September 6, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: Original signed
Richard MacLellan, Acting Director, Planning & Infrastructure

DATE: August 20, 2012

SUBJECT: **MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes Secondary Planning Strategy**

ORIGIN

September 30, 2008: Motion of Halifax Regional Council to:

1. Initiate the process to prepare amendments to the Municipal Planning Strategy and Land Use By-Law for Planning Districts 14 and 17 (Shubenacadie Lakes) to carry out the Fall River Vision and Action Plan for the Fall River Community Centre (now referred to as the River-lakes Secondary Planning Strategy Area).
2. Request that staff and the Fall River Vision Implementation Committee/Community Planning Group to follow the public participation program approved by Council on September 30, 2008, and as revised on September 20, 2011 (**Attachment1**).

RECOMMENDATION

It is recommended that the Marine Drive, Valley and Canal Community Council recommend to Regional Council that a date be set for a public hearing to consider adopting the River-lakes Secondary Planning Strategy and accompanying land use regulations under the Municipal Planning Strategy and Land Use By-Law for Planning Districts 14 and 17, as set forth in **Attachment 2 - By-Law to Amend the Municipal Planning Strategy for Planning Districts 14 and 17**; **Attachment 3 - By-Law to Amend the Land Use By-Law for Planning Districts 14 and 17**; and **Attachment 4 - By-Law to Amend the Regional Municipal Planning Strategy for the Halifax Regional Municipality**.

EXECUTIVE SUMMARY

At the September 30, 2008, Session, Regional Council initiated the process to prepare amendments to the Municipal Planning Strategy and Land Use By-Law for Planning Districts 14 and 17 (Shubenacadie Lakes) to carry out the Fall River Vision and Action Plan for the Fall River Community Centre (now referred to as the River-lakes Secondary Planning Strategy Area).

Council also approved the formation of the Fall River Vision Implementation Committee/Community Planning Group to oversee the public participation program and to guide the development of the amendments in accordance with the terms of reference for the public participation resolution as outlined in **Attachment 1 – Initial Terms of Reference and Revised Terms of Reference**.

The Fall River Vision Implementation Committee/Community Planning Group have completed its work and are recommending that the Municipal Planning Strategy and Land Use By-Law for Planning Districts 14 and 17, and the Regional Municipal Planning Strategy be amended, to carry out the River-lakes Secondary Planning Strategy.

The River-lakes Secondary Planning Strategy contains policies and regulations designed to retain the rural character of the proposed River-lakes Village Centre and to allow for the consideration of townhouses and low rise multiple unit dwelling developments in a few locations within the River-lakes Planning Strategy Area.

Within the Village Centre Designation, there are five proposed zones which include the proposed CC (Canal Court), VMS (Village Mainstreet), VC-CDD (Comprehensive Development District), VG (Village Gateway), and FRB (Fall River Business) zone (Attachment 10). Each of these zones is designed to reflect the unique characteristics of the various areas throughout the Village Centre as outlined below:

- Canal Court (CC) Zone applies to the lands surrounding the historic Shubenacadie Canal at Fall River Run. It is intended to support the continued development of a pedestrian-oriented, commercial and residential area on the small lot pattern that gives this area its special character.
- Village Core – Comprehensive Development District (VC-CDD) applies to the Sobeys Shopping Centre Site. It supports the continued development of the larger scale commercial area through the process of a development agreement.
- Village Mainstreet (VMS) Zone applies to all lands along Fall River Road and along Highway 2 outside of the VC-CDD down toward the interchanges. It is also intended to provide for a pedestrian oriented commercial and residential area but with a wider mix of commercial uses at a medium scale.
- Village Gateway (VG) Zone applies to the lands around the interchanges and is intended to create a visually pleasing entryway into the community. It too permits a wide range of

land uses as the VC-CDD and VMS zones but allows for larger scale buildings and other uses that benefit from access at an interchange.

- Fall River Business (FRB) Zone applies to the light industrial area on Perrin Drive and is designed to allow for the continued development of commercial and light industrial type uses that benefit from being near a highway interchange.

All future development within these zones will be subject to controls on architectural appearance, lighting, and landscaping and scale of building and range of permitted uses. Parking is required to be situated to the side or the rear of all buildings in all zones with the exception of the FRB Zone.

The proposed Planning Strategy also introduces new policy to prevent the Shubenacadie Lakes from water quality decline. Requirements to retain the pervious surface on proposed developments in the River-lakes Village Centre are also proposed to reduce stormwater impacts on the Shubenacadie Lakes. The Planning Strategy also contains policies to facilitate the future development of an open space and trail system and to assess the impacts of development on the transportation system.

BACKGROUND

Regional Context

The River-lakes Secondary Plan Area extends north to the beginning of Wellington, west to Windsor Junction, south to Lakeview, and east to Miller Lake as shown on Attachment 5. It includes the communities of Fall River, Fletchers Lake, and southern portion of Wellington, Windsor Junction, Lake View and a portion of Miller Lake. The River-lakes Village Centre extends from Roland Road, on the Fall River Road, to the Sobeys Shopping Centre and from the lands north of the Sobeys Shopping Centre, south to the Highway 102 and 118 Interchanges along the eastern side of Lake Thomas.

The HRM Regional Municipal Planning Strategy (Regional Plan) designates the Fall River area as a Rural Commuter Centre (now termed the River-lakes Secondary Planning Strategy Area). This Centre is a place where the Regional Plan intends to support the growth of low to medium density development through the provision of express bus transit and central water.

Under the direction of the Regional Plan, the Fall River Community Liaison Group, in partnership with HRM, undertook a Visioning Process to determine how this Centre should grow over the next 20 - 25 years. The Vision and Action Plan that was adopted-in-principle by Regional Council in 2007, called for the creation of a Secondary Planning Strategy to:

- maintain the rural village atmosphere and rural character of the area;
- provide opportunities for alternative housing forms (low-rise multiple unit dwellings and townhouses) to meet the diverse needs of the population;
- foster the development of a socially cohesive community; and

- protect the natural and cultural assets of the community such as the Shubenacadie Lakes water quality and historic Shubenacadie Canal.

It also required the examination of options for central water service provision and the need for road network improvements to alleviate traffic conditions.

The secondary planning process is taking place in two phases. Phase 1 is focused on the development of detailed regulations to achieve desired community form, land use pattern and architectural design regulations for the River-lakes Village Centre. It also provides policy for consideration of mixed housing developments –singles, townhouses and multiple unit dwellings - at selected locations within the Secondary Planning Strategy Area. In this phase of the process, policies for the environmental protection of the Shubenacadie Lakes, development of an open space and trail system, and measures to reduce impact on the limited transportation system, have been introduced.

Phase II of the Secondary Plan requires direction from Regional Council on where growth should occur throughout the entire River-lakes Secondary Planning Area so that options for future infrastructure development may be evaluated. Two background studies were produced which included the Shubenacadie Lakes Watershed Study and the Fall River/Waverley/Wellington Transportation Study. The Shubenacadie Lakes Watershed Study found that there were constraints in ground water supply and that the receiving waters of the lakes were at risk of further decline unless measures were undertaken to reduce the impact of growth. The Transportation Study also revealed that there were current constraints at the intersection of Fall River Road and Highway 2 and at the interchanges, and that road improvements would be needed now and over the longer term to accommodate future growth. In order to determine where future water and transportation infrastructure should be provided, HRM will need to review the options for future growth throughout the entire Secondary Planning Area with Regional Council to obtain direction on where future growth should be allocated.

The River-lakes Secondary Planning Process was initiated prior to the completion of the Transportation and Watershed studies. Both Studies were completed in 2010 and resulted in a delay in the process pending the findings of this background information.

DISCUSSION

Overall Concept for the Secondary Planning Strategy

The River-lakes Secondary Planning Strategy envisions that the River-lakes Village Centre will become an attractive and vibrant place to service the local communities and surrounding area. A park and ride facility has been developed at the Highway 118 Interchange, to facilitate access to an express bus service from all communities throughout the area to downtown Dartmouth and Halifax. It is also desirable to have a transit stop within the Village Core of the Village Centre to facilitate pedestrian and vehicular access to the bus from this location.

All of the areas within the Village Centre should have a mix of commercial and low to medium¹ density residential uses with buildings that are close to or at the street or setback from the street in certain areas with foreground landscaping. The Plan also envisions that parking should be located to the side or the rear of buildings to create an attractive street scape and that the width of buildings should be limited in some areas to prevent the emergence of highway commercial strips. Landscaping should also be incorporated throughout larger parking lots to define major vehicle and pedestrian routes, provide shade, break-up the expanse of paved areas, minimize stormwater flows, and retain the rural character of the area by retaining the natural landscape.

Buildings within the River-lakes Village Centre should be compatible with the traditional built form which is predominantly small-scale buildings with pitched roofs and narrow building fronts. Although big box retail stores and strip malls are not in keeping with the vision for the River-lakes Village Centre, there is a local shopping centre with big box anchor stores situated in the River-lakes Village Core, at the Sobeys Shopping Centre. Future redevelopment of this shopping centre must incorporate architectural elements that all other River-lakes Village Centre buildings will be required to incorporate to achieve the desired exterior appearance for the area.

A variety of housing types should be permitted to provide for the needs of all residents throughout the area. In particular, a senior citizen housing complex that provides housing for graduated levels of assisted living should be developed in the River-lakes Village Centre and on selected sites within the River-lakes Secondary Planning Strategy Area to enable residents to remain within their community throughout all stages of their life. Multiple-unit housing in the form of townhouses and low rise apartments is also desirable at selected sites within the Secondary Planning Strategy Area and within the River-lakes Village Centre to provide for the needs of residents.

It is also the intent of the proposed Planning Strategy to facilitate the development of a safe functional road, transit and active transportation system by requiring that future large scale developments submit traffic impact studies to ensure that proposed development does not exacerbate the current constraints in the road network system. The Planning Strategy also encourages the community to form a trails society to work with the Halifax Regional Trails Association to develop a detailed design plan for the conceptual level trail systems developed under this Secondary Plan. It is also a central feature of this Secondary Planning Strategy to minimize the impact of development on the Shubenacadie Lakes System by requiring that all future large scale development submit a study to verify the amount of phosphorus emitted from the proposed development will not exceed the amount of phosphorus currently emitted.

The River-lakes Village Centre: Existing Designations and Zones

The majority of the lands within the boundaries of the proposed River-lakes Village Centre Designation are currently designated Community Centre under the Municipal Planning Strategy for Planning Districts 14 and 17. Portions of the lands within the boundaries of the proposed

¹ Please note that medium density in the context of Fall River means a maximum density of 3 - 4 units per gross acre within the Village Centre. While this density may be regarded as a low density parameter in a suburban area that is serviced with municipal water and sewer, it is considered medium density within the low rural density context of Fall River.

River-lakes Village Centre Designation are also currently designated Residential as illustrated on Attachment 6.

Within the Community Centre Designation there are five zones that apply to the Fall River area as follows:

- C-2 (Community Commercial) Zone permits a wide variety of commercial uses up to a maximum of 10,000 square feet as outlined in Attachments 7 and 9.
- C-4 (Highway Commercial) Zone applied to lands around the Highway 102 and Highway 118 interchanges, permit a wide variety of commercial and industrial uses with no limitations on building size as outlined in Attachments 8 and 9.
- CDD (Comprehensive Development District) Zone applies to the lands occupied by the Sobeys Shopping Centre and permits larger scale commercial uses and community facility uses through the provisions of a development agreement.
- R-1b (Suburban Residential) and R-1a (Single Unit Dwelling) zones permit low density residential uses, bed and breakfasts, day cares and institutional uses.

Within the existing Community Centre Designation, there are also policies which allow for the application of rezoning and development agreements to various areas within the designation as follows:

- Rezoning from a residential zone to the C-2 Zone where the properties have direct access to a collector road.
- Development of larger scale C-2 uses may also be considered through the provisions of a development agreement in areas that are not in proximity to the interchanges.
- Kennels near the interchanges through the provisions of a development agreement.
- Rezoning from a residential to a C-4 Zone to lands south of the Old Guysborough Road and east of Highway 118. This is on lands adjacent to the south and east sides of the Nova Scotia Department of Transportation and Infrastructure Renewal's transportation terminal.

The River-lakes Village Centre: Proposed Designation and Zones

The Village Centre Designation is proposed to replace the portions of the Community Centre and Residential designations as illustrated on Attachment 6. Within the River-lakes Village Centre Designation there are five proposed zones as illustrated on Attachment 10 and as outlined below:

- The Canal Court (CC) Zone applies to the lands surrounding the historic Shubenacadie Canal at Fall River Run. It is intended to support the continued development of a pedestrian-oriented, commercial and residential area on the small lot pattern that gives this area its special character. It will permit the development of small scale retail uses, banking, museums and art galleries, restaurants and cafes, low density residential uses, home businesses and day cares (Attachment 7). All future development must be situated close to the street and building footprints are limited to 2000 square feet or 4000 square feet over two floors (Attachment 9).

- The Village Core – Comprehensive Development District (VC-CDD) applies to the Sobeys Shopping Centre Site and supports the continued development of the larger scale commercial through the process of a development agreement. It will permit all the uses permitted in the CC Zone and a wide range of commercial uses such as pubs, wellness centres, garden centres, and clinics. It will also permit all community facility uses such as churches, daycares, schools, libraries, fire stations, etc..
- The Village Mainstreet (VMS) Zone applies to all lands along Fall River Road and along Highway 2 outside of the VC-CDD down toward the interchanges. It is also intended to provide for a pedestrian oriented commercial and residential area but with a wider mix of commercial uses at a medium scale. It permits all of the uses that may be permitted in the VC-CDD Zone but at a much smaller scale, with a maximum building footprint of 4000 square feet or 8000 square feet over two floors. Low density residential uses are also permitted (Attachments 7 and 9).
- The Village Gateway Zone applies to the lands around the interchanges and is intended to create a visually pleasing entryway into the community. It too permits a wide range of land uses as the VC-CDD and VMS zones but also allows the development of hotels and motels. The maximum building footprint within this zone is 10,000 square feet or 20,000 square feet over two floors (Attachments 8 and 9).
- The Fall River Business Zone applies to the light industrial area on Perrin Drive and is designed to allow for the continued development of commercial and light industrial type uses that benefit from being near a highway interchange. It permits industrial type uses such as construction storage yards, transportation terminals, and light manufacturing (Attachments 8 and 9). It also permits a limited range of commercial uses including offices, financial institutions, hotels and motels and building supply outlets. General retail uses however, are not permitted since it is the desire of the community to permit such uses in the other locations of the Village Centre where there is a desire to create a gathering place for commerce, residential living and community facilities.

The River-lakes Village Centre Designation also contains policies to allow for the consideration of discretionary uses through the provisions of a development agreement:

- Within the Canal Court Zone, larger scale uses may be considered along the western and eastern sides of the Shubenacadie Canal if the development contains a proposal to develop an internal courtyard that is comprehensively planned. This is to ensure that an internal system of walkways, cafes, and other outdoor features are planned to create a development that uses this historic waterway as the focal point for its development.
- Multiple unit dwellings and townhouse development, up to a maximum of 3 units per acre, may also be considered subject to the submission of studies to verify availability of sufficient groundwater supply, impact on the transportation network and the receiving waters of the Shubenacadie Lakes.

All future development will be subject to regulations on architectural appearance, lighting and landscaping. Parking is also required to be situated at the side or the rear of all buildings in all zones with the exception of the FRB Zone. A maximum width for all buildings is proposed for

the CC and VMS zones to prevent highway commercial strip development along the roadside and to maintain the rural village atmosphere as desired. In order to minimize the impacts of stormwater runoff, all zones require the retention of a minimum of 50% of the site as pervious surface. The former policy to allow consideration of the application of the C-4 Zone to lands south of the Old Guysborough Road and east of Highway 118, is being changed to allow the consideration of the FRB to this area through rezoning instead of the C-4 Zone.

Residential Areas: Existing MPS Policies

The vast majority of the land outside of the Village Centre within the River-lakes Secondary Plan Area, is designated for low density residential development under the Municipal Planning Strategy for Planning Districts 14 and 17 (Attachment 11). Specifically, the communities of Lakeview, Windsor Junction, Fall River, Miller Lake and Fletchers Lake are designated Residential, the community of Wellington is designated Mixed Resource, and the ridge and lowland area adjacent to the Kinsac River are designated Resource. There are also Community Centre designations around the intersection of Highway 2 and Holland Road, in Fletchers Lake, and around the intersection of Jackson Drive and Burrows Drive with Highway 2 in Wellington, which recognize the gradual transition of these areas to village centres. A small portion of land on Rocky Lake Road is also designated Light Industrial, in Lakeview.

These designations and policies are being retained under the proposed River-lakes Secondary Planning Strategy. This includes the policies to allow consideration of residential development exceeding 8 lots, through the provisions of a development agreement as an Open Space Design Development subject to Policies S-15 or S-16 of the Regional Municipal Planning Strategy. Large scale subdivisions that were under conceptual plan of subdivision approval at the time of the adoption of the Regional Plan are allowed to proceed with the development of a maximum of 25 lots per year (Regional Plan Policy S-28). This includes the subdivisions to the north of Fall River Road for St. Andrews Village and Kinloch Estates.

In addition to the existing policies, the proposed Planning Strategy recognizes the need to provide for the development of townhouses and low-rise multiple-unit dwellings to meet the needs of the aging population and young adults. These housing forms are not currently permitted within Planning Districts 14 and 17 due to past concerns with the malfunctioning of older private sewage treatment system technologies when the Plan was initially adopted in 1989 (Policy P-68). While many of these concerns have been alleviated with the advancement of small scale wastewater management system technologies², there are current environmental and road system constraints which must be addressed within this Secondary Plan Area.

Alternative Housing Developments: Proposed Policies under the Plan

Given the need to allow for alternative housing forms, the River-lakes Secondary Plan will allow consideration of alternative housing developments (low-rise multiple unit dwellings and/or townhouses, single unit dwellings and two unit dwellings) at four specific locations as illustrated on Attachment 12 and as outlined below:

² Options for On-site and Small Scale Wastewater Management, Land Design Engineering Services, Ekistics Planning and Design, John Zuck and Associates and Spatial Metrics Atlantic Engineering Technologies Canada Limited, prepared for Halifax Regional Municipality, March 2005.

- Site A is situated on a site which is adjacent to the north and eastern sides of Sobeyes. It is a 12 acre site for which, up to 4 units, a total of 48 units may be considered. This may be increased to 8 units per acre for a total of 96 units in the future, if central water becomes available to the Village Centre.
- Site B is situated on the south side of Fall River Road in Fall River. It is a 47 acre site for which, up to 4 units per acre, a total of 188 units may be considered.
- Site C is situated at the southern end of Ingram Drive. It is an approximately 30 acre site for which a maximum of 4 residential units per acre may be considered for a total of 120 units. This vast majority of the site is currently zoned I-3 (Light Industrial) with smaller portions of the property zoned R-1b (Suburban Residential) and C-2 (Community Commercial). The entirety of the site is proposed to be rezoned to the proposed Residential Comprehensive Development District to allow consideration of multiple units, townhouses, single unit dwellings, a small scale retail component and a self-storage facility (Attachment 10).
- Site D is situated at the end of Charelswood Drive in Windsor Junction. A 42 acre portion of this larger parcel of land may be considered for a townhouse development up to a maximum density of 2 units per acre. This would potentially yield 84 units on this site in conjunction with the proposed single unit dwellings that are currently under consideration as an Open Space design Development.

All of these developments will be subject to the terms of a development agreement and studies will have to be submitted to verify that there is sufficient water to service development, that the proposed development will not exacerbate existing constraints within the transportation network, and that the proposed developments will not emit any greater amounts of phosphorus from the site than the current development. If any of these studies demonstrate that the proposed density is too high, then the density will have to be lowered to the level that can be supported without adverse impact. The proposed developments will also have to demonstrate that they can be developed without impact on the adjacent single unit dwelling environment, through the use of siting techniques within the natural landscape, transition of building scales, landscaping and preservation of primary and secondary conservation features on the site and compliance with architectural and lighting controls.

Transportation Improvement Policies

The Fall River/Waverley/Wellington Areas Transportation Study was prepared by CBCL for the River-lakes Secondary Planning process. The purpose of the study was to examine traffic conditions on the existing road network and to recommend transportation improvements for current and future potential growth.

The study found that there were a number of locations where traffic was heavily congested during peak traffic periods. Problem areas include the Highway 102/Highway 2/Highway 118 interchange, the Fall River Road/Lockview Road intersection and Fall River Road/Highway 2 intersection. Heavy congestion is also experienced on Lockview Road during arrivals and dismissal periods at the Ash Lee Jefferson School. The Study recommends a number of short-term improvements which are arising from past development in the Fall River Area. These

transportation improvements and will be brought forward to Regional Council during future budget years.

The Study also recommends a number of long-term improvements to alleviate future traffic conditions as future development takes place. These include the need for a new interchange connection with Highway 102, either north or south of the Plan Area and the need for a roundabout to replace the Perrin Drive off-ramp from Highway 118. There is also a long-term need to upgrade the Fall River Road/Highway 2 Intersection and to replace the Fall River Road Bridge with a four lane structure.

Decisions regarding the selection of long-term road improvements are matters for consideration during Phase 2 of the River-lakes Secondary Planning Process. There are however, sufficient controls under the proposed plan to allow Council to assess the impact of future development until Council has had the opportunity to consider the options for growth under Phase 2.

Environmental Protection Polices

The Fall River-Shubenacadie Lakes Watershed Study was prepared by Jacques Whitford Limited, et.al.as background information for the River-lakes Secondary Planning process. The purpose of this Study was to determine the impacts of development on the carrying capacity of the Shubenacadie Lakes. According to the Study, water quality within the Shubenacadie Lakes has declined as a result of development over the past 30 years. One of the key contributors to this decline is an overabundance of phosphorus which is generated by development. The Study recommends an upper limit of 20µg/L of phosphorus for Lake Thomas and Lake Fletcher and an upper limit of 10µg/L of phosphorus for Grand Lake.

In order to maintain the health and resilience of these receiving waters, this Secondary Planning Strategy proposes a no net increase phosphorus export policy for larger scale developments that may be considered through the provisions of a development agreement. The applicant shall be required to submit a study by a qualified person demonstrating that the proposed development will not export any more phosphorus from the site than what may be exported from the site prior to the development taking place. If the amount of phosphorus for a proposed development exceeds the phosphorus budget for the site, then the density of development will have to be reduced. The proposed regulations for the Village Centre Designation are also designed to reduce phosphorus impacts by requiring that a minimum of 50% of the site be maintained as pervious surface. The feasibility of continuing "as-of-right" development in the northern portion of the Secondary Planning Strategy Area that was "grandfathered" under the Regional Plan, should also be reviewed during the Phase II planning process.

BUDGET IMPLICATIONS

Required improvements to transportation infrastructure will be brought forward for Council's consideration as part of future year's Project Budgets.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

Community engagement has been consistent with the intent of the HRM Community Engagement Strategy, the *Halifax Regional Municipality Charter*, and the Public Participation Program approved by Council on September 30, 2008, and as revised on September 20, 2011.

The Fall River Vision Implementation Committee/Community Planning Group held the following events to facilitate public input into the development of the River-lakes Secondary Planning Strategy:

- 3 day-long design charrettes to facilitate the public selection of a preferred development model and design concept for the Village Centre;
- survey at community festival events to determine public preferences for housing;
- 2 day-long series of workshops to present the initial draft plan and to receive feedback on the proposed design and development regulations;
- 4 public meetings to receive feedback on the requests from 5 developers to allow mixed use housing developments in several locations throughout the River-lakes Plan Area and Village Centre;
- special meetings between property owners to develop solutions to anticipated problems arising from proposed housing developments adjacent to low density residential development;
- 42 committee meetings to provide direction to staff on community intent when drafting policies and regulations to meet the vision, goals and objectives for the Secondary Plan.

A formal public hearing will also be required before Halifax Regional Council before these amendments may be adopted.

The proposed secondary plan and land use by-law amendments will potentially impact the following stakeholders: local residents, property owners, community or neighbourhood organizations, business and professional associations, commercial land owners, HRM Real Property Management and HRM Transportation and Public Works, and the Provincial Departments of Transportation and Infrastructure Renewal.

ENVIRONMENTAL IMPLICATIONS

The proposed policies and regulations under the River-lakes Secondary Planning Strategy, establish limits on impervious surfaces and establish requirements to prevent any additional phosphorus loading from sites affected by large scale residential developments. This Plan also seeks to facilitate the development of a mixed-use and vibrant Village Centre which would

enable the provision of services within a convenient location to the surrounding community and reduce the need for future commuting to other centres within the HRM for everyday needs.

HALIFAX WATERSHED ADVISORY BOARD

The proposed River-lakes Planning Strategy and Land Use By-Law amendments were presented to the Halifax Watershed Advisory Board on August 16, 2012. The Board recommended that the proposed planning documents be recommended to Regional Council for approval.

ALTERNATIVES

1. **Community Council may recommend that Regional Council set a date for a public hearing to consider the proposed amendments** to the Municipal Planning Strategy and Land Use By-Law for Planning Districts 14 and 17 to implement the River-lakes Secondary Planning Strategy, as provided in **Attachments 2 and 3** and to the Regional Plan as outlined in **Attachment 4**. This is the recommendation of the Fall River Vision Implementation Committee/Community Planning Group and Staff.
2. **Community Council may direct staff to modify the proposed amendments and recommend that Regional Council set a date for a public hearing for the amended version.** The proposed amendments seek to balance regulations, design scope, public aspiration and economic development opportunities. Any substantive modifications could require additional consultation or analysis which could further delay adoption. The community sees the proposed new rules as a critical milestone for implementing its vision for this strategic location.
3. **Community Council may reject all the proposed amendments** to the Municipal (Secondary) Planning Strategy and Land Use By-Law for Districts 14 and 17 and the Regional Plan. This is not recommended.

ATTACHMENTS

- | | |
|---------------|---|
| Attachment 1: | Initial Terms of Reference for the Fall River/River-lakes Public Participation Resolution and Revised Terms of Reference for the Fall River/River-lakes Public Participation Resolution |
| Attachment 2: | By-law to Amend to the Municipal Planning Strategy for Planning Districts 14 and 17. (A consolidated version of the proposed plan can be viewed on-line at http://www.halifax.ca/visionhrm/FallRiver/) |
| Attachment 3: | By-law to amend the Land Use By-Law for Planning Districts 14 and 17(A consolidated version of the proposed Land Use By-law Amendments can be viewed on-line at http://www.halifax.ca/visionhrm/FallRiver/) |
| Attachment 4: | By-law to Amend to the Halifax Regional Municipality Regional Municipal Planning Strategy. |

- Attachment 5: River-lakes Secondary Planning Strategy Area.
Attachment 6: Land Use Designations – Existing and Proposed within the River-lakes Village Centre Designation
Attachment 7: Comparison of permitted uses under the existing C-2 Zone to the proposed CC, VC-CDD, VMS zones.
Attachment 8: Comparison of permitted uses under the existing C-4 Zone to the proposed VG and FRB zones.
Attachment 9: Comparison of Standards under the Existing C-2 and C-4 zones to the Proposed, CC, VMS, VG and FRB zones
Attachment 10: Proposed Rezoning under the Land Use By-law to implement the River-lakes Secondary Planning Strategy
Attachment 11: Existing land use designations under Planning Districts 14 and 17 to be retained under the proposed River-lakes Secondary Planning Strategy
Attachment 12: Proposed Alternative Housing Sites
-

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Maureen Ryan, Senior Planner 490-4799

Report Approved by: Original Signed
Austin French, Manager, Planning 490-6717

MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes

Secondary Planning Strategy

Attachment 1

**Public Participation Resolution
Fall River Centre MPS Amendment Process
(Adopted by Regional Council Sept 30, 2008)**

1. The Fall River Vision Implementation Committee/Community Planning Group (The Committee) is formed to guide the formation of proposed amendments to the Municipal Planning Strategy and Use By-law for Planning Districts 14 and 17, Regional Municipal Planning Strategy, Halifax Regional Subdivision By-law, and any guidelines (planning documents) to carry out the Fall River Vision and Action Plan for the Fall River Community Centre.
2. The Committee will comprise members of the:
 - Chair of the Community Development Task Group (1 member);
 - Chair of the Economic Development Task Group (1 member);
 - Chair of the Housing Task Group (1 member);
 - Chair of the Transportation Task Group (1 member);
 - Chair of the Open Space Task Group (1 member);
 - Remaining members of the Coordinating Committee of the Vision Implementation Committee;
 - Councillor for Polling District 2 as an ex-officio, non-voting member.
3. The mandate of the Committee is to:
 - a. To provide direction to staff during the course of preparing the Community Design Study and when drafting plan policies are prepared for review;
 - b. Ensure that property owners and interested parties have adequate opportunities to participate and express their opinion;
 - c. Attend all public meetings and workshops;
 - d. Make recommendations to the Marine Drive, Valley and Canal Community Council and Regional Council regarding any policy and regulatory amendments proposed for the Fall River Centre; and
 - e. Confer with the Halifax Watershed Advisory Board and Regional Planning Advisory Committee.
4. The Committee may host any number of workshops, open houses or public meetings it deems necessary to facilitate public input into the formation of the plan.
5. The Committee will bring forward a recommended set of policies and regulations to the to the Marine Drive, Valley and Canal Community Council and Regional Council for review and approval.
6. The Marine Drive, Valley and Canal Community Council will review the planning documents recommended by the Committee and either provide feedback to the Committee for suggested revision or recommend the planning documents to Regional Council for public hearing.

7. Regional Council is the approving body of the planning documents pursuant to the provisions of the Municipal Government Act.
8. All meetings shall be open to the public.

**(REVISED) Public Participation Program for the
Fall River Centre MPS Amendment Process
(Adopted by Regional Council Sept 20, 2011)**

1. The Fall River Vision Implementation Committee/Community Planning Group (The Committee) is formed to guide the formation of proposed amendments to the Municipal Planning Strategy and Use By-law for Planning Districts 14 and 17, Regional Municipal Planning Strategy, Halifax Regional Subdivision By-law, and any guidelines (planning documents) to carry out the Fall River Vision and Action Plan for the Fall River Community Centre.
2. The Committee will comprise all members of the Fall River Vision Implementation Committee and the Councillor for Polling District 2 as an ex-officio, non-voting member.
3. The mandate of the Committee is to:
 - a. To provide input to staff during the course of preparing the Community Design Study and when drafting plan policies are prepared for review;
 - b. Ensure that property owners and interested parties have adequate opportunities to participate and express their opinion;
 - c. Attend all public meetings and workshops;
 - d. Make recommendations to the Marine Drive, Valley and Canal Community Council and Regional Council regarding any policy and regulatory amendments proposed for the Fall River Centre; and
 - e. Confer with the Halifax Watershed Advisory Board and Regional Planning Advisory Committee.
4. The Committee may host any number of workshops, open houses or public meetings it deems necessary to facilitate public input into the formation of the plan.
5. The Committee will bring forward a recommended set of policies and regulations to the Marine Drive, Valley and Canal Community Council and Regional Council for review and approval.
6. The Marine Drive, Valley and Canal Community Council will review the planning documents recommended by the Committee and either provide feedback to the Committee for suggested revision or recommend the planning documents to Regional Council for public hearing.
7. Regional Council is the approving body of the planning documents pursuant to the provisions of the Municipal Government Act.
8. All meetings shall be open to the public.

**MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes
Secondary Planning Strategy**

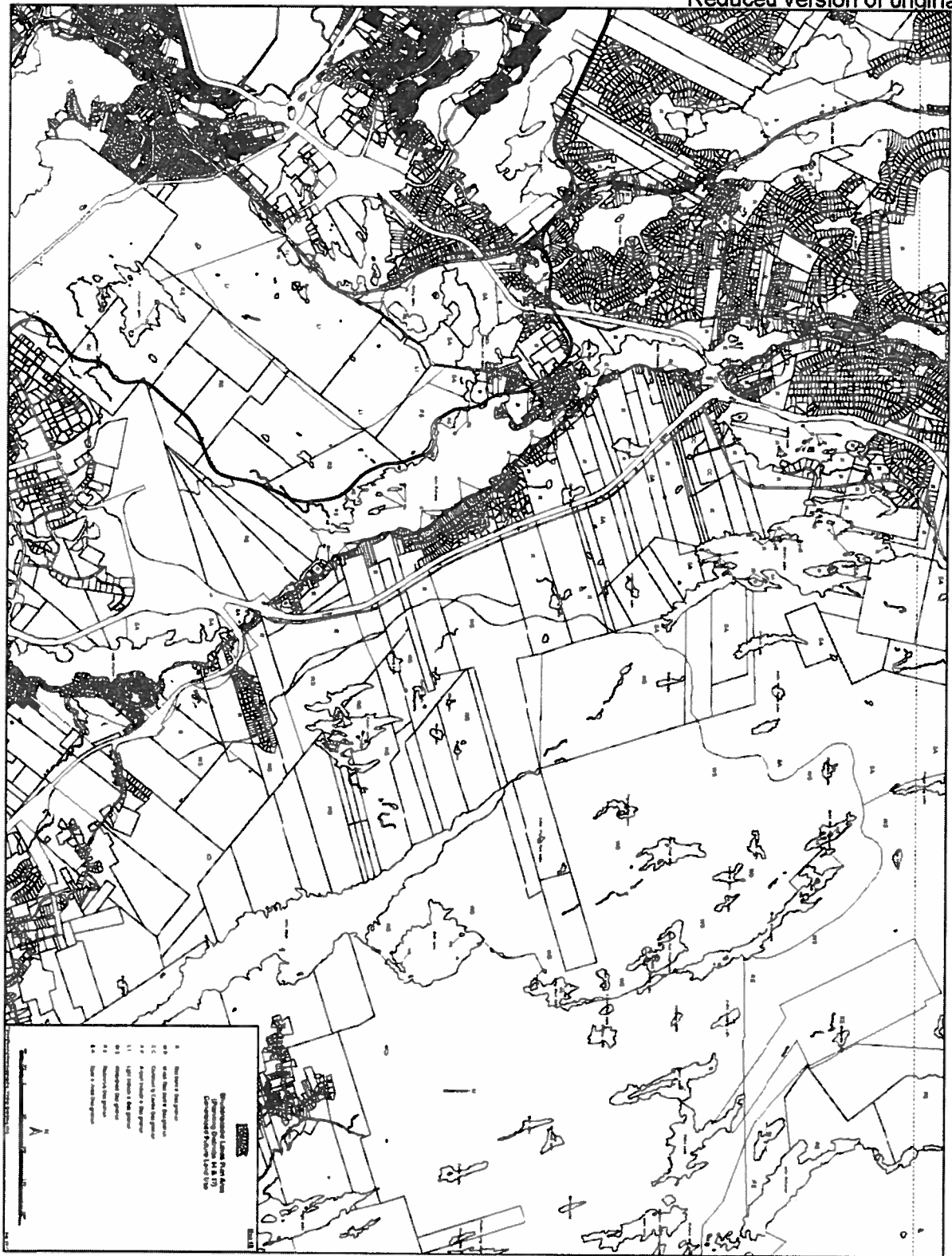
Attachment 2

HALIFAX REGIONAL MUNICIPALITY

**AMENDMENTS TO THE
MUNICIPAL PLANNING STRATEGY FOR PLANNING DISTRICTS 14&17**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning Districts 14&17 is hereby amended as follows:

1. Replace Generalized Future Land Use Map 1 with Generalized Future Land Use Maps 1A and 1B as illustrated below:



2. Replace all references to "Generalized Future Land Use Map (Map 1)" with "**Generalized Future Land use Maps 1A and 1B**" throughout the Municipal Planning Strategy for Planning Districts 14 and 17.
3. Replace all references to "Generalized Future Land Use Map (Map #1)" with "**Generalized Future Land use Maps 1A and 1B**" throughout the Municipal Planning Strategy for Planning Districts 14 and 17.
4. Insert the words "**River-lakes Secondary Planning Strategy**" below the words "Watershed Designation" in the Table of Contents.
5. Replace the words "and opened in 1861" with the words and number "**in 1853**" after the word "finished" in line 7 of paragraph 2 under the Section "COMMUNITY PROFILE".
6. Insert the following after Policy P-4(a):

P-4(b) Notwithstanding Policy P-4(a), lands shown on Schedule L of the Land Use By-law, may be serviced with an on-site septic system.

7. In the Community Centre Designation paragraph of the LAND USE INTENT Section, replace the word "communities" with the word "**community**" and strike out the words "and Fall River" after the word Waverley in line 2.
8. Insert the following at the end of the LAND USE INTENT Section after the paragraph pertaining to the "Watershed Designation":

The River-lakes Village Centre Designation applies to the lands extending from Roland Road on the Fall River Road down to Highway 2 and encompasses the lands around the intersection of Highway 2 and Fall River Road. It extends south along Highway 2 and Waverley Road down to the area around the Vegitorium. The River-lakes Village Center is a designation under the River-lakes Secondary Planning Strategy which is intended to maintain the rural village atmosphere and rural character of the area by fostering the development of this Centre to which residents and visitors are attracted. The River-lakes Village Centre Designation is designed to support the development of a mix of small scale commercial and residential development in a manner that maintains the rural character of the area through good site design, controls on the exterior appearance of buildings and the natural environment.

9. At the end of paragraph 2, after Policy P-67, insert the words "**except in those portions of the River-lakes Secondary Planning Strategy Area as identified under Policies RL-11, RL-12, RL-13, RL-14 and RL-15**", before the period at the end of the sentence "New multiple unit dwellings will not, therefore, be permitted in the Plan Area."

10. Delete the words **“and Fall River”** after the word “Waverley” in line 4 of paragraph 1 of the COMMUNITY CENTRE DESIGNATION Section.
11. Delete the words **“and Fall River”** after the word “Waverley” in line 3 of paragraph 2 of the COMMUNITY CENTRE DESIGNATION Section.
12. Delete paragraph 3 from the COMMUNITY CENTRE DESIGNATION Section and replace it with the following:

“The construction of the highway system through the Plan Area has also provided distinct opportunities for commercial uses serving both the travelling public and a more regional market. There are two major intersections where the highway system provides this opportunity. One is at the intersection of Highway 318 (Waverley Road) and Highway 2 (Rocky Lake Road) in Waverley. The other is in Enfield where Highways #102 and #2 intersect.” The Community Centre Designation also applies to areas along Highway 2 where village centres have been emerging in Fletchers Lake, Wellington and Grand Lake. A small portion of the Community Centre Designation also applies to the western side of the Highway 118 off-ramp, south of Perrin Drive.”

13. Replace the phrase “interchanges with Highways 102 and 118” at the end of Policy P-96 with the phrase **“Exit 15 Interchange with Highway 102, at Enfield”**
14. Replace the phrase “pre-zoned for highway commercial use in the vicinity of the Guysborough Road and the exits from Highway 118.” with the following in the pre-ample to Policy P-101:

“Zoned Fall River Business in the vicinity of the Guysborough Road.”

15. Insert the words **“Fall River Business Zone”** after the word “zoned” in the last line of the pre-ample to Policy P-101.
16. Replace the words “highway commercial uses” with the words **“uses permitted in the Fall River Business Zone”** in lines 3 and 4 of Policy P-101.
17. Replace the words “highway commercial zoning” with the words **“Fall River Business Zone”** in clause (b) of Policy P-101.
18. Replace the words “highway commercial uses” with the words **“uses permitted in the Fall River Business Zone”** in clause (ii) of Section (c) of Policy P-153.
19. Insert the following clauses after clause (viii) of Section (b) of Policy P-154:

- (ix) Low scale multiple unit dwellings, townhouses, single unit dwellings or two unit dwellings up to 4 units per acre on Site B shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-13.
- (x) Low scale multiple unit dwellings, townhouses, single or two unit dwellings up to 4 units per acre or local commercial use and self-storage facility in conjunction with the housing component, within the RCDD Residential Comprehensive Development District Zone, according to Policy RL-14.
- (xi) Townhouses up to a maximum density of 2 units per acre on Site D shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-15.

20. Insert the following after clause (ii) of Section (g) of Policy P-154:

(h) within the River-lakes Village Centre Designation:

- (i) Larger scale mixed commercial and residential development may be considered, within the River-lakes Village Centre Designation, over the portion of the lands shown on Schedule H of the Land Use By-law, according to Policy RL-4.
- (ii) Large commercial and medium density residential uses, within the Village Core Comprehensive Development District Zone, according to Policy RL-5.
- (iii) Low scale multiple unit dwellings up to 3 units per acre, with or without a ground floor commercial component, townhouses, single or two unit dwellings within areas zoned Village Mainstreet, according to Policy RL-11.
- (iv) Low scale multiple unit dwellings and townhouses up to 4 units per acre where no central water service are provided, and up to 8 units per acre when central water services are provided, on Site A shown on Map RL-3, according to Policies RL-12.

21. Insert the River-lakes Secondary Planning Strategy after “INTERIM GROWTH MANAGEMENT”:

RIVER-LAKES SECONDARY PLANNING STRATEGY

Background

The HRM Regional Municipal Planning Strategy (Regional Plan) designates the Fall River area as a Rural Commuter Centre. This Centre, now termed the River-lakes Secondary Planning Strategy, is a place where the Regional Plan intends to support the growth of low density development in the future through the provision of express bus transit and central water.

Under the direction of the Regional Plan, HRM undertook a Visioning Process in partnership with local residents, to envision how this Centre should grow over the next

20 - 25 years. The Vision and Action Plan that was developed under this initiative contains goals and action plans pertaining to housing, senior citizen housing, commercial development, community development, infrastructure, social development, sports and recreation, parks and public lands, active transportation and transit. It was adopted by Regional Council in-principle, in 2007, and formed the basis for the creation of the River-lakes Secondary Planning Strategy.

The purpose of this Secondary Planning Strategy is to provide guidance for future growth and development for the River-lakes Secondary Planning Strategy Area. The secondary planning process is taking place in two phases. In Phase I, the process focused on the development of detailed regulations to achieve desired community form and architectural detailing in the Village Centre. A system of open space and trails will also be brought forward under this phase of the Plan for the River-lakes Secondary Planning Strategy Area and connected areas around it, to form part of the urban structure for Phase II. An Environmental Protection Policy has also been developed to regulate the amount of housing development which may occur in the southern portions of the Plan Area without further impacting the water quality of the Shubenacadie Lakes.

In Phase II, options for future growth throughout the remainder of River-lakes Secondary Planning Strategy Area will be brought forward to Regional Council and the community. The allocation of this future growth will be considered on the basis of the findings of the Shubenacadie Lakes Watershed Study and Fall River/Waverly/Wellington Transportation Study. With a selected option for future growth by Council in Phase II, the options for future transportation improvements, as recommended under the Transportation Study, and the options for future municipal water service provision, as recommended under the Shubenacadie Lakes Watershed Study, will be considered for implementation.

River-lakes Secondary Plan

The River-lakes Secondary Planning Strategy Area extends north to the beginning of Wellington, west to Windsor Junction, south to Lakeview, and east to Miller Lake as shown on Map RL-1. It includes the communities of Fall River, Fletchers Lake, and southern portion of Wellington, Windsor Junction, Lake View and a portion of Miller Lake.

At the heart of the Secondary Planning Strategy Area, is the River-lakes Village Centre Designation which is a meeting place for people from the surrounding area and visitors. The River-lakes Village Centre Designation extends from the intersection of Roland Road and Fall River Road to the north-west, the Sobeys Shopping Centre Plaza to the north, Lake Thomas to the west and the NS Transportation and Infrastructure Renewal

Depot and area around the 102 and 118 interchanges to the south, as shown on Map RL-1.

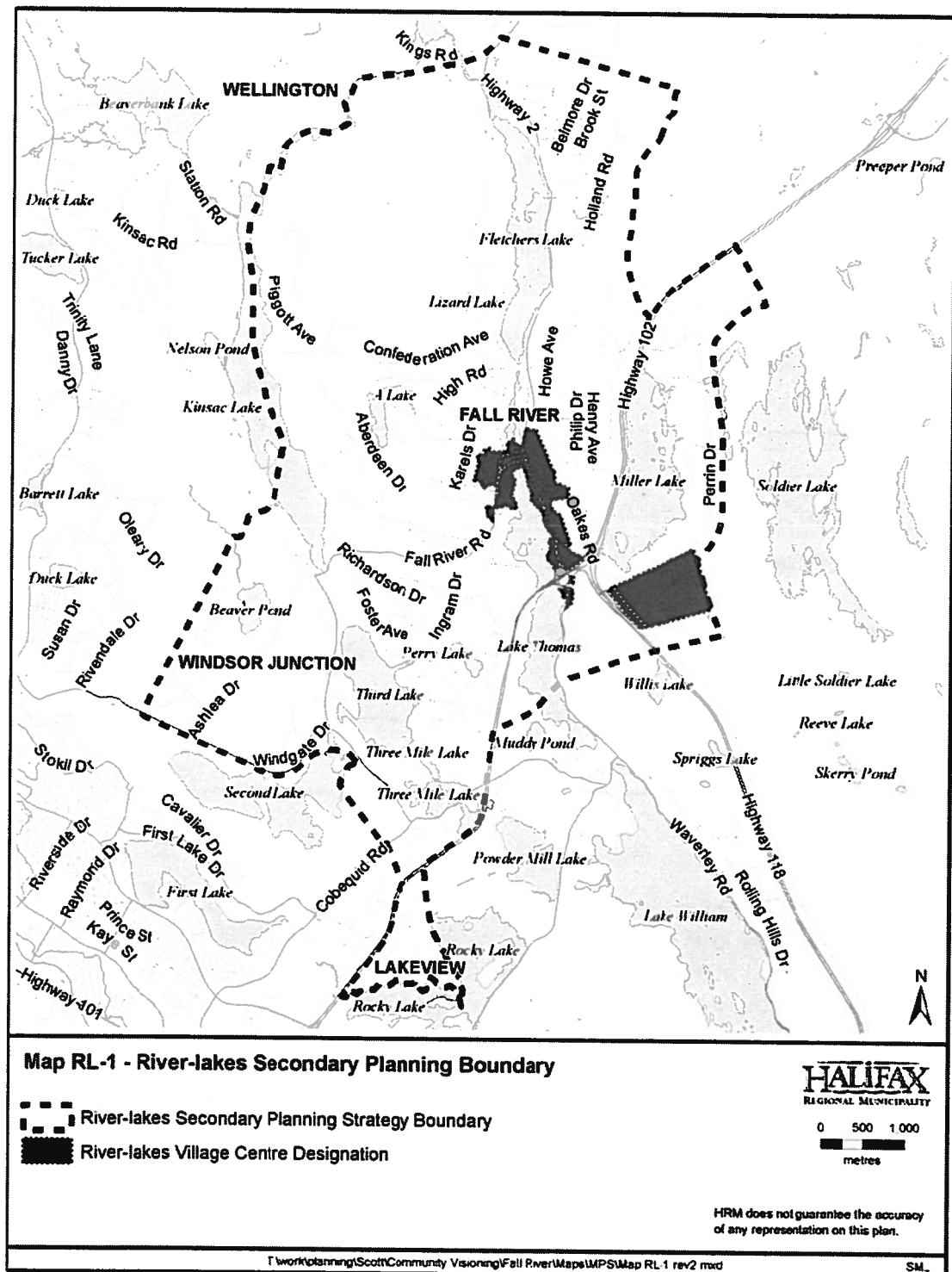
Plan Area Profile

As of the latest census - December 2011 - there were a total of 11,526 people living in the River-lakes Secondary Planning Strategy Area (Table 1). A substantial portion of the population (29.0%) consists of children which has implications on the need for schools. A substantial portion of the population were also seniors (8.6%) or young adults (8.0%) who require alternative housing forms (apartments/multiple-unit dwellings, townhouses, auxiliary dwelling units) to the existing housing stock that largely comprises single unit dwellings.

TABLE 1
AGE DISTRIBUTION 1996-2006

Age Group	1996 Census		2001 Census		2006 Census		2011 Census	
	#	%	#	%	#	%	#	%
0-19	2592	32.1	2895	31.8	3046	29.7	3349	29.0
20-29	849	10.5	877	9.6	839	8.2	929	8.0
30-64	4182	51.8	4916	54.0	5619	54.8	6271	54.4
65+	421	5.2	559	6.1	723	7.1	990	8.6
Total	8071		9011		10251		11526	

Source: Nova Scotia Community Counts web page - data modelled from Statistics Canada, Census of Population, 1991, 1996, 2001, 2006, 2011.



In terms of housing, there were a total 3,492 dwelling units within the River-lakes Secondary Planning Strategy Area. As previously mentioned, the vast majority of these units consisted of low density single unit dwellings (91.3%) with a smaller percentage of the housing stock being semi detached (4.2%), apartments (2.7%), and mobiles (2.0%), as shown in Table 2 below.

**TABLE 2
DWELLING UNITS BY TYPE**

Dwelling Type	1996 Census		2001 Census		% Change 1996- 2001	2006 Census		% Change 2001-2006
	#	%	#	%		#	%	
Single Detached Houses	2,355	90	2,678	89.2	13.7	3,189	91.3	19.1
Semi-Detached/Row/ Duplex	185	7.1	188	6.3	1.6	148	4.2	-21.3
Apartments	65	2.5	108	3.6	66.2	95	2.7	-12.0
Movable Dwellings	10	0.4	50	1.7	400.0	71	2	42.0
Total Occupied Dwellings	2,616		3,001			3,492		

The Vision

The Vision for the River-lakes Secondary Planning Strategy is to maintain the rural village atmosphere and rural character of the area. At the core of this vision is the desire to create an attractive village centre to service the surrounding neighbourhoods and to preserve the rural character of the Plan Area. The rural character of this area is expressed in the low density development from of the neighbourhoods and positioning of the River-lakes Village Centre amidst the chain of lakes, forest covered hillsides, winding trunk highways and numerous cultural and natural features that give rise to the rural landscape.

One of the most important natural assets throughout the Plan Area is the lakes. On the eastern side of the Plan Area, is Lake Thomas and Fletchers Lake and on the western side of the Plan Area is Kinsac Lake which forms part of the Shubenacadie Lakes System. It is the desire of the community to protect the relatively pristine nature of this lake system and controls will be established to limit the amount of phosphorus and pollutants entering the lakes through the retention of pervious surfaces, retention of

natural vegetation on steep slopes, provision of landscaping, regulation on the amount and scale of development and management of stormwater. Consideration shall also be given to the establishment of a Wastewater Management District during Phase II of the Planning Process to provide for the collective management of wastewater management systems in this Plan Area as intended by the Regional Plan.

The continued development of the River-lakes Village Centre Designation as a central core and meeting place for the Plan Area is of pivotal importance to this Secondary Plan. One extremely important cultural feature, within this area, is the historic Shubenacadie Canal. This waterway formed an important transportation route from Halifax Harbour to the Bay of Fundy for the Mi'kmaq dating back almost 4,000 years according to archaeological records at the Museum of Natural History.¹ The banks of Fall River Run and the remainder of the route have been identified as an area of high cultural significance under the Regional Plan and as an area worthy of the preservation of its discovered and undiscovered cultural assets.

In 1826, the Shubenacadie Canal Company began the construction of a system of 17 stone locks along the Shubenacadie waterway to allow the passage from Halifax Harbour to the Bay of Fundy. During the early years, the Canal was constructed by Scottish Masons in the British Style (meticulous detail, importation of building materials, dry stone mounting). The Canal Company went bankrupt in 1831 and the project was redesigned in the American Style (fewer blocks, reliance on local materials and use of incline planes) and finished by the Inland Navigation Company in 1853. The Canal was used for the early transport of lumber, bricks, pottery and iron from Halifax Harbour to the Bay of Fundy for approximately 15 years. It was replaced by the railway in 1870 and to date represents one of the most significant cultural expressions of an inland waterway.

The Shubenacadie Canal Commission was formed to preserve and aid in the restoration of this historic waterway. It is the desire of the residents of the area to support and where possible facilitate the efforts of the Shubenacadie Canal Commission to restore the significant parts of the Shubenacadie Canal situated in this Plan Area. Specifically, the residents wish to encourage the growth of a mixed-use development around Fall River Run to celebrate its historic and cultural value. It is also the desire of the community to see the continued restoration of Lock 4 at the end of High Road and the development of a trail and portaging system along this waterway route.²

Other cultural assets, throughout the Secondary Planning Strategy Area include the old farm fields, the hillside views of the lakes, the winding highway, the old Coach Road/Blue Hill Road, the few remaining buildings that have historical and cultural value

1 Archaeology in Nova Scotia: The Shubenacadie Canal. Museum of Natural History, Government of Nova Scotia. <http://museum.gov.ns.ca/arch/sites/shubie/shubie.htm>

2 Archaeology in Nova Scotia: The Shubenacadie Canal. Museum of Natural History, Government of Nova Scotia. <http://museum.gov.ns.ca/arch/sites/shubie/shubie.htm>

such as the old Carr Farmhouse, and the fine examples of period architecture such as the Inn-on-the-lake. It is the desire of the community to build upon these cultural assets by requiring that they become an organizing feature of future development through design. It is also the desire of the residents to foster the development of an interconnected system of parks, trails and open space around the waterways and road systems throughout the Plan Area as illustrated on Map RL-4.

River-lakes Secondary Planning Strategy **Vision**

The Vision of the River-lakes Secondary Planning Strategy is to retain the rural village atmosphere and rural character of the area by fostering the:



- (a) development of the River-lakes Village Centre Designation as a place to which residents and visitors are attracted and become recognized as the centre of the River-lakes communities;**
- (b) retention of the natural environment through the protection of the lakes, tree-covered hillsides, and environmentally sensitive areas that are of high value for groundwater recharge or are ecologically fragile and sensitive to disturbance;**
- (c) creation of an interconnected system of open space that facilitates pedestrian movement throughout the Plan Area as illustrated on Maps RL-4 and RL-5;**
- (d) preservation of the cultural and historical assets of the area, especially the Shubenacadie Canal and its historical and cultural importance as a transportation route to the Mi'kmaq and early North American settlers; and**
- (e) implementation of improvements to the transportation infrastructure and the provision of central water to areas that are in keeping with the growth management objectives of the Regional Plan as determined through the Phase II Secondary Planning Process.**

The Policies

- RL-1 The River-lakes Secondary Plan, as graphically illustrated on Map RL-1 and as outlined on the Generalized Land Use Maps 1A and 1B of the Municipal Planning Strategy for Planning Districts 14 and 17 for official reference, shall form the framework to guide the provision of services and future development that is in keeping with the desire of the community to maintain the rural village atmosphere and rural character of the River-lakes Communities. This Plan shall include the establishment of a River-lakes River-lakes Village Centre Designation to achieve the Vision for creating a gathering place for the surrounding communities. This Plan shall also**

contain policies to foster the development of an open space and trails network, regulate the future development of low-rise multiple-unit dwellings and townhouses on a few opportunity sites, and implement policies for the protection of the lakes throughout the River-lakes Secondary Planning Strategy Area. All other policies for land use development and service provision under the Municipal Planning Strategy and Land Use By-law for Planning Districts 14 and 17 shall continue to apply to this Secondary Planning Strategy Area unless altered or replaced by the following policies within this Secondary Plan. Future transportation, environment and residential development policies shall be created under the Phase II process for application to this Secondary Planning Strategy Area.

Phase 1 - The River-lakes Village Centre Designation – Design Concept

Within the River-lakes Secondary Planning Strategy Area, the River-lakes Village Centre Designation is situated along the eastern side of Lake Thomas and along Fletchers Run. It forms the historic heart of the River-lakes communities which settled around the banks of the Shubenacadie Canal System, after it was constructed. It provides retail, medical, personal service and recreation service opportunities to the surrounding communities. It is also home to approximately sixty households that have settled throughout the Village overtime.

The Plan envisions that the River-lakes Village Centre Designation will become an attractive and vibrant place, drawing people from the surrounding area for shopping, recreation, entertainment and service.

A park and ride facility has been developed at the Highway 118 Interchange, to facilitate access to an express bus service from all communities throughout the Plan Area and surrounding communities, to downtown Dartmouth and Halifax. It is also desirable to have a transit stop within the Village Core of the River-lakes Village Centre Designation to facilitate pedestrian and vehicular access to the bus from this location.

All of the areas within the River-lakes Village Centre Designation should have a mix of commercial and low to medium³ density residential uses with buildings that are close to or at the street or setback from the street in certain areas with foreground landscaping. The Plan also envisions that parking should be located to the side or the rear of buildings with foreground landscaping to create an attractive street scape and add value to the abundance of mature climax trees that are found throughout the remnant Acadian Forest in this portion of the HRM. Landscaping should also be incorporated throughout larger parking lots to define major vehicle and pedestrian routes, provide shade, break-up the expanse of paved areas, and minimize stormwater flows. A good example of

³ Please note that medium density in the context of Fall River means a maximum density of 3 - 4 units per gross acre within the River-lakes Village Centre Designation. While this density may be regarded as a low density parameter in a suburban area that is serviced with municipal water and sewer, it is considered medium density within the low rural density context of Fall River.

desirable parking lot design is at the Gordon R. Snow Centre on Fall River Road. The retention of pervious surfaces and tree covered hillsides are also desirable features, along with the application of best management practices, to reduce the impacts of erosion and sedimentation and stormwater runoff on the lakes.

Buildings within the River-lakes Village Centre Designation should be compatible with the traditional built form which is predominantly small-scale buildings, with narrow coarse siding, vertical windows and pitched roofs of gabled, gambrel styles with wide overhanging eaves and in some cases mansard styled roofs. Buildings throughout the Village should be compatible with these elements and have desirable architectural features that are reflective of the rural character in the area to enhance the pedestrian experience.

Although big box retail stores and strip malls are not in keeping with the vision for the River-lakes Village Centre Designation, there is a local shopping centre with big box store anchors situated in the Village Core at the Sobeys Shopping Centre. Future redevelopment of this shopping centre must incorporate architectural elements that all other River-lakes Village Centre Designation buildings will be required to incorporate, in order to break up the scale and mass and to make them more compatible with the desired rural village form. Allowances will also be made to provide for the future development of slightly larger scale buildings at prominent sites throughout the River-lakes Village Centre Designation where opportunities are present to create a focal point for development provided that it is in keeping with a scale of development that is compatible with the desired rural village form. Signage will also be controlled to prevent the appearance of a cluttered highway commercial strip through the land use by-law. There is also a desire to see the future provision of street furniture and lanterns to create a well coordinated appearance along the streetscape and to enhance the pedestrian experience in the public realm. These actions should be facilitated through the formation of a Business Improvement District.

A variety of housing types should be permitted in the River-lakes Secondary Planning Strategy Area and the River-lakes Village Centre Designation to provide for the needs of all residents throughout the area. In particular, a senior citizen housing complex that provides housing for graduated levels of assisted living should be developed in the River-lakes Village Centre Designation and on selected sites within the River-lakes Secondary Planning Strategy Area to enable residents to remain within their community throughout all stages of their life. Multiple-unit housing in the form of townhouses and low rise apartments is also desirable at selected sites within the Secondary Planning Strategy Area and within the River-lakes Village Centre Designation to provide for the needs of residents. Auxiliary dwellings units are also a desirable form of housing throughout the residential areas to offset the cost of housing and to provide access to more affordable forms of housing accommodation. However, given the groundwater constraints throughout the Plan Area and the impact that development may have on

surface waters, auxiliary dwellings units have to be developed on larger lots (double the required minimum lot area).

In keeping with one of the Vision for the River-lakes Secondary Plan, to create a vibrant and visually attractive River-lakes Village Centre Designation where residents can live, shop, socially interact and engage in community events, this Plan will foster the future:

- (a) development of a mixed commercial and residential development in the River-lakes Village Centre Designation with an attractive street scape through the location of parking at the side or rear of buildings and the incorporation of landscaping to enhance the pedestrian experience;
- (b) development of built form where buildings are situated close to or at the street to create a sense of enclosure to enhance the pedestrian experience or setback from the street with the provision of foreground landscaping to create an attractive appearance to the development from the street;
- (c) development of buildings that contain architectural elements that are reflective of the rural character of the area through controls on the scale, mass, window fenestration, rhythm, rooflines, height, width, trim, exterior materials and forms of entry;
- (d) redevelopment of existing strip malls and big box retail stores in a manner that is more compatible with other built forms in the River-lakes Village Centre Designation through the incorporation of architectural elements that add rural character and reduce the appearance of their large scale and mass;
- (e) development of a safe and functional road, transit and active transportation system that enhances traffic flow and internal circulation while maintaining high levels of safety between vehicles, cyclists and pedestrians;
- (f) Retention of natural features, and in particular pervious surfaces and the retention of vegetative cover on steeply sided hills, that add aesthetic value to the River-lakes Village Centre Designation and protect the lakes from adverse impacts;
- (g) Development that reduces light pollution throughout the River-lakes Village Centre Designation and the River-lakes Secondary Planning Strategy Area through controls on lighting;
- (h) Development that minimizes impact on the receiving waters of the Shubenacadie Lakes; and
- (i) Development of a variety of housing types that provide for a wide range of demographic needs and people with varying incomes.

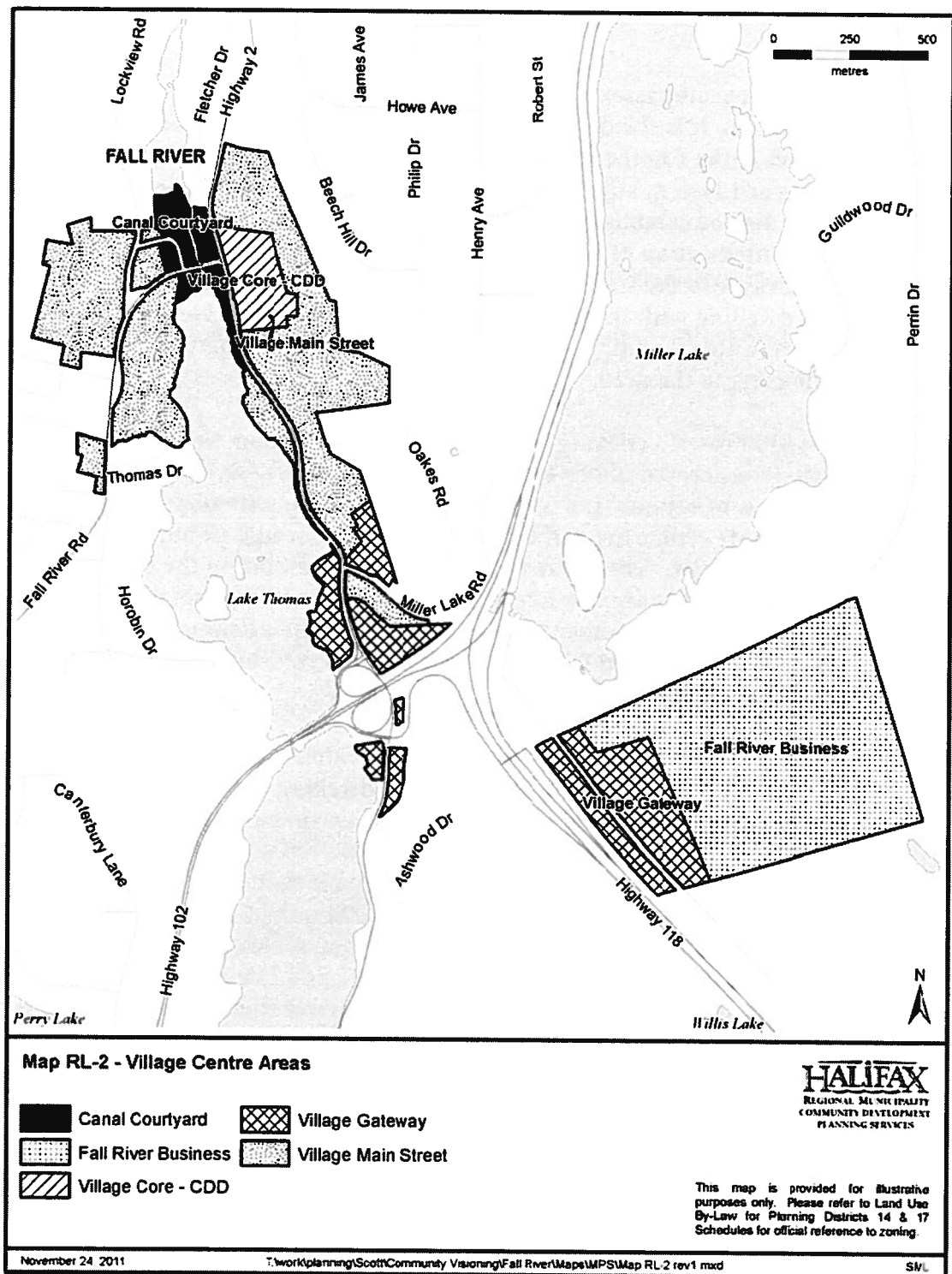
River-lakes Village Centre Designation Policies

The River-lakes Village Centre Designation is defined by five distinct areas as shown on Map RL-2. Each of these areas have characteristics that make them ideal candidates for

the creation of enclaves within the Centre through variation in the regulation of building form and setback of development from the street. Although slightly different from one another, all of these areas should be unified through the regulation of the external appearance of structures (architecture), landscaping and the future development of a system of sidewalks, trails and street trees and street furniture. In order to maintain a comfortable pedestrian realm and pedestrian interest, development within these zones shall be of an appropriate scale and mass to blend into the streetscape and natural features of the area.

RL-2 The River-lakes Village Centre Designation, as graphically illustrated on Map RL-1 and as outlined on the Generalized Land Use Maps 1A and 1B of the Municipal Planning Strategy for Planning Districts 14 and 17 for official reference, shall form the framework for policies to guide future development within this area.⁴ The primary intent of this Designation is to facilitate the future development of a vibrant and attractive place where residents can live, meet, shop and be entertained in a small-scale, well designed Village Centre Designation that reflects the rural character of the surrounding area. Five zones shall be applied to the various areas throughout the River-lakes Village Centre Designation under the schedules of the Land Use By-law to facilitate the development of distinct areas around a focal point or character building element as a central organizing theme. All these zones shall contain regulations to facilitate the development of a small-scale, low environmental impact, mixed-use built form that is in keeping with the desire to maintain the rural village centre atmosphere and carry out the water quality objectives for the receiving waters of the Shubenacadie Lakes.

⁴ Please note that the area shown on Map 1 – Generalized Future Land Use Map of the Municipal Planning Strategy for Planning Districts 14 and 17 forms the official mapping for this Secondary Planning Strategy and where any questions arise regarding the application of designations to any given area, the Generalized Future Land Use Map takes precedence over all other mapping in this Secondary Plan.



Canal Court

The Canal Court encompasses Fall River Run which is situated between Lake Thomas and Fletchers Lake. It is the desire of the community to create a pedestrian-oriented area in this part of the Centre with small-scale buildings lining the streets and an internal court yard system adjacent to this historic part of the Shubenacadie Canal. Provisions will also be established to allow for the development of a slightly larger building at the intersection of Fall River Road and McPherson Road to serve as a focal point and gateway into the Canal Courtyard area. The expansion of an existing multiple-unit dwelling with the incorporation of a ground floor commercial component, at 19 MacPherson Road, shall also be permitted given the opportunities to provide alternative housing to the area.

- RL-3 Within the River-lakes Village Centre Designation, the Canal Court Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to support the transition of the area to a small-scale, mixed-use, walkable centre around the historic Shubenacadie Canal as a focal point for development. This Zone is also intended to maintain the traditional small lot pattern in this area by keeping the scale of buildings small to ensure that all features of development can be situated on the existing lot fabric without triggering the need for lot consolidations. Provisions will be established under the Land Use By-law to:**
- (a) allow the development of small-scale commercial, single and two unit dwellings, an existing multiple-unit dwelling and its limited expansion, home business, bed and breakfast, open space uses and museums as an educational institution;**
 - (b) allow the existing uses to be permitted if they were constructed prior to the effective date of this Secondary Planning Strategy;**
 - (c) allow the development of slightly larger-scale commercial development on sites shown on Schedules F and G of Land Use By-law, situated at the corner of Fall River Road and McPherson Road, to create a prominent entry site into the Canal Court area;**
 - (d) require minimal setbacks from the roadway to facilitate the future development of an internal courtyard in the rear yards adjacent to the Shubenacadie Canal and to create a sense of enclosure along the street; and**
 - (e) require limitations on gross floor space, building footprint, minimum and maximum height and minimum width to maintain a small-scale appearance, create a sense of enclosure and rhythm, maintain the fine grain lot pattern, and maximize the amount of pervious surface over the site to minimize adverse impacts on receiving waters.**

RL-4

In order to encourage the comprehensive development of a pedestrian-oriented mixed commercial –residential development that has an internally connected courtyard along the east and west sides of the Shubenacadie Canal, HRM shall consider larger scale buildings on lands shown on Schedule H of the Land Use By-law, through the provisions of a development agreement. The Zone will permit commercial, residential and open space uses. Given the extent of the area and the number of property owners involved, HRM may allow the application of a separate development agreement for Blocks A, B, or C shown on Schedule H. In considering such an agreement, Council shall have regard to the following:

Built Form, Architecture and Use

- (a) that the style of the buildings are in a townhouse form or two-three story traditional village shops with architectural detailing that is in general conformity with the architectural design requirements under the Land Use By-law; ;**
- (b) that the siting, massing, and façade design of buildings shall be coordinated on a block-by-block basis;**
- (c) that the elevation of all buildings within the block shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;**
- (d) that the massing and built form of townhouse units adjacent to single-detached and semi-detached dwellings shall be broken down with architectural elements to promote visual integration;**
- (e) that the first floor of all buildings are retained for commercial or institutional uses;**

Site Development Criteria

- (f) that an internal courtyard system of interconnected trails and pathways, outdoor cafes and outdoor shopping areas is planned for the rear yards of the properties adjacent to the Shubenacadie Canal;**
- (g) that there is limited trail development allowed throughout the Riparian Buffer to the extent that it does not reduce the function of the buffer for preventing impacts on the Shubenacadie Canal;**
- (h) that a minimum of 25% of the entire development retains a combination of natural vegetation and combination of natural and structured landscaping to create an attractive relationship between buildings, rear and side yards, and the Riparian Buffers along the Canal;**
- (i) that lighting is designed to prevent light pollution and to give a coordinated and unified appearance between the buildings and the site**

- with oriented luminaries and is automatically timed to reduce illumination during non-business hours;
- (j) that parking is not provided in the front-yard of any property within the development;

Site Impact Controls/Assessments

- (k) that there is no adverse impact of development on any archaeological features in any areas identified on Schedule C of the Land Use By-law as determined by the Nova Scotia Department of Communities, Culture and Heritage;
- (l) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and
- (m) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

Village Core

The Village Core Comprehensive Development District applies to the Sobeys Shopping Centre site, at the intersection of Highway 2 and Fall River. This is the Village Core which is intended to function as the focal point for business and community gathering. This site is a destination place for residents from throughout the River-lakes Secondary Planning Strategy Area and is a focal point within the River-lakes Village Centre Designation that features prominently from the top of the hill on Fall River Road. It is also situated on an environmentally sensitive site that is underlain with pyretic slate and surrounded by steeply sided slopes with fine grained soil that can adversely impact the Shubenacadie Lakes.

It is anticipated that larger scale development will continue to form the premise for business in the Village Core Comprehensive District Development Zone and that parking will be situated in front of the buildings. Future renovations or redevelopment of this site requiring an amendment to the existing development agreement, shall comply with the requirements to reduce the mass and scale of buildings and to soften the appearance of front yard parking through architectural and landscape design. Appropriate environmental controls shall also be required to prevent adverse impacts on the Shubenacadie Lakes and to maintain the water quality objectives set out under this Plan. Lighting and signage shall also be controlled to prevent light pollution and create an aesthetically pleasing development in relation to the streetscape.

- RL-5** Within the River-lakes Village Centre Designation, the Village Core Comprehensive Development District Zone shall be created under the schedules of Land Use By-law to permit the development of large commercial

and medium density residential uses. The intent of this Zone is to facilitate the concentration of the higher-intensity commercial activity in this location to act as a focal point for community gathering, shopping, entertainment and transit provision. To ensure that future redevelopment of this site is in keeping with the community desire to maintain the rural village character of the area and to prevent adverse impact on the Shubenacadie Lakes, any new buildings, major alterations of a building façade or any redevelopments of the site not contemplated by the existing agreement, shall only be considered through the provisions of a development agreement pursuant to this Policy. In considering such an agreement, Council shall have regard to the following:

Built Form, Architecture and Use

- (a) that uses are limited to commercial, institutional , open space and residential uses as permitted within the Village Core Comprehensive Development District Zone;
- (b) that the first floor of all buildings is retained for commercial, institutional, recreation or entertainment uses;
- (c) that the design of any new buildings or major alteration of the façade of an existing building is in general conformity with the architectural requirements set out under the Land Use By-law;
- (d) that all roof top mechanical equipment is adequately shielded to prevent noise impacts on surrounding neighbourhoods and is screened from the view of any surrounding residential uses;

Site Development Criteria

- (e) that a minimum of 25% of the site is landscaped ~~in a manner that creates~~ between buildings and parking areas to minimize impacts on receiving waters, creates shade for pedestrians, and break-up the view of the large parking areas from the top of the hill on Fall River Road and from Highway 2;
- (f) that sidewalks, walkways and pathways on the site facilitate safe and convenient pedestrian access to the buildings, parking areas, transit stop(s) and external sidewalk systems;

Site Impact Controls/Assessments

- (g) that lighting is designed to prevent light pollution and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries that are automatically timed to reduce illumination during non-business hours;

- (h) that the traffic generated by the development will not adversely affect the intersection of Fall River Road and Highway 2 or the Highway 102 and Highway 118 interchanges;
- (i) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and
- (j) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

Village Gateway

The Village Gateway is situated around the Highway 102 and Highway 118 interchanges. It is the first point of entry into the community of Fall River and development around this area, while oriented around the highway function, must be attractive to create a positive visual experience to residents and visitors to the community. Slightly larger-scale commercial developments are warranted in this area to act as focal points within Village Centre but residential uses shall be limited as an accessory permitted use, as it is preferential to allow for mixed commercial, residential developments in the Village Mainstreet, Village Core and Canal Court areas. Attention to good site design and well designed buildings is also desired in this area to create a positive first image of the River-lakes Village Centre Designation. Slightly larger and higher signage provisions shall be made for developments in recognition of the function of this area as a highway-oriented commercial development area. However, limitations shall be placed on the range of permitted uses and outdoor storage shall be prohibited to prevent the development of an industrial feel to the Village Gateway. Small building footprint requirements shall be established to maintain maximum pervious surfaces over the site to minimize impact on the Shubenacadie Lakes. Provisions will be established to allow for the development of slightly larger buildings at the Inn-on-the-Lake site. Flexibility shall also be introduced to situate a limited number of smaller scale buildings over the Nova Scotia Power Corporation site in recognition of the development potential and prominence of these sites within the gateway to the River-lakes Village Centre Designation.

RL-6 Within the River-lakes Village Centre Designation, the Village Gateway Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to create an attractive form of development to create a visually pleasing entry way into the community while allowing for the development of commercial activities that will benefit from the location at provincial highway interchanges. Provisions will be established under the Land Use By-law to:

- (a) allow medium-scale commercial, residential, institutional and open space uses;

- (b) allow the existing uses to be permitted if they were constructed prior to the effective date of this Secondary Planning Strategy;
- (c) relax the non-conforming use conditions for the reconstruction of the self-storage facilities on the lot situated at the corner of Perrin Drive and Falls Run shown on Schedule M of the Land Use By-law;
- (d) require a setback from the highway;
- (e) place limitations on gross floor space, building footprint, and maximum height to maintain a small-scale appearance, building rhythm, and maximize the amount of pervious surface over the site to minimize impact on receiving waters; and
- (f) allow a larger scale development where compatible the surrounding area on the site of the Inn on the Lake as shown on Schedule J of the Land Use By-law and on the four sites combined of the Nova Scotia Power Corporation as shown on Schedule K of the Land Use By-law.

Village Mainstreet

The Village Mainstreet Zone extends from Roland Road on Fall River Road to Rays Lane, near the Inn-on-the Lake. This area weaves in and around the Canal Court, the Village Core and the Village Gateway. It is the primary area where pedestrian-oriented commercial development has the greatest potential in the River-lakes Village Centre Designation, given the presence of the sidewalk infrastructure, views to Lake Thomas and land availability. It is an important area for pedestrian movement that should be enhanced through an interconnected system of trails, sidewalks and street furniture to facilitate social interaction, health and wellness and visual and physical connection to the lakes. The terrain also lends itself to the creation of three distinct areas within the Village Mainstreet which include lands along Fall River Road leading into the Village Core; lands between two hillsides extending from Miller Lane to Hemlock Road; and lands on the southern side of Hemlock Road up to Rays Lane.

Although different in land formation and surrounding context, all these areas are a road side form of development which the community wishes to see developed with good site design and in an architecturally pleasing way to prevent the appearance of an unmanaged highway commercial strip. A well landscaped uniform front yard setback shall be required to create a positive and well maintained relationship between the buildings and the street. All parking shall be situated to the side or rear of the property and building width, height and building footprint limitations shall be established to maintain maximum pervious surfaces over the site and maintain the small-scale feel and function of freestanding stores along a Village Mainstreet. Provisions will also be established to allow for the development of a slightly larger building on the former Fall River Recreation Centre Site since it has sufficient land area upon which to develop a larger facility to act as a focal point around which to organize all other development in the area between Miller Lane and Hemlock Road.

RL-7 **Within the River-lakes Village Centre Designation, the Village Mainstreet Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to facilitate the creation of a well designed pedestrian-oriented village mainstreet throughout the River-lakes Village Centre Designation that maintains a positive relationship between the buildings, the street and the receiving environment. Provisions will be established under the Land Use By-law to:**

- (a) permit small -scale commercial, residential, bed and breakfast and home business uses, institutional uses and open space uses;**
- (b) allow the existing uses to be permitted if they were constructed prior to the effective date of this Secondary Planning Strategy;**
- (c) require a setback from the highway;**
- (d) place limitations on gross floor space, building footprint, maximum height and width to maintain a small-scale appearance and building rhythm and to maximize the amount of pervious surface over the site to minimize impact on receiving waters; and**
- (e) permit larger-scale commercial development on the site shown on Schedule I of Land Use By-law, the old Fall River Recreation Centre.**

RL-8 **In addition to the provisions outlined in Policies RL-3, RL-6, and RL-7 for the Canal Court, Village Gateway, and Village Mainstreet zones, provisions shall be established under the Land Use By-law to:**

- (a) break-up mass and scale and mass of buildings and add character to the buildings through architectural design;**
- (b) create an attractive relationship between, buildings, parking, the streetscape and the surrounding environment, and minimize impact on receiving waters through landscaping;**
- (c) require all parking be located in the side or rear yard or at an off-site location within proximity of the development;**
- (d) establish limitations on the outdoor storage or display of materials, goods, supplies or equipment;**
- (e) minimize light pollution by placing controls on lighting; and**
- (f) Prevent the cluttered appearance of the streetscape by placing controls on signage.**

Fall River Business Zone

The Fall River Business Zone is situated at the top of the Hill on Perrin Drive and is disconnected and not visible from other areas within the River-lakes Village Centre Designation, except via the Highway 118 off-ramp, entering into Fall River. It has traditionally served as a depot for highway service-related industries that are situated in

this area to gain direct access to the highway system. It is the desire of the community to allow this area to serve as a place for the location of these highway service and storage facilities while minimizing visual impact on the surrounding community. Provisions shall therefore, be established to require the incorporation of a landscaped buffer along property lines abutting Perrin Drive and the Highway 118 off ramp. Limitations shall also be established on building size and signage. Retail, with the exception, of small scale building supply outlets, will not be permitted in this area in order to foster the development of a commercially viable retail area in those areas that are zoned Village Core, Canal Court, Village Mainstreet and Village Gateway.

RL-9 Within the River-lakes Village Centre Designation, the Fall River Business Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to provide for the continued development of highway-related commercial uses to be situated near the highway interchanges of Highway 118 and Highway 102. In order to create a commercially viable area for retail and service-related commercial development within the Canal Court, Village Core, Village Mainstreet and Village Gateway zones, permitted uses will be limited to light industrial uses that are not obnoxious or have the potential to adversely impact the receiving waters of the Shubenacadie Lakes System. This Zone will however, permit building supply stores and community uses and residential uses that are accessory to the permitted uses within the Zone. The Zone will also permit highway oriented commercial uses such as warehouses, construction yards, light manufacturing uses, and other commercial uses, as well as, institutional and open space uses. In order to address concerns about negative visual, traffic and noise impacts, the Fall River Business Zone provisions shall be established under the Land Use By-law to:

- (a) requirements for the creation of a landscape buffer along Perrin Drive and the Highway 118 off-ramp to screen the view of outdoor storage areas, yard works and multiple buildings from the surrounding area;**
- (b) require that all parking to be located in the side or rear yard or at an off-site location within proximity of the development;**
- (c) limitations on gross floor space of commercial buildings to prohibit the development of big-box retail and shopping centre development at this location;**
- (d) limitations on the development area to maximize pervious surface over the site so as to minimize impact on receiving waters;**
- (e) architectural controls to break-up mass and scale and add character to the buildings and controls on height; and**
- (f) lighting controls to minimize light pollution and signage to prevent the cluttered appearance of the streetscape.**

Residential Policies

The vast majority of the land outside of the River-lakes Village Centre Designation within the River-lakes Secondary Planning Strategy Area, is designated for low density residential development on the Generalized Future Land Use Map of the Municipal Planning Strategy for Planning Districts 14 and 17. Specifically, the communities of Lakeview, Windsor Junction, Fall River, Miller Lake and Fletchers Lake are designated Residential, the community of Wellington is designated Mixed Resource, and the ridge and lowland area adjacent to the Kinsac River are designated Resource. There are also Community Centre designations around the intersection of Highway 2 and Holland Road, in Fletchers Lake, and around the intersection of Jackson Drive and Burrows Drive with Highway 2, in Wellington, which recognize the gradual transition of these areas to village centres. A small portion of land on Rocky Lake Road in Lakeview is also designated Light Industrial.

The Residential Designation recognizes the pattern of low density residential development that has taken place in this area over the last 25 years. It establishes a range of residential zones to permit the continued development of single unit dwellings on minimum 40,000 square foot lots. Some of these zones also permit two unit dwellings where a minimum of 40,000 square feet of land is provided for each unit.

The Mixed Residential Designation recognizes the traditional mixed-use development pattern found in semi-rural areas and establishes the Rural Residential Zone to permit low density residential development, the limited use of a residential property for business uses, limited forestry and agricultural uses and community uses. The Resource Designation places a priority on continued resource development and establishes the Rural Estate Zone to permit single, two unit and mobile dwellings on substantially larger lots (minimum 80,000 square feet), forestry and agricultural uses, the use of residential properties for business uses, and community uses.

New residential policies were introduced in 2006 with the adoption of the Regional Plan to work in concert with the residential policies. The Regional Plan was concerned mainly with the impact of residential growth in rural areas and introduced policies to manage the rate of residential development and to encourage new subdivision designs aimed at the retention of open space. Thus the Rural Commuter Designation was created as an area wherein growth management controls would be put in place and all new large scale subdivisions would only be considered under the premises of Open Space Design. Large scale subdivisions that were under conceptual plan of subdivision approval at the time of the adoption of the Regional Plan, were allowed to proceed with the development of a maximum of 25 lots per year (Regional Plan Policy S-28). This included the subdivisions to the north of Fall River Road for St. Andrews Village and Kinloch Estates.

The residential policies under the Regional Plan and Planning Districts 14 and 17 are in keeping with the vision for the River-lakes Secondary Planning Strategy and it is the

intention of the River-lakes Secondary Planning Strategy to continue to apply this policy framework to this Secondary Planning Strategy Area to guide future residential development. The Secondary Planning Strategy however, recognizes the need to provide for the development of townhouses and low-rise multiple-unit dwellings to meet the needs of the aging population and young adults. These housing forms are not currently permitted within Planning Districts 14 and 17 due to past concerns with the malfunctioning of older private sewage treatment system technologies when the Plan was initially adopted in 1989 (Policy P-68). While many of these concerns have been alleviated with the advancement of small scale wastewater management system technologies⁵, there are current environmental and road system constraints which must be addressed within this Secondary Planning Strategy Area.

RL-10 HRM shall retain the Residential, Mixed Resource, Resource, Community Centre and Light Industrial designations over the remaining areas outside of the River-lakes River-lakes Village Centre Designation that are within the boundaries of the River-lakes Secondary Planning Strategy as shown on Generalized Land Use Maps 1A and 1B of the Municipal Planning Strategy for Planning Districts 14/17. All policies under the Municipal Planning Strategy for Planning Districts 14/17 and the Regional Plan shall continue to apply to these areas unless altered by the policies contained in this Secondary Plan.

Residential Developments in the River-lakes Secondary Planning Strategy Area

There is a desire to allow for the development of alternative housing forms to accommodate the housing needs of seniors, young adults and other sectors of the population that need access to housing other than single and two unit dwellings. In particular, there is a need for townhouses and low rise multi-unit dwellings (maximum 3-story) to meet the urgent needs of seniors who wish to remain in the community.

There are however, limitations to the amount of development that that Secondary Planning Strategy Area may support without exceeding the limited carrying capacity of the lakes and road systems and adversely affecting the rural community character. The Shubenacadie Lakes Watershed Study⁶ indicates that groundwater conditions are limited and the receiving waters of Lake Thomas and Fletchers Lake are nearing the threshold of desirable water quality objectives for the Shubenacadie Lakes. The Fall River/Waverley/Wellington Areas Transportation Study also indicates that the intersection of Fall River Road and Highway 2 and the Highway 118 and Highway 102

⁵ Options for On-site and Small Scale Wastewater Management, Land Design Engineering Services, Ekistics Planning and Design, John Zuck and Associates and Spatial Metrics Atlantic Engineering Technologies Canada Limited, prepared for Halifax Regional Municipality, March 2005.

⁶ Fall River-Shubenacadie Lakes Watershed Study, Jacques Whitford Limited, Centre for Water Resource Studies and ABL Limited, prepared for Halifax Regional Municipality, July 2010.

interchanges are heavily congested during peak driving periods and are at certain times of the day failing to achieve acceptable levels of service.

Given the urgent need to allow for alternative housing forms, the River-lakes Secondary Planning Strategy will allow consideration of townhouse developments and low-rise multiple-unit dwellings within a few locations through the provisions of a development agreement. This will allow the Municipality to assess these developments on a case-by-case basis to determine if the developments can be permitted without adversely affecting the limited traffic capacity of the roads and the limited environmental capacity of the receiving lakes. These forms of housing shall only be considered, through the provisions of a development agreement, within the areas zoned Village Mainstreet, within the River-lakes River-lakes Village Centre Designation and on the four opportunity sites situated throughout the Secondary Planning Strategy Area as shown on Map RL-3.

In order to determine if it is feasible to develop these sites, studies shall be required before a development agreement is approved by Council to determine if the development can proceed without exceeding the limits for phosphorus export, pursuant to Policy RL-22, or transportation system, pursuant to Policy RL- 25. Multiple-unit housing developments shall be limited to three stories in height and shall have to generally conform to the architectural and site design requirements set out under the Land Use By-law. The developments shall also be designed as Classic Open Space Design developments to minimize impacts on the environment and surrounding community and preserve the rural character of the area.

Multiple Unit Dwellings and Townhouses in the River-lakes Village Centre Designation

Within the Village Mainstreet Zone of the River-lakes Village Centre Designation, low scale multiple-unit housing and townhouse developments maybe considered through the provisions of a development agreement. In order to ensure that these developments fit in with the desired community form of a rural village centre, density shall be limited to three units per acre. Provisions will be established to allow for the development of a commercial component on the first floor of any low-rise multiple-unit dwelling. This is in keeping with the desire to create an attractive pedestrian-oriented Village Centre. In order to prevent impact on receiving waters and to maintain the rural character of the River-lakes Village Centre Designation, requirements shall also be established to retain a minimum of 50% of the pervious surface of the site for groundwater infiltration and to retain the natural vegetation on steep slopes.

RL-11 Within the Village Mainstreet Zone of the River-lakes Village Centre Designation, HRM shall consider permitting low scale multiple-unit dwellings

or townhouses through the provisions of a development agreement. In considering such an agreement, Council shall have regard to the following:

Built Form, Architecture and Use

- (a) that the range of commercial uses, permitted on the first floor, is limited to the commercial uses permitted under the Village Mainstreet Zone or residential uses;
- (b) that the maximum density, excluding commercial development, does not exceed 3 units per gross acre;
- (c) that the building does not exceed three stories above average grade, excluding rooflines;
- (d) that the design of any new buildings or major alteration of the façade of an existing building is in general conformity with the architectural requirements set out under the Land Use By-law;
- (e) that the elevation of all buildings within any townhouse block shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (f) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;
- (g) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, and architectural elements to promote visual integration;

Site Development Criteria

- (h) that impervious surface areas do not exceed 50% of the site and that all parking is located to the side or the rear of the building;
- (i) that landscaping is designed to create a visually attractive appearance and to reduce the adverse impact of stormwater flows and all natural vegetation is retained on slopes in excess of 25%;
- (j) that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;
- (k) that development is positioned in such a way to maximize potential opportunities to create future trails as close to the water as possible, along the Lake Thomas Riverwalk as outlined in Policy RL-5;
- (l) that a hydrogeological assessment is conducted by a qualified professional to determine if there is there is an adequate supply of groundwater to service the development without adversely affecting groundwater supply in adjacent developments;

Site Impact Controls/Assessments

- (m) that the lighting on the site is designed to prevent light pollution impacts on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;**
- (n) that the traffic generated by the development will not adversely affect the intersection of Fall River Road and Highway 2 or the Highway 102 and Highway 118 interchanges;**
- (o) that there is no adverse impact of development on any archaeological features in any areas identified on Schedule C of the Land Use By-law as determined by the Nova Scotia Department of Communities, Culture and Heritage;**
- (p) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and**
- (q) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.**

River-lakes Village Center Designation Residential Opportunity Site A

Within the River-lakes Village Centre Designation, there is a site that is situated in the Village Core that offers an opportunity for the development of a slightly higher density form of residential development. This site, referred to as Site A, is situated on the north and the east sides of the Sobeys Shopping Centre as shown on Map RL-3. A slightly higher density form of development at this location will frame the Sobeys Shopping Centre and facilitate the development of mixed-use pedestrian-oriented development pattern that is desired for the Village Core. The site is also in a good location to secure access to services and amenities that will benefit the residents of this development and to facilitate vibrancy in the Centre.

The intersection of Fall River Road and Highway 2, however, is constrained during peak traffic periods and the area around this site is known to have constraints for groundwater supply, challenging soil (fine particulate soil) and challenging bedrock conditions (potential to encounter sulphide bearing slates). Consultants for the proponent of this development have indicated that there is sufficient precipitation to facilitate the development of a rainwater harvesting system to service a limited density of development (up to 4 units per acre on this site). There is also a desire to allow for increased density development (up to 8 units per acre) on this site should municipal water services be provided to this site in the future.

Future development of this site will be limited to 4 units per acre for the development of low rise multiple-unit dwellings and townhouses. Studies shall be required to verify the adequacy of groundwater supply and the rainwater harvesting system to service the development and how any potential impacts on the lakes and receiving roadways can be mitigated. Should the area become serviced with municipal water in the future, Council

may consider increasing the development density on this site to 8 units per acre through the provisions of a development agreement.

RL-12 HRM shall consider permitting low scale multiple-unit dwellings or townhouses up to 4 units per acre on Site A through the provisions of Policy RL-11. Given the anticipated groundwater constraints on this site HRM may consider allowing development up to a maximum of 4 units per acre if a study is undertaken by a qualified professional to verify that a potable water supply can be reliably and adequately augmented by a rainwater harvesting system. HRM shall consider permitting an increase in density on this site, up to a maximum of 8 units per acre, through the provisions of Policy RL-11, if municipal water services become available to the River-lakes Village Centre Designation.

Multiple Unit Dwellings and Townhouses outside the River-lakes Village Centre Designation

Outside the River-lakes River-lakes Designation there are three additional potential development sites where an alternative form of housing may be considered. These include Site B which is situated at the at the north-end of Fall River Village, Site C which is situated at the South-end of Fall River Village, and Site D which is situated in the Charleswood Subdivision, as illustrated on Map RL-3. An overview of each of these sites and the policies pertaining to their future development is discussed in greater detail below.

Site B – Fall River Village North Residential Opportunity Site

Site B is situated at the north-end of Fall River Village, running parallel with the Fall River Road. It is a 46 acre site that was once the site of the “Old Carr Farm”. It has a natural landscape with rolling hills, low lying areas and mature vegetation. These features offer an opportunity to offset the differences in scales of development if it is designed to fit into the natural landscape. The Classic Open Space Design approach also offers the opportunity to preserve the environmental and cultural assets of the site and to minimize impact on the receiving environment.

Residents from Fall River Village have concerns about the potential for traffic impact should a road connection be established from the Fall River Road to Fall River Village over this site. There are also concerns about the loss of privacy and aesthetic impact of multiple-unit housing if not situated in such a manner so as to minimize impact on the surrounding low density residential area.

In order to prevent a high concentration of multiple-unit buildings at this location, a maximum of three multiple-unit buildings with a maximum of 40 units per building shall be considered for development on this site. Council will also consider the development of

townhouses, single unit dwellings, two unit dwellings or single unit dwellings to form part of this development in order to meet a range of housing needs. Overall density on this site shall be limited to 4 units per acre subject to the submission of studies to verify that the development can take place without adversely affecting the road systems, surrounding neighbourhoods and receiving waters of Lake Thomas and that there are adequate soils and water to service the development. Multiple-unit buildings and associated parking will be situated closer to the Fall River Road and parking lots for the multiple unit buildings will be kept out of the view of Fall River Road and any low density residential uses through the use of siting and buffering. The development will have to conform to the architectural requirements established under the Land Use By-law and the height of all buildings shall be limited to a maximum of three stories. The development shall also be designed to minimize the impact of traffic flow on the surrounding low density residential development.

- RL-13** HRM shall consider permitting low scale multiple-unit dwellings townhouses, single unit dwellings or two unit dwellings on Site B through the provisions of a development agreement. The development shall be designed as a Classic Open Space Development pursuant to Policy S-16 of the Regional Plan to offset the bulk and appearance of alternate building forms on surrounding low density residential development and to preserve the cultural and environmental assets of this site. In considering such an agreement, Council shall have regard to the provisions of Policy S-16 of the Regional Plan and the following:

Built Form, Architecture and Use

- (a) that the maximum gross density is limited to 4 units per acre, the number of multiple-unit buildings is limited to 3, the number of units per multiple-unit building is limited to 40 units, and the height of any multiple-unit building is limited to three stories above average grade, excluding rooflines;
- (b) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;
- (c) that multiple-unit dwellings are situated closer to the Fall River Road to prevent the aesthetic impact of the bulk of larger buildings and extensive parking areas on the surrounding low density residential neighbourhood;
- (d) that the elevation of any townhouse buildings shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (e) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;

- (f) that the development generally conforms to the architectural provisions set out under the land use by-law;

Site Development Criteria

- (g) that parking areas are situated behind the buildings, out of view from Fall River Road;
- (h) that landscaping is designed to create a visually attractive appearance and reduce stormwater impacts;
- (i) that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;
- (j) that important cultural features such as the trails the Blue Hill Road Trail as illustrated on Map RL-4, views of the foreground meadows from the Fall River Road and the Carr Farmhouse are used to form an attractive focal point for the development where possible;

Site Impact Controls/Assessments

- (k) that the lighting on the site is designed to prevent light pollution impacts on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;
- (l) that any development situated adjacent to a low density residential development does not result in any undue adverse impacts on adjacent properties in terms of traffic or privacy conditions for those residential uses and their outdoor amenity areas;
- (m) that the traffic generated by the development will not adversely affect the intersection of Fall River Road and Highway 2 or the Highway 102 and Highway 118 interchanges; and
- (n) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and
- (o) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 are addressed.

Site C - Fall River Village South Residential Opportunity Site

Site C is situated at the south end of Ingram Drive, in Fall River Village, near the Cobequid Road. It is a 30 acre site that was previously zoned I-3 (Light Industrial) which would have allowed a wide range of incompatible uses with the low density residential uses to the west and north of the site. The site location has the potential to become a new entry point into the Fall River Village and has sufficient land area to buffer the bulk and scale of any low scale multiple-unit dwellings or commercial uses from the low density residential development to the west and north of the site. Portions

of the site were also previously zoned R-1b (Suburban Residential) and C-2 (Community Commercial).

The property will be zoned Residential Comprehensive Development District under this Secondary Planning Strategy to allow the development of low-rise multiple-units, townhouses, single unit dwellings, and two unit dwellings up to a maximum of 4 units per acre. This zone will allow consideration of a small scale local commercial convenience store and self storage buildings in association with the residential development. Like Site B, this site will require special siting and design consideration to minimize any impacts on the surrounding low density residential development. A minimum of 60% of the site shall be retained as common open space and can be used to buffer the development from lower density types of housing. Direct access to the Cobequid Road shall also be required to minimize traffic impact on Fall River Village and there shall be a maximum of three multiple-unit dwellings with a maximum of 40 units per building.

RL-14 A Residential Comprehensive Development District Zone shall be created under the Land Use By-law and applied to Site C. The Zone will permit low scale multiple-unit dwellings, townhouses, single unit dwellings or two unit dwellings or local commercial use. The Zone will also permit a self storage facility. The development shall be designed as a Classic Open Space Development pursuant to Policy S-16 of the Regional Plan. In considering such an agreement, Council shall have regard to the provisions of Policy S-16 of the Regional Plan and the following:

Built Form, Architecture and Use

- (a) that the maximum gross density is limited to 4 units per acre, the number multiple-unit buildings is limited to 3, the number of units per multiple-unit building is limited to 40 units, and the height of any multiple-unit building is limited to three stories above average grade, excluding rooflines;
- (b) that the local commercial use shall not exceed 371 m² (4000 sq.ft.) and the self storage facility shall not exceed ten thousand 929 m² (10,000 sq.ft.) of gross floor area;
- (c) that the self storage units may be sited anywhere on the site provided the visual impacts of the garage door openings are concealed from the travelling public or any adjacent residential uses;
- (d) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;

- (e) that the elevation of any townhouse buildings shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (f) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;
- (g) that the development generally conforms to the architectural provisions set out under the land use by-law;

Site Development Criteria

- (a) that the landscaping is designed to create a visually attractive appearance and reduce stormwater impacts;
- (b) that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;
- (c) that important cultural features such as trails the MacDonald Sports Park Connector Trail as illustrated on Map RL-4 are incorporated as a feature within the development;

Site Impact Controls/Assessments

- (d) that the lighting on the site is designed to prevent light pollution impacts on residential units within the site and on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;
- (e) that any development situated adjacent to a low density residential development does not result in any undue adverse impacts on adjacent properties in terms of traffic or privacy conditions for those residential uses and their outdoor amenity areas;
- (f) the site has direct road access to the Cobequid Road;
- (g) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement;
- (h) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

Site D – Charleswood Residential Opportunity Site

Site D is a 42 acre piece of land in a 153 acre parcel which Miller Developments is proposing to develop a Classic Open Space Design Subdivision. This development is an extension of the Charleswood Subdivision and Site D forms Phase 4 of this proposed development. The subdivision is proposed to be developed with a mix of single unit dwellings and townhouses with the townhouse component proposed for Site D. This Secondary Planning Strategy will allow consideration of the development of townhouses

on a maximum of 42 acres on Site D at a maximum density of 2 units per acre through the provisions of the Classic Open Space Design Policy S-16 and the provisions of Policy RL-16 below.

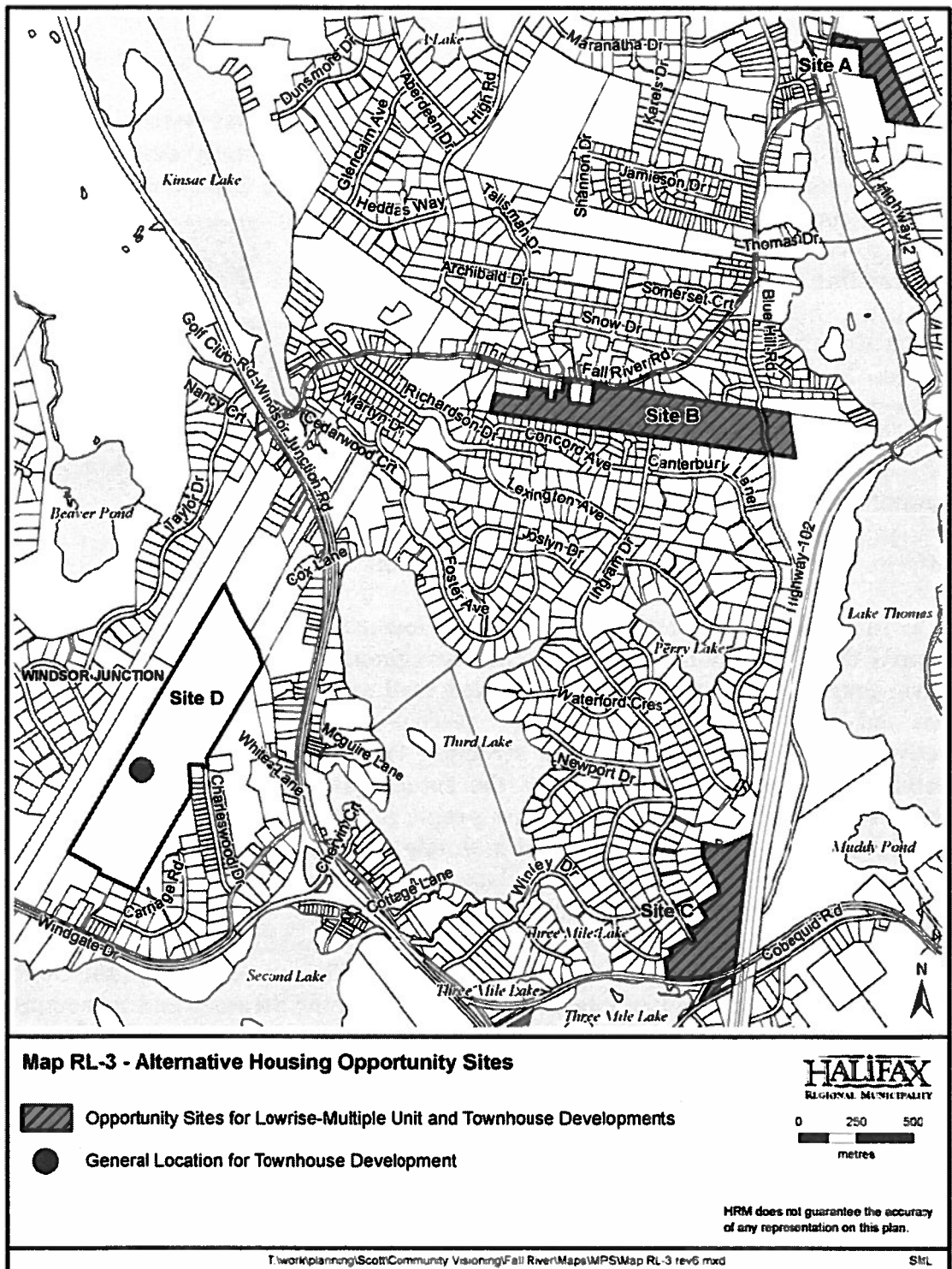
RL-15 In addition to the uses that may be considered pursuant to Policy S-16 under the Regional Plan, HRM shall consider permitting townhouses on Site D as a component of a proposed Classic Open Space Design Subdivision for the Charleswood Subdivision through the provisions of a development agreement. In considering such an agreement, Council shall have regard to the provisions of Policy S-16 of the Regional Plan and the following:

Built Form, Architecture and Use

- (a) that a maximum of 42 acres of the site maybe developed for townhouses in the general vicinity of the area shown on Map RL-3 at a maximum density of two units per acre;
- (b) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;
- (c) that the elevation of all buildings within each townhouse block shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (d) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;
- (e) that the massing and built form of townhouse units adjacent to single-detached and semi-detached dwellings shall be broken down with architectural elements to promote visual integration;
- (f) that the townhouses generally conform to the architectural provisions set out under the land use by-law;

Site Impact Controls/Assessments

- (g) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement;
- (h) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.



Open Space and Trails

River-lakes Open Space and Trail System

The River-lakes Secondary Planning Strategy Area has a vast system of interconnected trails and sidewalks that have been formally and informally developed to link the various communities, schools, and the River-lakes Village Centre Designation with one another for Active Transportation purposes. There is also a vast array of community trails leading to outstanding places that have high quality recreation, aesthetic, historical and natural value. Important cultural features such as Lock 4 of the Shubenacadie Canal, for example, offer a unique opportunity to connect the community with significant aspects of its past. The Lake Thomas Water Walk is also an example of a high quality community connector that links the communities to the River-lakes Village Centre Designation for active transportation purposes while offering a high quality opportunity for recreation.



It is the desire of the community to work toward the formal development of a trail system throughout the River-lakes Plan Area. An interconnected trail system not only provides opportunities for recreation and active transportation but forms the structure for a well defined pattern of development in the future (areas shaped by greenways). It also attaches people to their community by maintaining those natural and functional elements that maintain one's sense of place. Trails are also the most widely requested type of infrastructure since it serves all age groups and it easy to access for healthy living and recreation.

The Fall River Vision Implementation Committee (VIC) recommended the Conceptual Level Trail Plan for the River-lakes Secondary Planning Strategy and surrounding area as shown on Map RL-4. This Plan features a vast array of trails that have been formally and informally developed overtime. Through consultation with various user groups and the community at large, the Open Space and Trails Task Group of the VIC, in concert with representatives of the Shubenacadie Canal Commission inventoried, walked, researched and assessed the multi-layer trail system as shown.

The Priority Routes shown on Map RL-4 represent future off road and K-road trail opportunities. Some are through open terrain and some within the developing areas, connecting the community trail system with the Shubenacadie Canal and Kinsac Lake, the River-lakes Village Centre Designation, local schools and the MacDonald Sports Park. The western side of Shubenacadie Canal is a Primary Corridor of the Regional

Trail Network and a designated Water Route, Cultural Corridor, and Natural Corridor under the Regional Plan. These are the Routes that the VIC has selected as priority features for future detailed planning and development. Other local trails as illustrated will become part of the longer term Plan.

- RL-16** In recognition of the community desire to work toward the future development of an interconnected system of trails, HRM shall adopt the River-lakes Trail and Open Space Conceptual Plan as outlined on Map RL-4, as a framework to guide future detailed planning and implementation. The community is strongly encouraged to work towards the future development of these detailed plans and implementation strategies through collaboration with the Halifax Regional Trails Association under the HRM Trails Program.
- RL-17** Given the opportunities for public recreation and the excellent opportunities for access to the unique ecological and cultural heritage assets along the Priority Trail Connectors identified on Map RL-4 River-lakes Trail and Open Space Conceptual Plan, HRM shall, to the greatest extent possible, give priority to the acquisition and development of trails and open space assets along these Connectors, through the parkland dedication process under the Regional Subdivision By-law for all applicable subdivision developments within the River-lakes Plan Area and its Village Centre.
- RL-18** HRM shall negotiate through the development agreement process to acquire land or secure the use of the land between the MacDonald Sports Park and Fall River Village for a trail and other trails as indicated on the Maps RL-4 and Map RL-5 for all developments considered by development agreement within the River-lakes Plan Area and its Village Centre.

The River-lakes Village Centre Designation Open Space and Trails System

Map RL-5 represents the Conceptual Open Space and Trails Plan for the River-lakes Village Centre Designation as recommended by the Fall River Vision Implementation Committee. It features the development of a trail system around Lake Thomas, the enhancement of the active transportation system around Fletchers Run, and the development of open space components that will preserve the historic and cultural values of the Shubenacadie Canal System within the Village Core. It also provides opportunities to secure active transportation links between the River-lakes Village Centre Designation and surrounding area to develop a vibrant and attractive place over the long-term. The specific features recommended by the VIC as part of this Plan include the following:

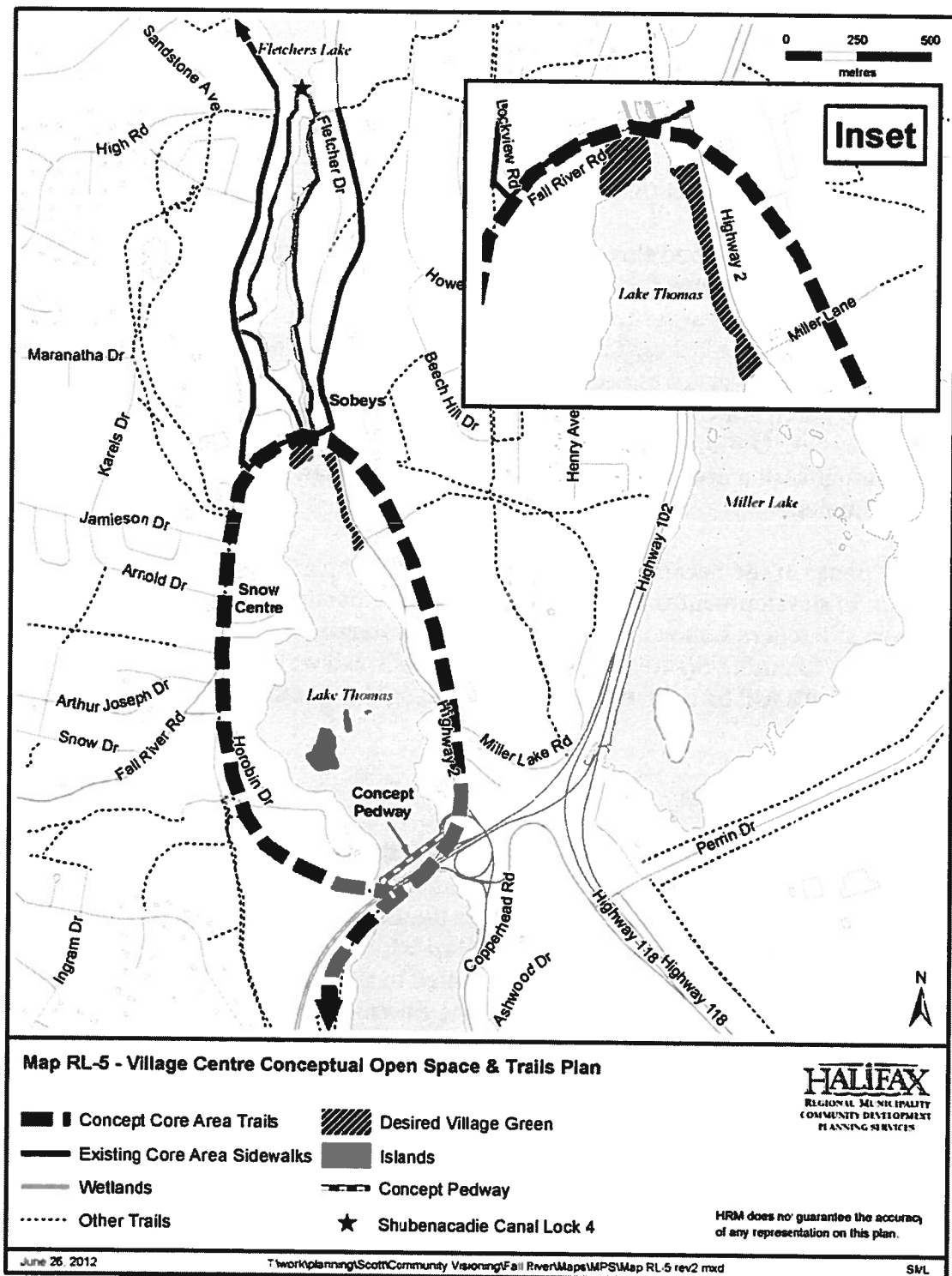
- a) secure a trail route in the areas generally shown on Map RL-5 as close to the water as possible;**

- b) develop a multi-use trail along the western side of Highway 2 and the eastern side of Lake Thomas from the intersection of the Fall River Road, south;
- c) develop a trail from the Inn on the Lake to the MacDonald Sports Park;
- d) protect the historic value of trails and areas of interest and connections;
- e) complete trail and sidewalk linkages to create “upper” and “lower” loops around Lake Thomas and Fall River Run across Lock 4 as illustrated on Map RL-5;
- f) protect and support reinstatement of Lock 4 as a historic area of interest;
- g) maintain Lake Thomas frontage at Gordon R. Snow Centre in a naturalized state while providing enhanced access to all;
- h) develop a swimming dock with minimum disturbance of the natural area along Lake Thomas at the Gordon Snow Centre;
- i) acquire a “village green” lands (area of interest) and protect for public access and recreation;
- j) Raise Fall River Road Bridge at Fletchers Run to allow for paddle craft access.



Detailed planning is required to determine a potential trail alignment and to assess the feasibility for the development of some aspects of the system. Other aspects of this Plan may be implemented as opportunities arise through future subdivision developments, development agreements, land trades, or road improvements.

- RL-19 HRM shall adopt the River-lakes Village Centre Designation Conceptual Open Space and Trails Plan as a framework to guide future detailed planning, cost analysis and capital planning for further consideration by Regional Council for implementation.
- RL-20 HRM shall consider the cost and feasibility of creating sufficient clearance for canoeing under any new bridge construction that may be considered to alleviate traffic congestion at the intersection of Fall River Road and Highway Number 2. HRM shall also encourage the Shubenacadie Canal Commission to consider the development of a weir that maybe used to lower water levels to facilitate canoe access under the bridge as part of its on-going restoration initiatives of the Shubenacadie Canal.
- RL-21 HRM shall consider trading surplus municipal lands in the River-lakes Secondary Planning Strategy area in exchange for trials as close to Lake Thomas as possible or the desired community green as illustrated on Map RL-5.



Environmental Protection

River-lakes Sub-watersheds

The Fall River-Shubenacadie Lakes Watershed Study was prepared by Jacques Whitford Limited, et.al. for the River-lakes Secondary Planning process. The purpose of this Study was to identify those lands most suitable for development and for environmental protection through land and water capacity analysis.

The Study was developed through a series of component studies which evaluated the capacity of the groundwater and ecological resources to support development. It also evaluated the impact of future potential development scenarios on the receiving waters of the Shubenacadie Lakes. The Study also examined options for servicing various areas throughout the River-lakes Secondary Planning Strategy Area with municipal central water and small scale on-site wastewater management systems (individual on-site and cluster septic). Options for servicing the Village Core of the River-lakes Village Centre Designation with a centralized collection system and new sewage treatment plant were also examined.

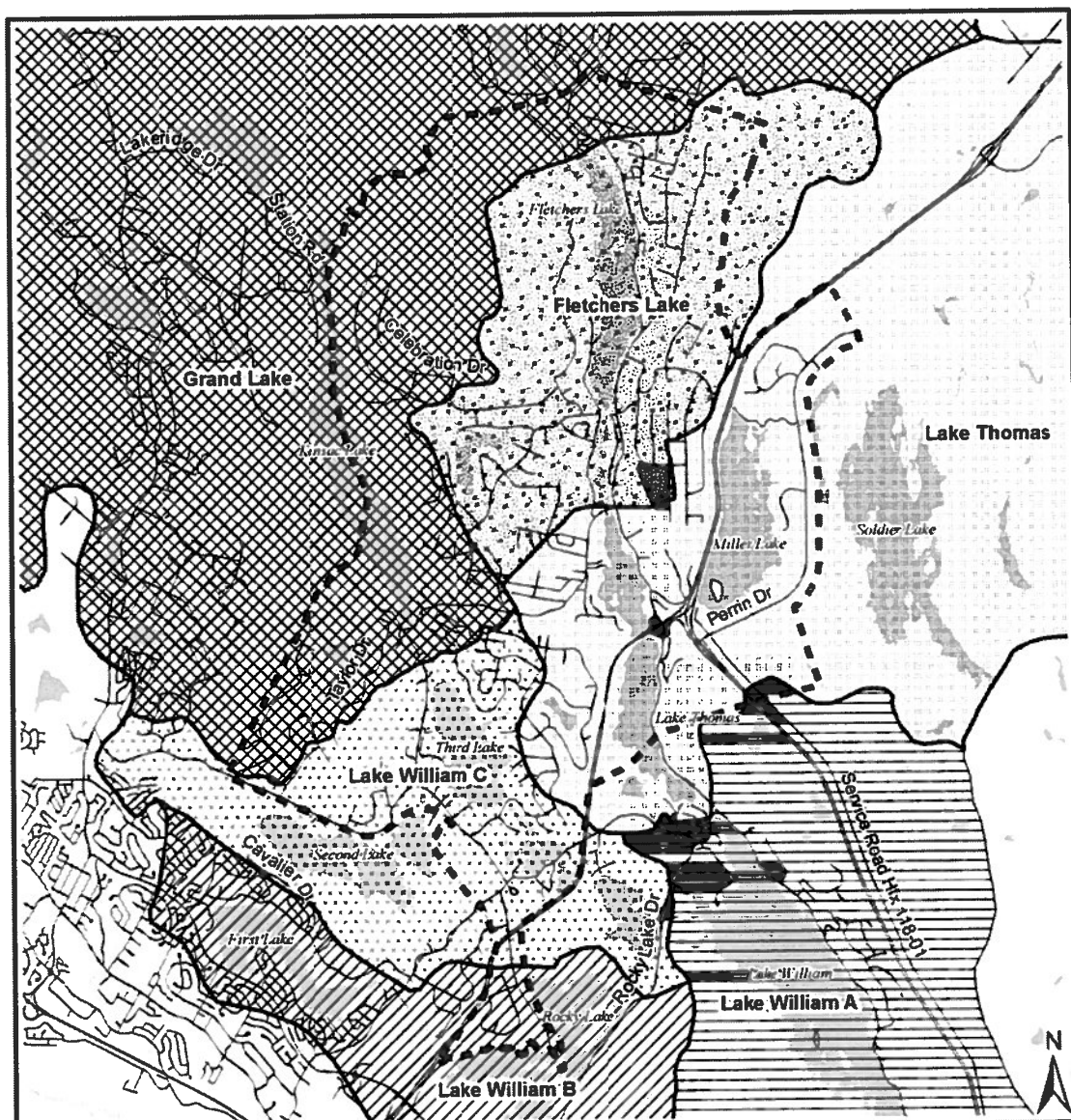
In this phase of the Secondary Plan, water quality objectives shall be set to regulate the amount of development that may occur within the portions of the Lake William, Lake Thomas, Fletchers Lake and Grand Lake sub-watersheds within the River-lakes Secondary Planning Strategy Area. Options for wastewater and central water service infrastructure will be explored during the Phase II planning process.

Watershed Regulations

The study area included all lands within the Shubenacadie Lakes Primary Watershed. The portion of the Shubenacadie Lakes Primary Watershed within the River-lakes Secondary Planning Strategy Area include the Lake William, Lake Thomas, Fletchers Lake, and Grand Lake sub-watersheds (Map RL-6). Land-use regulations for the entire Shubenacadie Lakes Watershed are contained in six municipal planning strategies of Halifax Regional Municipality including the Planning Districts 14/17 MPS, Dartmouth MPS, Hammonds Plains, Beaver Bank and Upper Sackville MPS, Sackville MPS, Lake Major MPS and the Regional MPS. The northern end of the Shubenacadie Lakes Watershed is within the Municipality of East Hants.

Grand Lake supplies the Municipality of East Hants with drinking water. The Municipality of East Hants has adopted a Source Water Protection Plan for the entire Shubenacadie Lakes Watershed pursuant to the Environment Act to educate the public on how to prevent impacts on Grand Lake. Representatives of Halifax Regional Municipality and Halifax Water participate as members of the Municipality of East Hants Source Water Protection Society to provide strategic advice for overall watershed

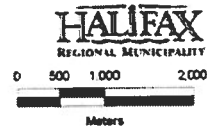
management. Halifax Regional Municipality however, maintains responsibility for land use regulation over the vast majority of this watershed since it is within the jurisdiction of Halifax Regional Municipality.



Map RL-6: River-lakes Secondary Planning Strategy Subwatersheds

- River-lakes Secondary Planning Strategy Boundary
- Fletcher's Lake
- Grand Lake
- Lake Thomas

- Lake William A
- Lake William B
- Lake William C



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

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Lake Fletcher is also the source of water supply for the Collins Park Water Treatment System. This system provides drinking water supply for 75 homes in the Wellington Area and is under the Management of Halifax Regional Water Commission. The Halifax Regional Water Commission has also developed a management plan for the protection of its water supply which is focused primarily at public education. The Halifax Regional Water Commission monitors Fletcher Lake at 6 different locations to identify issues and areas that may need to be addressed in its environmental education program. The Halifax Regional Water Commission works with groups and organizations such as the Shubenacadie Watershed Environmental Protection Society to deliver the watershed awareness through signage and public education programs such as Adopt-a-Watershed and walking tours.

Given that the lands within the River-lakes Secondary Planning Strategy Area drain mainly to the Lake William, Thomas, Fletchers Lake and Grand Lake sub-watersheds, water quality objectives should be set for these lakes as a performance measure against which to monitor the effects of future development. Limits on phosphorus emissions shall be set as the performance standard to regulate the amount of permitted development on larger developments to reduce the impacts on receiving waters. Controls on future development in those portions of the sub-watersheds that are outside of this Secondary Planning Strategy Area will also be needed to prevent the lakes from exceeding the total annual phosphorus concentrations recommended under the Shubenacadie Lakes Watershed Study. This includes lands within the Lake Charles Sub-watershed and lands in the portion of the Lake William, Lake Thomas, Lake Fletcher and Grand Lake sub-watersheds that are outside this Secondary Planning Strategy Area. Regulations for those areas however, are beyond the planning process for the River-lakes Secondary Planning Strategy Area and will have to be dealt with in subsequent planning processes for the other affected plan areas.

Development Impacts

According to the Study, “water quality is vulnerable to the effects of suburban development and has declined in the study area over the past thirty years (Mudroch et al. 1987; Vaughan Engineering, 1993; Centre for Water Resource Studies, 1991). The study attributes this decline to issues concerning malfunctioning on-site septic systems, depletion of groundwater resources, inadequate buffer zones, the current status of the lakes (receiving waters) to receive wastewater effluent and the impact of stormwater runoff.”⁸

8 Fall River-Shubenacadie Lakes Watershed Study, Jacques Whitford Limited, Centre for Water Resource Studies and ABL Limited, prepared for Halifax Regional Municipality, July 2010, p.1.

HRM strives to maintain the present trophic status of lakes to the greatest extent possible, as stated in the Regional Plan. Lakes range from an oligotrophic to a eutrophic state in a lake trophic classification system. An oligotrophic lake is one that is characterized as having a high degree of water clarity, sufficient supply of oxygen at all levels and fewer conditions to promote the growth of algae and plants within the lake. The upper limit of total annual phosphorus loading for an oligotrophic state is 10µg/L. The mesotrophic state is the transitional stage between oligotrophic and eutrophic on the continuum. A mesotrophic lake has an accumulation of sediments, a higher concentration of phosphorus and algae (often measured as chlorophyll), and some loss of oxygen at the lower levels of the lake. The range of total annual phosphorus loading for a mesotrophic state is 10 - 20µg/L. A eutrophic lake contains high concentrations of phosphorus and algae (chlorophyll) and is rich with plant nutrients. A eutrophic lake is characterized by poor water clarity, little or no oxygen at lower depths, an abundance of plants and the emergence of algae blooms. A lake is considered to be in a eutrophic state when total annual phosphorus exceeds 20µg/L.

The process of eutrophication is naturally occurring and typically takes thousands of years to complete. In a developed watershed, a lake can become eutrophic in a few decades. One of the key contributors to an accelerated rate of eutrophication, known as cultural eutrophication, is the abundant release of phosphorus to receiving waterbodies at an unsustainable rate. Phosphorus comes from a variety of sources including, but not limited to, soil erosion, on-site septic systems within 1000 feet of waterbodies, the application of lawn fertilizers, wastewater treatment overflows and stormwater run-off. It is also naturally occurring within the soils, bedrock and from precipitation within a watershed. The retention of natural features such as wetlands, forested areas and riparian vegetation can help regulate the release of phosphorus by naturally filtering it back into the ecosystem.

According to the Shubenacadie Lakes Watershed Study, the effects of phosphorus loading on lakes stimulates the growth of algae populations which can adversely affect aquatic systems in the following ways:

Phosphorus affects aquatic ecosystems by promoting increased growth of algae. As the amount of phosphorus available to the system increases, so do the [quantity or concentration] of algal populations. The result can be a change in apparent colour of a lake or stream, resulting in a green or blue-green colour. If the populations of algae become too large, they may cause taste and odour problems for individual or municipal water supplies and can produce toxins that cause gastro-intestinal problems for people and animals. Large populations can also clog [domestic] water intakes, become a nuisance around docks or be a safety hazard for swimmers or boaters, and through the process of decomposition, have the potential to [consume oxygen and] negatively impact fish habitat.⁹

⁹ Fall River-Shubenacadie Lakes Watershed Study, Jacques Whitford Limited, Centre for Water Resource Studies and ABL Limited, prepared for Halifax Regional Municipality, July 2010, p.43.

Development Scenarios

The Study evaluated a number of possible development scenarios within the River-lakes Village Centre Designation and in the northern portion of the Secondary Planning Strategy Area, outside of the River-lakes Village Centre Designation, to determine the impact that development may have on phosphorus, total suspended solids and bacterial levels in Lake Thomas, Lake Fletcher and Grand Lake.¹⁰ The two scenarios that are most closely related to the form of development provided for under the River-lakes Secondary Planning Strategy are 1) the Within the River-lakes Village Centre Designation Development Scenario; and 2) the Outside the River-lakes Village Centre Designation Development Scenario.

The Within the River-lakes Village Centre Designation Development Scenario modeled for the impact of the development of 670 new units on the Lake Thomas, Fletcher Lake and Grand Lake. This Scenario included all lands along Highway 2, Sobeys, lands north of Sobeys, MacPherson Square and all lands along Fall River Road up to Lockview Road. The Outside the River-lakes Village Centre Designation Development Scenario modeled for the impact of the development of approximately 1076 new dwelling units in the northern portion of the Secondary Planning Strategy Area on Fletcher Lake and Grand Lake. This Scenario included the proposed subdivision developments of Kinloch Estates and St. Andrews Village that are situated outside of the River-lakes Village Centre Designation in the northern portion of the Plan Area.

Current Trophic Status

Based on the empirical data collected in 2007, the Study indicated that Lake Thomas, Lake Fletcher and Grand Lake were oligotrophic (low nutrient values with greater clarity) with less than 10µg/L total annual phosphorus concentrations as indicated in Table 3 below. Lake Thomas and Lake Fletcher however, were near the boundary for transition to the mesotrophic level with total annual phosphorus concentrations at 9.2µg/L and 9.3µg/L respectively. Based on the existing amount of development that has already taken place within 1000 feet of these lakes, the model predicts that Lake Thomas will become mid-range mesotrophic and that Lake Fletcher will become upper range mesotrophic. The Study also predicts that Grand Lake will become upper range oligotrophic in the next 20 to 25 years.

Table 3 – 2007 Baseline Conditions and Predicted Impacts on Water Quality Parameters

¹⁰ The northern portion of the Secondary Planning Strategy Area is an area where several subdivision developments were allowed to continue pursuant to the grandfathering policy (Policy S-28) under the Regional Plan.

Mean Annual Parameters	2007 Water Quality Samples			Predicted Impacts: River-lakes Village Centre Designation Scenario			Predicted Impacts: Outside River-lakes Village Centre Designation Scenario		
	Lake Thomas	Lake Fletcher	Grand Lake	Lake Thomas	Lake Fletcher	Grand Lake	Lake Thomas	Lake Fletcher	Grand Lake
Phosphorus	9.2 µg/L	9.3 µg/L	4.6 µg/L	18.0 µg/L	20.2 µg/L	10.2 µg/L	14.7 µg/L	19.3 µg/L	11.2 µg/L
Total Suspended Solids (TSS)	0.88 mg/L	0.49 mg/L	0.16 mg/L	0.97 mg/L	0.50 mg/L	0.16 mg/L	0.88 mg/L	0.65 mg/L	0.18 mg/L
Bacteria (E.coli)	86 CFU/100mL	105.5 CFU/100mL	13.7 CFU/100mL	86.2 CFU/100mL	105.6 CFU/100mL	13.7 CFU/100mL	86 CFU/100mL	129.7 CFU/100mL	86 CFU/100mL

Development Scenario Impacts

Modelling for the Within the River-lakes Village Centre Designation Development Scenario predicted that Lake Thomas will move from the mid-range mesotrophic level to the upper range mesotrophic level at 18.0µg/L as indicated in Table 3 above. Lake Fletcher is predicted to move to the meso-eutrophic boundary of 20µg/L under this development scenario. Grand Lake is predicted to move to or slightly above the oligo-mesotrophic boundary at 10.2µg/L. The Within the River-lakes Village Centre Designation Development Scenario is not predicted to have a significant effect on microbial or total suspended solids concentrations within either of these lakes.

Modelling for the Outside the River-lakes Village Centre Designation Development Scenario predicts that this development scenario would cause Lake Fletcher to approach the meso-eutrophic boundary of 20µg/L and Grand Lake would move into the low mesotrophic range. This development scenario is predicted to impose microbial impacts on Lake Fletcher that would exceed the CCME Guidelines of CFU/100mL for body contact recreation more often.

Each scenario was modeled independently and does not account for the cumulative effects that both scenarios would have on receiving waters if developed together. If the scenarios for the Within the River-lakes Village Centre Designation and the Outside the River-lakes Village Centre Designation were developed together, or if there was greater development in the sub-watersheds upstream of the River-lakes Plan Area, there would be greater impact on the receiving waters of the sub-watersheds in this Secondary Planning Strategy Area than indicated in this Study.

Water Quality Objectives

Given the environmental sensitivity of the Shubenacadie Lakes and the desire of residents to preserve and protect its water quality, the Study recommends an

oligotrophic status with an upper limit of 10µg/L should be maintained for Grand Lake. This is also desirable since Grand Lake is a municipal water supply for the Municipality of East Hants. Trophic Status limits should also be set for the lakes upstream from Grand Lake, Lake Fletcher, Lake Thomas, Kinsac, William and Charles - to ensure that this objective is maintained.

The Study recommends an upper limit of 20µg/L for Lake Thomas and Lake Fletcher which are within the River-lakes Secondary Planning Strategy Area. It also recommends 20µg/L for Lake William which may be impacted by future developments in the southern portion of the Plan Area that is within the Lake William Sub-watershed. Although a limitation of 20µg/L will maintain Lake William, Lake Thomas and Lake Fletcher at the upper range mesotrophic level in the long-term, this Secondary Planning Strategy has no control over the developments that are in the portions of these sub-watersheds that area outside of this Plan Area.

The proposed regulations for the River-lakes Village Centre Designation will significantly reduce the permitted floorspace and amount of impervious surface within the River-lakes Village Centre Designation from the previous regulations under the C-2 (Community Commercial) and C-4 (Highway Commercial) zones. The new regulations proposed under the River-lakes Village Centre Designation Zones require the retention of a minimum of 50% of each site as pervious surface. The permitted building footprint for all buildings permitted within the various zones has been reduced from 10,000 square feet to anywhere between 2000 to 4000 square feet depending on the zone. The Regional Plan requires the retention of riparian buffers and wetlands which will also aid in the uptake of phosphorus and ameliorate its impacts. However, there is a substantial amount of housing development proposed within the southern and northern portions of the Secondary Planning Strategy Area which should be assessed to ensure that it does not exceed the capacity of the receiving waters to assimilate phosphorus without exceeding the water quality objectives established under this Secondary Plan.

In order to maintain the health and resilience of these receiving waters, this Secondary Planning Strategy will establish a no net increase phosphorus export policy for any future residential developments exceeding 8 units/lots within the River Lakes Secondary Planning Strategy Area. Pursuant to the Regional Plan, any development requiring a new road for the development of more than 8 lots is only allowed to proceed under the provisions of a development agreement. As part of the assessment process for a development agreement, applicants shall be required to submit a study by a qualified person demonstrating that the proposed development will not export any more phosphorus from the site than what may be exported from the site prior to the development taking place. The total amount of phosphorus that is expected to be exported from the site prior to the undertaking of a development shall in effect become the phosphorus budget or limit for the amount of phosphorus that may be allowed to be exported from the site under the proposed development for that area. If the amount of phosphorus for a proposed development exceeds the phosphorus budget for the site, then the density of development will have to be adjusted to reduce the phosphorus impacts on the receiving environment. The feasibility of continuing development in the northern

portion of the Secondary Planning Strategy Area should be reviewed during the Phase II planning process.

In order to achieve an appropriate balance of development throughout the Shubenacadie Lakes System and to maintain an oligotrophic level for Grand Lake, water quality objectives should be established for each contributing sub-watershed after HRM adopts a water quality monitoring functional plan. HRM is currently undertaking a watershed study of the Shubenacadie Lakes Watershed to assess the impacts of potential future development in the Port Wallis area within the Lake Charles Sub-watershed. It would be appropriate to review the River-lakes Secondary Planning Strategy when setting targets for future growth in the Lake Charles or Lake William sub-watersheds that are upstream from Fall River. At this time, threshold values should be set for the Shubenacadie Lakes System against which to regulate the density of all future development.

RL-22 The River-lakes Secondary Planning Strategy shall establish a no net increase in phosphorus as the performance standard for all large scale developments considered through the provisions of a development agreement pursuant to policies RL-4, RL-5, RL-11, RL-12, RL-13, RL-14 and RL-15 of this Secondary Plan. This Policy shall also apply to proposed developments pursuant to policies S-15 and S-16 of the Regional Municipal Planning Strategy. A study prepared by a qualified person shall be required for any proposed development pursuant to these policies to determine if the proposed development will export any greater amount of phosphorus from the subject land area during or after the construction of the proposed development than the amount of phosphorus determined to be leaving the site prior to the development taking place. If the study reveals that the phosphorus levels predicted to be exported from the proposed development exceed the phosphorus levels currently exported from the site, then the proposed development will not be permitted to take place unless there are reductions in density or treatment of stormwater through natural systems to reduce phosphorus export levels to those current before the proposed development. The cost of the study shall be borne by the applicant. The study may rely on phosphorus export coefficients derived from existing studies if they can be justified for application to local environmental conditions. All existing and proposed development within the affected area shall be taken into account and the consultant shall undertake Wet Areas Mapping to help define the ecological boundaries associated with the flow channels, accumulation points, and riparian zones to restrict any high impact development in those areas.

RL-23 The following measures shall be incorporated into all development agreements in the River-lakes Secondary Planning Strategy Area:

- a) A site non- disturbance area of a minimum of 50% of the site or greater if required pursuant to any other policies within this Secondary Planning Strategy or the Regional Municipal Planning Strategy; and**
- b) Stormwater management and erosion and sedimentation control plans are in place to minimize impact on receiving waters.**

Transportation

River-lakes Road Systems

The Fall River/Waverley/Wellington Areas Transportation Study was prepared by CBCL for the River-lakes Secondary Planning process. The purpose of the study was to examine traffic conditions on the existing road network and to recommend transportation improvements for current and future potential growth.

The Study found that existing traffic at the Highway 102 / Highway 2 / Highway 118 interchange, the Fall River Road / Lockview Road intersection and Fall River Road / Highway 2 intersection is heavily congested during the am and pm peak periods. The intersection of Highway 2 / Highway 118 southbound / Highway 102 northbound ramps were found to be functioning very poorly with substantial queuing occurring on Highway 2 (up to 1500 m) during the am peak. During the pm peak, the Highway 102 southbound ramp / Highway 2 intersection and the Highway 118 southbound ramp / Highway 2 intersection were both experiencing poor operating conditions with queuing of up to 500 m on the Highway 118 southbound ramp. Also during the pm peak period, the Highway 118 northbound exit ramp was shown to experience significant queuing which would sometimes extend all the way back onto the highway.

The Study indicates that conditions will worsen at these intersections as more development takes place over the next 20-25 years and that the Fall River Road / MacPherson Road and Fall River Road / Highway 2 intersections will also exceed capacity. Without road improvements or controls on growth, the intersections of Highway 2 / Highway 118 southbound ramp, Highway 2 / Highway 102 southbound ramp, Highway 2 / Fall River Road, Fall River Road / McPherson Road, and Fall River Road / Lockview Road are predicted to experience significantly diminished operations.

The Study recommends a number of short-term improvements to alleviate current traffic conditions that were recommended by the Fall River VIC for implementation (Appendix A). These include recommendations to channelize traffic through a right turning lane from Fall River Road to Highway 2, restricting left turns from Fall River Road into Wilson's and improvement of pedestrian facilities at the intersection of Fall River Road and Highway 2. It is also recommended that the Municipality also encourage the Province of Nova Scotia to consider the development of a roundabout between Highway 2, Perrin Drive and the Highway 102 northbound ramp to alleviate current traffic conditions at the interchanges.

A number of longer-term solutions were also recommended including the widening of the Fall River Bridge to 4 lanes and upgrading the Fall River Road and Highway 2 Intersection. The Committee does not recommend the Fall River Road and Highway 2 Intersection upgrade as designed by the consultants since it will not retain the rural village character desired by the community for the River-lakes Village Centre. It is the

recommendation that an alternative design solution be considered that is more in keeping with the vision for the River-lakes Village Centre.

The Study also recommends the development of a new interchange to reduce traffic on Highway 2 and to take pressure off the Highway 102 and Highway 118 interchanges. Three of the most probable locations include 1) the extension of the Windsor Junction Road past the Cobequid Road to connect with a full access interchange with Highway 102; 2) the extension of the Cobequid Road to connect with a full access interchange with Highway 102; or 3) the construction of a new road to the north of the Plan Area to connect to the eastbound leg of the interchange at Aerotech Park. The modeling results for the study predicts that the development of an interchange south of the Plan Area via connection from either Windsor Junction Road or Cobequid Road would be the more effective means of alleviating traffic congestion on Highway 2.

The Municipal Planning Strategy for Planning Districts 14/17 recommends the construction of a collector road over the backlands from Fall River Road to Wellington to provide eventual connection to a road that was previously contemplated by the Nova Scotia Department of Transportation and Infrastructure Renewal. This road was the Hammonds Plains/Beaver Bank By-pass which would have extended from the Highway 213 across the Hammonds Plains, Lucasville, Middle Sackville, Beaver Bank and Fall River/Fletchers Lake backlands to connect to Highway 102 at the Aerotech Interchange (Transportation Map 3). This by-pass road is no longer proposed by the Nova Scotia Department of Transportation and Infrastructure Renewal and responsibility for future road development is now the responsibility of HRM. HRM will review its best locations for growth and long-term infrastructure development in light of the findings of the Shubenacadie Lakes Watershed and Fall River/Waverley/Wellington Transportation studies, in the Phase II River-lakes planning process.

- RL-24 The Municipality shall work with the Nova Scotia Department of Transportation and Infrastructure Renewal to develop a plan and schedule for the implementation of the transportation improvements recommended under the Fall River/Waverley/Wellington Transportation Study. Decisions regarding long-term improvements shall be considered under Phase II of the River-lakes Secondary Planning Process. The Municipality should seek an alternative design to the recommendation for upgrading the Fall River Road and Highway 2 Intersection to ensure that future plans for upgrading are in keeping with the desire to maintain the rural village character of the River-lakes Village Centre.**
- RL-25 As an interim measure, HRM shall require the proponents for any large scale residential developments considered through the provisions of Policies RL-11, RL-12, RL-13, RL-14 and RL-15 of this Secondary Planning Strategy or commercial development considered pursuant to policies RL-4 and RL-5 or**

Policy P-68 of the Planning Districts 14/17 Municipal Planning Strategy and policies S-15 and S-16 of the Regional Municipal Planning Strategy, to submit a traffic study to determine the impacts of development on the Fall River Road and Highway 2 Intersection, the Highway 102 / Highway 118 interchanges and the Lockview Road and MacPherson Road intersection. The study shall take into consideration the findings of the Fall River/Waverley/Wellington Transportation Study and the amount of development permitted in areas subject to these development agreements shall be regulated on the basis of the receiving road network capacity and the provisions of Policy RL-22.

Transit

The HRM Regional Transit Plan - Park and Ride, Express and Rural Transportation Services Study was prepared by Entra Consultants to assess the feasibility of providing express bus service between the Rural Commuter Centres along the Highway 103, 102 and 107 corridors and the Downtown. The Metro X Service became operational in Fall River in 2012 and provides all day service between park and ride facilities situated at the Highway 118 Interchange in Fall River and the Airport to Downtown Halifax and Dartmouth.

While the community supports the provision of express bus service to the downtown, there is a strong desire for the provision of a community transit service that will link all neighbourhoods within the River-lakes Secondary Planning Strategy Area and provide linkage to Sackville. Residents throughout the River-lakes Communities have a strong connection to the Sackville Community for shopping, personal service, recreation and employment. Residents within the Fall River area also have a tendency to reverse commute to the Metro Link Terminal in Sackville to gain access to the Downtown. Thus it is the desire of the residents to have the opportunities for the provision of a bus service throughout the River-lakes Communities and to Sackville explored by HRM.

RL-26 In the future, should HRM entertain the expansion of transit services in rural communities, HRM shall investigate the feasibility of the providing transit service to connect the River-lakes Secondary Planning Strategy Area with Sackville.

Rail Transit

The River-lakes Communities were previously connected to the downtown of Halifax via a train service with a stop at Windsor Junction. It is the desire of the River-lakes Communities to see the provision of a rail transit service provided to the downtown to as a means of connecting the River-lakes Communities to the Downtown. HRM is in the process of commissioning a feasibility study to examine the potential for rail transit

using existing railway tracks. Thus it is the desire of the residents from the area to have the River-lakes Communities considered as an area for inclusion in the feasibility study for future rail transit service.

Appendix A

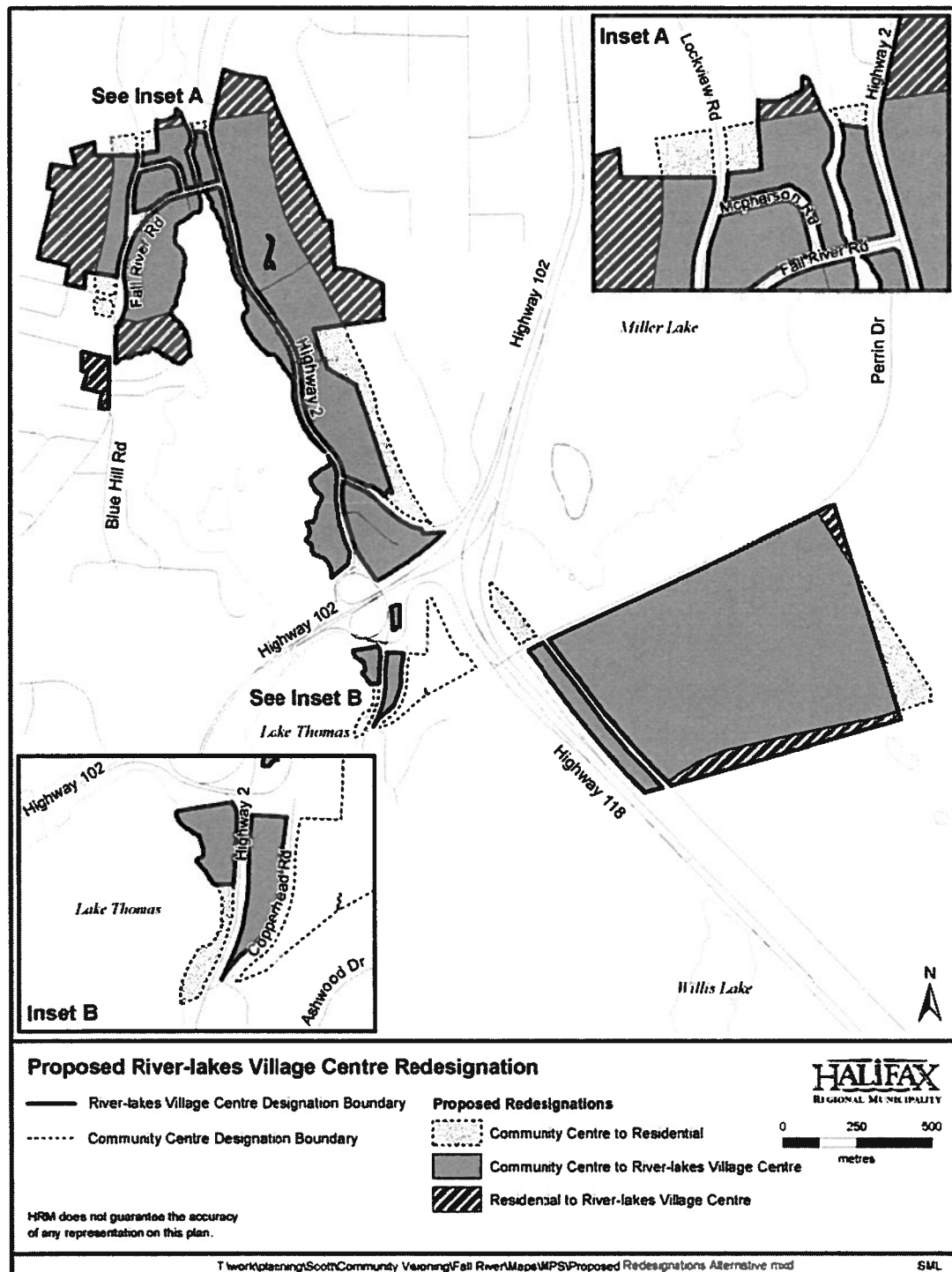
Fall River Vision Implementation Committee Recommendations on the Fall River Transportation Study Recommendations

Study Recommendations	VIC Recommendation	VIC Priority
<u>Fall River Rd/Trunk 2</u> a) Channelized right turn lane b) Eliminate left turns from Fall River Rd to Wilson's c) Improve pedestrian facilities at intersection d) Add northbound advanced green	a) Table for future discussion b) Agree c) Agree d) Agree	5
<u>Recommendation II: Ash Lee Jefferson Drop-off</u> a) Option A: relocate existing sidewalk to provide lay-by area b) Option B: drop off area behind adjacent church	Recommend that both options be implemented to alleviate the problem	2
Improve signal timing and detection at Highway 118 NB Ramp and Perrin Dr.	- Agree with recommendation. - Also recommend that NSTIR construct an appropriately sized deceleration lane from Highway 118 at exit 14 to accommodate current PM peak traffic volumes.	1
Construct roundabout at Highway 2/ Highway 118 southbound ramp / Highway 102 northbound ramp intersection	Agree with recommendation	4
Improve primary connector trail	Agree with recommendation	3

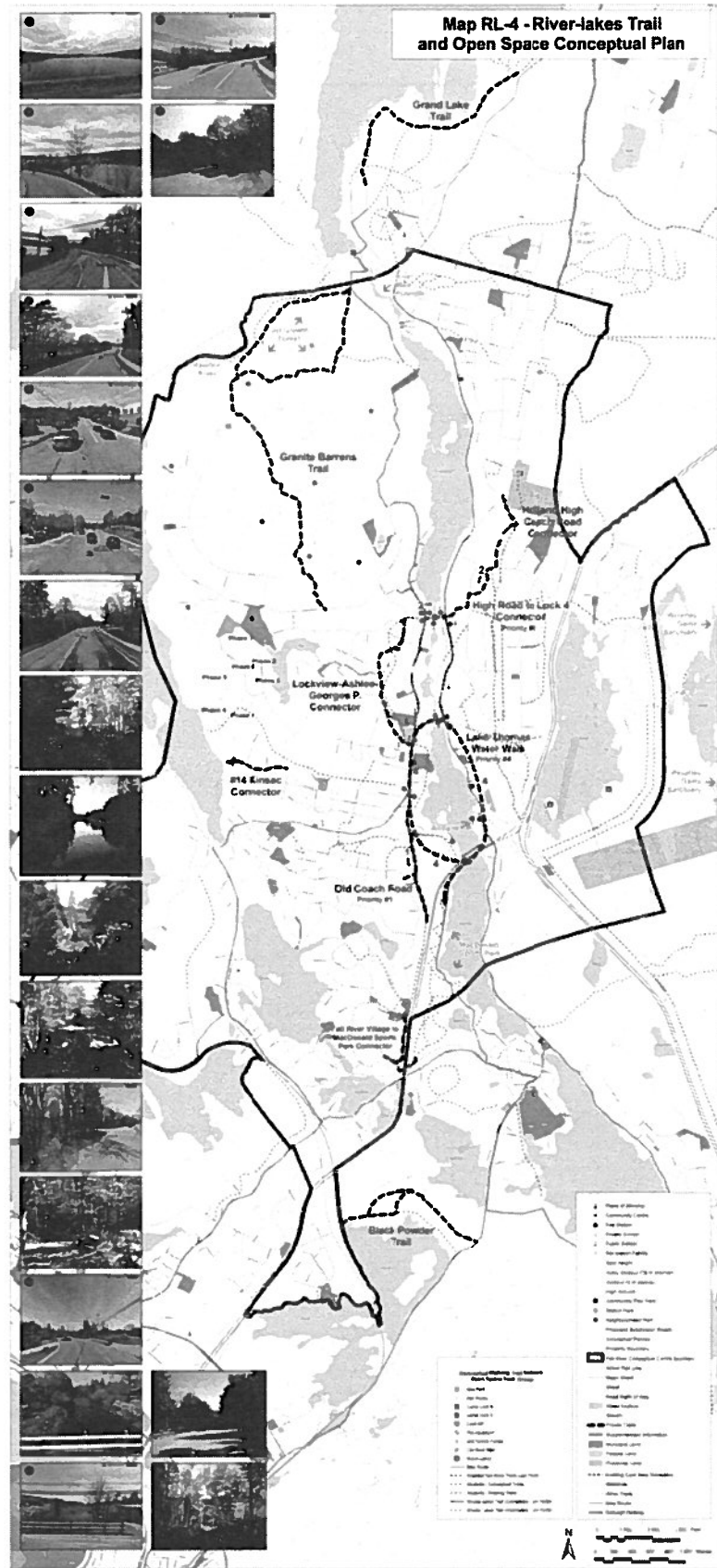
Study Recommendations	VIC Recommendation	VIC Priority
Implement secondary multi-use trail along Trunk 2	Agree with recommendation	7
<p><u>Upgrade Fall River Road/Highway 2 intersection</u></p> <ul style="list-style-type: none"> a) Channelized right turn lanes b) 25m right turn lane for NB and SB legs c) 35m dedicated left turn lane for EB leg d) Lengthen EB right turn lane e) Double left turn lanes on NB leg 	<p>The committee agrees that improvements have to be made to the intersection now and over the long-term.</p> <p><u>The committee did not endorse the proposed design</u> noting that alternative solutions should be pursued to take the pressure off this intersection over the long-term. The proposed design was <u>not considered to be in keeping with the pedestrian oriented centre envisioned for the Fall River Village Core.</u></p>	
<p><u>Replace Fall River Rd Bridge</u> 4 lane structure with pedestrian facilities</p>	<p>Agree with recommendation</p> <p>Committee further recommends that the bridge be raised to allow passage under the bridge over the Canal in the event of replacement.</p>	

Study Recommendations	VIC Recommendation	VIC Priority
<p><u>Most Viable Options for Future connection to Highway 102:</u></p> <ul style="list-style-type: none"> a) Windsor Junction Road Extension beyond Cobequid with full access Interchange with Highway 102 b) Cobequid Road with full access Interchange with Highway 102 c) Aerotech 	<p>Agree with recommendation</p> <p>The Committee also recommends that future connection a) be moved forward as a recommendation for implementation and that it be given short-term priority as opposed to a long-term recommendation.</p>	<p>6</p>
<p>Implement secondary multi-use trail system</p>	<p>Agree with recommendation</p>	
<p>Installation of signals where warranted</p> <ul style="list-style-type: none"> a) Lockview/Fall River Road b) Trunk 2/Highway 102 SB Ramps 	<p>Agree with recommendation</p>	

22. Redesignate all Lands on the Generalized Future Land Use Maps as illustrated below:



23. Insert Map RL-4 as illustrated to the right as part of the River-lakes Secondary Planning Strategy within the Municipal Planning Strategy for Planning Districts 14 and 17.



- (3) Where a parking lot for more than ten (10) but less than twenty-one (21) vehicles is required or permitted in the CC, VMS, VC-CDD, VG and RCDD zones the following provisions shall apply in addition to the provisions outlined in Sections 4.26 (1) and (2):
- (a) Curbs, decorative stone, paint or other appropriate methods of delineating a pedestrian right of way shall be provided to ensure safety between pedestrian and vehicular movements in all parking lots, and
 - (b) Curbs, decorative stone, paint or other appropriate methods of delineating landscaping areas shall be provided to prevent damage from vehicles, to separate planting areas from pedestrian pathways, and to prevent soil and other landscape material from spreading over adjacent surfaces.
- (4) Where a parking lot for more than twenty (20) vehicles is required or permitted in the CC, VMS, VC-CDD, VG and RCDD zones, in addition to the provisions outlined in Sections 4.26 (1) (2) and (3), the following provisions shall apply:
- (a) Parking lots shall have ten (10) percent of their area landscaped with vegetation;
 - (b) Shrubs and one tree for every five parking spaces shall be incorporated within the parking lot in consolidated planting areas such as landscaped islands, medians, and bio-retention areas and vegetated islands; and
 - (c) Landscaped islands shall be installed within the parking lot at a rate of one island for every 20 parking spaces. Each island shall contain shall contain at least one (1) high-branching deciduous shade and include non-invasive shrubs, perennials, ornamental grasses and/or groundcover.
51. Insert the acronym, commas and words “CC (Canal Court), VMS (Village Main street) VG (Village Gateway), and FRB (Fall River Business) Zones” after the the acronym, commas and words “C-2 (Community Centre),” subsection 4.28(a).
52. Insert the following “(x) Perrin Drive; (xi) Falls Run;” after subsection 4.28(a)(ix).
53. Insert the following acronym, comma and words “CC (Canal Court) Zone, VMS (Village Main Street), VG (Village Gateway), FRB (Fall River Business) or VC-CDD (Village Core Comprehensive Development District) Zone” after the acronym, comma and words “C-2 (Community Centre) Zone,” in subsection 4.28(b).
54. Replace the letter “G” with the letter “C” after the word “SCHEDULE” in the heading of section 4.32.
55. Replace the letter “G” with the letter “C” after the word “Schedule” in section 4.32.
56. Replace the letter “H” with the letter “D” after the word “SCHEDULE” in the heading of section 4.33.

57. Replace the letter "H" with the letter "D" after the word "Schedule" in section 4.33.
58. Replace the letter "I" with the letter "E" after the word "Schedule" in subsection 4.34 IX (a).
59. Add the following clause after Section 5.1 (c):

(d) **the provisions of Section 5.1AA shall apply, in addition to all other provisions of this Part, within any CC (Canal Court), VMS (Village Main Street), VG (Village Gateway), or FRB (Fall River Business zones.**

60. Add the following after Section 5.1A:

5.1AA GENERAL REQUIREMENTS - FALL RIVER ZONES

Within the CC or VMS zones materials used for signs shall have matte or dull finishes. Gloss finish and backlit signage is prohibited in CC or VMS zones. Multi-tenant signage shall begin with the civic address, followed by building name, if applicable, and then followed by the name of any tenant.

61. Insert the number "(1)" immediately before 5.7(a).
62. Insert the following after subsection 5.7(c):
- (2) **Notwithstanding Section 5.7 (1), within the CC, VMS, VG or FRB Zone, no facial wall sign shall:**
- (a) **Extend above the top of the wall on which it is attached;**
 - (b) **Project or extend beyond the extremities of the wall on which it is attached;**
 - (c) **Include more than one message for each business premise in the building on which it is affixed; or**
 - (d) **Have an area which exceeds five (5) percent of the area of the wall on which it is attached.**
- (3) **Within the CC, VMS, VG or FRB Zone, canopies and awnings attached to walls shall:**
- (a) **Not project over a public right-of-way unless permitted pursuant to the Encroachment By-law;**
 - (b) **Be self-supporting;**
 - (c) **Be placed a minimum height of 9 feet (2.7m) above a sidewalk or walkway; and**
 - (d) **Any advertising affixed to a canopy or awning shall be limited to a business logo, business name or civic address and shall not exceed fifty (50) percent of the canopy or awning.**

63. Delete Section 5.8 and replace it with the following:

5.8 PROJECTING SIGNS

Projecting signs are prohibited except in the CC, VMS, VG or FRB Zone. Within the CC, VMS, VG or FRB Zone, no projecting wall sign shall:

- (a) Project over a public right-of-way unless permitted pursuant to the Encroachment By-law;**
- (b) Project more than six (6) feet (1.8 metres) from the wall on which it is attached;**
- (c) Project above the eaves, parapet or roof line of a building;**
- (d) Be erected below a height of nine (9) feet (2.7 metres) above grade; or**
- (e) Exceed sixteen (16) square feet (1.5 square metres) per sign area.**

5.8A ROOF SIGNS

Signs mounted on the roof of any building within the CC, VC-CDD, VMS, VG, FRB and RCDD zones are prohibited.

64. Inserting the following after “5.9 GROUND SIGNS” the following:

(1) Ground signs are prohibited in the CC Zone, except for ground signs on the corner lots at the intersection of Fall River Road and MacPherson Road and ground signs on the corner lots at the intersection of Fall River Road and Highway 2.

65. Insert “(2)” before (a) in section 5.9 (a).

66. Insert the following after subsection 5.9(2)(a)(ii):

- (iii) Signs for multi-tenant buildings within the VMS Zone, where such signs shall not exceed one hundred (100) square feet (9.3 m²) of sign area on a single face or two hundred (200) square feet (18.6 m²) of sign area of both faces combined.**
- (iv) All signs within the FRB Zone, where such signs shall not exceed one hundred (100) square feet (9.3 m²) of sign area on a single face or two hundred (200) square feet (18.6 m²) of sign area of both faces combined.**
- (v) All signs within the VG Zone, where such sign shall not exceed two hundred and fifty (250) square feet (23.2 m²) of sign area on a single sign face or five hundred (500) square feet (46.5 m²) of sign area of both faces combined.**
- (vi) Signs where permitted for multi tenant buildings within the CC Zone pursuant to Section 5.9 (1), shall not exceed one hundred (100) square feet (9.3 m²) of sign area on a single face or two hundred (200) square feet (18.6 m²) of sign area of both faces combined.**

67. Insert the following subsection 5.9(2)(b)(iii):

- (iv) Twelve (12) feet (3.6 m) for a single story building and twenty (20) feet (6 m) for a multi story building in the VMS Zone;
 - (v) Fifty (50) feet (15.2 m) in the VG or FRB Zone; or
 - (vi) Fifteen (15) feet (4.5 m) where permitted in section 5.9 in the CC Zone.
- (bb) No ground sign shall exceed a width of:
- (i) Ten (10) feet (3 m) in the CC, VMS, VG and FRB zones.

68. Insert the following after subsection 5.9(2)(e):

- (ee) Notwithstanding clause (e), no ground sign shall be located within five (5) feet (1.5 m) from any street line in the CC, VMS, VG or FRB Zone.

69. Insert the following after subsection 5.9(2)(f):

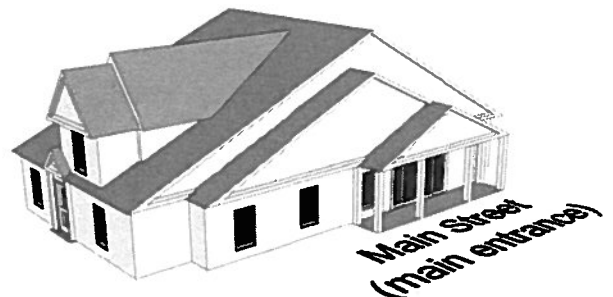
- (3) Within the CC, VMS, VG and FRB zones, the following additional conditions to Section 5.9 (1) shall apply:
- (a) Only one ground sign shall be permitted per multi-tenant building.
 - (b) Landscaping shall be provided at the base of a ground sign. Landscaping shall consist of planter boxes, shrubs, or flower beds or a combination thereof. If landscape planters are used, the planters shall be constructed of a natural material and shall be a minimum of 3 feet (0.9m) wide and 3 feet (0.9m) high;
 - (c) A ground sign and the required landscaping as described above may be placed within the required landscaping setback as specified in Sections 14A.10 (a), 14C.11 (a), 14D.9 (a) and 14E.5 (1) (a); or
 - (d) The maximum number of sign faces shall be two, which shall be affixed back to back.

5.10 ARCHITECTURE REQUIREMENTS

The following provisions shall apply only to the CC, VCCDD, VMS, VG, FRB and RCDD zones created for the River-lakes Secondary Plan Area.

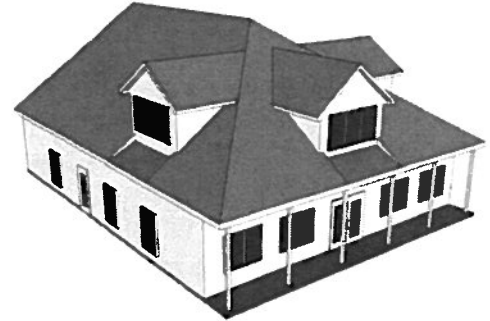
5.10.1 ENTRANCES and FACADES

- (a) No building shall have less than one clearly defined entrance that is facing a street and which is unobstructed for pedestrians.
- (b) On corner lots the main entrance shall be situated on the portion of the building facing the Mainstreet or situated at the corner of the building, facing the intersecting streets.



(c) Notwithstanding subsection 5.10.1(b), where the building is situated on a corner lot at the intersection of two roads, the main entrance may face the corner of the building facing the intersecting streets.

(d) At least three of the following architectural elements shall be incorporated in all walls facing a street for every ten (10) feet (3 m) within the CC Zone, twenty (20) feet (6 m) within the VMS Zone, or fifty (50) feet (15.2 m) within the VG, VCCDD, FRB or RCDD zones:



- (i) canopies or porticos;
- (ii) awnings,
- (iii) open colonnades,
- (iv) overhanging rooflines,
- (v) raised corniced parapets over the door,
- (vi) gabled peaked roof forms,
- (vii) outdoor patios,
- (viii) display windows
- (ix) architectural details such as moldings or stone,
- (x) planters or wing walls that incorporate landscaped areas and seating places; and/or
- (xi) any other similar architectural treatment as deemed by the Development Officer to be an acceptable equivalent.

(e) Buildings with multiple storefronts shall have either a gabled entry way or separate entrances for each store.

(f) Buildings with multiple storefronts shall have features along the façade such as covered walkways or open colonnades.

(g) The façade facing the Mainstreet shall be designed as the front of the building, containing a main entrance door, and window or display case.

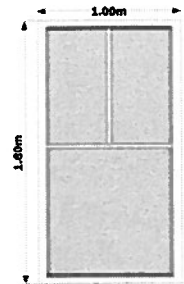
Gable Entryway



5.10.2 WINDOWS and DOORS

(a) All windows shall:

- (i) have a minimum height to width ratio of 1.8 to 1 and a maximum height to width ratio of 2 to 1;
- (ii) be placed vertically in the wall space so building facades are visually well balanced; and
- (iii) be accentuated by design details such as arches, hoods, mouldings, decorative lintels, pediments or sills.



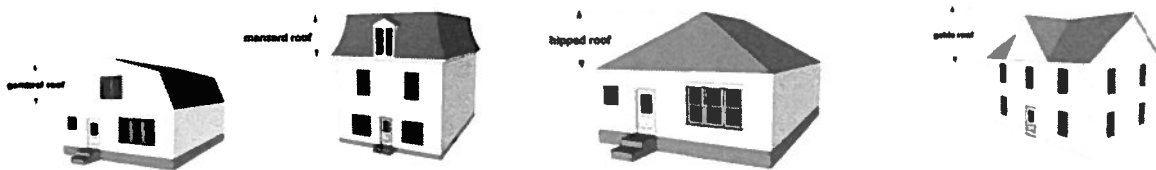
(b) All doors and corners shall be accentuated by design details such as arches, hoods, mouldings, decorative lintels, pediments or sills.

(c) Notwithstanding clauses 5.10.2(a) and (b), continuous bands of horizontal glazing may be permitted on the first floor of commercial buildings permitted in the CC zone if:

- i) the glazing is not more than seventy-five (75) percent of the building face;
- ii) the building contains vertical windows on the second floor having a height to width ratio of 1.8 to 1; and
- iii) the storefront entries are recessed.

5.10.3 ROOF LINES

(a) Roof styles shall be gable, gambrel, mansard or hipped.



(b) Notwithstanding 5.10.3(a), flat roofs shall be permitted where the building footprint is less than 2500 square feet (232.2 sq. m) or on a building, except for a service station that is greater than 2500 square feet (232.2 sq. m) provided that the flat roof portion of the roof is not visible from any street.

(c) The minimum roof pitch on all buildings shall be 4:12 except where flat roofs are permitted pursuant to clause 5.10.3(b) or where mansard or gambrel roofs are used.

(d) For buildings that are fifty (50) feet (15.2 m) in length or greater, multiple roof planes, cornices, cross gables, cupolas, belvederes, dormers or other architectural treatment shall be incorporated into the roof structure.

Multiple Roof Planes



5.10.4 CLADDING AND ROOF MATERIALS

- (a) Exterior cladding for new commercial, institutional, multiple unit and townhouse buildings shall consist of bricks, stone, wood shingles, wood siding, wood clapboard, vinyl siding or a combination thereof or other acceptable equivalent as determined by the Development Officer.**
- (b) The following highly reflective materials are prohibited:**
 - (i) sheet metal;**
 - (ii) plastic panels;**
 - (iii) brushed aluminum;**
 - (iv) reflective glass;**
- (c) The following materials are prohibited:**
 - (i) Concrete block;**
 - (ii) Untreated plywood;**
 - (iii) Particle board;**
 - (iv) Tilt-up concrete panels;**
 - (v) Painted brick.**
- (d) Notwithstanding subsections 5.10.4(c) and (d), materials required for solar heating, such as solar panels, shall be permitted.**
- (e) Any exposed foundation in excess of twenty (20) square feet (1.8 sq. m) including any parking garage or parking entrance, shall be architecturally detailed or veneered with stone or brick.**

5.10.5 ROOFTOP EQUIPMENT

- (a) All rooftop equipment, including satellite and other telecommunication equipment for private use, air handling units, elevator equipment, cooling towers and exhaust fans, shall be visually screened from the street by the roof structure.**

5.10.6 ADDITIONAL REQUIREMENTS FOR SERVICE STATIONS

- (a) Where canopies are used over gasoline pumps and garden centres, the canopy shall:**
- (i) be constructed to match the main structure in terms of roof pitch, architectural detailing, materials and colour;**
 - (ii) have a pitched roof and fascia trim;**
 - (iii) not have a brightly coloured metal roof or roof sign; and**
 - (iv) not be illuminated.**

5.10.7 EXEMPTIONS

- (a) Notwithstanding section 5.10, the Architectural provisions of this section shall not apply to any one or all of the following:**
- (i) a change in use or occupancy within an existing building;**
 - (ii) internal renovations with no external renovation or modification to an existing building;**
 - (iii) the replacement of windows to an existing building; or**
 - (iv) the replacement of any signage as a result of a change in use or occupancy.**

70. Insert the following at the end of Part 14:

PART 14A: CC (CANAL COURT) ZONE

14A.1 USES PERMITTED

No development permit shall be issued in any CC (Canal Court) Zone except for the following:

Commercial Uses

Retail Stores

Service and Personal Service Uses

Offices

Banks and Financial Institutions

Restaurants -Full Service and Take-out

Existing Service Stations pursuant to Section 4.6 (j)

Craft Shops

Residential and Commercial Uses

Single unit dwellings

Two unit dwellings

Bed and Breakfast

Home Businesses

Existing Multiple Unit Dwellings pursuant to Section 4.6 (k)

Community Uses

Public and private parks and playgrounds

Cemeteries

Historic sites and monuments

Museums as an educational institution

14A.2 CC ZONE REQUIREMENTS: RESIDENTIAL USES

In any CC Zone, where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:

10,000 square feet (929 m²) where
central sewer services are provided
40,000 square feet (3716 m²) where
no central sewer services are
provided

Minimum Frontage:

75 feet (22.9 m) where central
sewer services are provided

	100 feet (30.4 m ²) where no central sewer services are provided
Maximum Front or Flankage Yard	3 feet (0.9 m ²)
Minimum Side Yard:	8 feet (2.4 m ²) where central sewer services are provided 15 feet (4.5 m ²) where no central sewer services are provided
Minimum Rear Yard	25 feet (7.6 m ²)
Maximum Lot Coverage (Building)	35 percent
Maximum Impervious Surface Coverage	50 percent
Maximum Height of Main Building	35 feet (10.7 m ²)
Minimum Height of Main Building	35 feet (7.6 m ²)
Maximum Building Width	60 feet (18.2 m)
Minimum Landscaped Area	25 percent

14A.3 CC ZONE REQUIREMENTS: COMMERCIAL USES

In any CC Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	10,000 square feet (929 m ²) where central sewer services are provided 40,000 square feet (3716 m ²) where no central sewer services are provided
Minimum Frontage:	75 feet (22.9 m) 100 feet (30.4 m) where no central sewer services are provided
Maximum Front or Flankage Yard:	3 feet (0.9 m)
Minimum Side Yard:	8 feet (2.4 m) where central sewer services are provided 15 (4.5 m) where no central sewer services are provided

Minimum Rear Yard	25 feet (7.6 m)
Maximum Lot Coverage (Building)	35 per cent
Maximum Impervious Surface Coverage	50 percent
Maximum Height of Main Building	35 feet (10.7 m)
Minimum Height of Main Building	25 feet (7.6 m)
Maximum Building Width	60 feet (18.2 m)
Minimum Landscaped Area	25 percent

14A.4 OTHER REQUIREMENTS - FLOOR AREA

- (a) The gross floor area of the main building on a lot in any CC Zone, shall not exceed 4,000 square feet (371.6 m²). No main building footprint shall exceed 2,000 square feet (185.8 m²).

14A.5 OTHER REQUIREMENTS – INCREASED FLOOR AREA

- (a) Notwithstanding Section 14A.4 (a), where uses are permitted as Commercial Uses situated at 1480 Fall River Road, as illustrated in Schedule F, the following shall apply:

- (i) gross floor area of the building may be increased to 6,000 square feet (557.4 m²),
- (ii) no main building footprint shall exceed 2,000 square feet (185.8 m²); and
- (iii) all uses permitted as Commercial Uses, except Existing Service Stations or Existing Multiple Unit Dwellings, in any CC Zone can be extended throughout the entire building.

- (b) Notwithstanding Sections 14.3 and 14A.4 (a), where uses are permitted as Commercial Uses situated at 1470 Fall River Road, as illustrated on Schedule G, the following shall apply:

- (i) the gross floor area of the main building may be increased to 9,000 square feet (836.1 m²);
- (ii) no main building footprint shall exceed 6,000 square feet (557.4 m²);
- (iii) the width of the main building maybe increased to a maximum of 141 feet (42.9 m).and
- (iv) all uses permitted as Commercial Uses, except Existing Service Stations or Existing Multiple Unit Dwellings, in any CC Zone may be extended throughout the entire building.

14A.6 OTHER REQUIREMENTS - BED AND BREAKFAST ESTABLISHMENTS

The following requirements shall apply for all bed and breakfast uses:

- (a) The Business shall be wholly contained within the dwelling which is the principal residence of the owner of the business. No more than one employee, not living in the dwelling, shall be permitted.
- (b) Not more than four (4) rooms may be let;
- (c) No more than one (1) sign advertising the bed and breakfast shall be permitted and no such sign shall exceed two (2) square feet (0.2 m^2) in area;
- (d) One (1) off-street parking space, in addition to that required for the dwelling, shall be provided for every two rooms to be let or part thereof; and
- (e) Where parking is located in any required yard abutting a residential use, an opaque fence of 5 feet (1.52 m) in height or a Landscaped buffer, adequate to screen the view from the adjacent residential property, shall be constructed along all property boundaries abutting the residential use.

14A.7 OTHER REQUIREMENTS - HOME BUSINESS USES

The following requirements shall apply for all home business uses:

- (a) Any business shall be wholly contained within the dwelling which is the principal residence of the owner of the business. No more than one employee, not living in the dwelling, shall be permitted.
- (b) No more than 500 square feet (46.5 m^2) of the building or accessory building shall be devoted to any business use.
- (c) Notwithstanding subsection (b), day care services for not more than 7 children may be permitted in conjunction with single unit dwellings subject to the remaining requirements for home business uses.
- (d) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling and which is not obnoxious.
- (e) Excluding out play areas associated with a daycare facility, no storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted outside on the property.
- (f) No more than one (1) sign shall be permitted advertising any such home business and no such sign shall exceed 2 square feet (0.2 m^2) in area.
- (g) One off-street parking space shall be required for every 150 square feet (13.9 m^2) of floor space devoted to the Home Business.

14A.8 OTHER REQUIREMENT: COMMERCIAL PARKING

Within the CC Zone, parking shall be located at the side and/or in the rear of the building. Where parking is located in any required yard abutting a residential use, a wood fence of 5 feet (1.52 m) in height or a landscaped buffer, shall be constructed along all property boundaries abutting the residential use. The landscaped buffer

may contain evergreen trees, earth berms, fences, or shrubs provided it screens the parking lot from the abutting residential property.

14A.9 OTHER REQUIREMENTS - STORAGE AND UTILITIES

Where uses are permitted as Commercial Uses in any CC Zone, the following requirements shall apply:

- (a) No storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted outside of a building on the property;
- (b) HVAC equipment, refuse containers, electrical equipment excluding metres, propane tanks, oil tanks and other similar equipment shall not face the street or shall be screened with a fence, berm or Landscaping that creates a visual barrier.

14A.10 OTHER REQUIREMENTS: LANDSCAPING

Where uses are permitted as Commercial Uses in any CC Zone, the following requirements shall apply:

- (a) A 15 foot (4.6 m) wide landscape strip shall be provided along all street lines, exclusive of buildings, driveways and walkways. The required landscape strip shall incorporate a minimum of one (1) tree (minimum of 60 mm calliper) and three (3) shrubs per 19.6 feet (6 m) of street lines. The required landscape strip, may be installed in the form of groupings.
- (b) In addition to clause (a), all landscaped areas shall include any one or a combination ground covers of grass, natural ground covers such as water features, washed or flat stone, decorative pavers, mulch, perennials, and annuals.
- (c) Notwithstanding clauses (a) and (b), existing trees and shrubs may be incorporated into the landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 15 foot (4.6 m) requirement.
- (d) Notwithstanding clauses (a) and (b), existing trees that are in excess of 150 mm in calliper, measured 150 mm above grade, shall be retained in the landscaped strip where possible and shall be calculated as part of the one (1) tree and three (3) shrubs per 15 foot (4.6 m) requirement.

14A.12 OTHER REQUIREMENTS: LIGHTING

Where uses are permitted as Commercial Uses in any CC Zone, all lighting shall be designed to meet the following requirements:

- (a) all lighting devices shall be designed to direct light to driveways, parking areas, loading area, building entrances and walkways and arranged to divert the light away from streets, adjacent lots and buildings;**
- (b) have different purpose oriented lighting such as flush mount lighting for building accent, ground-oriented lighting along pathways, shall be provided; and**
- (c) comprise full cut-off fixtures that are properly shielded to reduce the spillover of lighting onto adjacent properties.**

PART 14B: VC -CDD (VILLAGE CORE COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE

14B.1 VC -CDD DEVELOPMENT AGREEMENT REQUIREMENTS

No development permit shall be issued for a development in a VC-CDD Zone unless the proposed development is in conformance with a development agreement which has been approved by Council.

14B.2 USES PERMITTED

The following uses maybe permitted in any VC-CDD (Village Core Comprehensive Development District Zone) Zone:

Commercial Uses

Retail Stores

Food stores

Service and Personal Service Uses

Offices

Health and Wellness Centres

Banks and Financial Institutions

Restaurants -Full Service and Take-out

Funeral Establishments, excluding crematoriums

Greenhouses and Nurseries

Medical, Dental and Veterinarian Clinics, outdoor kennels associated with veterinary clinics are prohibited

Garden Centre

Pub, tavern, lounge

Craft Shops

Residential Uses

Multiple Unit Dwellings no greater than 3 units per gross acre

Community Uses

Open space uses

Institutional uses

Fraternal Halls and Centres

Transit Facilities

PART 14C: VMS (VILLAGE MAIN STREET) ZONE

14C.1 USES PERMITTED

No development permit shall be issued in any VMS (Village Mainstreet) Zone except for the following:

Commercial Uses

Retail Stores

Service and Personal Service Uses

Offices

Wellness Centres

Banks and Financial Institutions,

Restaurants -Full Service, Take-out and Drive-in

Existing Service Stations pursuant to Section 4.6 (j)

Funeral Establishments, excluding crematoriums

Greenhouses and Nurseries

Medical, Dental and Veterinarian Clinics, outdoor kennels associated with veterinary clinics are prohibited

Garden Centre

Pub, Tavern, lounge

Craft Shops

Residential Uses

Single unit dwellings

Two unit dwellings

Bed and Breakfast

Home Businesses

Community Uses

Open space uses

Institutional uses

Fraternal Halls and Centres

Transit Facilities

14C.2 VMS ZONE REQUIREMENTS: RESIDENTIAL USES

In any VMS Zone, where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:

10,000 square feet (929 m²) where
central sewer services are provided
40,000 square feet (3716 m²) where
no central sewer services are
provided

Minimum Frontage:	75 feet (22.9 m) where central services are provided 100 feet (30.4 m) where no central sewer services are provided
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Side Yard:	8 feet (2.4 m) where central sewer services are provided 8 feet (4.5 m) where no central sewer services are provided
Minimum Rear Yard	15 feet (4.5 m)
Maximum Lot Coverage	35 per cent
Maximum Impervious Surface Coverage	50 percent
Maximum Height of Main Building	10.7 metres (35 ft.)
Maximum Building Width	60 feet (18.2 m)
Minimum Landscaped Area	25 percent

14C.3 OTHER REQUIREMENTS: COMMERCIAL USES

In any VMS Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	10,000 square feet (929 m ²) where central sewer services are provided 40,000 square feet (3716 m ²) where no central sewer services are provided
Minimum Frontage:	75 feet (22.9 m) where central services are provided 100 feet (30.4 m) where no central sewer services are provided
Minimum Front or Flankage Yard	30 feet (9.1 m)

Minimum Side Yard	15 feet (4.5 m) where no central sewer services are provided 8 feet (2.4 m) where central sewer services are provided
Minimum Rear Yard	15 feet (4.5 m)
Maximum Lot Coverage	35 per cent
Maximum Impervious Surface Coverage	50 percent
Maximum Height of Main Building	10.7 metres (35 ft.)
Maximum Building Width	60 feet (18.2 m)
Minimum Landscaped Area	25 percent

14C.4 OTHER REQUIREMENTS - FLOOR AREA

- (a) The gross floor area of the main building on a lot in any VMS Zone, shall not exceed 8,000 square feet (743.2 m²). In addition, no main building footprint shall exceed 4,000 square feet (371.6 m²).

14C.5 OTHER REQUIREMENTS – INCREASED FLOOR AREA AND BUILDING WIDTH

- (a) Notwithstanding Section 14C.3 (a), where uses are permitted as Commercial or Community uses situated at 3182 Highway 2, as illustrated on Schedule I, the following shall apply:
 - (i) the gross floor area of the main building may be increased to 20,000 square feet (1858 m²);
 - (ii) no main building footprint shall exceed 10,000 square feet (929 m²);
 - (iii) all uses permitted as Commercial or Community uses, except Existing Service Stations, in any VMS Zone may be extended throughout the entirety of the building; and
 - (iv) the width of the main building may be increased to a maximum of 120 feet (36.5 m).

14C.6 OTHER REQUIREMENTS - BED AND BREAKFAST ESTABLISHMENTS

The following requirements shall apply for all bed and breakfast uses:

- (a) The Business shall be wholly contained within the dwelling which is the principal residence of the owner of the business. No more than one employee, not living in the dwelling, shall be permitted.

- (b) Not more than four (4) rooms may be let;
- (c) No more than one (1) sign advertising the bed and breakfast shall be permitted and no such sign shall exceed two (2) square feet (0.2 m^2) in area;
- (d) One (1) off-street parking space, in addition to that required for the dwelling, shall be provided for every two rooms to be let or part thereof;
- (e) Where parking is located in any required yard abutting a residential use, an opaque fence of 5 feet (1.52 m) in height or a Landscaped buffer, adequate to screen the view from the adjacent residential property, shall be constructed along all property boundaries abutting the residential use.

14C.7 OTHER REQUIREMENTS - HOME BUSINESS USES

The following requirements shall apply for all home business uses:

- (a) Any business shall be wholly contained within the dwelling which is the principal residence of the owner of the business. No more than one employee, not living in the dwelling, shall be permitted.
- (b) No more than 500 square feet (46.5 m^2) of the building or accessory building shall be devoted to any business use.
- (c) Notwithstanding subsection (b), day care services for not more than 7 children may be permitted in conjunction with single unit dwellings subject to the remaining requirements for home business uses.
- (d) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling and which is not obnoxious.
- (e) Excluding out play areas associated with a daycare facility, no storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted outside on the property.
- (f) No more than one (1) sign shall be permitted advertising any such home business and no such sign shall exceed 2 square feet (0.2 m^2) in area.
- (g) One off-street parking space shall be required for every 150 square feet (13.9 m^2) of floor space devoted to the Home Business.

14C.8 OTHER REQUIREMENT: COMMERCIAL PARKING

Within the VMS Zone, parking shall be located at the side and/or in the rear of the building. Where parking is located in any required yard abutting a residential use, an opaque fence of 5 feet (1.52 m) in height or a landscaped buffer, adequate to screen the view from the adjacent residential property, shall be constructed along all property boundaries abutting the residential use. The landscaped buffer may contain evergreen trees, earth berms, fences, or shrubs provided it provided an effective screen of the parking lot from the abutting residential property.

14C.9 OTHER REQUIREMENTS - STORAGE

Where uses are permitted as Commercial Uses in any VMS Zone, the following requirements shall apply:

- (a) Except for Garden Centres, no storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted outside of a building on the property; and
- (b) HVAC equipment, trash containers, electrical equipment, propane tanks and other similar features shall not face the street and shall be screened with a fence, berm or Landscaping that creates a visual barrier.

14C.10 COMMUNITY USES - ZONE REQUIREMENTS

In any VMS Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conformity with the provisions of Part 22.

14C.11 OTHER REQUIREMENTS: LANDSCAPING

Where uses are permitted as Commercial or Community uses in any VMS Zone, the following requirements shall apply:

- (a) A 30 foot (9.1 m) wide landscape strip shall be provided along all street property lines, exclusive of buildings, driveways and walkways and a 15 foot (4.6 m) wide landscape strip shall be provided along all other property lines exclusive of driveways and walkways. The required landscape strip along the street property line shall incorporate a minimum of one (1) tree (minimum of 60 mm caliber) and three (3) shrubs per 19.6 feet (6 m) of street frontage. The required landscape strip, may be installed in the form of groupings, provided a minimum ratio of one (1) tree and three (3) shrubs are provided per 19.6 feet (6 m) of street frontage.
- (b) In addition to clause (a), all landscaped areas shall include any one or a combination ground covers of grass, natural ground covers such as water features, washed or flat stone, decorative pavers, mulch, perennials, and annuals.
- (c) Notwithstanding clauses (a) and (b), existing trees and shrubs may be incorporated into the landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 15 foot (4.6 m) requirement.
- (d) Notwithstanding clauses (a) and (b), existing trees that are in excess of 150 mm, measured 150 mm above grade, shall be retained in the landscaped strip where possible and shall be calculated as part of the one (1) tree and three (3) shrubs per 15 foot (4.6 m) requirement.

14C.12 OTHER REQUIREMENTS: LIGHTING

Where uses are permitted as Commercial Uses in any VMS Zone, all lighting shall be designed to meet the following requirements:

- (a) all lighting devices shall be designed to direct light to driveways, parking areas, loading area, building entrances and walkways and arranged to divert the light away from streets, adjacent lots and buildings;**
- (b) have different purpose oriented lighting such as flush mount lighting for building accent, ground-oriented lighting along pathways, shall be provided; and**
- (c) comprise full cut-off fixtures that are properly shielded to reduce the spillover of lighting onto adjacent properties.**

PART 14D: VG (VILLAGE GATEWAY) ZONE

14D.1 USES PERMITTED

No development permit shall be issued in any VG (Village Gateway) Zone except for the following:

Commercial Uses

Retail Stores

Service and Personal Service Uses,
Offices

Health and Wellness Centres

Banks and Financial Institutions

Restaurants Full-Service, Take-out and Drive-in

Existing Service Stations pursuant to Section 4.6 (j)

Greenhouses and Nurseries

Funeral Establishments, excluding crematoriums

Medical, Dental and Veterinarian Clinics

Garden Centre

Pub, Tavern, lounge

Hotels, motels and motor-inns

Parking lots

Craft Shops

Residential Uses

Single unit dwellings

Community Uses

Open space uses

Institutional uses

Fraternal Halls and Centres

Transit Facilities

14D.2 VG ZONE REQUIREMENTS: ALL PERMITTED USES

In any VG Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	40,000 square feet (3716 m ²)
Minimum Frontage:	100 feet (30.4 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Side Yard	15 feet (4.5 m)

Minimum Rear Yard	15 feet (4.5 m)
Maximum Lot Coverage	35 per cent
Maximum Impervious Surface Coverage	50 percent
Maximum Height of Main Building	35 feet (10.7 m)

14D.3 VG ZONE REQUIREMENTS - COMMERCIAL FLOOR AREA

The gross floor area of the main buildings on a lot in any VG Zone, shall not exceed 20,000 square feet (1858 m²). In addition, no main building footprint shall exceed 10,000 square feet (929 m²).

14D.4 OTHER REQUIREMENTS – INCREASED FLOOR AREA

Notwithstanding Section 14D.3 (a), where uses are permitted as Commercial Uses at 3009 Highway 2, as illustrated on Schedule J, the following shall apply:

- (i) the gross floor area of the main building may be increased to 32,000 square feet (2972 m²);
- (ii) no main building footprint shall exceed 16,000 square feet (1486 m²); and
- (iii) all uses permitted as Commercial Uses in any VG Zone, except existing Service Stations, may be extended throughout the entirety of the building.

14D.5 OTHER REQUIREMENTS – INCREASED FLOOR AREA

Notwithstanding Section 14D.3 (a), where uses are permitted as Commercial Uses at 2998 Highway 2, as illustrated on Schedule K, the maximum gross floor area of all buildings on the four lots combined shall be limited to 32,000 square feet (2972 m²) with no building footprint exceeding 8,000 square feet (743.2 m²). The maximum number of buildings permitted in the area shown on Schedule K shall be limited to 3.

14D.6 OTHER REQUIREMENT: COMMERCIAL PARKING

Within the VG Zone, parking lots shall be located at the side, rear or in a combination of the side and rear of the building.

14D.7 OTHER REQUIREMENTS - STORAGE AND UTILITIES

Where uses are permitted as Commercial Uses in any VG Zone, the following requirements shall apply:

- (a) Except for Garden Centres, no storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted outside of a building on the property; and
- (b) HVAC equipment, trash containers, electrical equipment, propane tanks and other similar features shall not face the street and shall be screened with a fence; berm or Landscaping that creates a visual barrier.

14D.8 COMMUNITY USES - ZONE REQUIREMENTS

In any VG Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conformity with Part 22.

14D.9 OTHER REQUIREMENTS: LANDSCAPING

Where uses are permitted as Commercial or Community uses in any VG Zone, the following requirements shall apply:

- (a) A 30 foot (9.1 m) wide landscape strip shall be provided along all street property lines, exclusive of buildings, driveways and walkways and a 15 foot (4.6 m) wide landscape strip shall be provided along all other property lines exclusive of driveways and walkways. The required landscape strip along the street property line shall incorporate a minimum of one (1) tree (minimum of 60 mm caliber) and three (3) shrubs per 19.6 feet (6 m) of street frontage. The required landscape strip, may be installed in the form of groupings, provided a minimum ratio of one (1) tree and three (3) shrubs are provided per 19.6 feet (6 m) of street frontage.
- (b) In addition to clause (a), all landscaped areas shall include any one or a combination ground covers of grass, natural ground covers such as water features, washed or flat stone, decorative pavers, mulch, perennials, and annuals.
- (c) Notwithstanding clauses (a) and (b), existing trees and shrubs may be incorporated into the landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 15 foot (4.6 m) requirement.
- (d) Notwithstanding clauses (a) and (b), existing trees that are in excess of 150 mm, measured 150 mm above grade, shall be retained in the landscaped strip where possible and shall be calculated as part of the one (1) tree and three (3) shrubs per 15 foot (4.6 m) requirement.

14D.10 OTHER REQUIREMENTS: LIGHTING

Where uses are permitted as Commercial Uses in any VG Zone, all lighting shall be designed to meet the following requirements:

- (a) all lighting devices shall be designed to direct light to driveways, parking areas, loading area, building entrances and walkways and arranged to divert the light away from streets, adjacent lots and buildings;**
- (b) have different purpose oriented lighting such as flush mount lighting for building accent, ground-oriented lighting along pathways, shall be provided; and**
- (c) comprise full cut-off fixtures that are properly shielded to reduce the spillover of lighting onto adjacent properties.**

PART 14E - FRB (FALL RIVER BUSINESS) ZONE

14E.1 USES PERMITTED

No development permit shall be issued in any FRB (Fall River Business) Zone except for the following:

Commercial Uses

Light Manufacturing that is not obnoxious and is wholly contained and conducted within a building

Offices

Health and Wellness Centres

Banks and Financial Institutions

Greenhouses and Nurseries

Commercial recreation uses

Funeral Establishments

Medical, Dental and Veterinarian Clinics

Existing Service Stations pursuant to Section 4.6 (j)

Building supply outlets

Pub, Tavern, lounge

Hotels, motels and motor-inns

Parking lots

Transportation terminals

Construction storage yards

Warehousing and wholesaling

Residential Uses

Single unit dwellings accessory to any permitted use

Community Uses

Open space uses

Institutional uses

Fraternal Halls and Centres

Transit Facilities

14E.2 FRB ZONE REQUIREMENTS: ALL PERMITTED USES

In any FRB Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	40,000 square feet (3716 m ²)
Minimum Frontage:	100 feet (30.4 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)

Minimum Side Yard	15 feet (4.5 m)
Minimum Rear Yard	15 feet (4.5 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

14E.3 FRB ZONE REQUIREMENTS - COMMERCIAL FLOOR AREA

The gross floor area of the main buildings on a lot in any FRB Zone, shall not exceed 20,000 square feet (1858 m²).

14E.4 COMMUNITY USES - ZONE REQUIREMENTS

In any FRB Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conformity with Part 22.

14E.5 OTHER REQUIREMENTS: LANDSCAPING

- (1) Where uses are permitted as Commercial or Community uses in any FRB Zone, the following requirements shall apply:
 - (a) A 30 foot (9.1 m) wide landscape strip shall be provided along all street property lines, exclusive of buildings, driveways and walkways and a 15 foot (4.6 m) wide landscape strip shall be provided along all other property lines exclusive of driveways and walkways. The required landscape strip along the street property line shall incorporate a minimum of one (1) tree (minimum of 60 mm caliber) and three (3) shrubs per 19.6 feet (6 m) of street frontage. The required landscape strip, may be installed in the form of groupings, provided a minimum ratio of one (1) tree and three (3) shrubs are provided per 19.6 feet (6 m) of street frontage.
 - (b) In addition to clause (a), all landscaped areas shall include any one or a combination ground covers of grass, natural ground covers such as water features, washed or flat stone, decorative pavers, mulch, perennials, and annuals.
 - (c) Notwithstanding clauses (a) and (b), existing trees and shrubs may be incorporated into the landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 15 foot (4.6 m) requirement.

- (d) Notwithstanding clauses (a) and (b), existing trees that are in excess of 150 mm, measured 150 mm above grade, shall be retained in the landscaped strip where possible and shall be calculated as part of the one (1) tree and three (3) shrubs per 15 feet (4.6 m) requirement.
- (2) Where any FRB Zone abuts any Residential or Community Facility Zone, the abutting yard shall be landscaped so as to provide a visual buffer.

14E.6 OTHER REQUIREMENTS: LIGHTING

Where uses are permitted as Commercial Uses in any FRB Zone, all lighting shall be designed to meet the following requirements:

- (a) all lighting devices shall be designed to direct light to driveways, parking areas, loading area, building entrances and walkways and arranged to divert the light away from streets, adjacent lots and buildings;
- (b) have different purpose oriented lighting such as flush mount lighting for building accent, ground-oriented lighting along pathways, shall be provided; and
- (c) comprise full cut-off fixtures that are properly shielded to reduce the spillover of lighting onto adjacent properties.

PART 14F: RCDD (RESIDENTIAL COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE

14F.1 RCDD DEVELOPMENT AGREEMENT REQUIREMENTS

No development permit shall be issued for a development in a RCDD Zone unless the proposed development is in conformance with a development agreement which has been approved by Council.

14F.2 USES PERMITTED

The following uses maybe permitted in any RCDD (Village Core Comprehensive Development District Zone) Zone:

Local Commercial Uses

Variety Stores

Restaurant - Take-out

Food Stores

Offices

Medical and dental offices and clinics

Service and Personal Uses

Craft Shops

Commercial Uses

Self Storage Facility

Residential Uses

Multiple Unit Dwellings

Townhouses

Single unit dwellings

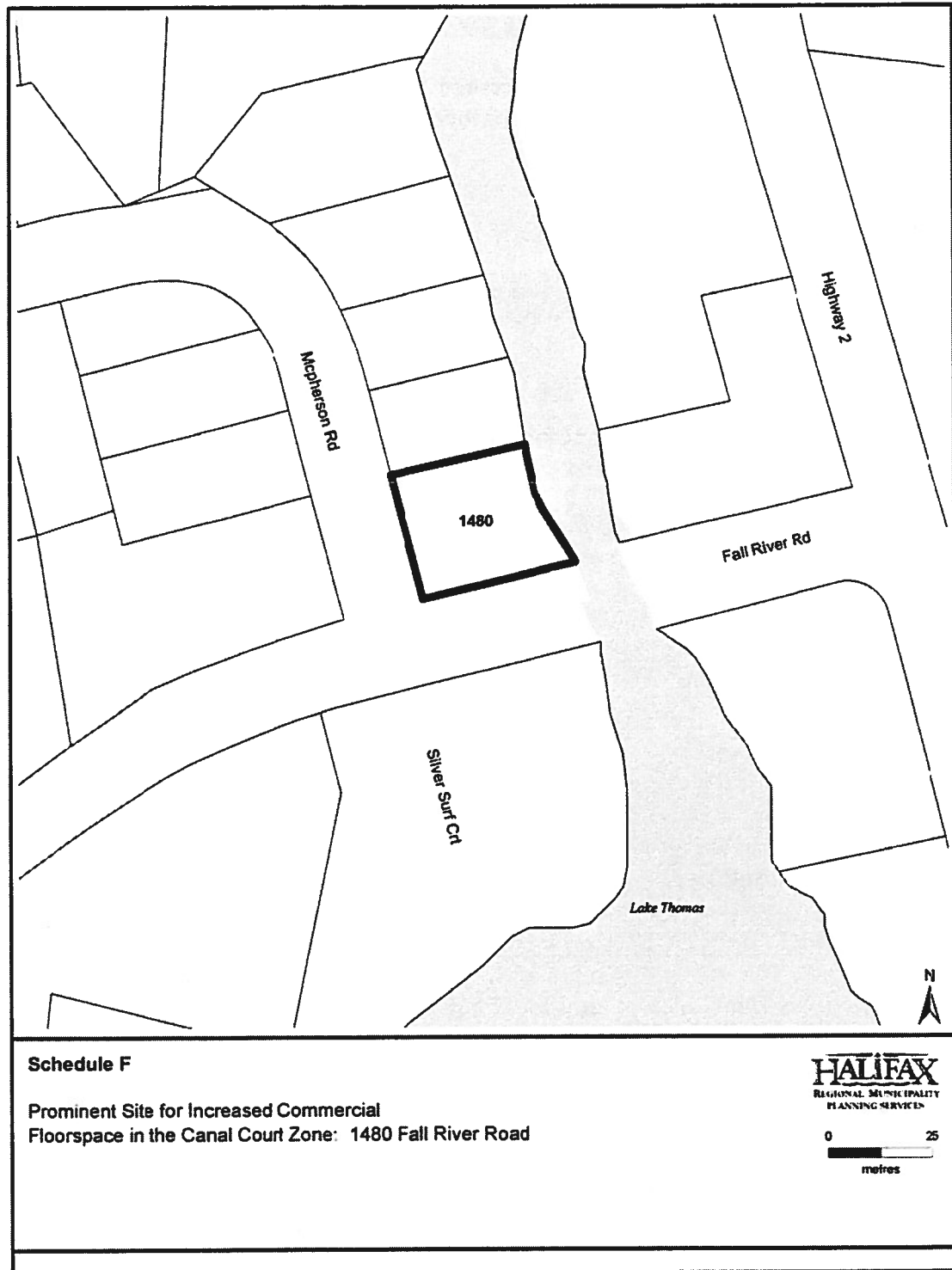
Two unit dwellings

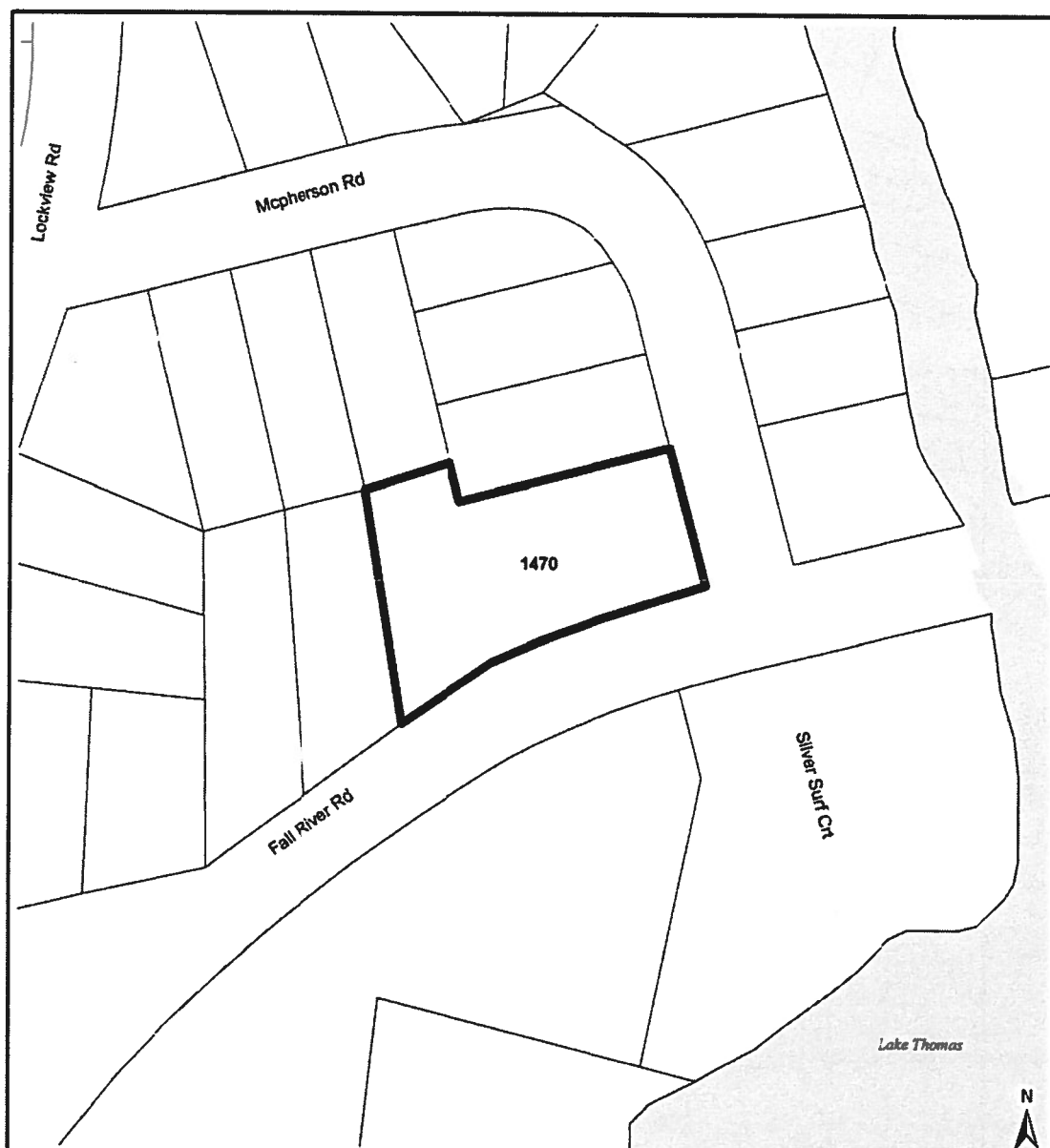
14F.3 RCDD REQUIREMENTS – LOCAL COMMERCIAL FLOOR AREA

The gross floor area of any local commercial floor space on a lot in any RCDD Zone, shall not exceed 371 square metres (4000 ft²) and the gross floor area of any self storage facility shall not exceed 929 square metres (10,000 ft²)

71. Change the letter "G" to "C" after the word SCHEDULE on SCHEDULE G.
72. Change the letter "H" to "D" after the word SCHEDULE on SCHEDULE H.
73. Change the letter "I" to "E" after the word SCHEDULE on SCHEDULE I.

74. Insert the following schedules after Schedule E in the Land Use By-law:



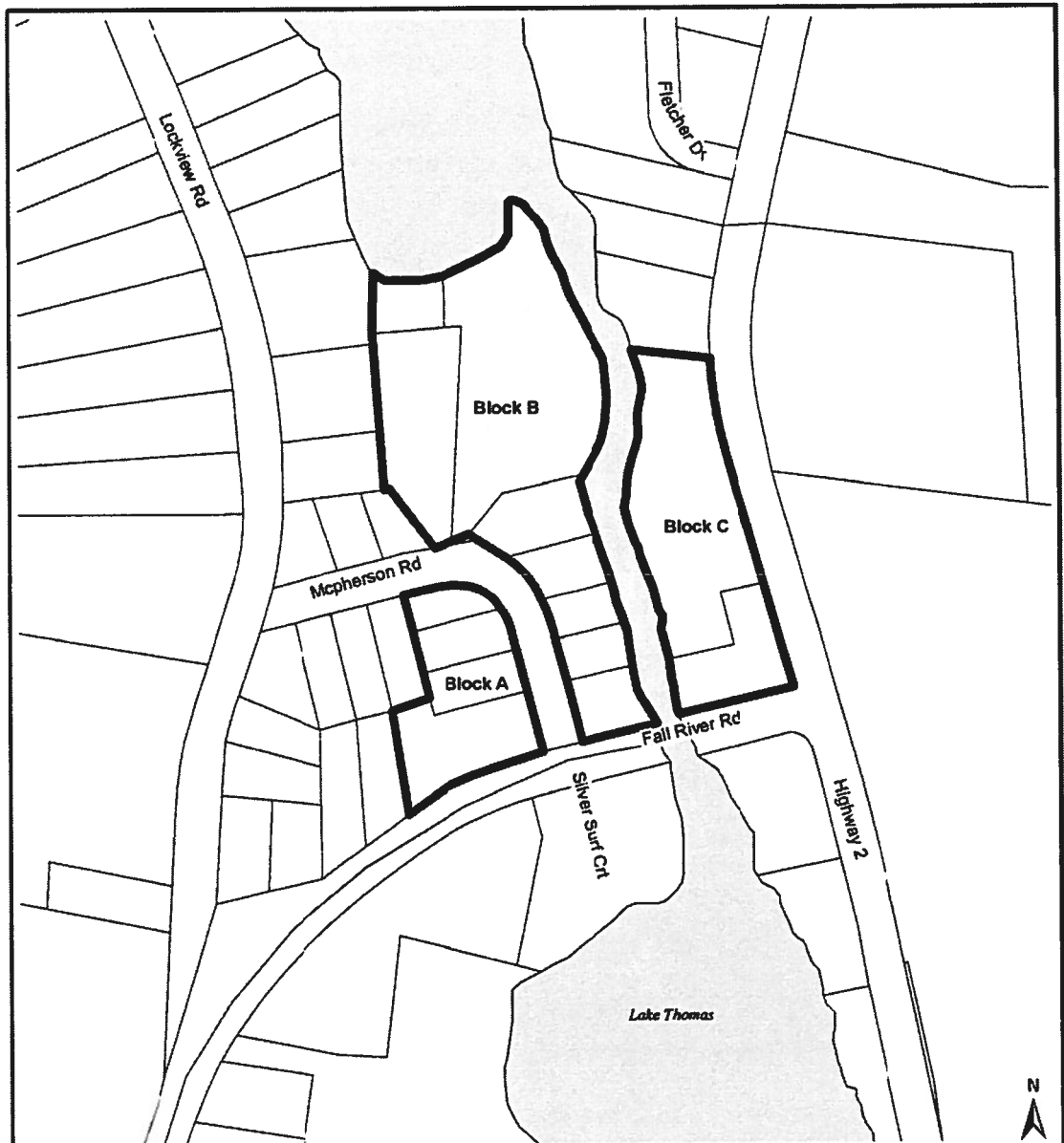


Schedule G

**Prominent Site for Increased Commercial
Floorspace in the Canal Court Zone: 1470 Fall River Road**

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 25
metres

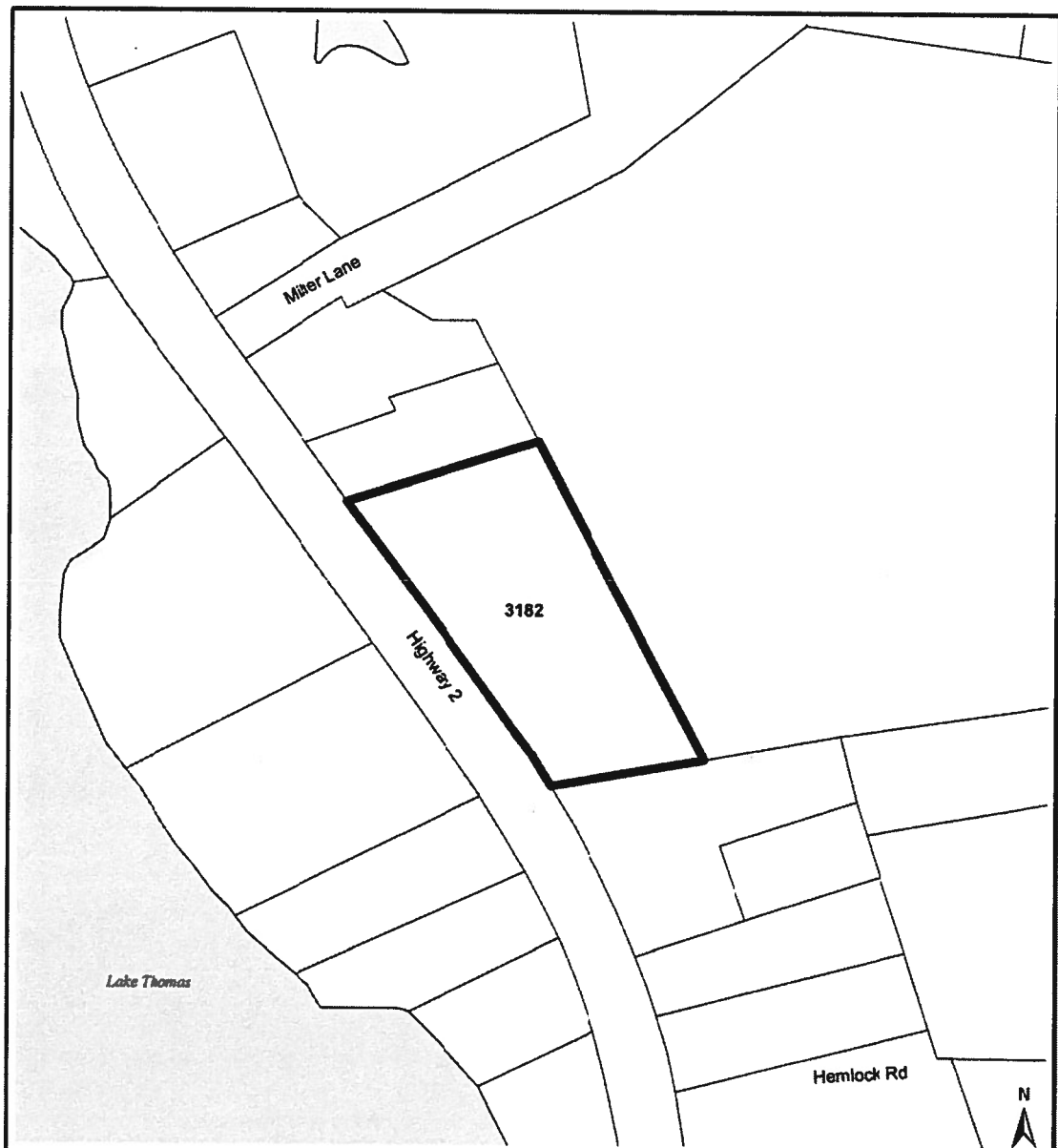


Schedule H

Canal Court Development

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 50
metres

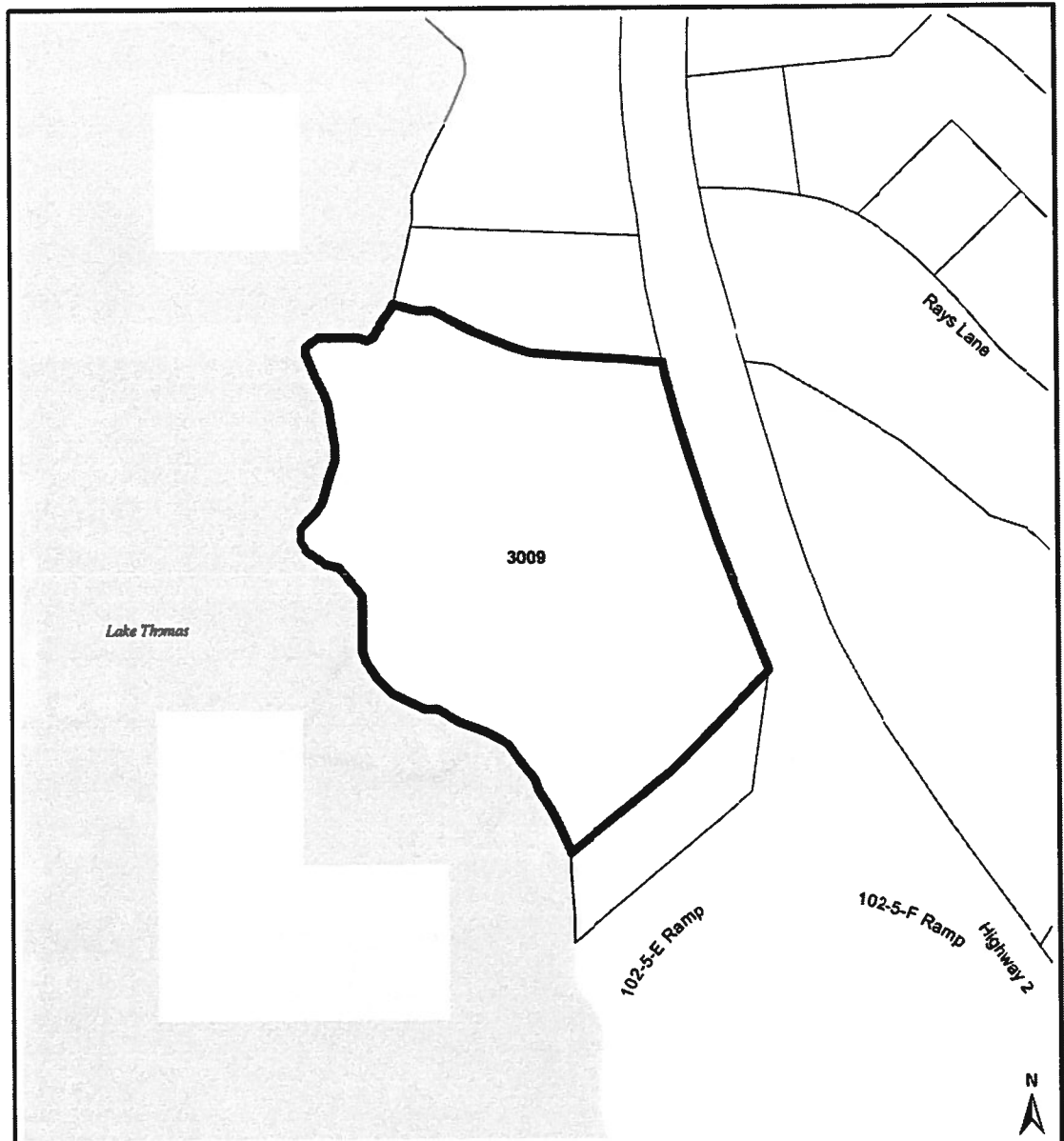


Schedule I

**Prominent Site for Increased Commercial
Floorspace in the Village Mainstreet Zone: 3182 Highway 2**

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 50
metres

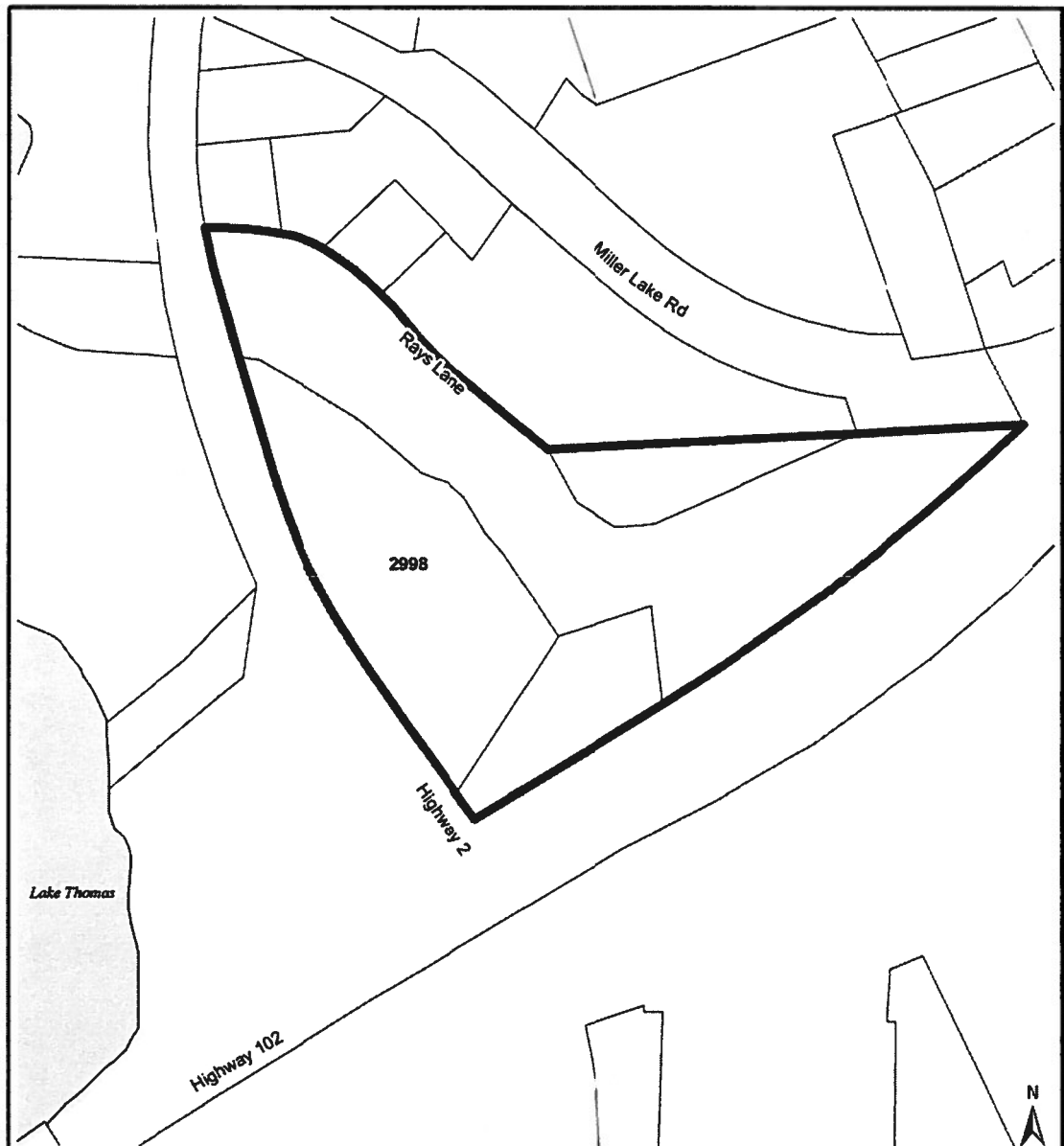


Schedule J

**Prominent Site for Increased Commercial
Floorspace in the Village Gateway Zone: 3009 Highway 2**

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 50
metres

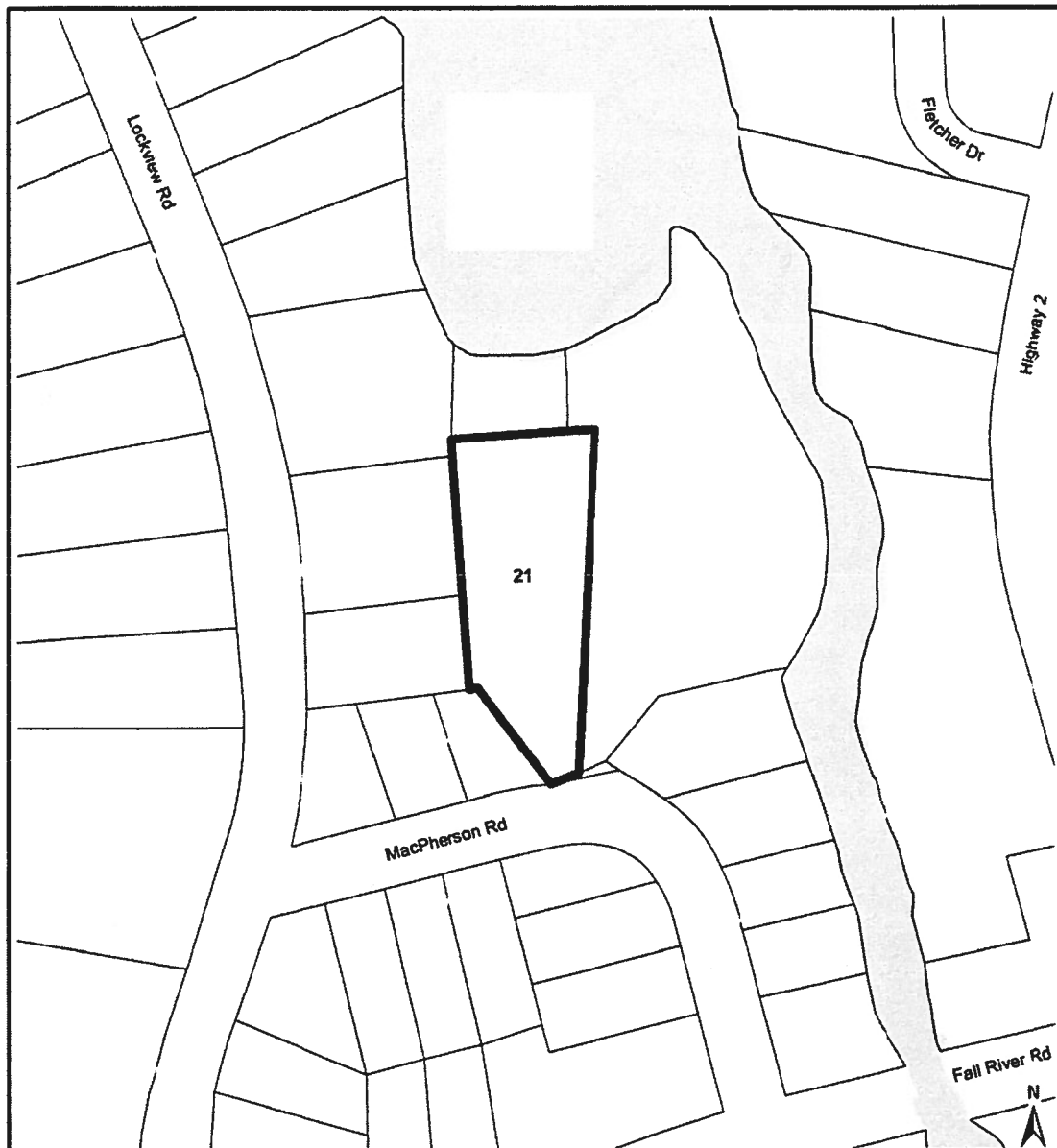


Schedule K

**Prominent Site for Increased Commercial
Floorspace in the Village Gateway Zone: 2998 Highway 2**

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 50
metres

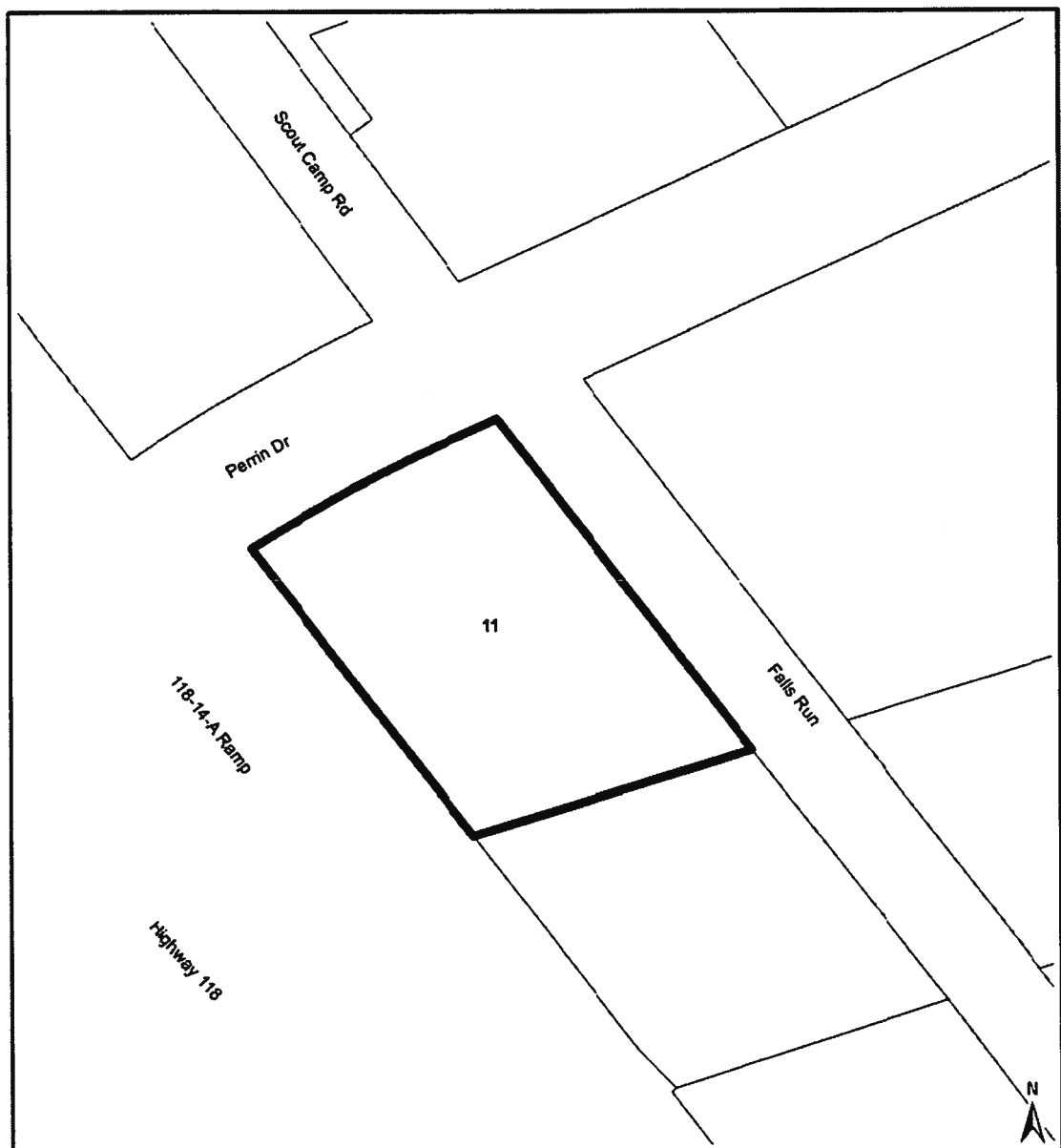


Schedule L

Site for multiple unit dwelling expansion
pursuant to Section 14A.5 at 21 MacPherson Road

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 50
metres



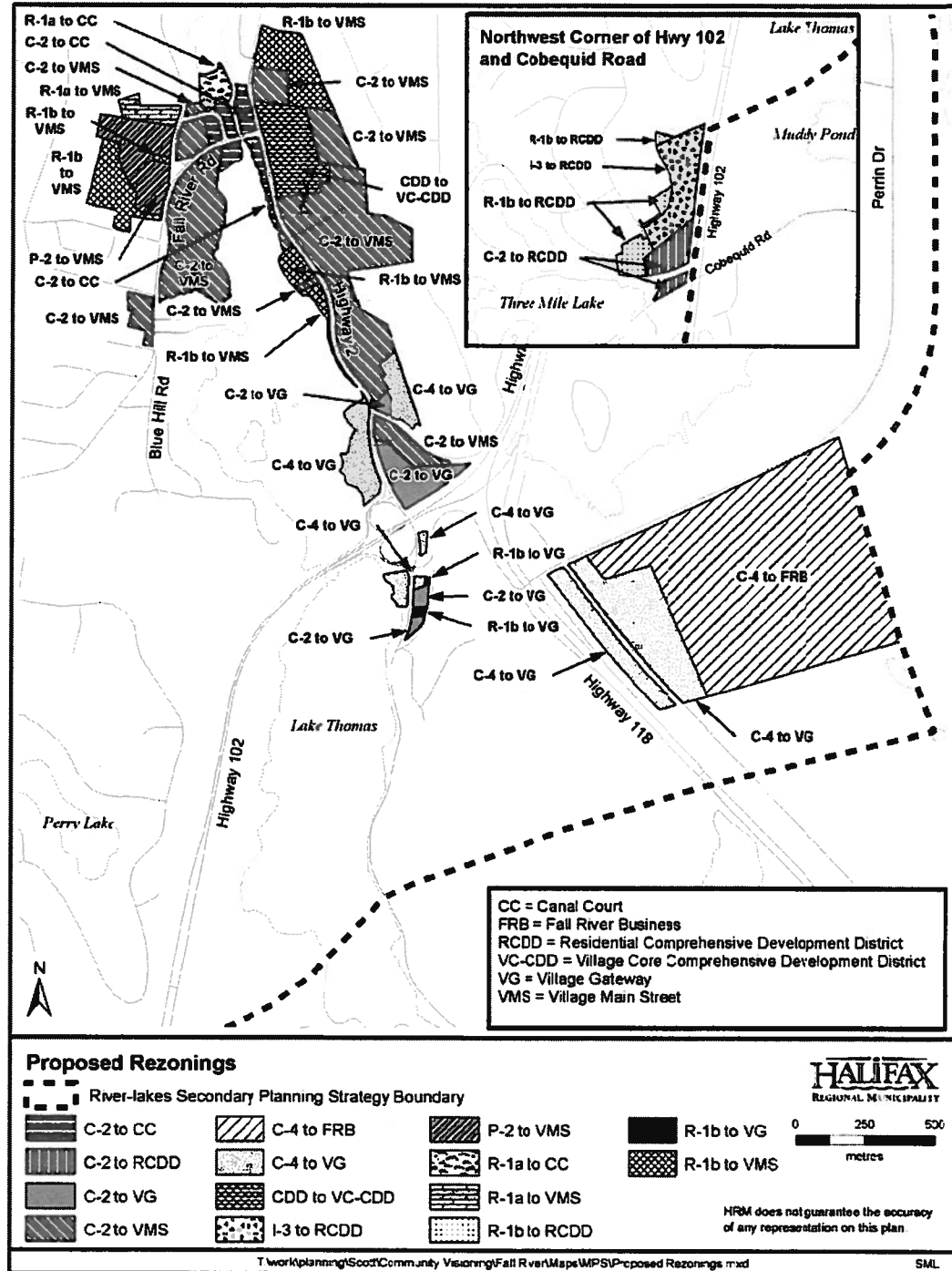
Schedule M

Prominent Site for Increased Commercial
Floorspace in the Canal Court Zone: 11 Falls Run

HALIFAX
REGIONAL MUNICIPALITY

0 25
metres

75. Amend the Schedules A and B of the Land Use By-law to rezone the subject properties as outlined below:



**MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes
Secondary Planning Strategy**

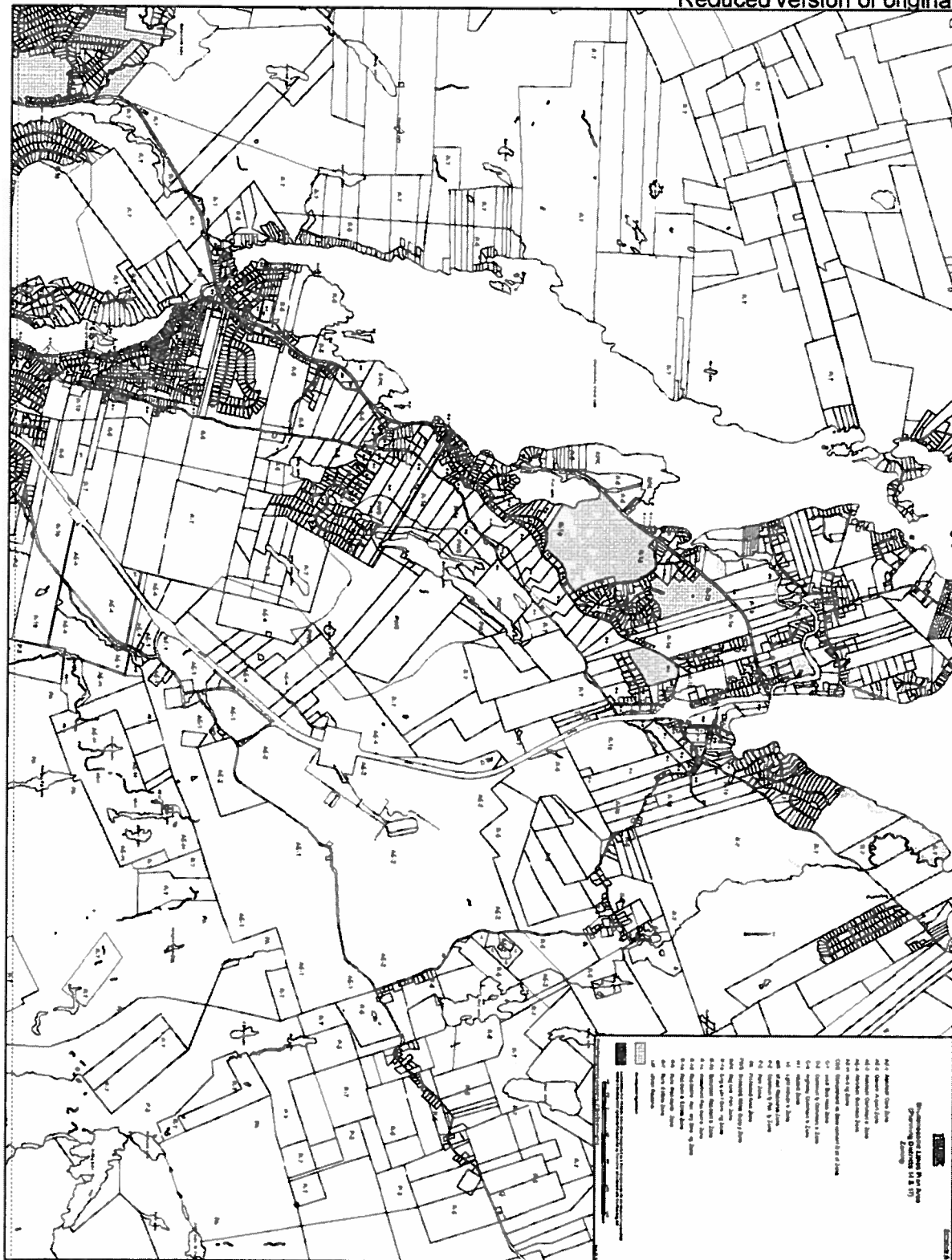
Attachment 3

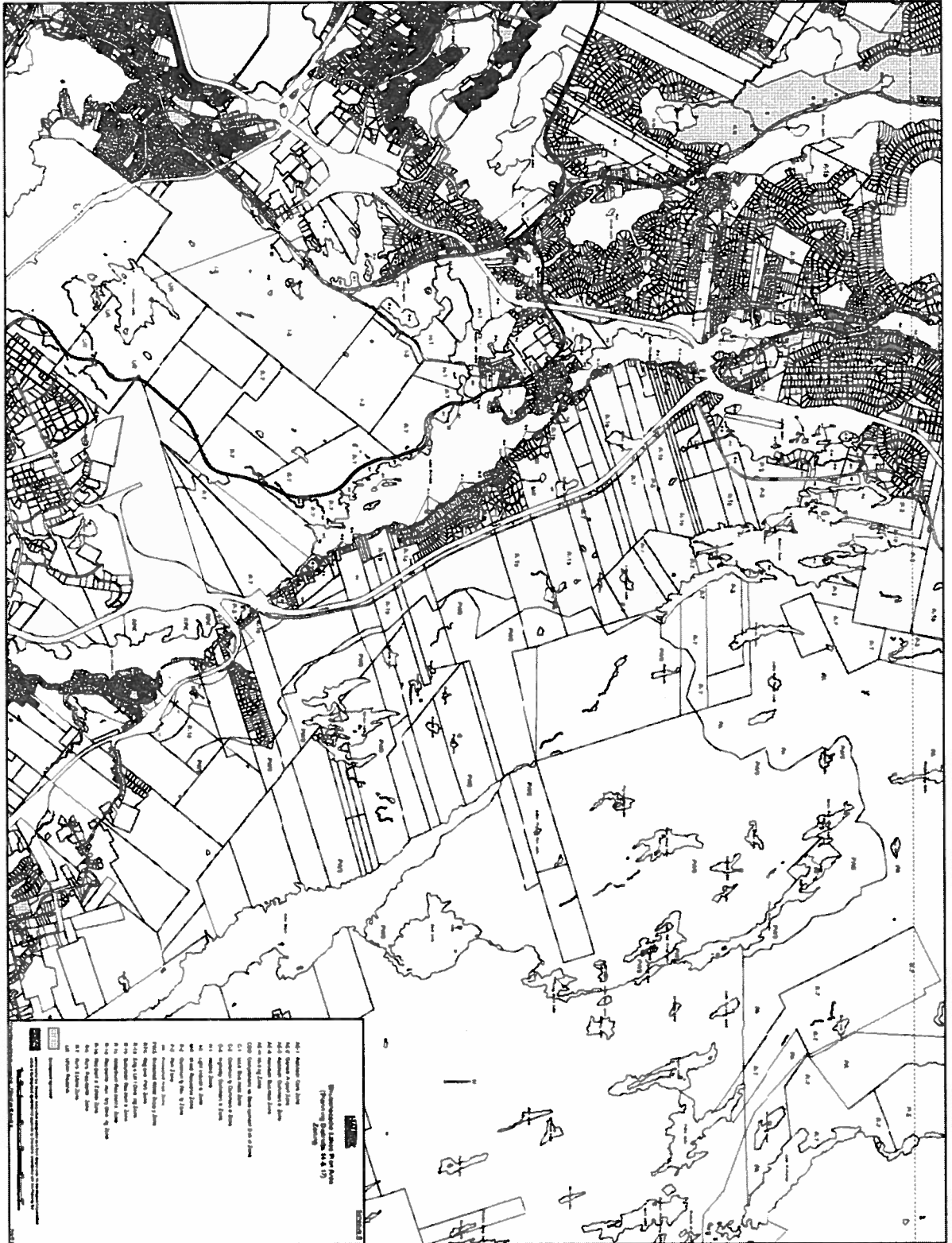
HALIFAX REGIONAL MUNICIPALITY

**AMENDMENTS TO THE
LAND USE BY-LAW FOR PLANNING DISTRICTS 14&17**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 14&17 is hereby amended as follows:

1. Replace Schedules "A1, A2, B1, B2, B3, C1, C2, C3, D1, D2, D3, E1, E2, F1 and F2" with Schedules A and B as illustrated below:





2. Add the words “**and Architecture Requirements**” after the word “Signs” in PART 5 of the TABLE OF CONTENTS.

3. Insert the following after PART 14 in the TABLE OF CONTENTS:

PART 14A: CC (Canal Court) Zone
PART 14B: VC -CDD (Village Core Comprehensive Development District) Zone
PART 14C: VMS (Village Mainstreet) Zone
PART 14D: VG (Village Gateway) Zone
PART 14E: FRB (Fall River Business) Zone
PART 14F: RCDD (Residential Comprehensive Development District) Zone

4. Delete the letters and numbers “A1, A2, B1, B2, B3, C1, C2, C3, D1, D2, D3, E1, E2, F1 and F2” after the word SCHEDULES in TABLE OF CONTENTS: page ii and insert the letters and word “**A and B**”.

5. Change the letter “G” to “C” after the word Schedule in the TABLE OF CONTENTS.

6. Change the letter “H” to “D” after the word Schedule in the TABLE OF CONTENTS.

7. Change the letter “I” to “E” after the word Schedule in the TABLE OF CONTENTS.

8. Add the following after Schedule E in the TABLE OF CONTENTS:

Schedule F Prominent Site for Increased Commercial Floorspace in the Canal Court Zone: 1480 Fall River Road

Schedule G: Prominent Site for Increased Commercial Floorspace in the Canal Court one: 1470 Fall River Road

Schedule H: Canal Court Development

Schedule I: Prominent Site for Increased Commercial Floorspace in the Village Mainstreet Zone: 3182 Highway 2.....

Schedule J: Prominent Site for Increased Commercial Floorspace in the Village Gateway Zone: 3009 Highway 2

Schedule K: Prominent Site for Increased Commercial Floorspace in the Village Gateway Zone: 2998 Highway 2

Schedule L: Site for Multiple Unit Dwelling Expansion Pursuant to Section 14A.5 at 21 MacPherson Road

**Schedule M: Prominent Site for Increased Commercial Floorspace in the Canal
Court Zone: 11 Falls Run**

9. Change the letter "G" to "C" after the word Schedule in the LIST OF GENERAL PROVISIONS page ii, 4.32.
10. Change the letter "H" to "D" after the word Schedule in the LIST OF GENERAL PROVISIONS page ii, 4.33.
11. Insert the following definition immediately following section 2.2, as set out below:

2.2A ADULT ENTERTAINMENT USE - means any premises or part thereof which is to provide services appealing to or designed to appeal to erotic or sexual appetites or inclinations, and includes adult cabarets and massage parlours.

When used in relation to adult entertainment use, the following shall apply:

- (i) "Services" means activities that are designed to appeal to erotic or sexual appetites or inclination" and includes:

1. Services of which a principal feature or characteristic is the nudity or partial nudity of any person. For the purposes of this clause "partial nudity" shall include less than completely covered or opaquely covered:

- (a) human genitals or human pubic region;
- (b) human buttocks; or
- (c) female breast below a point immediately above the top of the areola.

2. Services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

12. Insert the following definition immediately following section 2.8, as set out below:

2.8A BED AND BREAKFAST - means a home where not more than four sleeping rooms are rented to the traveling and vacationing public, and where breakfast is served only to those who rent the sleeping rooms.

13. Insert the following definition immediately following section 2.10, as set out below:

2.10A BUILDING WIDTH means the total horizontal distance between the outermost edges of the building wall or walls facing a street or public open space.

14. Insert the following definition immediately following section 2.12, as set out below:

2.12A COMMUNITY COUNCIL means the council of a community established pursuant to the Halifax Regional Municipality Charter.

15. Delete section 2.18 and replace with the following section 2.18, as set out below:

2.18 COUNCIL means the Regional Council of Halifax Regional Municipality established pursuant to the *Halifax Regional Municipality Charter*.

16. Delete subsection 2.24 (g) and replace with the following section subsection 2.24 (g), as set out below:

2.24(g) Dwelling, Townhouse means a building that is divided vertically into three or more dwelling units, each of which must have an independent entrance to a front and rear yard immediately abutting the front and rear walls of the unit, and each of which may be located on a separate lot.

18. Insert the following definition immediately following section 2.31, as set out below:

2.31A GARDEN CENTRES within the VC-CDD, VMS and VG Zones means a structure erected on a lot on a seasonal basis and includes any outdoor storage building or outdoor display space for the purpose of selling garden plants, produce and other related horticultural items but does not include any outdoor storage or outdoor display of tractor trailer, construction trailers, travel trailers, converted mobile homes and automobiles.

19. Insert the following definition immediately following section 2.36, as set out below:

2.36A HOME BUSINESS USES means the accessory use of a dwelling for gainful employment involving the provision or sale of goods or services or both goods and services excluding any adult entertainment use, restaurants, take-outs, convenience stores, the keeping of animals, taxi stands, or any use deemed to be obnoxious.

20. Change the text “2.36A” to “2.36B” in front of the definition of Human Habitation.

21. Insert the following definition immediately following section 2.36B, as set out below:

2.36C IMPERVIOUS SURFACE means the surface of the lot covered with building(s), non-porous pavement, concrete or other materials into which surface water cannot penetrate into the subsurface layers of soil.

22. Change the text “2.36B” to “2.36D” in front of the definition of Indoor Riding Barn, Private.

23. Insert the following definition immediately following section 2.38, as set out below:

2.38A LANDSCAPING means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other

architectural elements, all of which are designed to enhance the visual amenity of a property or to provide a screen.

24. Insert the following definition immediately following section 2.48, as set out below:

2.48A MAINSTREET means the Fall River Road, Highway #2, McPherson Road, Cobequid Road, Ingram Drive, Lockview Road, Miller Lake Road, Perrin Drive and Falls Run within the River-lakes Secondary Plan.

25. Insert the following definition immediately following section 2.48, as set out below:

2.48B MASSAGE PARLOUR - includes any premises or a part thereof, by whatever name designated where a massage, body rub, alcohol rub, bath or similar activity is performed, offered, advertised, or solicited by persons in pursuance of a trade, calling, business, or occupation or which is equipped or arranged so as to provide such activity, but does not include any premises or part thereof where treatment is routinely offered or performed for the purpose of medical or therapy and is performed or offered by or under the supervision or direction of a physician, chiropractor, osteopath, physiotherapist, under the laws of the Province of Nova Scotia.

26. Insert the following definition immediately following section 2.59, as set out below:

2.59A PUB within the VC-CDD, VMS, VG and FRB Zones means an entity that is licensed under the Liquor Control Act as a Lounge , Tavern, or Beverage Room and excludes a Club license, Caberet license, Special Premises license, and Special Occasion license as defined in the Liquor Control Act.

27. Insert the following immediately following the words “AE-3 Aerotech Commercial Zone” in section 3.1:

River-lakes Village Centre Zones

CC	Canal Court Zone
VC - CDD	Village Core Comprehensive Development District Zone
VMS	Village Main street Zone
VG	Village Gateway Zone
FRB	Fall River Business Zone
RCDD	Residential Comprehensive Development District Zone

28. Delete the letters and numbers “A1, A2, B1, B2, B3, C1, C2, C3, D1, D2, D3, E1, E2, F1 and F2” from subsection 3.2(a) and insert the letters and word “A and B” after the word “Schedules” in subsection 3.2 (a).

29. Delete the letters, numbers and word "A1 through F-2, inclusive" from subsection 3.2(b) and insert the letters and word "A and B" after the word "Schedules" in subsection 3.2 (b).
30. Delete the letters, numbers and word "A1 through F-2, inclusive" from subsection 3.2(c) and insert the letters and word "A and B" after the word "Schedules" in subsection 3.2 (c).
31. Delete subsection 3.6(c)(iii).
32. Insert the following after subsection 3.6 (t):
 - (u) **Larger scale mixed commercial and residential development may be considered, within the River-lakes Village Centre Designation, over the portion of the lands shown on Schedule H, according to Policy RL-4.**
 - (v) **Large commercial and medium density residential uses, within the Village Core Comprehensive Development District Zone, according to Policy RL-5.**
 - (x) **Low scale multiple unit dwellings up to 3 units per acre, with or without a ground floor commercial component, townhouses, single or two unit dwellings within areas zoned Village Mainstreet, according to Policy RL-11.**
 - (y) **Low scale multiple unit dwellings and townhouses up to 4 units per acre where no central water service are provided, and up to 8 units per acre when central water services are provided, on Site A shown on Map RL-3 of the River-lakes Secondary Planning Strategy according to Policies RL-11 and RL-12.**
 - (z) **Low scale multiple unit dwellings, townhouses, single unit dwellings or two unit dwellings up to 4 units per acre on Site B shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-13.**
 - (aa) **Low scale multiple unit dwellings, townhouses, single or two unit dwellings up to 4 units per acre or local commercial use and self-storage facility in conjunction with the housing component, within the RCDD Residential Comprehensive Development District Zone, according to Policy RL-14.**
 - (bb) **Townhouses up to a maximum density of 2 units per acre on Site D shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-15.**
33. Insert the following immediately following section 3.7, as set out below:

3.7A DIAGRAMS

Diagrams form no part of this By-law and shall be deemed to have been inserted for illustrative purposes only.

34. Insert the words "**and disposal field**" after the word "tank" in section 4.3 in line 3.
35. Insert the words "**or on the property shown on Schedule K**" after the word "Zone" in subsection 4.4(a).

36. Insert the words “**or as specified**” after the words and comma “any zone,” on the second line in Section 4.6.

37. Insert the following after subsection 4.6 (i):

(j) **Existing service stations that were lawfully constructed prior to the first notice of the intention to adopt the Canal Court, Village Mainstreet or Village Gateway Zones are a permitted use within those zones .**

(k) **The Existing Multiple Unit Dwelling situated at 21 MacPherson Road and identified on Schedule L may be expanded for the creation of a maximum of 5 additional residential units or may contain a maximum of 2000 square feet (185.8 m²) of floor space for commercial uses on the ground floor of the Dwelling.**

38. Delete Section 4.9 and replace it with the following:

4.9 NON CONFORMING USES

Non-conforming uses shall be subject to the applicable provisions of the *Halifax Regional Municipality Charter*.

39. Insert the following after Section 4.9:

4.9A Notwithstanding section 4.9, where a self storage facility has been established on the property shown on Schedule M pursuant to the provisions of the *HRM Charter*, the facility may not be expanded or altered so as to increase the volume of the facility capable of being occupied, except as required by another Act of the Legislature but it may be repaired or rebuilt, if destroyed or damaged by fire or otherwise to the extent that it existed before being destroyed or damaged, provided all other requirements of this by-law are satisfied.

40. Insert the acronym and commas “CC, VMS, VG” after the acronym and comma “R-1D,” in subsection 4.11 (a)(iii)(2).

41. Insert the following after subsection 4.11 (a)(iv)(2):

3. Four hundred (400) square feet or (37.1 m) in any CC Zone;

4. Eight hundred square feet or (74.3 m) in the VMS Zone;

42. Insert the following words and acronym “**or CC Zone**” after the word “Zone” in subsection 4.11 (a)(vi).

43. Insert the following below the words and subsection reference “(a) exceeding 5,000 square feet 5.5 spaces per 1,000 square feet (464.5 m²) of gross floor area” in Section 4.25.

(aa) exceeding 5,000 square feet (464.5 m²) of gross floor area in the CC, VC CDD, VM, VG and RCDD zones	5.0 spaces per 1,000 square feet (92.9 m²) of gross floor area
--	--

44. Insert the following after the words and subsection reference “(b)not exceeding 5,000 square fee 3.3 spaces per 1,000 square feet” in Section 4.25.

(bb) not exceeding 5,000 square feet (464.5 m²) of gross floor area in the CC, VC CDD, VM, VG and RCDD Zones	3.0 spaces per 1,000 square feet (92.9 m²) of gross floor area
--	--

45. Insert the following below the words “Banks, financial institutions and general offices” in Section 4.25.

Banks, financial institutions and general offices in CC, VC CDD, VM, VG and RCDD zones.	3.0 spaces per 1,000 square feet (92.9 m²) of gross floor area
--	--

46. Insert the number and brackets “(1)” after “4.26 STANDARDS FOR PARKING LOTS” before the word “Where”.

47. Insert the clause “Subject to subsection (2) of this Section,” before the word “the” in subsection 4.26 (a).

48. Insert the following “Subject to clause (dd),” before the word “the” in subsection 4.26 (1) (d).

49. Insert the following after subsection 4.26 (1) (d):

(dd) Notwithstanding clause (d), within the CC Zone, the lot shall be within four hundred (400) feet (121.9 m) of the location which it is intended to serve and shall be situated in the CC Zone;

50. Insert the following after subsection 4.26 (1) (i):

(2) Notwithstanding Section 4.26 (1) (a), all parking areas in the CC, VMS, VC-CDD, VG and RCDD zones including driveways and maneuvering areas shall:

- (a) be maintained with a permanent hard surface;**
- (b) be defined by a concrete curb, ornamental brick, or paint; and**
- (c) provide maneuvering areas to permit vehicles to leave the property in a forward motion.**

ATTACHMENT 4

HALIFAX REGIONAL MUNICIPALITY

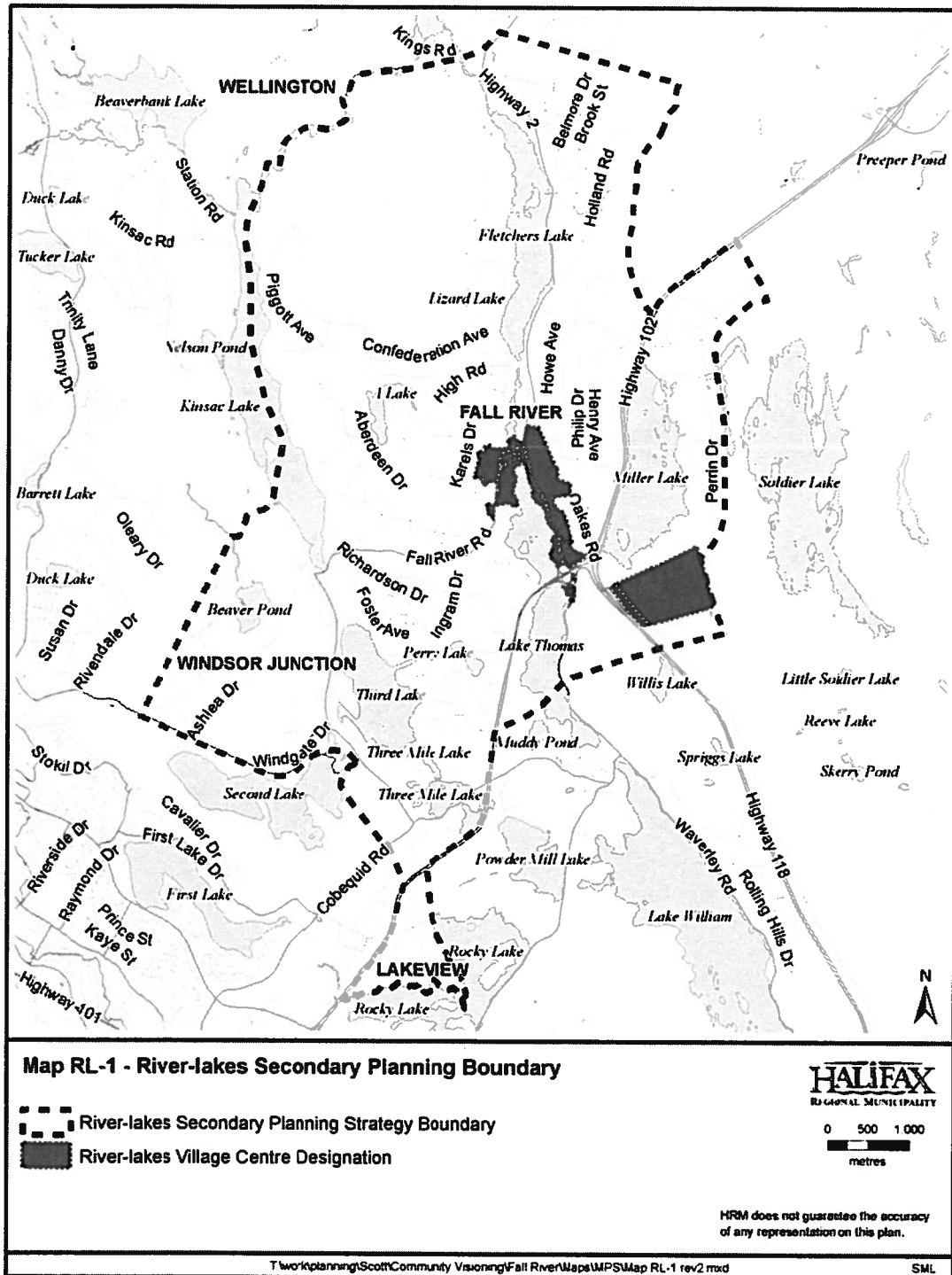
**AMENDMENTS TO THE
REGIONAL MUNICIPAL PLANNING STRATEGY FOR HALIFAX REGIONAL
MUNICIPALITY**

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

1. Delete the words "Fall River" from Policy S-10.

Secondary Planning Strategy

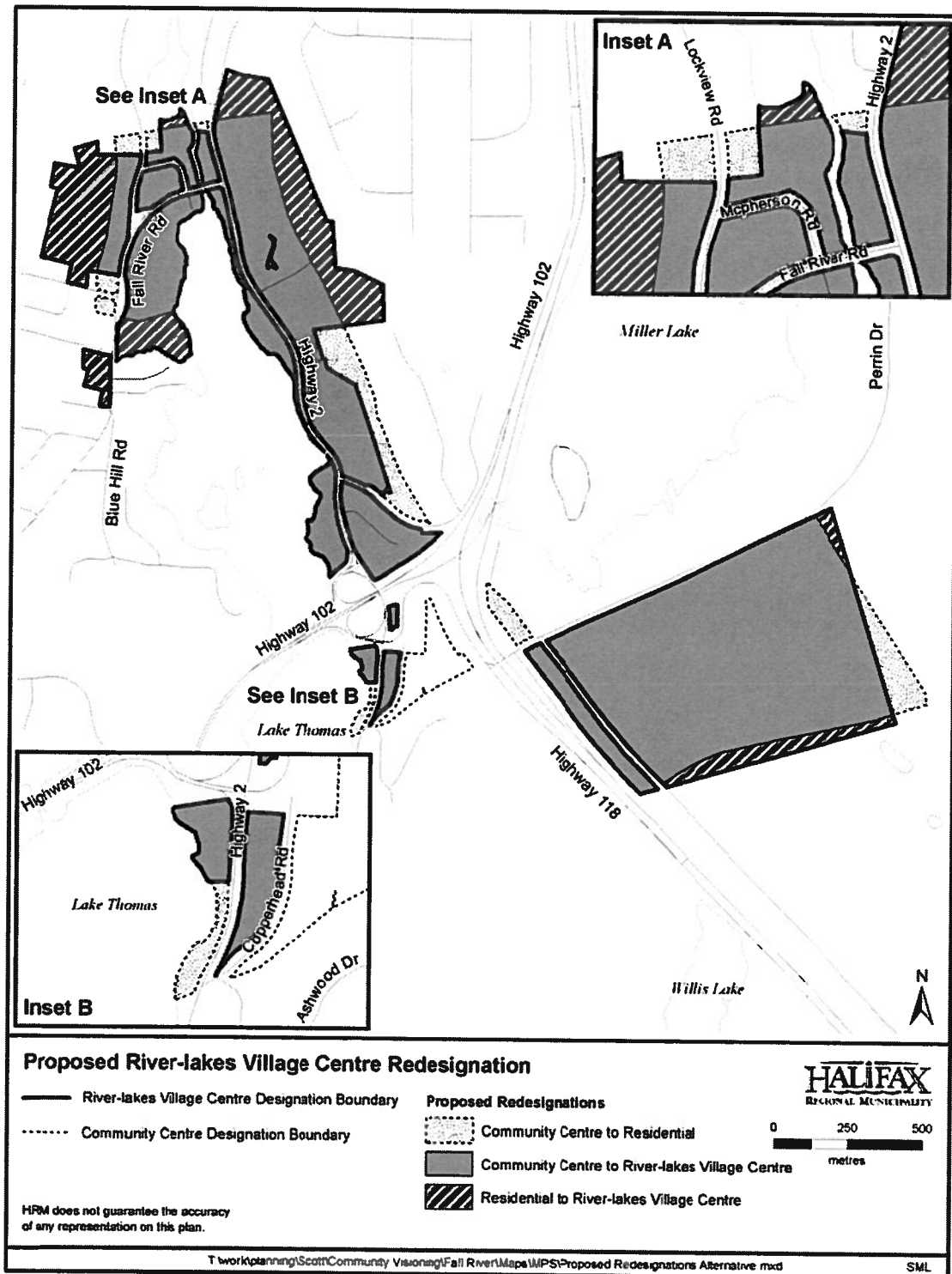
Attachment 5



MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes

Secondary Planning Strategy

Attachment 6



MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes

Secondary Planning Strategy

Attachment 7

Comparison of permitted uses under the existing C-2 Zone to the proposed CC, VC-CDD, VMS zones

Permitted Uses	Existing C-2 Zone	Proposed CC Zone	Proposed VC-CDD Zone	Proposed VMS Zone
Retail	✓	✓	✓	✓
Food Stores ¹	✓		✓	
Service & Personal Service	✓	✓	✓	✓
Offices	✓	✓	✓	✓
Financial Institutions	✓	✓	✓	✓
Restaurants	✓	Full Service and Take-outs only	Full Service and Take-outs only	Full Service and Take-outs only
Funeral Establishments	✓		✓	✓
Greenhouses & Nurseries	✓		✓	✓
Guest Homes ²	✓			
Taxi Depots	✓			
Medical, Dental & Vet Clinics	✓		✓	✓
Existing Service Stations	✓	✓		✓
Craft Shops	✓	✓	✓	✓
Garden Centres			✓	✓
Health & Wellness Centres			✓	
Tavern, Lounge			✓	✓

¹ Food Stores can be permitted as a retail use in the CC and VMS Zones.

² Guest Homes are undefined under the LUB for PD 14 and 17 but have been interpreted to mean rooms for lease. This form of business is now permitted as a Bed and Breakfast.

Permitted Uses	Existing C-2 Zone	Proposed CC Zone	Proposed VC-CDD Zone	Proposed VMS Zone
Single Unit Dwellings	✓	✓		✓
Two Unit Dwellings	✓	✓		✓
Multiple Unit Dwellings			✓	
Existing Multiple Unit Dwellings		✓		
Bed and Breakfasts		✓		✓
Home Business		✓		✓
Open Space Uses	✓	✓	✓	✓
Institutional Uses	✓	Museums as an educational institution	✓	✓
Fraternal Halls and Centres	✓		✓	✓
Transit Facilities			✓	✓

MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes

Secondary Planning Strategy

Attachment 8

**Comparison of permitted uses under the existing C-4 Zone to the
proposed VG and FRB zones**

Permitted Uses	Existing C-4 Zone	Proposed VG Zone	Proposed FRB Zone
Retail	✓	✓	
Food Stores ¹	✓		
Service & Personal Service	✓	✓	
Offices	✓	✓	✓
Financial Institutions	✓	✓	✓
Restaurants	✓	✓	
Funeral Establishments	✓	✓	
Greenhouses & Nurseries	✓	✓	✓
Garden Centres		✓	
Medical, Dental & Vet Clinics	✓	✓	
Service Stations	✓		
Existing Service Stations		✓	✓
Health & Wellness Centres		✓	✓
Tavern, Lounge	✓	✓	✓
Hotels and Motels and Motor Inns	✓	✓	✓
Parking Lots	✓	✓	✓
Transit Facilities		✓	✓

¹ Food Stores can be permitted as a retail use in the VG Zone.

Permitted Uses	Existing C-4 Zone	Proposed VG Zone	Proposed FRB Zone
Automotive Sales	✓		
Single Unit Dwellings accessory to any permitted use	✓		✓
Single Unit Dwellings		✓	
Outdoor Display Courts	✓		
Commercial Recreation Uses	✓		✓
Building Supply Outlets ²	✓		✓
Warehouses	✓		✓
Construction Storage Yards	✓		✓
Transportation Terminals	✓		✓
Light Manufacturing			✓
Craft Shops	✓	✓	
Institutional Uses	✓	✓	✓
Fraternal Halls and Centres	✓	✓	✓
Open Space Uses	✓	✓	✓

² Building Supply Outlets will be permitted as a retail use in the VG Zone.

MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes

Secondary Planning Strategy

Attachment 9

**Comparison of Standards under the Existing C-2 and C-4 zones to the
Proposed, CC, VMS, VG and FRB zones**

Standard	Existing C-2 Zone	<u>Existing C-4 Zone</u>	Proposed CC Zone¹	Proposed VMS²	Proposed VG Zone³	Proposed FRB Zone
Building Footprint	10,000 sf.ft.	No limitations	2000 sq.ft.	4000 sq.ft.	10,000 sq.ft.	20,000 sq.ft.
Maximum Floorspace	10,000 sf.ft.	No limitations	4000 sq.ft.	8000 sq.ft.	20,000 sq.ft.	20,000 sq.ft.
Front Yard	20 feet	30 feet	3 feet	30 feet	30 feet	30 feet
Side Yard	8 feet (sewer) 20 feet (other)	8 feet (sewer) 20 feet (other)	8 feet (sewer) 15 feet (other)	8 feet (sewer) 15 feet (other)	15 feet	15 feet
Maximum Height	35 feet	35 feet	35feet	35feet	35feet	35feet
Maximum Width	none	none	60 feet	60 feet	none	none

¹ Properties at the corner of MacPherson and Fall River Road have regulations permitting larger buildings.

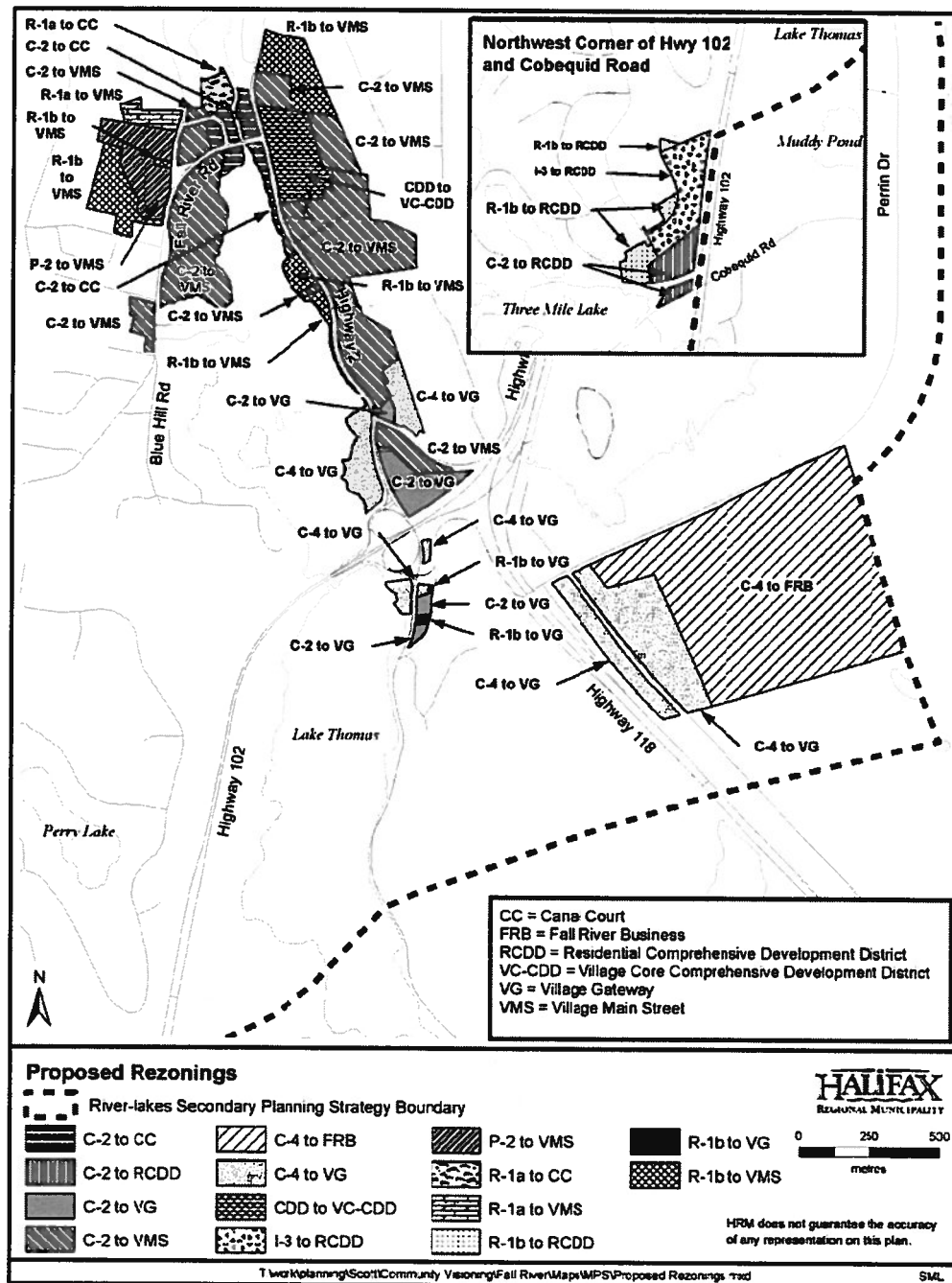
² The former Fall River Recreation site have regulations permitting larger buildings.

³ Some properties at the Highway 102 Interchange have regulations permitting larger buildings.

MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes

Secondary Planning Strategy

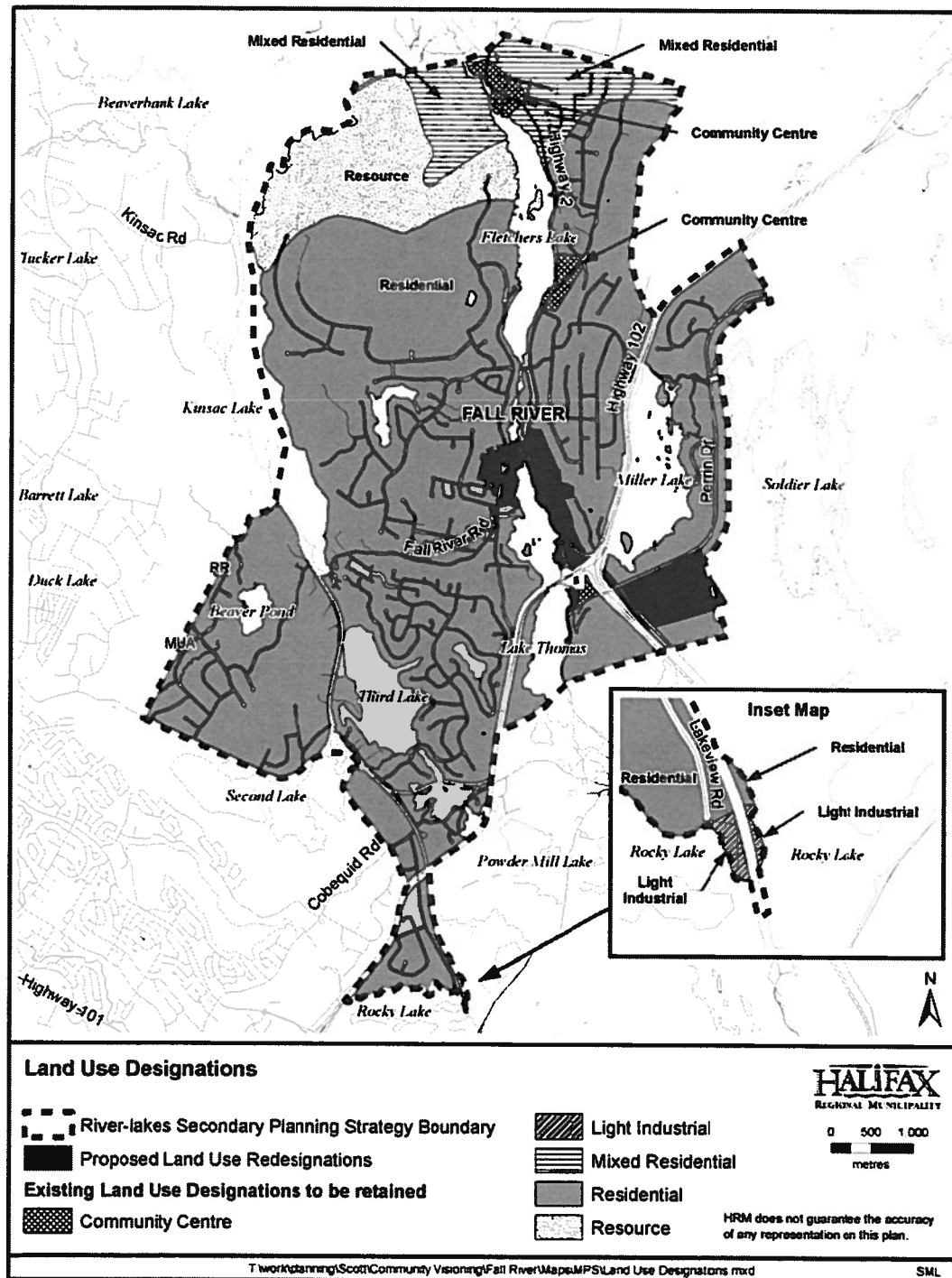
Attachment 10



MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes

Secondary Planning Strategy

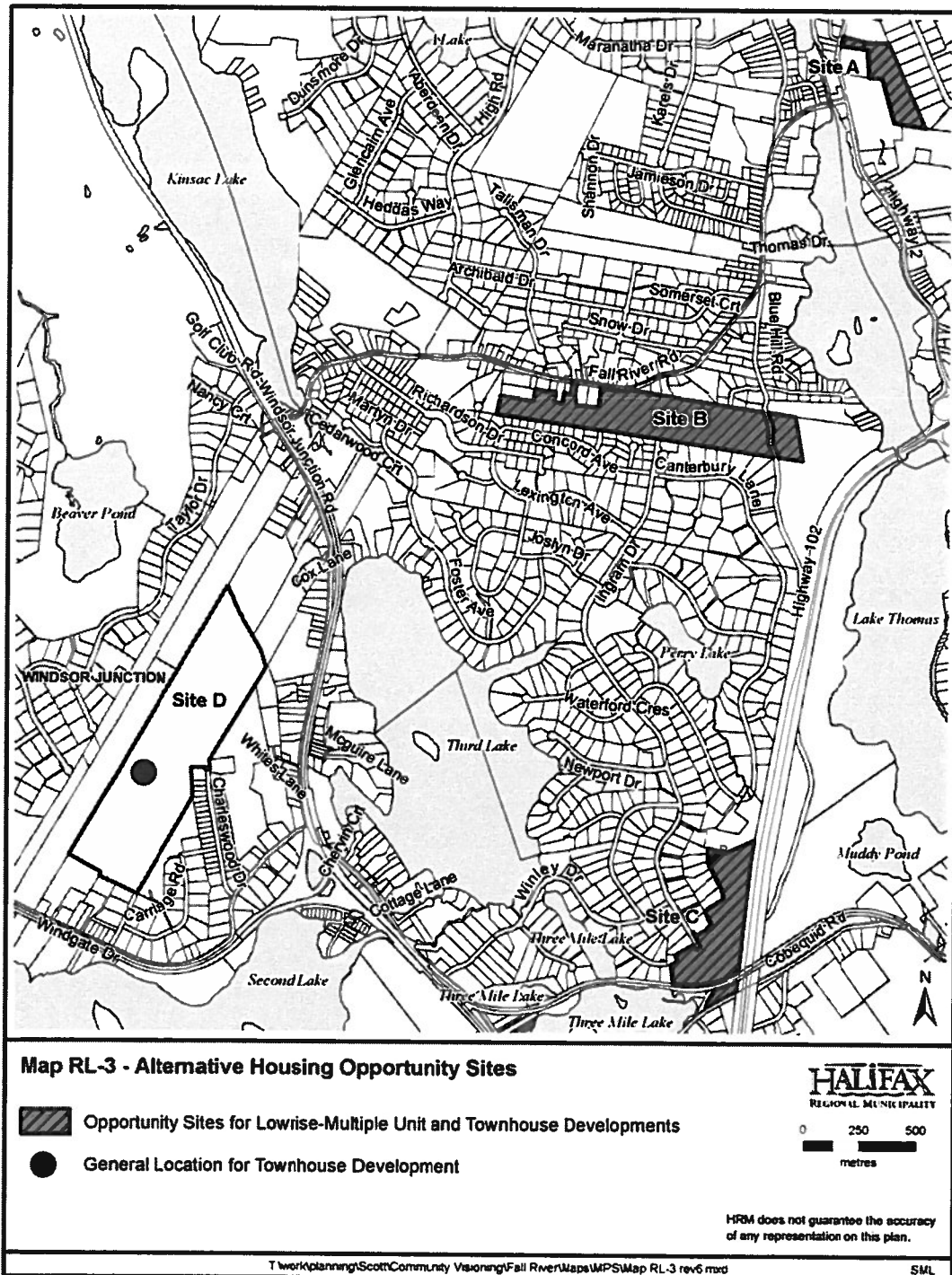
Attachment 11



MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes

Secondary Planning Strategy

Attachment 12



**MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes
Secondary Planning Strategy**

Revised Attachment 2

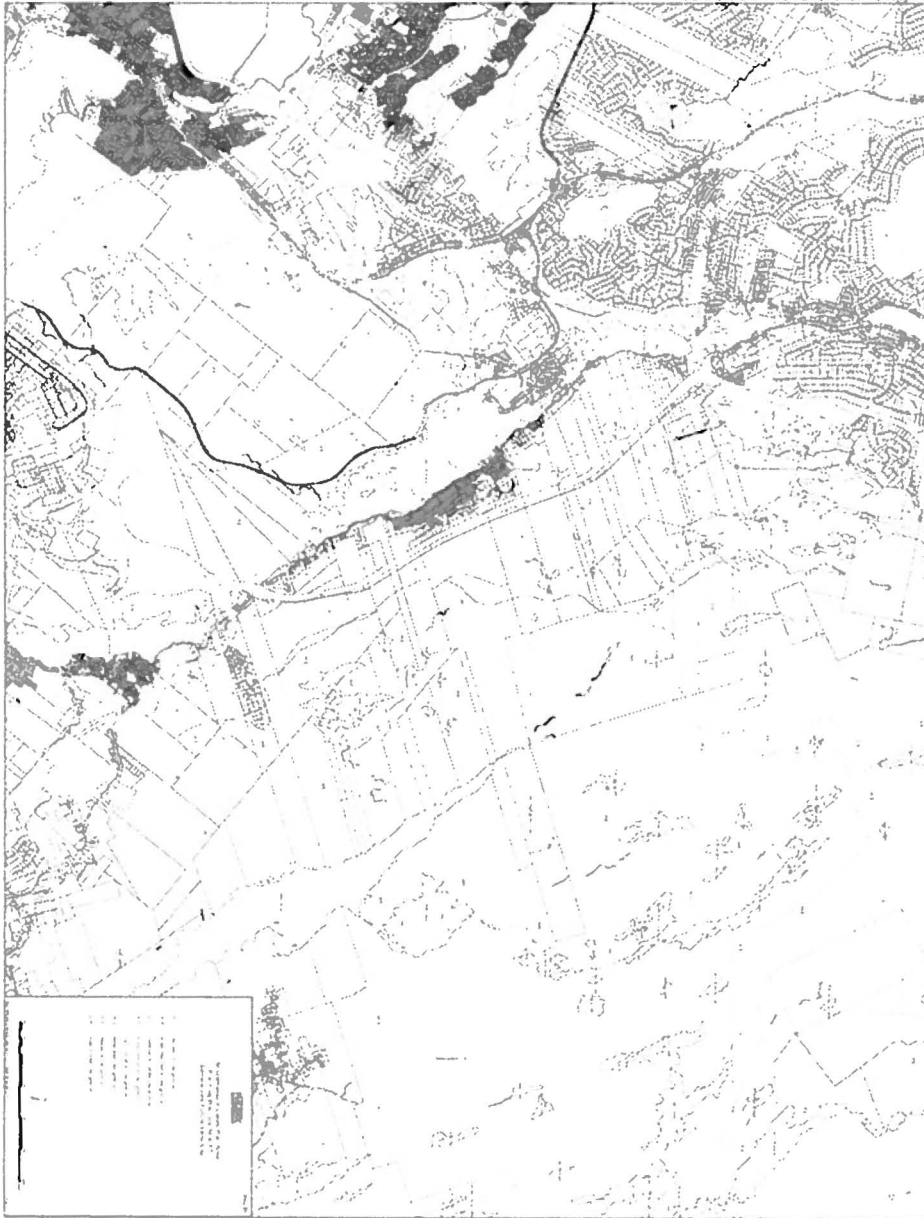
HALIFAX REGIONAL MUNICIPALITY

**AMENDMENTS TO THE
MUNICIPAL PLANNING STRATEGY FOR PLANNING DISTRICTS 14&17**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Planning Districts 14&17 is hereby amended as follows:

1. Replace Generalized Future Land Use Map 1 with Generalized Future Land Use Maps 1A and 1B as illustrated below:

Reduced version of original



2. Replace all references to "Generalized Future Land Use Map (Map 1)" with "**Generalized Future Land use Maps 1A and 1B**" throughout the Municipal Planning Strategy for Planning Districts 14 and 17.
3. Replace all references to "Generalized Future Land Use Map (Map #1)" with "**Generalized Future Land use Maps 1A and 1B**" throughout the Municipal Planning Strategy for Planning Districts 14 and 17.
4. Insert the words "**River-lakes Secondary Planning Strategy**" below the words "Watershed Designation" in the Table of Contents.
5. Replace the words "and opened in 1861" with the words and number "**in 1853**" after the word "finished" in line 7 of paragraph 2 under the Section "COMMUNITY PROFILE".
6. Insert the following after Policy P-4(a):

P-4(b) Notwithstanding Policy P-4(a), lands shown on Schedule L of the Land Use By-law, may be serviced with an on-site septic system.

7. In the Community Centre Designation paragraph of the LAND USE INTENT Section, replace the word "communities" with the word "**community**" and strike out the words "and Fall River" after the word Waverley in line 2.
8. Insert the following at the end of the LAND USE INTENT Section after the paragraph pertaining to the "Watershed Designation":

The River-lakes Village Centre Designation applies to the lands extending from Roland Road on the Fall River Road down to Highway 2 and encompasses the lands around the intersection of Highway 2 and Fall River Road. It extends south along Highway 2 and Waverley Road down to the area around the Vegitorium. The River-lakes Village Center is a designation under the River-lakes Secondary Planning Strategy which is intended to maintain the rural village atmosphere and rural character of the area by fostering the development of this Centre to which residents and visitors are attracted. The River-lakes Village Centre Designation is designed to support the development of a mix of small scale commercial and residential development in a manner that maintains the rural character of the area through good site design, controls on the exterior appearance of buildings and the natural environment.

9. At the end of paragraph 2, after Policy P-67, insert the words "**except in those portions of the River-lakes Secondary Planning Strategy Area as identified under Policies RL-11, RL-12, RL-13, RL-14 and RL-15**", before the period at the end of the sentence "New multiple unit dwellings will not, therefore, be permitted in the Plan Area."

10. Delete the words **"and Fall River"** after the word "Waverley" in line 4 of paragraph 1 of the COMMUNITY CENTRE DESIGNATION Section.

11. Delete the words **"and Fall River"** after the word "Waverley" in line 3 of paragraph 2 of the COMMUNITY CENTRE DESIGNATION Section.

12. Delete paragraph 3 from the COMMUNITY CENTRE DESIGNATION Section and replace it with the following:

"The construction of the highway system through the Plan Area has also provided distinct opportunities for commercial uses serving both the travelling public and a more regional market. There are two major intersections where the highway system provides this opportunity. One is at the intersection of Highway 318 (Waverley Road) and Highway 2 (Rocky Lake Road) in Waverley. The other is in Enfield where Highways #102 and #2 intersect." The Community Centre Designation also applies to areas along Highway 2 where village centres have been emerging in Fletchers Lake, Wellington and Grand Lake. A small portion of the Community Centre Designation also applies to the western side of the Highway 118 off-ramp, south of Perrin Drive."

13. Replace the phrase "interchanges with Highways 102 and 118" at the end of Policy P-96 with the phrase **"Exit 15 Interchange with Highway 102, at Enfield"**

14. Replace the phrase "pre-zoned for highway commercial use in the vicinity of the Guysborough Road and the exits from Highway 118." with the following in the pre-ample to Policy P-101:

"Zoned Fall River Business in the vicinity of the Guysborough Road."

15. Insert the words **"Fall River Business Zone"** after the word "zoned" in the last line of the pre-ample to Policy P-101.

16. Replace the words "highway commercial uses" with the words **"uses permitted in the Fall River Business Zone"** in lines 3 and 4 of Policy P-101.

17. Replace the words "highway commercial zoning" with the words **"Fall River Business Zone"** in clause (b) of Policy P-101.

18. Replace the words "highway commercial uses" with the words **"uses permitted in the Fall River Business Zone"** in clause (ii) of Section (c) of Policy P-153.

19. Insert the following clauses after clause (viii) of Section (b) of Policy P-154:

- (ix) Low scale multiple unit dwellings, townhouses, single unit dwellings or two unit dwellings up to 4 units per acre on Site B shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-13.
- (x) Low scale multiple unit dwellings, townhouses, single or two unit dwellings up to 4 units per acre or local commercial use and self-storage facility in conjunction with the housing component, within the RCDD Residential Comprehensive Development District Zone, according to Policy RL-14.
- (xi) Townhouses up to a maximum density of 2 units per acre on Site D shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-15.

20. Insert the following after clause (ii) of Section (g) of Policy P-154:

(h) within the River-lakes Village Centre Designation:

- (i) Larger scale mixed commercial and residential development may be considered, within the River-lakes Village Centre Designation, over the portion of the lands shown on Schedule H of the Land Use By-law, according to Policy RL-4.
- (ii) Large commercial and medium density residential uses, within the Village Core Comprehensive Development District Zone, according to Policy RL-5.
- (iii) Low scale multiple unit dwellings up to 3 units per acre, with or without a ground floor commercial component, townhouses, single or two unit dwellings within areas zoned Village Mainstreet, according to Policy RL-11.
- (iv) Low scale multiple unit dwellings and townhouses up to 4 units per acre where no central water service are provided, and up to 8 units per acre when central water services are provided, on Site A shown on Map RL-3, according to Policies RL-12.

21. Insert the River-lakes Secondary Planning Strategy after "INTERIM GROWTH MANAGEMENT":

RIVER-LAKES SECONDARY PLANNING STRATEGY

Background

The HRM Regional Municipal Planning Strategy (Regional Plan) designates the Fall River area as a Rural Commuter Centre. This Centre, now termed the River-lakes Secondary Planning Strategy, is a place where the Regional Plan intends to support the growth of low density development in the future through the provision of express bus transit and central water.

Under the direction of the Regional Plan, HRM undertook a Visioning Process in partnership with local residents, to envision how this Centre should grow over the next

20 - 25 years. The Vision and Action Plan that was developed under this initiative contains goals and action plans pertaining to housing, senior citizen housing, commercial development, community development, infrastructure, social development, sports and recreation, parks and public lands, active transportation and transit. It was adopted by Regional Council in-principle, in 2007, and formed the basis for the creation of the River-lakes Secondary Planning Strategy.

The purpose of this Secondary Planning Strategy is to provide guidance for future growth and development for the River-lakes Secondary Planning Strategy Area. The secondary planning process is taking place in two phases. In Phase I, the process focused on the development of detailed regulations to achieve desired community form and architectural detailing in the Village Centre. A system of open space and trails will also be brought forward under this phase of the Plan for the River-lakes Secondary Planning Strategy Area and connected areas around it, to form part of the urban structure for Phase II. An Environmental Protection Policy has also been developed to regulate the amount of housing development which may occur in the southern portions of the Plan Area without further impacting the water quality of the Shubenacadie Lakes.

In Phase II, options for future growth throughout the remainder of River-lakes Secondary Planning Strategy Area will be brought forward to Regional Council and the community. The allocation of this future growth will be considered on the basis of the findings of the Shubenacadie Lakes Watershed Study and Fall River/Waverly/Wellington Transportation Study. With a selected option for future growth by Council in Phase II, the options for future transportation improvements, as recommended under the Transportation Study, and the options for future municipal water service provision, as recommended under the Shubenacadie Lakes Watershed Study, will be considered for implementation.

River-lakes Secondary Plan

The River-lakes Secondary Planning Strategy Area extends north to the beginning of Wellington, west to Windsor Junction, south to Lakeview, and east to Miller Lake as shown on Map RL-1. It includes the communities of Fall River, Fletchers Lake, and southern portion of Wellington, Windsor Junction, Lake View and a portion of Miller Lake.

At the heart of the Secondary Planning Strategy Area, is the River-lakes Village Centre Designation which is a meeting place for people from the surrounding area and visitors. The River-lakes Village Centre Designation extends from the intersection of Roland Road and Fall River Road to the north-west, the Sobeys Shopping Centre Plaza to the north, Lake Thomas to the west and the NS Transportation and Infrastructure Renewal

Depot and area around the 102 and 118 interchanges to the south, as shown on Map RL-1.

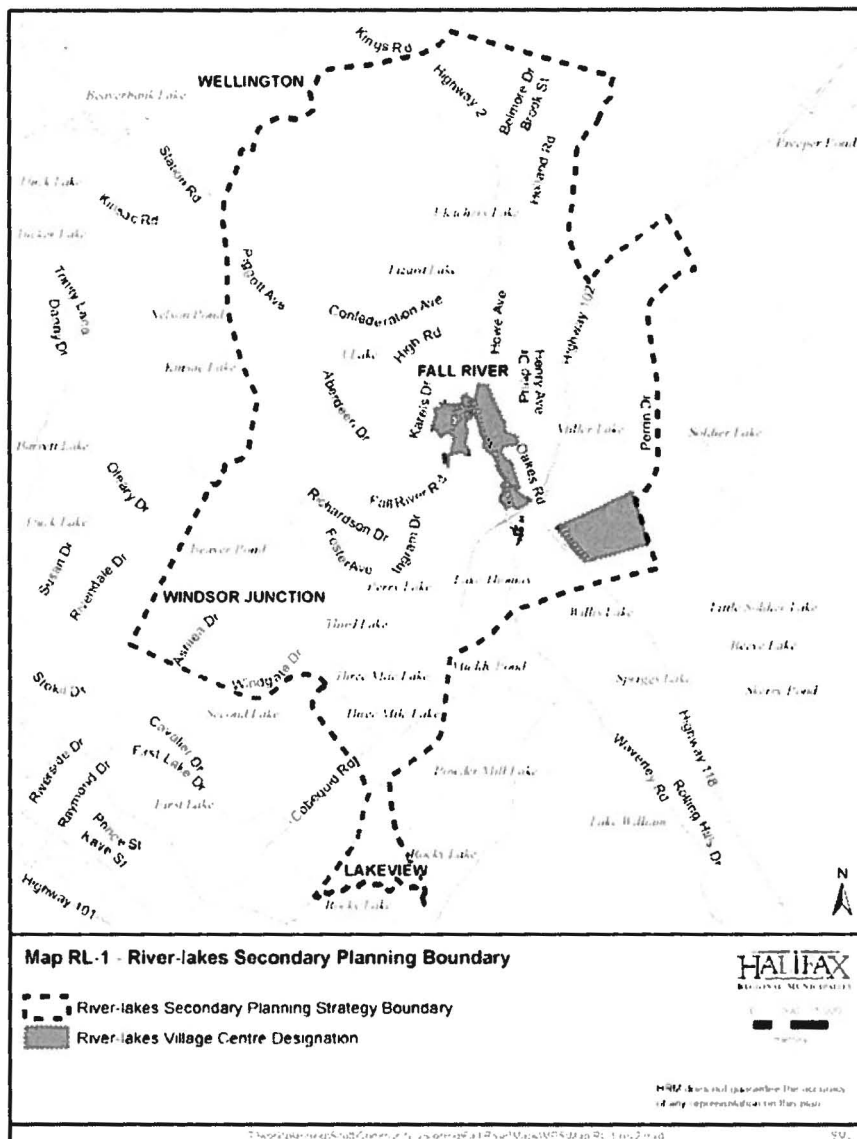
Plan Area Profile

As of the latest census - December 2011 - there were a total of 11,526 people living in the River-lakes Secondary Planning Strategy Area (Table 1). A substantial portion of the population (29.0%) consists of children which has implications on the need for schools. A substantial portion of the population were also seniors (8.6%) or young adults (8.0%) who require alternative housing forms (apartments/multiple-unit dwellings, townhouses, auxiliary dwelling units) to the existing housing stock that largely comprises single unit dwellings.

TABLE 1
AGE DISTRIBUTION 1996-2006

Age Group	1996 Census		2001 Census		2006 Census		2011 Census	
	#	%	#	%	#	%	#	%
0-19	2592	32.1	2895	31.8	3046	29.7	3349	29.0
20-29	849	10.5	877	9.6	839	8.2	929	8.0
30-64	4182	51.8	4916	54.0	5619	54.8	6271	54.4
65+	421	5.2	559	6.1	723	7.1	990	8.6
Total	8071		9011		10251		11526	

Source: Nova Scotia Community Counts web page - data modelled from Statistics Canada, Census of Population, 1991, 1996, 2001, 2006, 2011.



In terms of housing, there were a total 3,492 dwelling units within the River-lakes Secondary Planning Strategy Area. As previously mentioned, the vast majority of these units consisted of low density single unit dwellings (91.3%) with a smaller percentage of the housing stock being semi detached (4.2%), apartments (2.7%), and mobiles (2.0%), as shown in Table 2 below.

**TABLE 2
DWELLING UNITS BY TYPE**

Dwelling Type	1996 Census		2001 Census		% Change 1996- 2001	2006 Census		% Change 2001-2006
	#	%	#	%		#	%	
Single Detached Houses	2,355	90	2,678	89.2	13.7	3,189	91.3	19.1
Semi-Detached/Row/Duplex	185	7.1	188	6.3	1.6	148	4.2	-21.3
Apartments	65	2.5	108	3.6	66.2	95	2.7	-12.0
Movable Dwellings	10	0.4	50	1.7	400.0	71	2	42.0
Total Occupied Dwellings	2,616		3,001			3,492		

The Vision

The Vision for the River-lakes Secondary Planning Strategy is to maintain the rural village atmosphere and rural character of the area. At the core of this vision is the desire to create an attractive village centre to service the surrounding neighbourhoods and to preserve the rural character of the Plan Area. The rural character of this area is expressed in the low density development from of the neighbourhoods and positioning of the River-lakes Village Centre amidst the chain of lakes, forest covered hillsides, winding trunk highways and numerous cultural and natural features that give rise to the rural landscape.

One of the most important natural assets throughout the Plan Area is the lakes. On the eastern side of the Plan Area, is Lake Thomas and Fletchers Lake and on the western side of the Plan Area is Kinsac Lake which forms part of the Shubenacadie Lakes System. It is the desire of the community to protect the relatively pristine nature of this lake system and controls will be established to limit the amount of phosphorus and pollutants entering the lakes through the retention of pervious surfaces, retention of

natural vegetation on steep slopes, provision of landscaping, regulation on the amount and scale of development and management of stormwater. Consideration shall also be given to the establishment of a Wastewater Management District during Phase II of the Planning Process to provide for the collective management of wastewater management systems in this Plan Area as intended by the Regional Plan.

The continued development of the River-lakes Village Centre Designation as a central core and meeting place for the Plan Area is of pivotal importance to this Secondary Plan. One extremely important cultural feature, within this area, is the historic Shubenacadie Canal. This waterway formed an important transportation route from Halifax Harbour to the Bay of Fundy for the Mi'kmaq dating back almost 4,000 years according to archaeological records at the Museum of Natural History.¹ The banks of Fall River Run and the remainder of the route have been identified as an area of high cultural significance under the Regional Plan and as an area worthy of the preservation of its discovered and undiscovered cultural assets.

In 1826, the Shubenacadie Canal Company began the construction of a system of 17 stone locks along the Shubenacadie waterway to allow the passage from Halifax Harbour to the Bay of Fundy. During the early years, the Canal was constructed by Scottish Masons in the British Style (meticulous detail, importation of building materials, dry stone mounting). The Canal Company went bankrupt in 1831 and the project was redesigned in the American Style (fewer blocks, reliance on local materials and use of incline planes) and finished by the Inland Navigation Company in 1853. The Canal was used for the early transport of lumber, bricks, pottery and iron from Halifax Harbour to the Bay of Fundy for approximately 15 years. It was replaced by the railway in 1870 and to date represents one of the most significant cultural expressions of an inland waterway.

The Shubenacadie Canal Commission was formed to preserve and aid in the restoration of this historic waterway. It is the desire of the residents of the area to support and where possible facilitate the efforts of the Shubenacadie Canal Commission to restore the significant parts of the Shubenacadie Canal situated in this Plan Area. Specifically, the residents wish to encourage the growth of a mixed-use development around Fall River Run to celebrate its historic and cultural value. It is also the desire of the community to see the continued restoration of Lock 4 at the end of High Road and the development of a trail and portaging system along this waterway route.²

Other cultural assets, throughout the Secondary Planning Strategy Area include the old farm fields, the hillside views of the lakes, the winding highway, the old Coach Road/Blue Hill Road, the few remaining buildings that have historical and cultural value

1 Archaeology in Nova Scotia: The Shubenacadie Canal. Museum of Natural History, Government of Nova Scotia. <http://museum.gov.ns.ca/arch/sites/shubie/shubie.htm>

2 Archaeology in Nova Scotia: The Shubenacadie Canal. Museum of Natural History, Government of Nova Scotia. <http://museum.gov.ns.ca/arch/sites/shubie/shubie.htm>

such as the old Carr Farmhouse, and the fine examples of period architecture such as the Inn-on-the-lake. It is the desire of the community to build upon these cultural assets by requiring that they become an organizing feature of future development through design. It is also the desire of the residents to foster the development of an interconnected system of parks, trails and open space around the waterways and road systems throughout the Plan Area as illustrated on Map RL-4.

River-lakes Secondary Planning Strategy **Vision**

The Vision of the River-lakes Secondary Planning Strategy is to retain the rural village atmosphere and rural character of the area by fostering the:



- (a) development of the River-lakes Village Centre Designation as a place to which residents and visitors are attracted and become recognized as the centre of the River-lakes communities;
- (b) retention of the natural environment through the protection of the lakes, tree-covered hillsides, and environmentally sensitive areas that are of high value for groundwater recharge or are ecologically fragile and sensitive to disturbance;
- (c) creation of an interconnected system of open space that facilitates pedestrian movement throughout the Plan Area as illustrated on Maps RL-4 and RL-5;
- (d) preservation of the cultural and historical assets of the area, especially the Shubenacadie Canal and its historical and cultural importance as a transportation route to the Mi'kmaq and early North American settlers; and
- (e) implementation of improvements to the transportation infrastructure and the provision of central water to areas that are in keeping with the growth management objectives of the Regional Plan as determined through the Phase II Secondary Planning Process.

The Policies

- RL-1** The River-lakes Secondary Plan, as graphically illustrated on Map RL-1 and as outlined on the Generalized Land Use Maps 1A and 1B of the Municipal Planning Strategy for Planning Districts 14 and 17 for official reference, shall form the framework to guide the provision of services and future development that is in keeping with the desire of the community to maintain the rural village atmosphere and rural character of the River-lakes Communities. This Plan shall include the establishment of a River-lakes River-lakes Village Centre Designation to achieve the Vision for creating a gathering place for the surrounding communities. This Plan shall also

contain policies to foster the development of an open space and trails network, regulate the future development of low-rise multiple-unit dwellings and townhouses on a few opportunity sites, and implement policies for the protection of the lakes throughout the River-lakes Secondary Planning Strategy Area. All other policies for land use development and service provision under the Municipal Planning Strategy and Land Use By-law for Planning Districts 14 and 17 shall continue to apply to this Secondary Planning Strategy Area unless altered or replaced by the following policies within this Secondary Plan. Future transportation, environment and residential development policies shall be created under the Phase II process for application to this Secondary Planning Strategy Area.

Phase I - The River-lakes Village Centre Designation – Design Concept

Within the River-lakes Secondary Planning Strategy Area, the River-lakes Village Centre Designation is situated along the eastern side of Lake Thomas and along Fletchers Run. It forms the historic heart of the River-lakes communities which settled around the banks of the Shubenacadie Canal System, after it was constructed. It provides retail, medical, personal service and recreation service opportunities to the surrounding communities. It is also home to approximately sixty households that have settled throughout the Village overtime.

The Plan envisions that the River-lakes Village Centre Designation will become an attractive and vibrant place, drawing people from the surrounding area for shopping, recreation, entertainment and service.

A park and ride facility has been developed at the Highway 118 Interchange, to facilitate access to an express bus service from all communities throughout the Plan Area and surrounding communities, to downtown Dartmouth and Halifax. It is also desirable to have a transit stop within the Village Core of the River-lakes Village Centre Designation to facilitate pedestrian and vehicular access to the bus from this location.

All of the areas within the River-lakes Village Centre Designation should have a mix of commercial and low to medium³ density residential uses with buildings that are close to or at the street or setback from the street in certain areas with foreground landscaping. The Plan also envisions that parking should be located to the side or the rear of buildings with foreground landscaping to create an attractive street scape and add value to the abundance of mature climax trees that are found throughout the remnant Acadian Forest in this portion of the HRM. Landscaping should also be incorporated throughout larger parking lots to define major vehicle and pedestrian routes, provide shade, break-up the expanse of paved areas, and minimize stormwater flows. A good example of

³ Please note that medium density in the context of Fall River means a maximum density of 3 - 4 units per gross acre within the River-lakes Village Centre Designation. While this density may be regarded as a low density parameter in a suburban area that is serviced with municipal water and sewer, it is considered medium density within the low rural density context of Fall River.

desirable parking lot design is at the Gordon R. Snow Centre on Fall River Road. The retention of pervious surfaces and tree covered hillsides are also desirable features, along with the application of best management practices, to reduce the impacts of erosion and sedimentation and stormwater runoff on the lakes.

Buildings within the River-lakes Village Centre Designation should be compatible with the traditional built form which is predominantly small-scale buildings, with narrow coarse siding, vertical windows and pitched roofs of gabled, gambrel styles with wide overhanging eaves and in some cases mansard styled roofs. Buildings throughout the Village should be compatible with these elements and have desirable architectural features that are reflective of the rural character in the area to enhance the pedestrian experience.

Although big box retail stores and strip malls are not in keeping with the vision for the River-lakes Village Centre Designation, there is a local shopping centre with big box store anchors situated in the Village Core at the Sobeys Shopping Centre. Future redevelopment of this shopping centre must incorporate architectural elements that all other River-lakes Village Centre Designation buildings will be required to incorporate, in order to break up the scale and mass and to make them more compatible with the desired rural village form. Allowances will also be made to provide for the future development of slightly larger scale buildings at prominent sites throughout the River-lakes Village Centre Designation where opportunities are present to create a focal point for development provided that it is in keeping with a scale of development that is compatible with the desired rural village form. Signage will also be controlled to prevent the appearance of a cluttered highway commercial strip through the land use by-law. There is also a desire to see the future provision of street furniture and lanterns to create a well coordinated appearance along the streetscape and to enhance the pedestrian experience in the public realm. These actions should be facilitated through the formation of a Business Improvement District.

A variety of housing types should be permitted in the River-lakes Secondary Planning Strategy Area and the River-lakes Village Centre Designation to provide for the needs of all residents throughout the area. In particular, a senior citizen housing complex that provides housing for graduated levels of assisted living should be developed in the River-lakes Village Centre Designation and on selected sites within the River-lakes Secondary Planning Strategy Area to enable residents to remain within their community throughout all stages of their life. Multiple-unit housing in the form of townhouses and low rise apartments is also desirable at selected sites within the Secondary Planning Strategy Area and within the River-lakes Village Centre Designation to provide for the needs of residents. Auxiliary dwellings units are also a desirable form of housing throughout the residential areas to offset the cost of housing and to provide access to more affordable forms of housing accommodation. However, given the groundwater constraints throughout the Plan Area and the impact that development may have on

surface waters, auxiliary dwellings units have to be developed on larger lots (double the required minimum lot area).

In keeping with one of the Vision for the River-lakes Secondary Plan, to create a vibrant and visually attractive River-lakes Village Centre Designation where residents can live, shop, socially interact and engage in community events, this Plan will foster the future:

- (a) development of a mixed commercial and residential development in the River-lakes Village Centre Designation with an attractive street scape through the location of parking at the side or rear of buildings and the incorporation of landscaping to enhance the pedestrian experience;
- (b) development of built form where buildings are situated close to or at the street to create a sense of enclosure to enhance the pedestrian experience or setback from the street with the provision of foreground landscaping to create an attractive appearance to the development from the street;
- (c) development of buildings that contain architectural elements that are reflective of the rural character of the area through controls on the scale, mass, window fenestration, rhythm, rooflines, height, width, trim, exterior materials and forms of entry;
- (d) redevelopment of existing strip malls and big box retail stores in a manner that is more compatible with other built forms in the River-lakes Village Centre Designation through the incorporation of architectural elements that add rural character and reduce the appearance of their large scale and mass;
- (e) development of a safe and functional road, transit and active transportation system that enhances traffic flow and internal circulation while maintaining high levels of safety between vehicles, cyclists and pedestrians;
- (f) Retention of natural features, and in particular pervious surfaces and the retention of vegetative cover on steeply sided hills, that add aesthetic value to the River-lakes Village Centre Designation and protect the lakes from adverse impacts;
- (g) Development that reduces light pollution throughout the River-lakes Village Centre Designation and the River-lakes Secondary Planning Strategy Area through controls on lighting;
- (h) Development that minimizes impact on the receiving waters of the Shubenacadie Lakes; and
- (i) Development of a variety of housing types that provide for a wide range of demographic needs and people with varying incomes.

River-lakes Village Centre Designation Policies

The River-lakes Village Centre Designation is defined by five distinct areas as shown on Map RL-2. Each of these areas have characteristics that make them ideal candidates for

the creation of enclaves within the Centre through variation in the regulation of building form and setback of development from the street. Although slightly different from one another, all of these areas should be unified through the regulation of the external appearance of structures (architecture), landscaping and the future development of a system of sidewalks, trails and street trees and street furniture. In order to maintain a comfortable pedestrian realm and pedestrian interest, development within these zones shall be of an appropriate scale and mass to blend into the streetscape and natural features of the area.

RL-2 **The River-lakes Village Centre Designation, as graphically illustrated on Map RL-1 and as outlined on the Generalized Land Use Maps 1A and 1B of the Municipal Planning Strategy for Planning Districts 14 and 17 for official reference, shall form the framework for policies to guide future development within this area.⁴ The primary intent of this Designation is to facilitate the future development of a vibrant and attractive place where residents can live, meet, shop and be entertained in a small-scale, well designed Village Centre Designation that reflects the rural character of the surrounding area. Five zones shall be applied to the various areas throughout the River-lakes Village Centre Designation under the schedules of the Land Use By-law to facilitate the development of distinct areas around a focal point or character building element as a central organizing theme. All these zones shall contain regulations to facilitate the development of a small-scale, low environmental impact, mixed-use built form that is in keeping with the desire to maintain the rural village centre atmosphere and carry out the water quality objectives for the receiving waters of the Shubenacadie Lakes.**

⁴ Please note that the area shown on Map 1 – Generalized Future Land Use Map of the Municipal Planning Strategy for Planning Districts 14 and 17 forms the official mapping for this Secondary Planning Strategy and where any questions arise regarding the application of designations to any given area, the Generalized Future Land Use Map takes precedence over all other mapping in this Secondary Plan.

Canal Court

The Canal Court encompasses Fall River Run which is situated between Lake Thomas and Fletchers Lake. It is the desire of the community to create a pedestrian-oriented area in this part of the Centre with small-scale buildings lining the streets and an internal court yard system adjacent to this historic part of the Shubenacadie Canal. Provisions will also be established to allow for the development of a slightly larger building at the intersection of Fall River Road and McPherson Road to serve as a focal point and gateway into the Canal Courtyard area. The expansion of an existing multiple-unit dwelling with the incorporation of a ground floor commercial component, at 19 MacPherson Road, shall also be permitted given the opportunities to provide alternative housing to the area.

- RL-3** **Within the River-lakes Village Centre Designation, the Canal Court Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to support the transition of the area to a small-scale, mixed-use, walkable centre around the historic Shubenacadie Canal as a focal point for development. This Zone is also intended to maintain the traditional small lot pattern in this area by keeping the scale of buildings small to ensure that all features of development can be situated on the existing lot fabric without triggering the need for lot consolidations. Provisions will be established under the Land Use By-law to:**
- (a) allow the development of small-scale commercial, single and two unit dwellings, an existing multiple-unit dwelling and its limited expansion, home business, bed and breakfast, open space uses and museums as an educational institution;**
 - (b) allow the existing uses to be permitted if they were constructed prior to the effective date of this Secondary Planning Strategy;**
 - (c) allow the development of slightly larger-scale commercial development on sites shown on Schedules F and G of Land Use By-law, situated at the corner of Fall River Road and McPherson Road, to create a prominent entry site into the Canal Court area;**
 - (d) require minimal setbacks from the roadway to facilitate the future development of an internal courtyard in the rear yards adjacent to the Shubenacadie Canal and to create a sense of enclosure along the street; and**
 - (e) require limitations on gross floor space, building footprint, minimum and maximum height and minimum width to maintain a small-scale appearance, create a sense of enclosure and rhythm, maintain the fine**

grain lot pattern, and maximize the amount of pervious surface over the site to minimize adverse impacts on receiving waters.

RL-4

In order to encourage the comprehensive development of a pedestrian-oriented mixed commercial –residential development that has an internally connected courtyard along the east and west sides of the Shubenacadie Canal, HRM shall consider larger scale buildings on lands shown on Schedule H of the Land Use By-law, through the provisions of a development agreement. The Zone will permit commercial, residential and open space uses. Given the extent of the area and the number of property owners involved, HRM may allow the application of a separate development agreement for Blocks A, B, or C shown on Schedule H. In considering such an agreement, Council shall have regard to the following:

Built Form, Architecture and Use

- (a) that the style of the buildings are in a townhouse form or two-three story traditional village shops with architectural detailing that is in general conformity with the architectural design requirements under the Land Use By-law; ;
- (b) that the siting, massing, and façade design of buildings shall be coordinated on a block-by-block basis;
- (c) that the elevation of all buildings within the block shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (d) that the massing and built form of townhouse units adjacent to single-detached and semi-detached dwellings shall be broken down with architectural elements to promote visual integration;
- (e) that the first floor of all buildings are retained for commercial or institutional uses;

Site Development Criteria

- (f) that an internal courtyard system of interconnected trails and pathways, outdoor cafes and outdoor shopping areas is planned for the rear yards of the properties adjacent to the Shubenacadie Canal;
- (g) that there is limited trail development allowed throughout the Riparian Buffer to the extent that it does not reduce the function of the buffer for preventing impacts on the Shubenacadie Canal;
- (h) that a minimum of 25% of the entire development retains a combination of natural vegetation and combination of natural and structured landscaping to create an attractive relationship between buildings, rear and side yards, and the Riparian Buffers along the Canal;

- (i) that lighting is designed to prevent light pollution and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries and is automatically timed to reduce illumination during non-business hours;
- (j) that parking is not provided in the front-yard of any property within the development;

Site Impact Controls/Assessments

- (k) that there is no adverse impact of development on any archaeological features in any areas identified on Schedule C of the Land Use By-law as determined by the Nova Scotia Department of Communities, Culture and Heritage;
- (l) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and
- (m) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

Village Core

The Village Core Comprehensive Development District applies to the Sobeys Shopping Centre site, at the intersection of Highway 2 and Fall River. This is the Village Core which is intended to function as the focal point for business and community gathering. This site is a destination place for residents from throughout the River-lakes Secondary Planning Strategy Area and is a focal point within the River-lakes Village Centre Designation that features prominently from the top of the hill on Fall River Road. It is also situated on an environmentally sensitive site that is underlain with pyretic slate and surrounded by steeply sided slopes with fine grained soil that can adversely impact the Shubenacadie Lakes.

It is anticipated that larger scale development will continue to form the premise for business in the Village Core Comprehensive District Development Zone and that parking will be situated in front of the buildings. Future renovations or redevelopment of this site requiring an amendment to the existing development agreement, shall comply with the requirements to reduce the mass and scale of buildings and to soften the appearance of front yard parking through architectural and landscape design. Appropriate environmental controls shall also be required to prevent adverse impacts on the Shubenacadie Lakes and to maintain the water quality objectives set out under this Plan. Lighting and signage shall also be controlled to prevent light pollution and create an aesthetically pleasing development in relation to the streetscape.

RL-5

Within the River-lakes Village Centre Designation, the Village Core Comprehensive Development District Zone shall be created under the schedules of Land Use By-law to permit the development of large commercial and medium density residential uses. The intent of this Zone is to facilitate the concentration of the higher-intensity commercial activity in this location to act as a focal point for community gathering, shopping, entertainment and transit provision. To ensure that future redevelopment of this site is in keeping with the community desire to maintain the rural village character of the area and to prevent adverse impact on the Shubenacadie Lakes, any new buildings, major alterations of a building façade or any redevelopments of the site not contemplated by the existing agreement, shall only be considered through the provisions of a development agreement pursuant to this Policy. In considering such an agreement, Council shall have regard to the following:

Built Form, Architecture and Use

- (a) that uses are limited to commercial, institutional , open space and residential uses as permitted within the Village Core Comprehensive Development District Zone;
- (b) that the first floor of all buildings is retained for commercial, institutional, recreation or entertainment uses;
- (c) that the design of any new buildings or major alteration of the façade of an existing building is in general conformity with the architectural requirements set out under the Land Use By-law;
- (d) that all roof top mechanical equipment is adequately shielded to prevent noise impacts on surrounding neighbourhoods and is screened from the view of any surrounding residential uses;

Site Development Criteria

- (e) that a minimum of 25% of the site is landscaped ~~in a manner that creates~~ between buildings and parking areas to minimize impacts on receiving waters, creates shade for pedestrians, and break-up the view of the large parking areas from the top of the hill on Fall River Road and from Highway 2;
- (f) that sidewalks, walkways and pathways on the site facilitate safe and convenient pedestrian access to the buildings, parking areas, transit stop(s) and external sidewalk systems;

Site Impact Controls/Assessments

- (g) that lighting is designed to prevent light pollution and to give a coordinated and unified appearance between the buildings and the site

- with oriented luminaries that are automatically timed to reduce illumination during non-business hours;
- (h) that the traffic generated by the development will not adversely affect the intersection of Fall River Road and Highway 2 or the Highway 102 and Highway 118 interchanges;
- (i) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and
- (j) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

Village Gateway

The Village Gateway is situated around the Highway 102 and Highway 118 interchanges. It is the first point of entry into the community of Fall River and development around this area, while oriented around the highway function, must be attractive to create a positive visual experience to residents and visitors to the community. Slightly larger-scale commercial developments are warranted in this area to act as focal points within Village Centre but residential uses shall be limited as an accessory permitted use, as it is preferential to allow for mixed commercial, residential developments in the Village Mainstreet, Village Core and Canal Court areas. Attention to good site design and well designed buildings is also desired in this area to create a positive first image of the River-lakes Village Centre Designation. Slightly larger and higher signage provisions shall be made for developments in recognition of the function of this area as a highway-oriented commercial development area. However, limitations shall be placed on the range of permitted uses and outdoor storage shall be prohibited to prevent the development of an industrial feel to the Village Gateway. Small building footprint requirements shall be established to maintain maximum pervious surfaces over the site to minimize impact on the Shubenacadie Lakes. Provisions will be established to allow for the development of slightly larger buildings at the Inn-on-the-Lake site. Flexibility shall also be introduced to situate a limited number of smaller scale buildings over the Nova Scotia Power Corporation site in recognition of the development potential and prominence of these sites within the gateway to the River-lakes Village Centre Designation.

- RL-6 Within the River-lakes Village Centre Designation, the Village Gateway Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to create an attractive form of development to create a visually pleasing entry way into the community while allowing for the development of commercial activities that will benefit from the location at provincial highway interchanges. Provisions will be established under the Land Use By-law to:

- (a) allow medium-scale commercial, residential, institutional and open space uses;
- (b) allow the existing uses to be permitted if they were constructed prior to the effective date of this Secondary Planning Strategy;
- (c) relax the non-conforming use conditions for the reconstruction of the self-storage facilities on the lot situated at the corner of Perrin Drive and Falls Run shown on Schedule M of the Land Use By-law;
- (d) require a setback from the highway;
- (e) place limitations on gross floor space, building footprint, and maximum height to maintain a small-scale appearance, building rhythm, and maximize the amount of pervious surface over the site to minimize impact on receiving waters; and
- (f) allow a larger scale development where compatible the surrounding area on the site of the Inn on the Lake as shown on Schedule J of the Land Use By-law and on the four sites combined of the Nova Scotia Power Corporation as shown on Schedule K of the Land Use By-law.

Village Mainstreet

The Village Mainstreet Zone extends from Roland Road on Fall River Road to Rays Lane, near the Inn-on-the Lake. This area weaves in and around the Canal Court, the Village Core and the Village Gateway. It is the primary area where pedestrian-oriented commercial development has the greatest potential in the River-lakes Village Centre Designation, given the presence of the sidewalk infrastructure, views to Lake Thomas and land availability. It is an important area for pedestrian movement that should be enhanced through an interconnected system of trails, sidewalks and street furniture to facilitate social interaction, health and wellness and visual and physical connection to the lakes. The terrain also lends itself to the creation of three distinct areas within the Village Mainstreet which include lands along Fall River Road leading into the Village Core; lands between two hillsides extending from Miller Lane to Hemlock Road; and lands on the southern side of Hemlock Road up to Rays Lane.

Although different in land formation and surrounding context, all these areas are a road side form of development which the community wishes to see developed with good site design and in an architecturally pleasing way to prevent the appearance of an unmanaged highway commercial strip. A well landscaped uniform front yard setback shall be required to create a positive and well maintained relationship between the buildings and the street. All parking shall be situated to the side or rear of the property and building width, height and building footprint limitations shall be established to maintain maximum pervious surfaces over the site and maintain the small-scale feel and function of freestanding stores along a Village Mainstreet. Provisions will also be established to allow for the development of a slightly larger building on the former Fall River Recreation Centre Site since it has sufficient land area upon which to develop a

larger facility to act as a focal point around which to organize all other development in the area between Miller Lane and Hemlock Road.

RL-7 Within the River-lakes Village Centre Designation, the Village Mainstreet Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to facilitate the creation of a well designed pedestrian-oriented village mainstreet throughout the River-lakes Village Centre Designation that maintains a positive relationship between the buildings, the street and the receiving environment. Provisions will be established under the Land Use By-law to:

- (a) permit small -scale commercial, residential, bed and breakfast and home business uses, institutional uses and open space uses;
- (b) allow the existing uses to be permitted if they were constructed prior to the effective date of this Secondary Planning Strategy;
- (c) require a setback from the highway;
- (d) place limitations on gross floor space, building footprint, maximum height and width to maintain a small-scale appearance and building rhythm and to maximize the amount of pervious surface over the site to minimize impact on receiving waters; and
- (e) permit larger-scale commercial development on the site shown on Schedule 1 of Land Use By-law, the old Fall River Recreation Centre.

RL-8 In addition to the provisions outlined in Policies RL-3, RL-6, and RL-7 for the Canal Court, Village Gateway, and Village Mainstreet zones, provisions shall be established under the Land Use By-law to:

- (a) break-up mass and scale and mass of buildings and add character to the buildings through architectural design;
- (b) create an attractive relationship between, buildings, parking, the streetscape and the surrounding environment, and minimize impact on receiving waters through landscaping;
- (c) require all parking be located in the side or rear yard or at an off-site location within proximity of the development;
- (d) establish limitations on the outdoor storage or display of materials, goods, supplies or equipment;
- (e) minimize light pollution by placing controls on lighting; and
- (f) Prevent the cluttered appearance of the streetscape by placing controls on signage.

Fall River Business Zone

The Fall River Business Zone is situated at the top of the Hill on Perrin Drive and is disconnected and not visible from other areas within the River-lakes Village Centre Designation, except via the Highway 118 off-ramp, entering into Fall River. It has traditionally served as a depot for highway service-related industries that are situated in this area to gain direct access to the highway system. It is the desire of the community to allow this area to serve as a place for the location of these highway service and storage facilities while minimizing visual impact on the surrounding community. Provisions shall therefore, be established to require the incorporation of a landscaped buffer along property lines abutting Perrin Drive and the Highway 118 off ramp. Limitations shall also be established on building size, of building supply outlets and signage. Retail, with the exception, of small scale building supply outlets, will not be permitted in this area in order to foster the development of a commercially viable retail area in those areas that are zoned Village Core, Canal Court, Village Mainstreet and Village Gateway.

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RL-9 Within the River-lakes Village Centre Designation, the Fall River Business Zone shall be created under the schedules of Land Use By-law. The intent of this Zone is to provide for the continued development of highway-related commercial uses to be situated near the highway interchanges of Highway 118 and Highway 102. In order to create a commercially viable area for retail and service-related commercial development within the Canal Court, Village Core, Village Mainstreet and Village Gateway zones, permitted uses will be limited to light industrial uses that are not obnoxious or have the potential to adversely impact the receiving waters of the Shubenacadie Lakes System. This Zone will however, permit building supply stores and community uses and residential uses that are accessory to the permitted uses within the Zone. The Zone will also permit highway oriented commercial uses such as warehouses, construction yards, light manufacturing uses, and other commercial uses, as well as, institutional and open space uses. In order to address concerns about negative visual, traffic and noise impacts, the Fall River Business Zone provisions shall be established under the Land Use By-law to:

- (a) requirements for the creation of a landscape buffer along Perrin Drive and the Highway 118 off-ramp to screen the view of outdoor storage areas, yard works and multiple buildings from the surrounding area;
- (b) require that all parking to be located in the side or rear yard or at an off-site location within proximity of the development;
- (c) limitations on gross floor space of commercial buildings building supply outlets to prohibit the development of big-box retail and shopping centre development at this location;

- (d) limitations on the development area to maximize pervious surface over the site so as to minimize impact on receiving waters;
- (e) architectural controls to break-up mass and scale and add character to the buildings and controls on height; and
- (f) lighting controls to minimize light pollution and signage to prevent the cluttered appearance of the streetscape.

Residential Policies

The vast majority of the land outside of the River-lakes Village Centre Designation within the River-lakes Secondary Planning Strategy Area, is designated for low density residential development on the Generalized Future Land Use Map of the Municipal Planning Strategy for Planning Districts 14 and 17. Specifically, the communities of Lakeview, Windsor Junction, Fall River, Miller Lake and Fletchers Lake are designated Residential, the community of Wellington is designated Mixed Resource, and the ridge and lowland area adjacent to the Kinsac River are designated Resource. There are also Community Centre designations around the intersection of Highway 2 and Holland Road, in Fletchers Lake, and around the intersection of Jackson Drive and Burrows Drive with Highway 2, in Wellington, which recognize the gradual transition of these areas to village centres. A small portion of land on Rocky Lake Road in Lakeview is also designated Light Industrial.

The Residential Designation recognizes the pattern of low density residential development that has taken place in this area over the last 25 years. It establishes a range of residential zones to permit the continued development of single unit dwellings on minimum 40,000 square foot lots. Some of these zones also permit two unit dwellings where a minimum of 40,000 square feet of land is provided for each unit.

The Mixed Residential Designation recognizes the traditional mixed-use development pattern found in semi-rural areas and establishes the Rural Residential Zone to permit low density residential development, the limited use of a residential property for business uses, limited forestry and agricultural uses and community uses. The Resource Designation places a priority on continued resource development and establishes the Rural Estate Zone to permit single, two unit and mobile dwellings on substantially larger lots (minimum 80,000 square feet), forestry and agricultural uses, the use of residential properties for business uses, and community uses.

New residential policies were introduced in 2006 with the adoption of the Regional Plan to work in concert with the residential policies. The Regional Plan was concerned mainly with the impact of residential growth in rural areas and introduced policies to manage the rate of residential development and to encourage new subdivision designs aimed at the retention of open space. Thus the Rural Commuter Designation was created as an area wherein growth management controls would be put in place and all new large scale subdivisions would only be considered under the premises of Open Space Design. Large

scale subdivisions that were under conceptual plan of subdivision approval at the time of the adoption of the Regional Plan, were allowed to proceed with the development of a maximum of 25 lots per year (Regional Plan Policy S-28). This included the subdivisions to the north of Fall River Road for St. Andrews Village and Kinloch Estates.

The residential policies under the Regional Plan and Planning Districts 14 and 17 are in keeping with the vision for the River-lakes Secondary Planning Strategy and it is the intention of the River-lakes Secondary Planning Strategy to continue to apply this policy framework to this Secondary Planning Strategy Area to guide future residential development. The Secondary Planning Strategy however, recognizes the need to provide for the development of townhouses and low-rise multiple-unit dwellings to meet the needs of the aging population and young adults. These housing forms are not currently permitted within Planning Districts 14 and 17 due to past concerns with the malfunctioning of older private sewage treatment system technologies when the Plan was initially adopted in 1989 (Policy P-68). While many of these concerns have been alleviated with the advancement of small scale wastewater management system technologies⁵, there are current environmental and road system constraints which must be addressed within this Secondary Planning Strategy Area.

RL-10 HRM shall retain the Residential, Mixed Resource, Resource, Community Centre and Light Industrial designations over the remaining areas outside of the River-lakes River-lakes Village Centre Designation that are within the boundaries of the River-lakes Secondary Planning Strategy as shown on Generalized Land Use Maps 1A and 1B of the Municipal Planning Strategy for Planning Districts 14/17. All policies under the Municipal Planning Strategy for Planning Districts 14/17 and the Regional Plan shall continue to apply to these areas unless altered by the policies contained in this Secondary Plan.

Residential Developments in the River-lakes Secondary Planning Strategy Area

There is a desire to allow for the development of alternative housing forms to accommodate the housing needs of seniors, young adults and other sectors of the population that need access to housing other than single and two unit dwellings. In particular, there is a need for townhouses and low rise multi-unit dwellings (maximum 3-story) to meet the urgent needs of seniors who wish to remain in the community.

There are however, limitations to the amount of development that that Secondary Planning Strategy Area may support without exceeding the limited carrying capacity of the lakes and road systems and adversely affecting the rural community character. The

⁵ Options for On-site and Small Scale Wastewater Management, Land Design Engineering Services, Ekistics Planning and Design, John Zuck and Associates and Spatial Metrics Atlantic Engineering Technologies Canada Limited, prepared for Halifax Regional Municipality, March 2005.

Shubenacadie Lakes Watershed Study⁶ indicates that groundwater conditions are limited and the receiving waters of Lake Thomas and Fletchers Lake are nearing the threshold of desirable water quality objectives for the Shubenacadie Lakes. The Fall River/Waverley/Wellington Areas Transportation Study also indicates that the intersection of Fall River Road and Highway 2 and the Highway 118 and Highway 102 interchanges are heavily congested during peak driving periods and are at certain times of the day failing to achieve acceptable levels of service.

Given the urgent need to allow for alternative housing forms, the River-lakes Secondary Planning Strategy will allow consideration of townhouse developments and low-rise multiple-unit dwellings within a few locations through the provisions of a development agreement. This will allow the Municipality to assess these developments on a case-by-case basis to determine if the developments can be permitted without adversely affecting the limited traffic capacity of the roads and the limited environmental capacity of the receiving lakes. These forms of housing shall only be considered, through the provisions of a development agreement, within the areas zoned Village Mainstreet, within the River-lakes River-lakes Village Centre Designation and on the four opportunity sites situated throughout the Secondary Planning Strategy Area as shown on Map RL-3.

In order to determine if it is feasible to develop these sites, studies shall be required before a development agreement is approved by Council to determine if the development can proceed without exceeding the limits for phosphorus export, pursuant to Policy RL-22, or transportation system, pursuant to Policy RL-25. Multiple-unit housing developments shall be limited to three stories in height and shall have to generally conform to the architectural and site design requirements set out under the Land Use By-law. The developments shall also be designed as Classic Open Space Design developments to minimize impacts on the environment and surrounding community and preserve the rural character of the area.

Multiple Unit Dwellings and Townhouses in the River-lakes Village Centre Designation

Within the Village Mainstreet Zone of the River-lakes Village Centre Designation, low scale multiple-unit housing and townhouse developments maybe considered through the provisions of a development agreement. In order to ensure that these developments fit in with the desired community form of a rural village centre, density shall be limited to three units per acre. Provisions will be established to allow for the development of a commercial component on the first floor of any low-rise multiple-unit dwelling. This is in keeping with the desire to create an attractive pedestrian-oriented Village Centre. In

⁶ Fall River-Shubenacadie Lakes Watershed Study, Jacques Whitford Limited, Centre for Water Resource Studies and ABL Limited, prepared for Halifax Regional Municipality, July 2010.

⁷ Fall River/Waverley/Wellington Areas Transportation Study, CBI Limited, prepared for Halifax Regional Municipality, January 2010.

order to prevent impact on receiving waters and to maintain the rural character of the River-lakes Village Centre Designation, requirements shall also be established to retain a minimum of 50% of the pervious surface of the site for groundwater infiltration and to retain the natural vegetation on steep slopes.

RL-11 Within the Village Mainstreet Zone of the River-lakes Village Centre Designation, HRM shall consider permitting low scale multiple-unit dwellings or townhouses through the provisions of a development agreement. In considering such an agreement, Council shall have regard to the following:

Built Form, Architecture and Use

- (a) that the range of commercial uses, permitted on the first floor, is limited to the commercial uses permitted under the Village Mainstreet Zone or residential uses;
- (b) that the maximum density, excluding commercial development, does not exceed 3 units per gross acre;
- (c) that the building does not exceed three stories above average grade, excluding rooflines;
- (d) that the design of any new buildings or major alteration of the façade of an existing building is in general conformity with the architectural requirements set out under the Land Use By-law;
- (e) that the elevation of all buildings within any townhouse block shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (f) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;
- (g) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, and architectural elements to promote visual integration;

Site Development Criteria

- (h) that impervious surface areas do not exceed 50% of the site and that all parking is located to the side or the rear of the building;
- (i) that landscaping is designed to create a visually attractive appearance and to reduce the adverse impact of stormwater flows and all natural vegetation is retained on slopes in excess of 25%;
- (j) that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;
- (k) that development is positioned in such a way to maximize potential opportunities to create future trails as close to the water as possible,

- along the Lake Thomas Riverwalk as outlined in Policy RL-5;
- (l) that a hydrogeological assessment is conducted by a qualified professional to determine if there is there is an adequate supply of groundwater to service the development without adversely affecting groundwater supply in adjacent developments;

Site Impact Controls/Assessments

- (m) that the lighting on the site is designed to prevent light pollution impacts on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;
- (n) that the traffic generated by the development will not adversely affect the intersection of Fall River Road and Highway 2 or the Highway 102 and Highway 118 interchanges;
- (o) that there is no adverse impact of development on any archaeological features in any areas identified on Schedule C of the Land Use By-law as determined by the Nova Scotia Department of Communities, Culture and Heritage;
- (p) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and
- (q) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

River-lakes Village Center Designation Residential Opportunity Site A

Within the River-lakes Village Centre Designation, there is a site that is situated in the Village Core that offers an opportunity for the development of a slightly higher density form of residential development. This site, referred to as Site A, is situated on the north and the east sides of the Sobeys Shopping Centre as shown on Map RL-3. A slightly higher density form of development at this location will frame the Sobeys Shopping Centre and facilitate the development of mixed-use pedestrian-oriented development pattern that is desired for the Village Core. The site is also in a good location to secure access to services and amenities that will benefit the residents of this development and to facilitate vibrancy in the Centre.

The intersection of Fall River Road and Highway 2, however, is constrained during peak traffic periods and the area around this site is known to have constraints for groundwater supply, challenging soil (fine particulate soil) and challenging bedrock conditions (potential to encounter sulphide bearing slates). Consultants for the proponent of this development have indicated that there is sufficient precipitation to facilitate the development of a rainwater harvesting system to service a limited density of development (up to 4 units per acre on this site). There is also a desire to allow for increased density development (up to 8 units per acre) on this site should municipal water services be provided to this site in the

future.

Future development of this site will be limited to 4 units per acre for the development of low rise multiple-unit dwellings and townhouses. Studies shall be required to verify the adequacy of groundwater supply and the rainwater harvesting system to service the development and how any potential impacts on the lakes and receiving roadways can be mitigated. Should the area become serviced with municipal water in the future, Council may consider increasing the development density on this site to 8 units per acre through the provisions of a development agreement.

RL-12 HRM shall consider permitting low scale multiple-unit dwellings or townhouses up to 4 units per acre on Site A through the provisions of Policy RL-11. Given the anticipated groundwater constraints on this site HRM may consider allowing development up to a maximum of 4 units per acre if a study is undertaken by a qualified professional to verify that a potable water supply can be reliably and adequately augmented by a rainwater harvesting system. HRM shall consider permitting an increase in density on this site, up to a maximum of 8 units per acre, through the provisions of Policy RL-11, if municipal water services become available to the River-lakes Village Centre Designation.

Multiple Unit Dwellings and Townhouses outside the River-lakes Village Centre Designation

Outside the River-lakes River-lakes Designation there are three additional potential development sites where an alternative form of housing may be considered. These include Site B which is situated at the at the north-end of Fall River Village, Site C which is situated at the South-end of Fall River Village, and Site D which is situated in the Charleswood Subdivision, as illustrated on Map RL-3. An overview of each of these sites and the policies pertaining to their future development is discussed in greater detail below.

Site B – Fall River Village North Residential Opportunity Site

Site B is situated at the north-end of Fall River Village, running parallel with the Fall River Road. It is a 46 acre site that was once the site of the “Old Carr Farm”. It has a natural landscape with rolling hills, low lying areas and mature vegetation. These features offer an opportunity to offset the differences in scales of development if it is designed to fit into the natural landscape. The Classic Open Space Design approach also offers the opportunity to preserve the environmental and cultural assets of the site and to minimize impact on the receiving environment.

Residents from Fall River Village have concerns about the potential for traffic impact should a road connection be established from the Fall River Road to Fall River Village

over this site. There are also concerns about the loss of privacy and aesthetic impact of multiple-unit housing if not situated in such a manner so as to minimize impact on the surrounding low density residential area.

In order to prevent a high concentration of multiple-unit buildings at this location, a maximum of three multiple-unit buildings with a maximum of 40 units per building shall be considered for development on this site. Council will also consider the development of townhouses, single unit dwellings, two unit dwellings or single unit dwellings to form part of this development in order to meet a range of housing needs. Overall density on this site shall be limited to 4 units per acre subject to the submission of studies to verify that the development can take place without adversely affecting the road systems, surrounding neighbourhoods and receiving waters of Lake Thomas and that there are adequate soils and water to service the development. Multiple-unit buildings and associated parking will be situated closer to the Fall River Road and parking lots for the multiple unit buildings will be kept out of the view of Fall River Road and any low density residential uses through the use of siting and buffering. The development will have to conform to the architectural requirements established under the Land Use By-law and the height of all buildings shall be limited to a maximum of three stories. The development shall also be designed to minimize the impact of traffic flow on the surrounding low density residential development.

- RL-13 HRM shall consider permitting low scale multiple-unit dwellings townhouses, single unit dwellings or two unit dwellings on Site B through the provisions of a development agreement. The development shall be designed as a Classic Open Space Development pursuant to Policy S-16 of the Regional Plan to offset the bulk and appearance of alternate building forms on surrounding low density residential development and to preserve the cultural and environmental assets of this site. In considering such an agreement, Council shall have regard to the provisions of Policy S-16 of the Regional Plan and the following:

Built Form, Architecture and Use

- (a) that the maximum gross density is limited to 4 units per acre, the number of multiple-unit buildings is limited to 3, the number of units per multiple-unit building is limited to 40 units, and the height of any multiple-unit building is limited to three stories above average grade, excluding rooflines;
- (b) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;
- (c) that multiple-unit dwellings are situated closer to the Fall River Road to prevent the aesthetic impact of the bulk of larger buildings and extensive

- parking areas on the surrounding low density residential neighbourhood;
- (d) that the elevation of any townhouse buildings shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
 - (e) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;
 - (f) that the development generally conforms to the architectural provisions set out under the land use by-law;

Site Development Criteria

- (g) that parking areas are situated behind the buildings, out of view from Fall River Road;
- (h) that landscaping is designed to create a visually attractive appearance and reduce stormwater impacts;
- (i) that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;
- (j) that important cultural features such as the trails the Blue Hill Road Trail as illustrated on Map RL-4, views of the foreground meadows from the Fall River Road and the Carr Farmhouse are used to form an attractive focal point for the development where possible;

Site Impact Controls/Assessments

- (k) that the lighting on the site is designed to prevent light pollution impacts on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;
- (l) that any development situated adjacent to a low density residential development does not result in any undue adverse impacts on adjacent properties in terms of traffic or privacy conditions for those residential uses and their outdoor amenity areas;
- (m) that the traffic generated by the development will not adversely affect the intersection of Fall River Road and Highway 2 or the Highway 102 and Highway 118 interchanges; and
- (n) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement; and
- (o) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 are addressed.

Site C - Fall River Village South Residential Opportunity Site

Site C is situated at the south end of Ingram Drive, in Fall River Village, near the Cobequid Road. It is a 30 acre site that was previously zoned I-3 (Light Industrial) which would have allowed a wide range of incompatible uses with the low density residential uses to the west and north of the site. The site location has the potential to become a new entry point into the Fall River Village and has sufficient land area to buffer the bulk and scale of any low scale multiple-unit dwellings or commercial uses from the low density residential development to the west and north of the site. Portions of the site were also previously zoned R-1b (Suburban Residential) and C-2 (Community Commercial).

The property will be zoned Residential Comprehensive Development District under this Secondary Planning Strategy to allow the development of low-rise multiple-units, townhouses, single unit dwellings, and two unit dwellings up to a maximum of 4 units per acre. This zone will allow consideration of a small scale local commercial convenience store and self storage buildings in association with the residential development. Like Site B, this site will require special siting and design consideration to minimize any impacts on the surrounding low density residential development. A minimum of 60% of the site shall be retained as common open space and can be used to buffer the development from lower density types of housing. Direct access to the Cobequid Road shall also be required to minimize traffic impact on Fall River Village and there shall be a maximum of three multiple-unit dwellings with a maximum of 40 units per building.

- RL-14** A Residential Comprehensive Development District Zone shall be created under the Land Use By-law and applied to Site C. The Zone will permit low scale multiple-unit dwellings, townhouses, single unit dwellings or two unit dwellings or local commercial use. The Zone will also permit a self storage facility. The development shall be designed as a Classic Open Space Development pursuant to Policy S-16 of the Regional Plan. In considering such an agreement, Council shall have regard to the provisions of Policy S-16 of the Regional Plan and the following:

Built Form, Architecture and Use

- (a) that the maximum gross density is limited to 4 units per acre, the number multiple-unit buildings is limited to 3, the number of units per multiple-unit building is limited to 40 units, and the height of any multiple-unit building is limited to three stories above average grade, excluding rooflines;
- (b) that the local commercial use shall not exceed 371 m² (4000 sq.ft.) and the self storage facility shall not exceed ten thousand 929 m² (10,000 sq.ft.) of gross floor area;

- (c) that the self storage units may be sited anywhere on the site provided the visual impacts of the garage door openings are concealed from the travelling public or any adjacent residential uses;
- (d) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;
- (e) that the elevation of any townhouse buildings shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (f) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;
- (g) that the development generally conforms to the architectural provisions set out under the land use by-law;

Site Development Criteria

- (a) that the landscaping is designed to create a visually attractive appearance and reduce stormwater impacts;
- (b) that pedestrian walkways are provided throughout the site to provide safe and direct access to buildings, parking lots, trails and adjacent public streets and adequate useable amenity areas are provided;
- (c) that important cultural features such as trails the MacDonald Sports Park Connector Trail as illustrated on Map RL-4 are incorporated as a feature within the development;

Site Impact Controls/Assessments

- (d) that the lighting on the site is designed to prevent light pollution impacts on residential units within the site and on adjacent properties and to give a coordinated and unified appearance between the buildings and the site with oriented luminaries;
- (e) that any development situated adjacent to a low density residential development does not result in any undue adverse impacts on adjacent properties in terms of traffic or privacy conditions for those residential uses and their outdoor amenity areas;
- (f) the site has direct road access to the Cobequid Road;
- (g) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement;
- (h) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.

Site D – Charleswood Residential Opportunity Site

Site D is a 42 acre piece of land in a 153 acre parcel which Miller Developments is proposing to develop a Classic Open Space Design Subdivision. This development is an extension of the Charleswood Subdivision and Site D forms Phase 4 of this proposed development. The subdivision is proposed to be developed with a mix of single unit dwellings and townhouses with the townhouse component proposed for Site D. This Secondary Planning Strategy will allow consideration of the development of townhouses on a maximum of 42 acres on Site D at a maximum density of 2 units per acre through the provisions of the Classic Open Space Design Policy S-16 and the provisions of Policy RL-16 below.

RL-15 In addition to the uses that may be considered pursuant to Policy S-16 under the Regional Plan, HRM shall consider permitting townhouses on Site D as a component of a proposed Classic Open Space Design Subdivision for the Charleswood Subdivision through the provisions of a development agreement. In considering such an agreement, Council shall have regard to the provisions of Policy S-16 of the Regional Plan and the following:

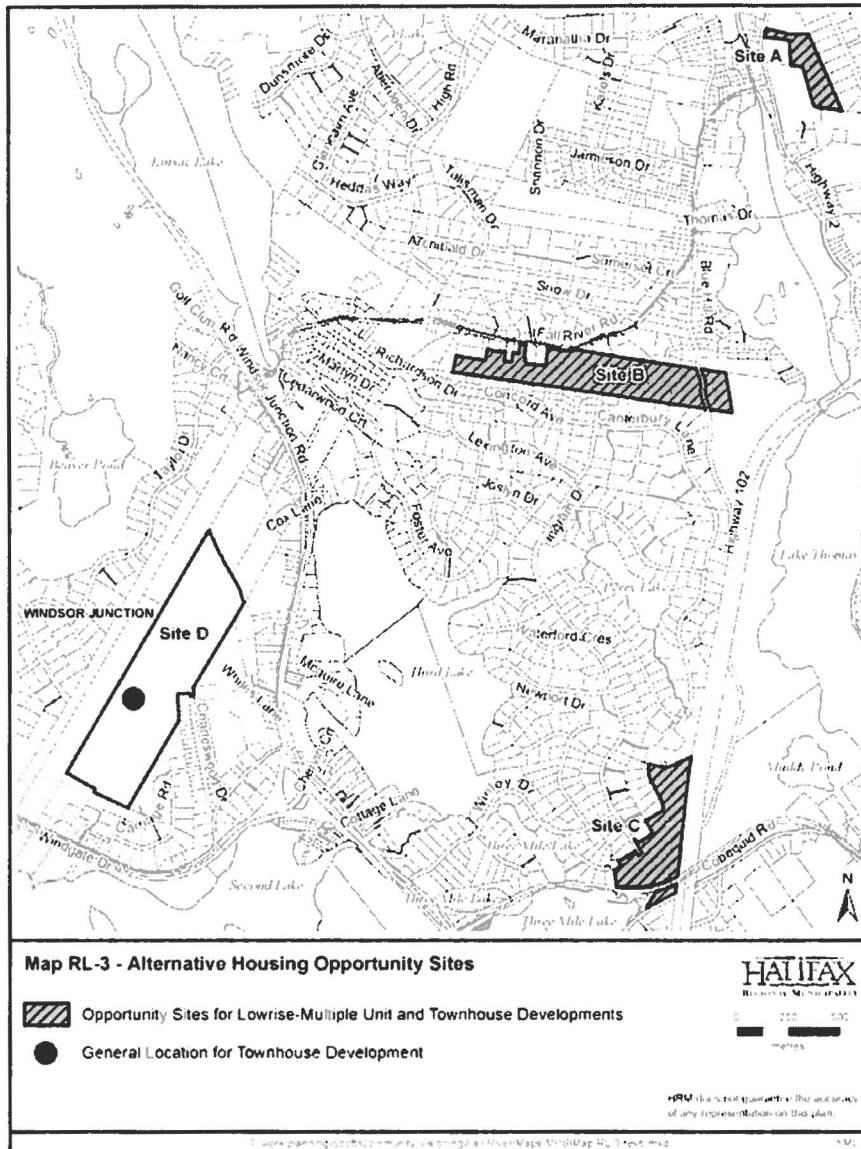
Built Form, Architecture and Use

- (a) that a maximum of 42 acres of the site maybe developed for townhouses in the general vicinity of the area shown on Map RL-3 at a maximum density of two units per acre;
- (b) that the massing and built form of the development is compatible with any adjacent low density residential uses through the use of siting, transition of building scales, architectural elements to promote visual integration and landscaping and buffering;
- (c) that the elevation of all buildings within each townhouse block shall be articulated in a manner that provides variation between units, and reinforces common characteristics that visually unites the block;
- (d) that there are off-sets or other articulations in the overall roof structure to break up the massing of townhouse blocks;
- (e) that the massing and built form of townhouse units adjacent to single-detached and semi-detached dwellings shall be broken down with architectural elements to promote visual integration;
- (f) that the townhouses generally conform to the architectural provisions set out under the land use by-law;

Site Impact Controls/Assessments

- (g) that studies required pursuant to Policies RL-22 and RL-25 are undertaken prior to the approval of a development agreement;

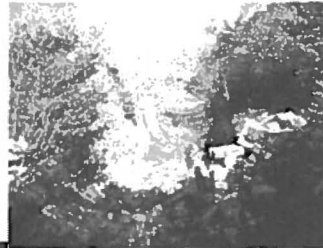
(h) any other matter relating to the impact of the development on the surrounding community as outlined in Policies RL-23 and P-155 is addressed.



Open Space and Trails

River-lakes Open Space and Trail System

The River-lakes Secondary Planning Strategy Area has a vast system of interconnected trails and sidewalks that have been formally and informally developed to link the various communities, schools, and the River-lakes Village Centre Designation with one another for Active Transportation purposes. There is also a vast array of community trails leading to outstanding places that have high quality recreation, aesthetic, historical and natural value. Important cultural features such as Lock 4 of the Shubenacadie Canal, for example, offer a unique opportunity to connect the community with significant aspects of its past. The Lake Thomas Water Walk is also an example of a high quality community connector that links the communities to the River-lakes Village Centre Designation for active transportation purposes while offering a high quality opportunity for recreation.



It is the desire of the community to work toward the formal development of a trail system throughout the River-lakes Plan Area. An interconnected trail system not only provides opportunities for recreation and active transportation but forms the structure for a well defined pattern of development in the future (areas shaped by greenways). It also attaches people to their community by maintaining those natural and functional elements that maintain one's sense of place. Trails are also the most widely requested type of infrastructure since it serves all age groups and it easy to access for healthy living and recreation.

The Fall River Vision Implementation Committee (VIC) recommended the Conceptual Level Trail Plan for the River-lakes Secondary Planning Strategy and surrounding area as shown on Map RL-4. This Plan features a vast array of trails that have been formally and informally developed overtime. Through consultation with various user groups and the community at large, the Open Space and Trails Task Group of the VIC, in concert with representatives of the Shubenacadie Canal Commission inventoried, walked, researched and assessed the multi-layer trail system as shown.

The Priority Routes shown on Map RL-4 represent future off road and K-road trail opportunities. Some are through open terrain and some within the developing areas, connecting the community trail system with the Shubenacadie Canal and Kinsac Lake, the River-lakes Village Centre Designation, local schools and the MacDonald Sports Park. The western side of Shubenacadie Canal is a Primary Corridor of the Regional

Trail Network and a designated Water Route, Cultural Corridor, and Natural Corridor under the Regional Plan. These are the Routes that the VIC has selected as priority features for future detailed planning and development. Other local trails as illustrated will become part of the longer term Plan.

- RL-16** In recognition of the community desire to work toward the future development of an interconnected system of trails, HRM shall adopt the River-lakes Trail and Open Space Conceptual Plan as outlined on Map RL-4, as a framework to guide future detailed planning and implementation. The community is strongly encouraged to work towards the future development of these detailed plans and implementation strategies through collaboration with the Halifax Regional Trails Association under the HRM Trails Program.
- RL-17** Given the opportunities for public recreation and the excellent opportunities for access to the unique ecological and cultural heritage assets along the Priority Trail Connectors identified on Map RL-4 River-lakes Trail and Open Space Conceptual Plan, HRM shall, to the greatest extent possible, give priority to the acquisition and development of trails and open space assets along these Connectors, through the parkland dedication process under the Regional Subdivision By-law for all applicable subdivision developments within the River-lakes Plan Area and its Village Centre.
- RL-18** HRM shall negotiate through the development agreement process to acquire land or secure the use of the land between the MacDonald Sports Park and Fall River Village for a trail and other trails as indicated on the Maps RL-4 and Map RL-5 for all developments considered by development agreement within the River-lakes Plan Area and its Village Centre.

The River-lakes Village Centre Designation Open Space and Trails System

Map RL-5 represents the Conceptual Open Space and Trails Plan for the River-lakes Village Centre Designation as recommended by the Fall River Vision Implementation Committee. It features the development of a trail system around Lake Thomas, the enhancement of the active transportation system around Fletchers Run, and the development of open space components that will preserve the historic and cultural values of the Shubenacadie Canal System within the Village Core. It also provides opportunities to secure active transportation links between the River-lakes Village Centre Designation and surrounding area to develop a vibrant and attractive place over the long-term. The specific features recommended by the VIC as part of this Plan include the following:

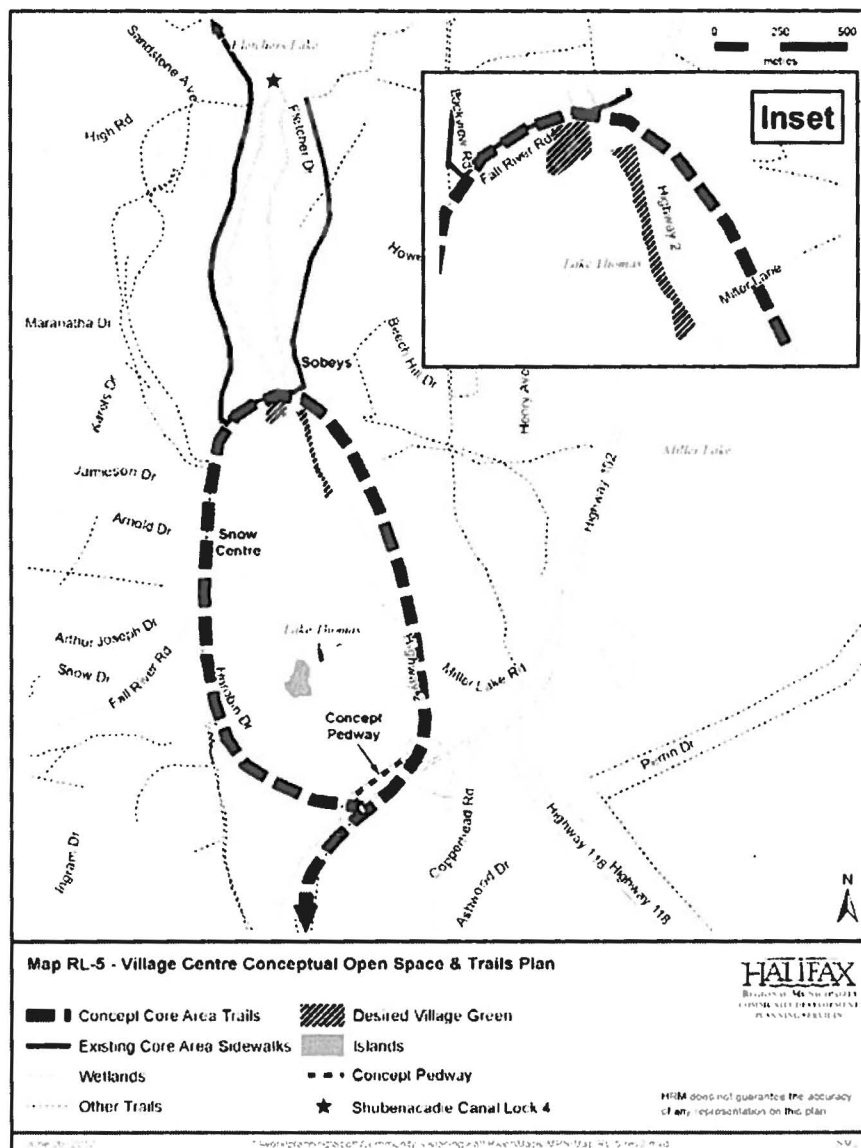
- a) secure a trail route in the areas generally shown on Map RL-5 as close to the water as possible;

- b) develop a multi-use trail along the western side of Highway 2 and the eastern side of Lake Thomas from the intersection of the Fall River Road, south;
- c) develop a trail from the Inn on the Lake to the MacDonald Sports Park;
- d) protect the historic value of trails and areas of interest and connections;
- e) complete trail and sidewalk linkages to create "upper" and "lower" loops around Lake Thomas and Fall River Run across Lock 4 as illustrated on Map RL-5;
- f) protect and support reinstatement of Lock 4 as a historic area of interest;
- g) maintain Lake Thomas frontage at Gordon R. Snow Centre in a naturalized state while providing enhanced access to all;
- h) develop a swimming dock with minimum disturbance of the natural area along Lake Thomas at the Gordon Snow Centre;
- i) acquire a "village green" lands (area of interest) and protect for public access and recreation;
- j) Raise Fall River Road Bridge at Fletchers Run to allow for paddle craft access.



Detailed planning is required to determine a potential trail alignment and to assess the feasibility for the development of some aspects of the system. Other aspects of this Plan may be implemented as opportunities arise through future subdivision developments, development agreements, land trades, or road improvements.

- RL-19 HRM shall adopt the River-lakes Village Centre Designation Conceptual Open Space and Trails Plan as a framework to guide future detailed planning, cost analysis and capital planning for further consideration by Regional Council for implementation.
- RL-20 HRM shall consider the cost and feasibility of creating sufficient clearance for canoeing under any new bridge construction that may be considered to alleviate traffic congestion at the intersection of Fall River Road and Highway Number 2. HRM shall also encourage the Shubenacadie Canal Commission to consider the development of a weir that maybe used to lower water levels to facilitate canoe access under the bridge as part of its on-going restoration initiatives of the Shubenacadie Canal.
- RL-21 HRM shall consider trading surplus municipal lands in the River-lakes Secondary Planning Strategy area in exchange for trails as close to Lake Thomas as possible or the desired community green as illustrated on Map RL-5.



Environmental Protection

River-lakes Sub-watersheds

The Fall River-Shubenacadie Lakes Watershed Study was prepared by Jacques Whitford Limited, et.al. for the River-lakes Secondary Planning process. The purpose of this Study was to identify those lands most suitable for development and for environmental protection through land and water capacity analysis.

The Study was developed through a series of component studies which evaluated the capacity of the groundwater and ecological resources to support development. It also evaluated the impact of future potential development scenarios on the receiving waters of the Shubenacadie Lakes. The Study also examined options for servicing various areas throughout the River-lakes Secondary Planning Strategy Area with municipal central water and small scale on-site wastewater management systems (individual on-site and cluster septic). Options for servicing the Village Core of the River-lakes Village Centre Designation with a centralized collection system and new sewage treatment plant were also examined.

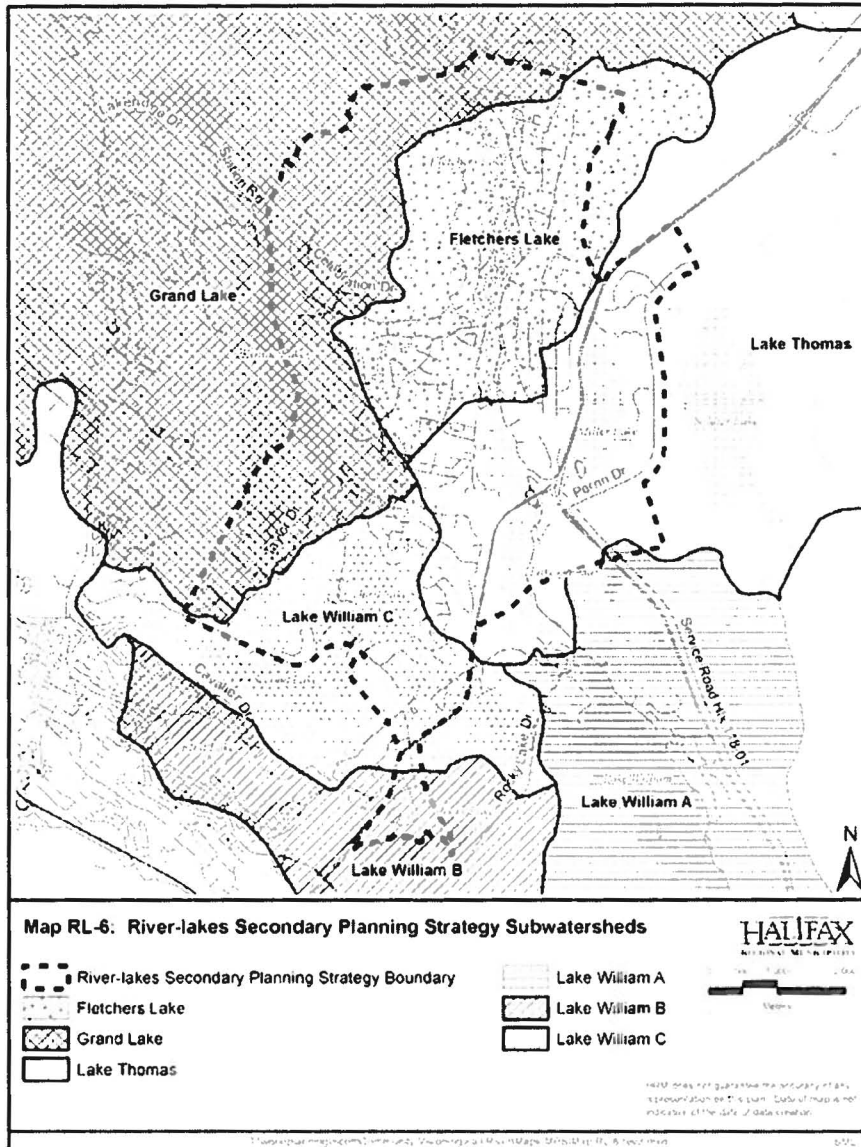
In this phase of the Secondary Plan, water quality objectives shall be set to regulate the amount of development that may occur within the portions of the Lake William, Lake Thomas, Fletchers Lake and Grand Lake sub-watersheds within the River-lakes Secondary Planning Strategy Area. Options for wastewater and central water service infrastructure will be explored during the Phase II planning process.

Watershed Regulations

The study area included all lands within the Shubenacadie Lakes Primary Watershed. The portion of the Shubenacadie Lakes Primary Watershed within the River-lakes Secondary Planning Strategy Area include the Lake William, Lake Thomas, Fletchers Lake, and Grand Lake sub-watersheds (Map RL-6). Land-use regulations for the entire Shubenacadie Lakes Watershed are contained in six municipal planning strategies of Halifax Regional Municipality including the Planning Districts 14/17 MPS, Dartmouth MPS, Hammonds Plains, Beaver Bank and Upper Sackville MPS, Sackville MPS, Lake Major MPS and the Regional MPS. The northern end of the Shubenacadie Lakes Watershed is within the Municipality of East Hants.

Grand Lake supplies the Municipality of East Hants with drinking water. The Municipality of East Hants has adopted a Source Water Protection Plan for the entire Shubenacadie Lakes Watershed pursuant to the Environment Act to educate the public on how to prevent impacts on Grand Lake. Representatives of Halifax Regional Municipality and Halifax Water participate as members of the Municipality of East Hants Source Water Protection Society to provide strategic advice for overall watershed

management. Halifax Regional Municipality however, maintains responsibility for land use regulation over the vast majority of this watershed since it is within the jurisdiction of Halifax Regional Municipality.



Lake Fletcher is also the source of water supply for the Collins Park Water Treatment System. This system provides drinking water supply for 75 homes in the Wellington Area and is under the Management of Halifax Regional Water Commission. The Halifax Regional Water Commission has also developed a management plan for the protection of its water supply which is focused primarily at public education. The Halifax Regional Water Commission monitors Fletcher Lake at 6 different locations to identify issues and areas that may need to be addressed in its environmental education program. The Halifax Regional Water Commission works with groups and organizations such as the Shubenacadie Watershed Environmental Protection Society to deliver the watershed awareness through signage and public education programs such as Adopt-a-Watershed and walking tours.

Given that the lands within the River-lakes Secondary Planning Strategy Area drain mainly to the Lake William, Thomas, Fletchers Lake and Grand Lake sub-watersheds, water quality objectives should be set for these lakes as a performance measure against which to monitor the effects of future development. Limits on phosphorus emissions shall be set as the performance standard to regulate the amount of permitted development on larger developments to reduce the impacts on receiving waters. Controls on future development in those portions of the sub-watersheds that are outside of this Secondary Planning Strategy Area will also be needed to prevent the lakes from exceeding the total annual phosphorus concentrations recommended under the Shubenacadie Lakes Watershed Study. This includes lands within the Lake Charles Sub-watershed and lands in the portion of the Lake William, Lake Thomas, Lake Fletcher and Grand Lake sub-watersheds that are outside this Secondary Planning Strategy Area. Regulations for those areas however, are beyond the planning process for the River-lakes Secondary Planning Strategy Area and will have to be dealt with in subsequent planning processes for the other affected plan areas.

Development Impacts

According to the Study, "water quality is vulnerable to the effects of suburban development and has declined in the study area over the past thirty years (Mudroch et al. 1987; Vaughan Engineering, 1993; Centre for Water Resource Studies, 1991). The study attributes this decline to issues concerning malfunctioning on-site septic systems, depletion of groundwater resources, inadequate buffer zones, the current status of the lakes (receiving waters) to receive wastewater effluent and the impact of stormwater runoff."⁸

⁸ Fall River-Shubenacadie Lakes Watershed Study, Jacques Whitford Limited, Centre for Water Resource Studies and ABI Limited, prepared for Halifax Regional Municipality, July 2010, p 1.

HRM strives to maintain the present trophic status of lakes to the greatest extent possible, as stated in the Regional Plan. Lakes range from an oligotrophic to a eutrophic state in a lake trophic classification system. An oligotrophic lake is one that is characterized as having a high degree of water clarity, sufficient supply of oxygen at all levels and fewer conditions to promote the growth of algae and plants within the lake. The upper limit of total annual phosphorus loading for an oligotrophic state is 10µg/L. The mesotrophic state is the transitional stage between oligotrophic and eutrophic on the continuum. A mesotrophic lake has an accumulation of sediments, a higher concentration of phosphorus and algae (often measured as chlorophyll), and some loss of oxygen at the lower levels of the lake. The range of total annual phosphorus loading for a mesotrophic state is 10 - 20µg/L. A eutrophic lake contains high concentrations of phosphorus and algae (chlorophyll) and is rich with plant nutrients. A eutrophic lake is characterized by poor water clarity, little or no oxygen at lower depths, an abundance of plants and the emergence of algae blooms. A lake is considered to be in a eutrophic state when total annual phosphorus exceeds 20µg/L.

The process of eutrophication is naturally occurring and typically takes thousands of years to complete. In a developed watershed, a lake can become eutrophic in a few decades. One of the key contributors to an accelerated rate of eutrophication, known as cultural eutrophication, is the abundant release of phosphorus to receiving waterbodies at an unsustainable rate. Phosphorus comes from a variety of sources including, but not limited to, soil erosion, on-site septic systems within 1000 feet of waterbodies, the application of lawn fertilizers, wastewater treatment overflows and stormwater run-off. It is also naturally occurring within the soils, bedrock and from precipitation within a watershed. The retention of natural features such as wetlands, forested areas and riparian vegetation can help regulate the release of phosphorus by naturally filtering it back into the ecosystem.

According to the Shubenacadie Lakes Watershed Study, the effects of phosphorus loading on lakes stimulates the growth of algae populations which can adversely affect aquatic systems in the following ways:

Phosphorus affects aquatic ecosystems by promoting increased growth of algae. As the amount of phosphorus available to the system increases, so do the [quantity or concentration] of algal populations. The result can be a change in apparent colour of a lake or stream, resulting in a green or blue-green colour. If the populations of algae become too large, they may cause taste and odour problems for individual or municipal water supplies and can produce toxins that cause gastro-intestinal problems for people and animals. Large populations can also clog [domestic] water intakes, become a nuisance around docks or be a safety hazard for swimmers or boaters, and through the process of decomposition, have the potential to [consume oxygen and] negatively impact fish habitat.⁹

⁹ Fall River-Shubenacadie Lakes Watershed Study, Jacques Whitford Limited, Centre for Water Resource Studies and ABL Limited, prepared for Halifax Regional Municipality, July 2010, p.43.

Development Scenarios

The Study evaluated a number of possible development scenarios within the River-lakes Village Centre Designation and in the northern portion of the Secondary Planning Strategy Area, outside of the River-lakes Village Centre Designation, to determine the impact that development may have on phosphorus, total suspended solids and bacterial levels in Lake Thomas, Lake Fletcher and Grand Lake.¹⁰ The two scenarios that are most closely related to the form of development provided for under the River-lakes Secondary Planning Strategy are 1) the Within the River-lakes Village Centre Designation Development Scenario; and 2) the Outside the River-lakes Village Centre Designation Development Scenario.

The Within the River-lakes Village Centre Designation Development Scenario modeled for the impact of the development of 670 new units on the Lake Thomas, Fletcher Lake and Grand Lake. This Scenario included all lands along Highway 2, Sobeys, lands north of Sobeys, MacPherson Square and all lands along Fall River Road up to Lockview Road. The Outside the River-lakes Village Centre Designation Development Scenario modeled for the impact of the development of approximately 1076 new dwelling units in the northern portion of the Secondary Planning Strategy Area on Fletcher Lake and Grand Lake. This Scenario included the proposed subdivision developments of Kinloch Estates and St. Andrews Village that are situated outside of the River-lakes Village Centre Designation in the northern portion of the Plan Area.

Current Trophic Status

Based on the empirical data collected in 2007, the Study indicated that Lake Thomas, Lake Fletcher and Grand Lake were oligotrophic (low nutrient values with greater clarity) with less than 10µg/L total annual phosphorus concentrations as indicated in Table 3 below. Lake Thomas and Lake Fletcher however, were near the boundary for transition to the mesotrophic level with total annual phosphorus concentrations at 9.2µg/L and 9.3µg/L respectively. Based on the existing amount of development that has already taken place within 1000 feet of these lakes, the model predicts that Lake Thomas will become mid-range mesotrophic and that Lake Fletcher will become upper range mesotrophic. The Study also predicts that Grand Lake will become upper range oligotrophic in the next 20 to 25 years.

Table 3 – 2007 Baseline Conditions and Predicted Impacts on Water Quality Parameters

¹⁰ The northern portion of the Secondary Planning Strategy Area is an area where several subdivision developments were allowed to continue pursuant to the grandfathering policy (Policy S-28) under the Regional Plan.

Mean Annual Parameters	2007 Water Quality Samples			Predicted Impacts: River-lakes Village Centre Designation Scenario			Predicted Impacts: Outside River-lakes Village Centre Designation Scenario		
	Lake Thomas	Lake Fletcher	Grand Lake	Lake Thomas	Lake Fletcher	Grand Lake	Lake Thomas	Lake Fletcher	Grand Lake
Phosphorus	9.2 µg/L	9.3 µg/L	4.6 µg/L	18.0 µg/L	20.2 µg/L	10.2 µg/L	14.7 µg/L	19.3 µg/L	11.2 µg/L
Total Suspended Solids (TSS)	0.88 mg/L	0.49 mg/L	0.16 mg/L	0.97 mg/L	0.50 mg/L	0.16 mg/L	0.88 mg/L	0.65 mg/L	0.18 mg/L
Bacteria (E.coli)	86 CFU/100mL	105.5 CFU/100mL	13.7 CFU/100mL	86.2 CFU/100mL	105.6 CFU/100mL	13.7 CFU/100mL	86 CFU/100mL	129.7 CFU/100mL	86 CFU/100mL

Development Scenario Impacts

Modelling for the Within the River-lakes Village Centre Designation Development Scenario predicted that Lake Thomas will move from the mid-range mesotrophic level to the upper range mesotrophic level at 18.0µg/L as indicated in Table 3 above. Lake Fletcher is predicted to move to the meso-eutrophic boundary of 20µg/L under this development scenario. Grand Lake is predicted to move to or slightly above the oligo-mesotrophic boundary at 10.2µg/L. The Within the River-lakes Village Centre Designation Development Scenario is not predicted to have a significant effect on microbial or total suspended solids concentrations within either of these lakes.

Modelling for the Outside the River-lakes Village Centre Designation Development Scenario predicts that this development scenario would cause Lake Fletcher to approach the meso-eutrophic boundary of 20µg/L and Grand Lake would move into the low mesotrophic range. This development scenario is predicted to impose microbial impacts on Lake Fletcher that would exceed the CCME Guidelines of CFU/100mL for body contact recreation more often.

Each scenario was modeled independently and does not account for the cumulative effects that both scenarios would have on receiving waters if developed together. If the scenarios for the Within the River-lakes Village Centre Designation and the Outside the River-lakes Village Centre Designation were developed together, or if there was greater development in the sub-watersheds upstream of the River-lakes Plan Area, there would be greater impact on the receiving waters of the sub-watersheds in this Secondary Planning Strategy Area than indicated in this Study.

Water Quality Objectives

Given the environmental sensitivity of the Shubenacadie Lakes and the desire of residents to preserve and protect its water quality, the Study recommends an

oligotrophic status with an upper limit of 10µg/L should be maintained for Grand Lake. This is also desirable since Grand Lake is a municipal water supply for the Municipality of East Hants. Trophic Status limits should also be set for the lakes upstream from Grand Lake, Lake Fletcher, Lake Thomas, Kinsac, William and Charles - to ensure that this objective is maintained.

The Study recommends an upper limit of 20µg/L for Lake Thomas and Lake Fletcher which are within the River-lakes Secondary Planning Strategy Area. It also recommends 20µg/L for Lake William which may be impacted by future developments in the southern portion of the Plan Area that is within the Lake William Sub-watershed. Although a limitation of 20µg/L will maintain Lake William, Lake Thomas and Lake Fletcher at the upper range mesotrophic level in the long-term, this Secondary Planning Strategy has no control over the developments that are in the portions of these sub-watersheds that area outside of this Plan Area.

The proposed regulations for the River-lakes Village Centre Designation will significantly reduce the permitted floorspace and amount of impervious surface within the River-lakes Village Centre Designation from the previous regulations under the C-2 (Community Commercial) and C-4 (Highway Commercial) zones. The new regulations proposed under the River-lakes Village Centre Designation Zones require the retention of a minimum of 50% of each site as pervious surface. The permitted building footprint for all buildings permitted within the various zones has been reduced from 10,000 square feet to anywhere between 2000 to 4000 square feet depending on the zone. The Regional Plan requires the retention of riparian buffers and wetlands which will also aid in the uptake of phosphorus and ameliorate its impacts. However, there is a substantial amount of housing development proposed within the southern and northern portions of the Secondary Planning Strategy Area which should be assessed to ensure that it does not exceed the capacity of the receiving waters to assimilate phosphorus without exceeding the water quality objectives established under this Secondary Plan.

In order to maintain the health and resilience of these receiving waters, this Secondary Planning Strategy will establish a no net increase phosphorus export policy for any future residential developments exceeding 8 units/lots within the River Lakes Secondary Planning Strategy Area. Pursuant to the Regional Plan, any development requiring a new road for the development of more than 8 lots is only allowed to proceed under the provisions of a development agreement. As part of the assessment process for a development agreement, applicants shall be required to submit a study by a qualified person demonstrating that the proposed development will not export any more phosphorus from the site than what may be exported from the site prior to the development taking place. The total amount of phosphorus that is expected to be exported from the site prior to the undertaking of a development shall in effect become the phosphorus budget or limit for the amount of phosphorus that may be allowed to be exported from the site under the proposed development for that area. If the amount of phosphorus for a proposed development exceeds the phosphorus budget for the site, then the density of development will have to be adjusted to reduce the phosphorus impacts on the receiving environment. The feasibility of continuing development in the northern

portion of the Secondary Planning Strategy Area should be reviewed during the Phase II planning process.

In order to achieve an appropriate balance of development throughout the Shubenacadie Lakes System and to maintain an oligotrophic level for Grand Lake, water quality objectives should be established for each contributing sub-watershed after HRM adopts a water quality monitoring functional plan. HRM is currently undertaking a watershed study of the Shubenacadie Lakes Watershed to assess the impacts of potential future development in the Port Wallis area within the Lake Charles Sub-watershed. It would be appropriate to review the River-lakes Secondary Planning Strategy when setting targets for future growth in the Lake Charles or Lake William sub-watersheds that are upstream from Fall River. At this time, threshold values should be set for the Shubenacadie Lakes System against which to regulate the density of all future development.

RL-22 The River-lakes Secondary Planning Strategy shall establish a no net increase in phosphorus as the performance standard for all large scale developments considered through the provisions of a development agreement pursuant to policies RL-4, RL-5, RL-11, RL-12, RL-13, RL-14 and RL-15 of this Secondary Plan. This Policy shall also apply to proposed developments pursuant to policies S-15 and S-16 of the Regional Municipal Planning Strategy. A study prepared by a qualified person shall be required for any proposed development pursuant to these policies to determine if the proposed development will export any greater amount of phosphorus from the subject land area during or after the construction of the proposed development than the amount of phosphorus determined to be leaving the site prior to the development taking place. If the study reveals that the phosphorus levels predicted to be exported from the proposed development exceed the phosphorus levels currently exported from the site, then the proposed development will not be permitted to take place unless there are reductions in density or treatment of stormwater through natural systems to reduce phosphorus export levels to those current before the proposed development. The cost of the study shall be borne by the applicant. The study may rely on phosphorus export coefficients derived from existing studies if they can be justified for application to local environmental conditions. All existing and proposed development within the affected area shall be taken into account and the consultant shall undertake Wet Areas Mapping to help define the ecological boundaries associated with the flow channels, accumulation points, and riparian zones to restrict any high impact development in those areas.

RL-23 The following measures shall be incorporated into all development agreements in the River-lakes Secondary Planning Strategy Area:

- a) A site non- disturbance area of a minimum of 50% of the site or greater if required pursuant to any other policies within this Secondary Planning Strategy or the Regional Municipal Planning Strategy; and**
- b) Stormwater management and erosion and sedimentation control plans are in place to minimize impact on receiving waters.**

Transportation

River-lakes Road Systems

The Fall River/Waverley/Wellington Areas Transportation Study was prepared by CBCL for the River-lakes Secondary Planning process. The purpose of the study was to examine traffic conditions on the existing road network and to recommend transportation improvements for current and future potential growth.

The Study found that existing traffic at the Highway 102 / Highway 2 / Highway 118 interchange, the Fall River Road / Lockview Road intersection and Fall River Road / Highway 2 intersection is heavily congested during the am and pm peak periods. The intersection of Highway 2 / Highway 118 southbound / Highway 102 northbound ramps were found to be functioning very poorly with substantial queuing occurring on Highway 2 (up to 1500 m) during the am peak. During the pm peak, the Highway 102 southbound ramp / Highway 2 intersection and the Highway 118 southbound ramp / Highway 2 intersection were both experiencing poor operating conditions with queuing of up to 500 m on the Highway 118 southbound ramp. Also during the pm peak period, the Highway 118 northbound exit ramp was shown to experience significant queuing which would sometimes extend all the way back onto the highway.

The Study indicates that conditions will worsen at these intersections as more development takes place over the next 20-25 years and that the Fall River Road / MacPherson Road and Fall River Road / Highway 2 intersections will also exceed capacity. Without road improvements or controls on growth, the intersections of Highway 2 / Highway 118 southbound ramp, Highway 2 / Highway 102 southbound ramp, Highway 2 / Fall River Road, Fall River Road / McPherson Road, and Fall River Road / Lockview Road are predicted to experience significantly diminished operations.

The Study recommends a number of short-term improvements to alleviate current traffic conditions that were recommended by the Fall River VIC for implementation (Appendix A). These include recommendations to channelize traffic through a right turning lane from Fall River Road to Highway 2, restricting left turns from Fall River Road into Wilson's and improvement of pedestrian facilities at the intersection of Fall River Road and Highway 2. It is also recommended that the Municipality also encourage the Province of Nova Scotia to consider the development of a roundabout between Highway 2, Perrin Drive and the Highway 102 northbound ramp to alleviate current traffic conditions at the interchanges.

A number of longer-term solutions were also recommended including the widening of the Fall River Bridge to 4 lanes and upgrading the Fall River Road and Highway 2 Intersection. The Committee does not recommend the Fall River Road and Highway 2 Intersection upgrade as designed by the consultants since it will not retain the rural village character desired by the community for the River-lakes Village Centre. It is the

recommendation that an alternative design solution be considered that is more in keeping with the vision for the River-lakes Village Centre.

The Study also recommends the development of a new interchange to reduce traffic on Highway 2 and to take pressure off the Highway 102 and Highway 118 interchanges. Three of the most probable locations include 1) the extension of the Windsor Junction Road past the Cobequid Road to connect with a full access interchange with Highway 102; 2) the extension of the Cobequid Road to connect with a full access interchange with Highway 102; or 3) the construction of a new road to the north of the Plan Area to connect to the eastbound leg of the interchange at Aerotech Park. The modeling results for the study predicts that the development of an interchange south of the Plan Area via connection from either Windsor Junction Road or Cobequid Road would be the more effective means of alleviating traffic congestion on Highway 2.

The Municipal Planning Strategy for Planning Districts 14/17 recommends the construction of a collector road over the backlands from Fall River Road to Wellington to provide eventual connection to a road that was previously contemplated by the Nova Scotia Department of Transportation and Infrastructure Renewal. This road was the Hammonds Plains/Beaver Bank By-pass which would have extended from the Highway 213 across the Hammonds Plains, Lucasville, Middle Sackville, Beaver Bank and Fall River/Fletchers Lake backlands to connect to Highway 102 at the Aerotech Interchange (Transportation Map 3). This by-pass road is no longer proposed by the Nova Scotia Department of Transportation and Infrastructure Renewal and responsibility for future road development is now the responsibility of HRM. HRM will review its best locations for growth and long-term infrastructure development in light of the findings of the Shubenacadie Lakes Watershed and Fall River/Waverley/Wellington Transportation studies, in the Phase II River-lakes planning process.

- RL-24 The Municipality shall work with the Nova Scotia Department of Transportation and Infrastructure Renewal to develop a plan and schedule for the implementation of the transportation improvements recommended under the Fall River/Waverley/Wellington Transportation Study. Decisions regarding long-term improvements shall be considered under Phase II of the River-lakes Secondary Planning Process. The Municipality should seek an alternative design to the recommendation for upgrading the Fall River Road and Highway 2 Intersection to ensure that future plans for upgrading are in keeping with the desire to maintain the rural village character of the River-lakes Village Centre.
- RL-25 As an interim measure, HRM shall require the proponents for any large scale residential developments considered through the provisions of Policies RL-11, RL-12, RL-13, RL-14 and RL-15 of this Secondary Planning Strategy or commercial development considered pursuant to policies RL-4 and RL-5 or

Policy P-68 of the Planning Districts 14/17 Municipal Planning Strategy and policies S-15 and S-16 of the Regional Municipal Planning Strategy, to submit a traffic study to determine the impacts of development on the Fall River Road and Highway 2 Intersection, the Highway 102 / Highway 118 interchanges and the Lockview Road and MacPherson Road intersection. The study shall take into consideration the findings of the Fall River/Waverley/Wellington Transportation Study and the amount of development permitted in areas subject to these development agreements shall be regulated on the basis of the receiving road network capacity and the provisions of Policy RL-22.

Transit

The HRM Regional Transit Plan - Park and Ride, Express and Rural Transportation Services Study was prepared by Entra Consultants to assess the feasibility of providing express bus service between the Rural Commuter Centres along the Highway 103, 102 and 107 corridors and the Downtown. The Metro X Service became operational in Fall River in 2012 and provides all day service between park and ride facilities situated at the Highway 118 Interchange in Fall River and the Airport to Downtown Halifax and Dartmouth.

While the community supports the provision of express bus service to the downtown, there is a strong desire for the provision of a community transit service that will link all neighbourhoods within the River-lakes Secondary Planning Strategy Area and provide linkage to Sackville. Residents throughout the River-lakes Communities have a strong connection to the Sackville Community for shopping, personal service, recreation and employment. Residents within the Fall River area also have a tendency to reverse commute to the Metro Link Terminal in Sackville to gain access to the Downtown. Thus it is the desire of the residents to have the opportunities for the provision of a bus service throughout the River-lakes Communities and to Sackville explored by HRM.

RL-26 In the future, should HRM entertain the expansion of transit services in rural communities, HRM shall investigate the feasibility of the providing transit service to connect the River-lakes Secondary Planning Strategy Area with Sackville.

Rail Transit

The River-lakes Communities were previously connected to the downtown of Halifax via a train service with a stop at Windsor Junction. It is the desire of the River-lakes Communities to see the provision of a rail transit service provided to the downtown to as a means of connecting the River-lakes Communities to the Downtown. HRM is in the process of commissioning a feasibility study to examine the potential for rail transit

using existing railway tracks. Thus it is the desire of the residents from the area to have the River-lakes Communities considered as an area for inclusion in the feasibility study for future rail transit service.

Appendix A

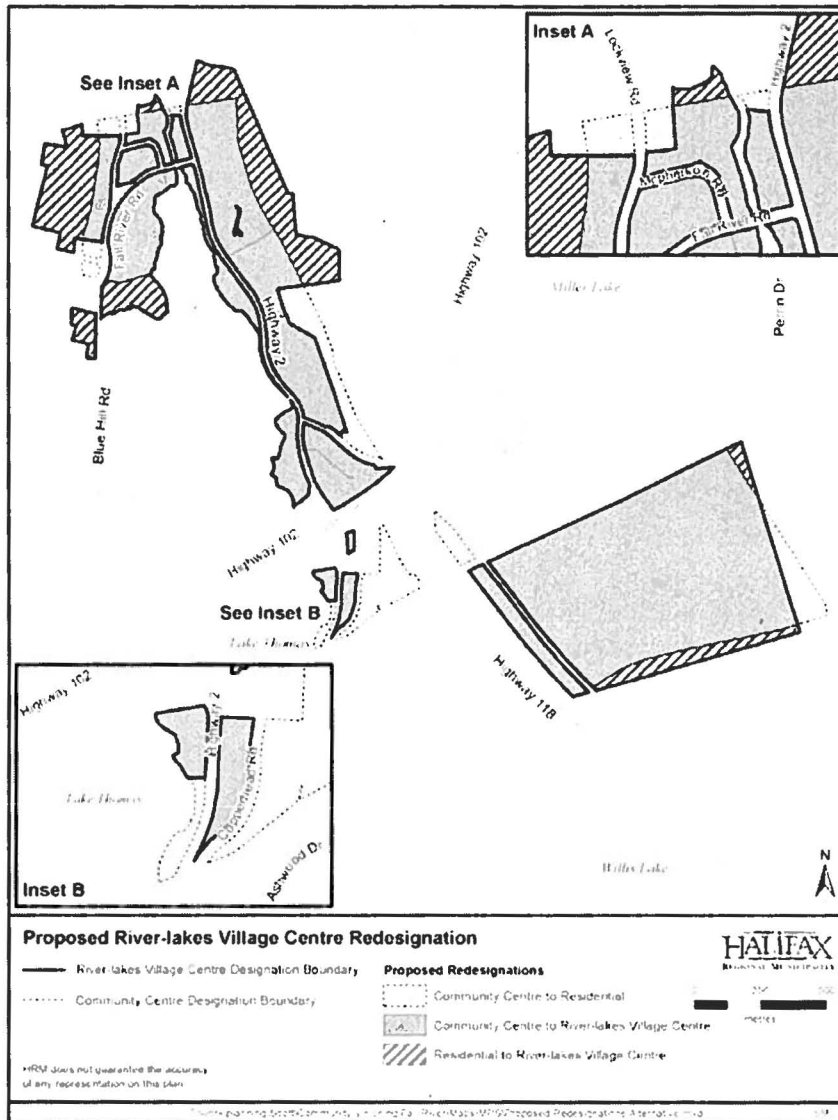
Fall River Vision Implementation Committee Recommendations on the Fall River Transportation Study Recommendations

Study Recommendations	VIC Recommendation	VIC Priority
<u>Fall River Rd/Trunk 2</u> a) Channelized right turn lane b) Eliminate left turns from Fall River Rd to Wilson's c) Improve pedestrian facilities at intersection d) Add northbound advanced green	a) Table for future discussion b) Agree c) Agree d) Agree	5
<u>Recommendation 11: Ash Lee Jefferson Drop-off</u> a) <u>Option A:</u> relocate existing sidewalk to provide lay-by area b) <u>Option B:</u> drop off area behind adjacent church	Recommend that both options be implemented to alleviate the problem	2
Improve signal timing and detection at Highway 118 NB Ramp and Perrin Dr.	- Agree with recommendation. -Also recommend that NSTIR construct an appropriately sized deceleration lane from Highway 118 at exit 14 to accommodate current PM peak traffic volumes.	1
Construct roundabout at Highway 2/ Highway 118 southbound ramp / Highway 102 northbound ramp intersection	Agree with recommendation	4
Improve primary connector trail	Agree with recommendation	3

Study Recommendations	VIC Recommendation	VIC Priority
Implement secondary multi-use trail along Trunk 2	Agree with recommendation	7
<u>Upgrade Fall River Road/Highway 2 intersection</u> a) Channelized right turn lanes b) 25m right turn lane for NB and SB legs c) 35m dedicated left turn lane for EB leg d) Lengthen EB right turn lane e) Double left turn lanes on NB leg	<p>The committee agrees that improvements have to be made to the intersection now and over the long-term.</p> <p><u>The committee did not endorse the proposed design</u> noting that alternative solutions should be pursued to take the pressure off this intersection over the long-term. The proposed design was <u>not considered to be in keeping with the pedestrian oriented centre envisioned for the Fall River Village Core.</u></p>	
<u>Replace Fall River Rd Bridge</u> 4 lane structure with pedestrian facilities	<p>Agree with recommendation</p> <p>Committee further recommends that the bridge be raised to allow passage under the bridge over the Canal in the event of replacement.</p>	

Study Recommendations	VIC Recommendation	VIC Priority
<p><u>Most Viable Options for Future connection to Highway 102:</u></p> <ul style="list-style-type: none"> a) Windsor Junction Road Extension beyond Cobequid with full access Interchange with Highway 102 b) Cobequid Road with full access Interchange with Highway 102 c) Aerotech 	<p>Agree with recommendation</p> <p>The Committee also recommends that future connection a) be moved forward as a recommendation for implementation and that it be given short-term priority as opposed to a long-term recommendation.</p>	6
<p>Implement secondary multi-use trail system</p>	<p>Agree with recommendation</p>	
<p>Installation of signals where warranted</p> <ul style="list-style-type: none"> a) Lockview/Fall River Road b) Trunk 2/Highway 102 SB Ramps 	<p>Agree with recommendation</p>	

22. Redesignate all Lands on the Generalized Future Land Use Maps as illustrated below:



23. Insert Map RL-4 as illustrated to the right as part of the River-lakes Secondary Planning Strategy within the Municipal Planning Strategy for Planning Districts 14 and 17.



**MPS and LUB Amendments to Planning Districts 14/17 for the Proposed River-lakes
Secondary Planning Strategy**

Revised Attachment 3

HALIFAX REGIONAL MUNICIPALITY

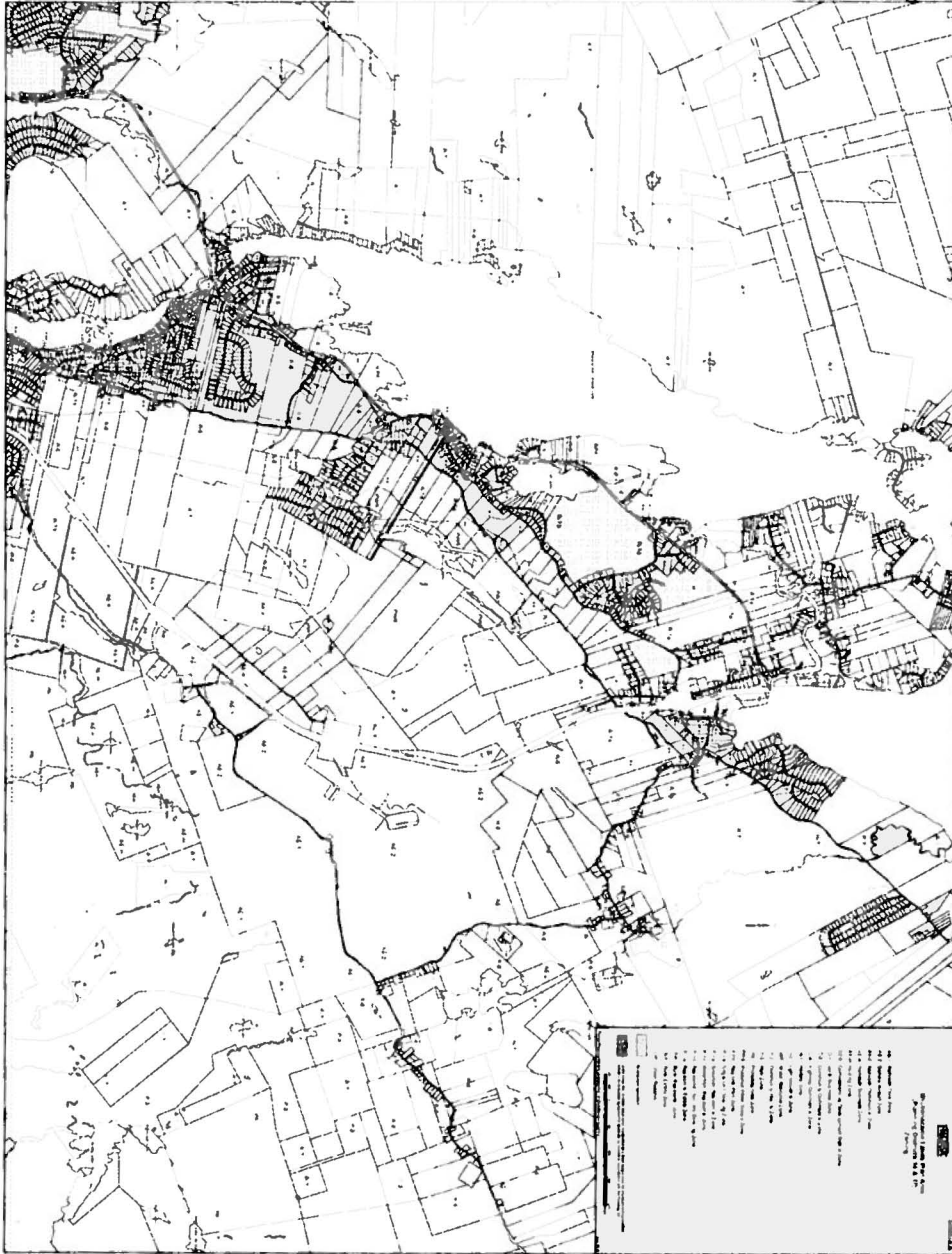
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**AMENDMENTS TO THE
LAND USE BY-LAW FOR PLANNING DISTRICTS 14&17**

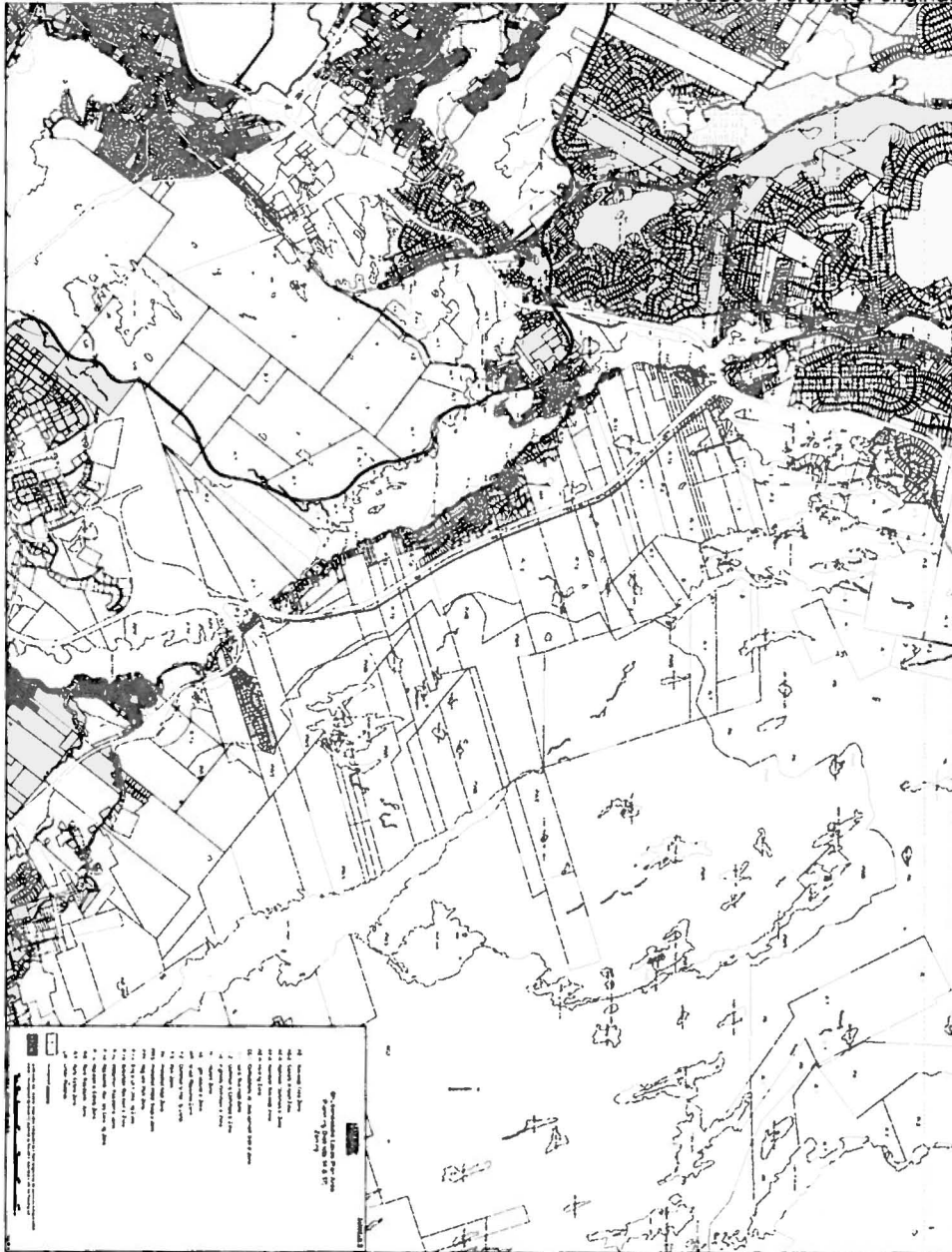
BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Planning Districts 14&17 is hereby amended as follows:

1. Replace Schedules "A1, A2, B1, B2, B3, C1, C2, C3, D1, D2, D3, E1, E2, F1 and F2" with Schedules A and B as illustrated below:

Reduced version of original



Reduced version of original



2. Add the words “and Architecture Requirements” after the word “Signs” in PART 5 of the TABLE OF CONTENTS.

3. Insert the following after PART 14 in the TABLE OF CONTENTS:

PART 14A: CC (Canal Court) Zone
PART 14B: VC -CDD (Village Core Comprehensive Development District) Zone
PART 14C: VMS (Village Mainstreet) Zone
PART 14D: VG (Village Gateway) Zone
PART 14E: FRB (Fall River Business) Zone
PART 14F: RCDD (Residential Comprehensive Development District) Zone

4. Delete the letters and numbers “A1, A2, B1, B2, B3, C1, C2, C3, D1, D2, D3, E1, E2, F1 and F2” after the word SCHEDULES in TABLE OF CONTENTS: page ii and insert the letters and word “A and B”.
5. Change the letter “G” to “C” after the word Schedule in the TABLE OF CONTENTS.
6. Change the letter “H” to “D” after the word Schedule in the TABLE OF CONTENTS.
7. Change the letter “I” to “E” after the word Schedule in the TABLE OF CONTENTS.
8. Add the following after Schedule E in the TABLE OF CONTENTS:

Schedule F Prominent Site for Increased Commercial Floorspace in the Canal Court Zone: 1480 Fall River Road

Schedule G: Prominent Site for Increased Commercial Floorspace in the Canal Court one: 1470 Fall River Road

Schedule H: Canal Court Development

Schedule I: Prominent Site for Increased Commercial Floorspace in the Village Mainstreet Zone: 3182 Highway 2.....

Schedule J: Prominent Site for Increased Commercial Floorspace in the Village Gateway Zone: 3009 Highway 2

Schedule K: Prominent Site for Increased Commercial Floorspace in the Village Gateway Zone: 2998 Highway 2

Schedule L: Site for Multiple Unit Dwelling Expansion Pursuant to Section 14A.5 at 21 MacPherson Road

**Schedule M: Prominent Site for Increased Commercial Floorspace in the Canal
Court Zone: 11 Falls Run**

9. Change the letter "G" to "C" after the word Schedule in the LIST OF GENERAL PROVISIONS page ii, 4.32.
10. Change the letter "H" to "D" after the word Schedule in the LIST OF GENERAL PROVISIONS page ii, 4.33.
11. Insert the following definition immediately following section 2.2, as set out below:

2.2A ADULT ENTERTAINMENT USE - means any premises or part thereof which is to provide services appealing to or designed to appeal to erotic or sexual appetites or inclinations, and includes adult cabarets and massage parlours.

When used in relation to adult entertainment use, the following shall apply:

- (i) "Services" means activities that are designed to appeal to erotic or sexual appetites or inclination" and includes:

1. Services of which a principal feature or characteristic is the nudity or partial nudity of any person. For the purposes of this clause "partial nudity" shall include less than completely covered or opaquely covered:

- (a) human genitals or human pubic region;
 - (b) human buttocks; or
 - (c) female breast below a point immediately above the top of the areola.

2. Services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

12. Insert the following definition immediately following section 2.8, as set out below:

2.8A BED AND BREAKFAST - means a home where not more than four sleeping rooms are rented to the traveling and vacationing public, and where breakfast is served only to those who rent the sleeping rooms.

13. Insert the following definition immediately following section 2.10, as set out below:

2.10A BUILDING WIDTH means the total horizontal distance between the outermost edges of the building wall or walls facing a street or public open space.

14. Insert the following definition immediately following section 2.12, as set out below:

2.12A COMMUNITY COUNCIL means the council of a community established pursuant to the Halifax Regional Municipality Charter.

15. Delete section 2.18 and replace with the following section 2.18, as set out below:

2.18 COUNCIL means the Regional Council of Halifax Regional Municipality established pursuant to the *Halifax Regional Municipality Charter*.

16. Delete subsection 2.24 (g) and replace with the following section subsection 2.24 (g), as set out below:

2.24(g) Dwelling, Townhouse means a building that is divided vertically into three or more dwelling units, each of which must have an independent entrance to a front and rear yard immediately abutting the front and rear walls of the unit, and each of which may be located on a separate lot.

18. Insert the following definition immediately following section 2.31, as set out below:

2.31A GARDEN CENTRES within the VC-CDD, VMS and VG Zones means a structure erected on a lot on a seasonal basis and includes any outdoor storage building or outdoor display space for the purpose of selling garden plants, produce and other related horticultural items but does not include any outdoor storage or outdoor display of tractor trailer, construction trailers, travel trailers, converted mobile homes and automobiles.

19. Insert the following definition immediately following section 2.36, as set out below:

2.36A HOME BUSINESS USES means the accessory use of a dwelling for gainful employment involving the provision or sale of goods or services or both goods and services excluding any adult entertainment use, restaurants, take-outs, convenience stores, the keeping of animals, taxi stands, or any use deemed to be obnoxious.

Field Code Changed

20. Change the text "2.36A" to "2.36B" in front of the definition of Human Habitation.

21. Insert the following definition immediately following section 2.36B, as set out below:

2.36C IMPERVIOUS SURFACE means the surface of the lot covered with building(s), non-porous pavement, concrete or other materials into which surface water cannot penetrate into the subsurface layers of soil.

22. Change the text "2.36B" to "2.36D" in front of the definition of Indoor Riding Barn, Private.

23. Insert the following definition immediately following section 2.38, as set out below:

2.38A LANDSCAPING means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other

architectural elements, all of which are designed to enhance the visual amenity of a property or to provide a screen.

24. Insert the following definition immediately following section 2.48, as set out below:

2.48A MAINSTREET means the Fall River Road, Highway #2, McPherson Road, Cobequid Road, Ingram Drive, Lockview Road, Miller Lake Road, Perrin Drive and Falls Run within the River-lakes Secondary Plan.

25. Insert the following definition immediately following section 2.48, as set out below:

2.48B MASSAGE PARLOUR - includes any premises or a part thereof, by whatever name designated where a massage, body rub, alcohol rub, bath or similar activity is performed, offered, advertised, or solicited by persons in pursuance of a trade, calling, business, or occupation or which is equipped or arranged so as to provide such activity, but does not include any premises or part thereof where treatment is routinely offered or performed for the purpose of medical or therapy and is performed or offered by or under the supervision or direction of a physician, chiropractor, osteopath, physiotherapist, under the laws of the Province of Nova Scotia.

26. Insert the following definition immediately following section 2.59, as set out below:

2.59A PUB within the VC-CDD, VMS, VG and FRB Zones means an entity that is licensed under the Liquor Control Act as a Lounge, Tavern, or Beverage Room and excludes a Club license, Cabaret license, Special Premises license, and Special Occasion license as defined in the Liquor Control Act.

27. Insert the following immediately following the words "AE-3 Aerotech Commercial Zone" in section 3.1:

River-lakes Village Centre Zones

CC	Canal Court Zone
VC - CDD	Village Core Comprehensive Development District Zone
VMS	Village Main street Zone
VG	Village Gateway Zone
FRB	Fall River Business Zone
RCDD	Residential Comprehensive Development District Zone

28. Delete the letters and numbers "A1, A2, B1, B2, B3, C1, C2, C3, D1, D2, D3, E1, E2, F1 and F2" from subsection 3.2(a) and insert the letters and word "A and B" after the word "Schedules" in subsection 3.2 (a).

29. Delete the letters, numbers and word "A1 through F-2, inclusive" from subsection 3.2(b) and insert the letters and word "A and B" after the word "Schedules" in subsection 3.2 (b).
30. Delete the letters, numbers and word "A1 through F-2, inclusive" from subsection 3.2(c) and insert the letters and word "A and B" after the word "Schedules" in subsection 3.2 (c).
31. Delete subsection 3.6(c)(iii).
32. Insert the following after subsection 3.6 (t):
- (u) Larger scale mixed commercial and residential development may be considered, within the River-lakes Village Centre Designation, over the portion of the lands shown on Schedule H, according to Policy RL-4.
 - (v) Large commercial and medium density residential uses, within the Village Core Comprehensive Development District Zone, according to Policy RL-5.
 - (x) Low scale multiple unit dwellings up to 3 units per acre, with or without a ground floor commercial component, townhouses, single or two unit dwellings within areas zoned Village Mainstreet, according to Policy RL-11.
 - (y) Low scale multiple unit dwellings and townhouses up to 4 units per acre where no central water service are provided, and up to 8 units per acre when central water services are provided, on Site A shown on Map RL-3 of the River-lakes Secondary Planning Strategy according to Policies RL-11 and RL-12.
 - (z) Low scale multiple unit dwellings, townhouses, single unit dwellings or two unit dwellings up to 4 units per acre on Site B shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-13.
 - (aa) Low scale multiple unit dwellings, townhouses, single or two unit dwellings up to 4 units per acre or local commercial use and self-storage facility in conjunction with the housing component, within the RCDD Residential Comprehensive Development District Zone, according to Policy RL-14.
 - (bb) Townhouses up to a maximum density of 2 units per acre on Site D shown on Map RL-3 of the River-lakes Secondary Planning Strategy, according to Policy RL-15.
33. Insert the following immediately following section 3.7, as set out below:

3.7A DIAGRAMS

Diagrams form no part of this By-law and shall be deemed to have been inserted for illustrative purposes only.

34. Insert the words "and disposal field" after the word "tank" in section 4.3 in line 3.
35. Insert the words "or on the property shown on Schedule K" after the word "Zone" in subsection 4.4(a).

36. Insert the words “or as specified” after the words and comma “any zone,” on the second line in Section 4.6.

37. Insert the following after subsection 4.6 (i):

- (j) Existing service stations that were lawfully constructed prior to the first notice of the intention to adopt the Canal Court, Village Mainstreet or Village Gateway Zones are a permitted use within those zones .
- (k) The Existing Multiple Unit Dwelling situated at 21 MacPherson Road and identified on Schedule L may be expanded for the creation of a maximum of 5 additional residential units or may contain a maximum of 2000 square feet (185.8 m²) of floor space for commercial uses on the ground floor of the Dwelling.

38. Delete Section 4.9 and replace it with the following:

4.9 NON CONFORMING USES

Non-conforming uses shall be subject to the applicable provisions of the *Halifax Regional Municipality Charter*.

39. Insert the following after Section 4.9:

4.9A Notwithstanding section 4.9, where a self storage facility has been established on the property shown on Schedule M pursuant to the provisions of the *HRM Charter*, the facility may not be expanded or altered so as to increase the volume of the facility capable of being occupied, except as required by another Act of the Legislature but it may be repaired or rebuilt, if destroyed or damaged by fire or otherwise to the extent that it existed before being destroyed or damaged, provided all other requirements of this by-law are satisfied.

40. Insert the acronym and commas “CC, VMS, VG” after the acronym and comma “R-ID,” in subsection 4.11 (a)(iii)(2).

41. Insert the following after subsection 4.11 (a)(iv)(2):

- 3. Four hundred (400) square feet or (37.1 m) in any CC Zone;**
- 4. Eight hundred square feet or (74.3 m) in the VMS Zone;**

42. Insert the following words and acronym “or CC Zone” after the word “Zone” in subsection 4.11 (a)(vi).

43. Insert the following below the words and subsection reference "(a) exceeding 5,000 square feet 5.5 spaces per 1,000 square feet (464.5 m²) of gross floor area" in Section 4.25.

(aa) exceeding 5,000 square feet (464.5 m²) of gross floor area in the CC, VC CDD, VM, VG and RCDD zones	5.0 spaces per 1,000 square feet (92.9 m²) of gross floor area
--	--

44. Insert the following after the words and subsection reference "(b)not exceeding 5,000 square fee 3.3 spaces per 1,000 square feet" in Section 4.25.

(bb) not exceeding 5,000 square feet (464.5 m²) of gross floor area in the CC, VC CDD, VM, VG and RCDD Zones	3.0 spaces per 1,000 square feet (92.9 m²) of gross floor area
--	--

45. Insert the following below the words "Banks, financial institutions and general offices" in Section 4.25.

Banks, financial institutions and general offices in CC, VC CDD, VM, VG and RCDD zones.	3.0 spaces per 1,000 square feet (92.9 m²) of gross floor area
--	--

46. Insert the number and brackets "(1)" after "4.26 STANDARDS FOR PARKING LOTS" before the word "Where".

47. Insert the clause "Subject to subsection (2) of this Section," before the word "the" in subsection 4.26 (a).

48. Insert the following "Subject to clause (dd)," before the word "the" in subsection 4.26 (1) (d).

49. Insert the following after subsection 4.26 (1) (d):

(dd) Notwithstanding clause (d), within the CC Zone, the lot shall be within four hundred (400) feet (121.9 m) of the location which it is intended to serve and shall be situated in the CC Zone;

50. Insert the following after subsection 4.26 (1) (i):

(2) Notwithstanding Section 4.26 (1) (a), all parking areas in the CC, VMS, VC-CDD, VG and RCDD zones including driveways and maneuvering areas shall:

- (a) be maintained with a permanent hard surface;**
- (b) be defined by a concrete curb, ornamental brick, or paint; and**
- (c) provide maneuvering areas to permit vehicles to leave the property in a forward motion.**

(3) Where a parking lot for more than ten (10) but less than twenty-one (21) vehicles is required or permitted in the CC, VMS, VC-CDD, VG and RCDD zones the following provisions shall apply in addition to the provisions outlined in Sections 4.26 (1) and (2):

- (a) Curbs, decorative stone, paint or other appropriate methods of delineating a pedestrian right of way shall be provided to ensure safety between pedestrian and vehicular movements in all parking lots, and
- (b) Curbs, decorative stone, paint or other appropriate methods of delineating landscaping areas shall be provided to prevent damage from vehicles, to separate planting areas from pedestrian pathways, and to prevent soil and other landscape material from spreading over adjacent surfaces.

(4) Where a parking lot for more than twenty (20) vehicles is required or permitted in the CC, VMS, VC-CDD, VG and RCDD zones, in addition to the provisions outlined in Sections 4.26 (1) (2) and (3), the following provisions shall apply:

- (a) Parking lots shall have ten (10) percent of their area landscaped with vegetation;
- (b) Shrubs and one tree for every five parking spaces shall be incorporated within the parking lot in consolidated planting areas such as landscaped islands, medians, and bio-retention areas and vegetated islands; and
- (c) Landscaped islands shall be installed within the parking lot at a rate of one island for every 20 parking spaces. Each island shall contain shall contain at least one (1) high-branching deciduous shade and include non-invasive shrubs, perennials, ornamental grasses and/or groundcover.

- 51. Insert the acronym, commas and words “CC (Canal Court), VMS (Village Main street) VG (Village Gateway), and FRB (Fall River Business) Zones” after the the acronym, commas and words “C-2 (Community Centre),” subsection 4.28(a).
- 52. Insert the following “(x) Perrin Drive; (xi) Falls Run;” after subsection 4.28(a)(ix).
- 53. Insert the following acronym, comma and words “CC (Canal Court) Zone, VMS (Village Main Street), VG (Village Gateway), FRB (Fall River Business) or VC-CDD (Village Core Comprehensive Development District) Zone” after the acronym, comma and words “C-2 (Community Centre) Zone,” in subsection 4.28(b).
- 54. Replace the letter “G” with the letter “C” after the word “SCHEDULE” in the heading of section 4.32.
- 55. Replace the letter “G” with the letter “C” after the word “Schedule” in section 4.32.
- 56. Replace the letter “H” with the letter “D” after the word “SCHEDULE” in the heading of section 4.33.

57. Replace the letter "H" with the letter "D" after the word "Schedule" in section 4.33.
58. Replace the letter "I" with the letter "E" after the word "Schedule" in subsection 4.34 IX (a).
59. Add the following clause after Section 5.1 (c):

(d) the provisions of Section 5.1AA shall apply, in addition to all other provisions of this Part, within any CC (Canal Court), VMS (Village Main Street), VG (Village Gateway), or FRB (Fall River Business zones).

60. Add the following after Section 5.1A:

5.1AA GENERAL REQUIREMENTS - FALL RIVER ZONES

Within the CC or VMS zones materials used for signs shall have matte or dull finishes. Gloss finish and backlit signage is prohibited in CC or VMS zones. Multi-tenant signage shall begin with the civic address, followed by building name, if applicable, and then followed by the name of any tenant.

61. Insert the number "(1)" immediately before 5.7(a).

62. Insert the following after subsection 5.7(c):

(2) Notwithstanding Section 5.7 (1), within the CC, VMS, VG or FRB Zone, no facial wall sign shall:

- (a) Extend above the top of the wall on which it is attached;
- (b) Project or extend beyond the extremities of the wall on which it is attached;
- (c) Include more than one message for each business premise in the building on which it is affixed; or
- (d) Have an area which exceeds five (5) percent of the area of the wall on which it is attached.

(3) Within the CC, VMS, VG or FRB Zone, canopies and awnings attached to walls shall:

- (a) Not project over a public right-of-way unless permitted pursuant to the Encroachment By-law;
- (b) Be self-supporting;
- (c) Be placed a minimum height of 9 feet (2.7m) above a sidewalk or walkway; and
- (d) Any advertising affixed to a canopy or awning shall be limited to a business logo, business name or civic address and shall not exceed fifty (50) percent of the canopy or awning.

63. Delete Section 5.8 and replace it with the following:

5.8 PROJECTING SIGNS

Projecting signs are prohibited except in the CC, VMS, VG or FRB Zone. Within the CC, VMS, VG or FRB Zone, no projecting wall sign shall:

- (a) Project over a public right-of-way unless permitted pursuant to the Encroachment By-law;
- (b) Project more than six (6) feet (1.8 metres) from the wall on which it is attached;
- (c) Project above the eaves, parapet or roof line of a building;
- (d) Be erected below a height of nine (9) feet (2.7 metres) above grade; or
- (e) Exceed sixteen (16) square feet (1.5 square metres) per sign area.

5.8A ROOF SIGNS

Signs mounted on the roof of any building within the CC, VC-CDD, VMS, VG, FRB and RCDD zones are prohibited.

64. Inserting the following after “5.9 GROUND SIGNS” the following:

(1) Ground signs are prohibited in the CC Zone, except for ground signs on the corner lots at the intersection of Fall River Road and MacPherson Road and ground signs on the corner lots at the intersection of Fall River Road and Highway 2.

65. Insert “(2)” before (a) in section 5.9 (a).

66. Insert the following after subsection 5.9(2)(a)(ii):

- (iii) Signs for multi-tenant buildings within the VMS Zone, where such signs shall not exceed one hundred (100) square feet (9.3 m²) of sign area on a single face or two hundred (200) square feet (18.6 m²) of sign area of both faces combined.
- (iv) All signs within the FRB Zone, where such signs shall not exceed one hundred (100) square feet (9.3 m²) of sign area on a single face or two hundred (200) square feet (18.6 m²) of sign area of both faces combined.
- (v) All signs within the VG Zone, where such sign shall not exceed two hundred and fifty (250) square feet (23.2 m²) of sign area on a single sign face or five hundred (500) square feet (46.5 m²) of sign area of both faces combined.
- (vi) Signs where permitted for multi tenant buildings within the CC Zone pursuant to Section 5.9 (1), shall not exceed one hundred (100) square feet (9.3 m²) of sign area on a single face or two hundred (200) square feet (18.6 m²) of sign area of both faces combined.

67. Insert the following subsection 5.9(2)(b)(iii):

- (iv) Twelve (12) feet (3.6 m) for a single story building and twenty (20) feet (6 m) for a multi story building in the VMS Zone;
 - (v) Fifty (50) feet (15.2 m) in the VG or FRB Zone; or
 - (vi) Fifteen (15) feet (4.5 m) where permitted in section 5.9 in the CC Zone.
- (bb) No ground sign shall exceed a width of:
- (i) Ten (10) feet (3 m) in the CC, VMS, VG and FRB zones.

68. Insert the following after subsection 5.9(2)(e):

- (ee) Notwithstanding clause (e), no ground sign shall be located within five (5) feet (1.5 m) from any street line in the CC, VMS, VG or FRB Zone.

69. Insert the following after subsection 5.9(2)(f):

(3) Within the CC, VMS, VG and FRB zones, the following additional conditions to Section 5.9 (1) shall apply:

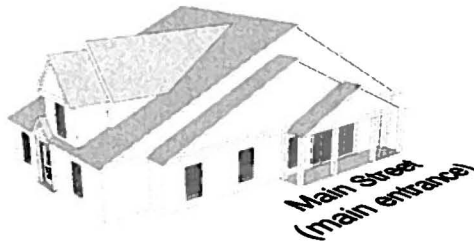
- (a) Only one ground sign shall be permitted per multi-tenant building.
- (b) Landscaping shall be provided at the base of a ground sign. Landscaping shall consist of planter boxes, shrubs, or flower beds or a combination thereof. If landscape planters are used, the planters shall be constructed of a natural material and shall be a minimum of 3 feet (0.9m) wide and 3 feet (0.9m) high;
- (c) A ground sign and the required landscaping as described above may be placed within the required landscaping setback as specified in Sections 14A.10 (a), 14C.11 (a), 14D.9 (a) and 14E.5 (1) (a); or
- (d) The maximum number of sign faces shall be two, which shall be affixed back to back.

5.10 ARCHITECTURE REQUIREMENTS

The following provisions shall apply only to the CC, VCCDD, VMS, VG, FRB and RCDD zones created for the River-lakes Secondary Plan Area.

5.10.1 ENTRANCES and FACADES

- (a) No building shall have less than one clearly defined entrance that is facing a street and which is unobstructed for pedestrians.
- (b) On corner lots the main entrance shall be situated on the portion of the building facing the Mainstreet or situated at the corner of the building, facing the intersecting streets.



(c) Notwithstanding subsection 5.10.1(b), where the building is situated on a corner lot at the intersection of two roads, the main entrance may face the corner of the building facing the intersecting streets.

(d) At least three of the following architectural elements shall be incorporated in all walls facing a street for every ten (10) feet (3 m) within the CC Zone, twenty (20) feet (6 m) within the VMS Zone, or fifty (50) feet (15.2 m) within the VG, VCCDD, FRB or RCDD zones:



- (i) canopies or porticos;
 - (ii) awnings,
 - (iii) open colonnades,
 - (iv) overhanging rooflines,
 - (v) raised corniced parapets over the door,
 - (vi) gabled peaked roof forms,
 - (vii) outdoor patios,
 - (viii) display windows
 - (ix) architectural details such as moldings or stone,
 - (x) planters or wing walls that incorporate landscaped areas and seating places; and/or
 - (xi) any other similar architectural treatment as deemed by the Development Officer to be an acceptable equivalent.
- (e) Buildings with multiple storefronts shall have either a gabled entry way or separate entrances for each store.
- (f) Buildings with multiple storefronts shall have features along the façade such as covered walkways or open colonnades.
- (g) The façade facing the Mainstreet shall be designed as the front of the building, containing a main entrance door, and window or display case.

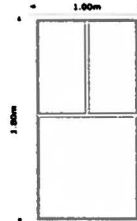
Gable Entryway



5.10.2 WINDOWS and DOORS

(a) All windows shall:

- (i) have a minimum height to width ratio of 1.8 to 1 and a maximum height to width ratio of 2 to 1;
- (ii) be placed vertically in the wall space so building facades are visually well balanced; and
- (iii) be accentuated by design details such as arches, hoods, mouldings, decorative lintels, pediments or sills.



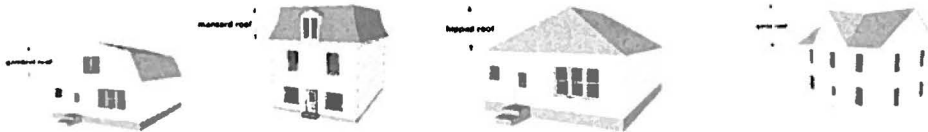
(b) All doors and corners shall be accentuated by design details such as arches, hoods, mouldings, decorative lintels, pediments or sills.

(c) Notwithstanding clauses 5.10.2(a) and (b), continuous bands of horizontal glazing may be permitted on the first floor of commercial buildings permitted in the CC zone if:

- i) the glazing is not more than seventy-five (75) percent of the building face;
- ii) the building contains vertical windows on the second floor having a height to width ratio of 1.8 to 1; and
- iii) the storefront entries are recessed.

5.10.3 ROOF LINES

(a) Roof styles shall be gable, gambrel, mansard or hipped.



(b) Notwithstanding 5.10.3(a), flat roofs shall be permitted where the building footprint is less than 2500 square feet (232.2 sq. m) or on a building, except for a service station that is greater than 2500 square feet (232.2 sq. m) provided that the flat roof portion of the roof is not visible from any street.

(c) The minimum roof pitch on all buildings shall be 4:12 except where flat roofs are permitted pursuant to clause 5.10.3(b) or where mansard or gambrel roofs are used.

(d) For buildings that are fifty (50) feet (15.2 m) in length or greater, multiple roof planes, cornices, cross gables, cupolas, belvederes, dormers or other architectural treatment shall be incorporated into the roof structure.

Multiple Roof Planes



5.10.4 CLADDING AND ROOF MATERIALS

- (a) Exterior cladding for new commercial, institutional, multiple unit and townhouse buildings shall consist of bricks, stone, wood shingles, wood siding, wood clapboard, vinyl siding or a combination thereof or other acceptable equivalent as determined by the Development Officer.
- (b) The following highly reflective materials are prohibited:
 - (i) sheet metal;
 - (ii) plastic panels;
 - (iii) brushed aluminum;
 - (iv) reflective glass;
- (c) The following materials are prohibited:
 - (i) Concrete block;
 - (ii) Untreated plywood;
 - (iii) Particle board;
 - (iv) Tilt-up concrete panels;
 - (v) Painted brick.
- (d) Notwithstanding subsections 5.10.4(c) and (d), materials required for solar heating, such as solar panels, shall be permitted.
- (e) Any exposed foundation in excess of twenty (20) square feet (1.8 sq. m) including any parking garage or parking entrance, shall be architecturally detailed or veneered with stone or brick.

5.10.5 ROOFTOP EQUIPMENT

- (a) All rooftop equipment, including satellite and other telecommunication equipment for private use, air handling units, elevator equipment, cooling towers and exhaust fans, shall be visually screened from the street by the roof structure.

5.10.6 ADDITIONAL REQUIREMENTS FOR SERVICE STATIONS

- (a) Where canopies are used over gasoline pumps and garden centres, the canopy shall:
- (i) be constructed to match the main structure in terms of roof pitch, architectural detailing, materials and colour;
 - (ii) have a pitched roof and fascia trim;
 - (iii) not have a brightly coloured metal roof or roof sign; and
 - (iv) not be illuminated.

5.10.7 EXEMPTIONS

- (a) Notwithstanding section 5.10, the Architectural provisions of this section shall not apply to any one or all of the following:
- (i) a change in use or occupancy within an existing building;
 - (ii) internal renovations with no external renovation or modification to an existing building;
 - (iii) the replacement of windows to an existing building; or
 - (iv) the replacement of any signage as a result of a change in use or occupancy.

70. Insert the following at the end of Part 14:

PART 14A: CC (CANAL COURT) ZONE

14A.1 USES PERMITTED

No development permit shall be issued in any CC (Canal Court) Zone except for the following:

Commercial Uses

Retail Stores

Service and Personal Service Uses

Offices

Banks and Financial Institutions

Restaurants -Full Service and Take-out

Existing Service Stations pursuant to Section 4.6 (j)

Craft Shops

Residential and Commercial Uses

Single unit dwellings

Two unit dwellings

Bed and Breakfast

Home Businesses

Existing Multiple Unit Dwellings pursuant to Section 4.6 (k)

Community Uses

Public and private parks and playgrounds

Cemeteries

Historic sites and monuments

Museums as an educational institution

14A.2 CC ZONE REQUIREMENTS: RESIDENTIAL USES

In any CC Zone, where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:

10,000 square feet (929 m²) where
central sewer services are provided
40,000 square feet (3716 m²) where
no central sewer services are
provided

Minimum Frontage:

75 feet (22.9 m) where central
sewer services are provided

	100 feet (30.4 m ²) where no central sewer services are provided
Maximum Front or Flankage Yard	3 feet (0.9 m ²)
Minimum Side Yard:	8 feet (2.4 m ²) where central sewer services are provided 15 feet (4.5 m ²) where no central sewer services are provided
Minimum Rear Yard	25 feet (7.6 m ²)
Maximum Lot Coverage (Building)	35 percent
Maximum Impervious Surface Coverage	50 percent
Maximum Height of Main Building	35 feet (10.7 m ²)
Minimum Height of Main Building	35 feet (7.6 m ²)
Maximum Building Width	60 feet (18.2 m)
Minimum Landscaped Area	25 percent

14A.3 CC ZONE REQUIREMENTS: COMMERCIAL USES

In any CC Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	10,000 square feet (929 m ²) where central sewer services are provided 40,000 square feet (3716 m ²) where no central sewer services are provided
Minimum Frontage:	75 feet (22.9 m) 100 feet (30.4 m) where no central sewer services are provided
Maximum Front or Flankage Yard:	3 feet (0.9 m)
Minimum Side Yard:	8 feet (2.4 m) where central sewer services are provided 15 (4.5 m) where no central sewer services are provided

Minimum Rear Yard	25 feet (7.6 m)
Maximum Lot Coverage (Building)	35 per cent
Maximum Impervious Surface Coverage	50 percent
Maximum Height of Main Building	35 feet (10.7 m)
Minimum Height of Main Building	25 feet (7.6 m)
Maximum Building Width	60 feet (18.2 m)
Minimum Landscaped Area	25 percent

14A.4 OTHER REQUIREMENTS - FLOOR AREA

- (a) The gross floor area of the main building on a lot in any CC Zone, shall not exceed 4,000 square feet (371.6 m²). No main building footprint shall exceed 2,000 square feet (185.8 m²).

14A.5 OTHER REQUIREMENTS – INCREASED FLOOR AREA

- (a) Notwithstanding Section 14A.4 (a), where uses are permitted as Commercial Uses situated at 1480 Fall River Road, as illustrated in Schedule F, the following shall apply:

- (i) gross floor area of the building may be increased to 6,000 square feet (557.4 m²),
- (ii) no main building footprint shall exceed 2,000 square feet (185.8 m²); and
- (iii) all uses permitted as Commercial Uses, except Existing Service Stations or Existing Multiple Unit Dwellings, in any CC Zone can be extended throughout the entire building.

- (b) Notwithstanding Sections 14.3 and 14A.4 (a), where uses are permitted as Commercial Uses situated at 1470 Fall River Road, as illustrated on Schedule G, the following shall apply:

- (i) the gross floor area of the main building may be increased to 9,000 square feet (836.1 m²);
- (ii) no main building footprint shall exceed 6,000 square feet (557.4 m²);
- (iii) the width of the main building may be increased to a maximum of 141 feet (42.9 m).and
- (iv) all uses permitted as Commercial Uses, except Existing Service Stations or Existing Multiple Unit Dwellings, in any CC Zone may be extended throughout the entire building.

14A.6 OTHER REQUIREMENTS - BED AND BREAKFAST ESTABLISHMENTS

The following requirements shall apply for all bed and breakfast uses:

- (a) The Business shall be wholly contained within the dwelling which is the principal residence of the owner of the business. No more than one employee, not living in the dwelling, shall be permitted.
- (b) Not more than four (4) rooms may be let;
- (c) No more than one (1) sign advertising the bed and breakfast shall be permitted and no such sign shall exceed two (2) square feet (0.2 m²) in area;
- (d) One (1) off-street parking space, in addition to that required for the dwelling, shall be provided for every two rooms to be let or part thereof; and
- (e) Where parking is located in any required yard abutting a residential use, an opaque fence of 5 feet (1.52 m) in height or a Landscaped buffer, adequate to screen the view from the adjacent residential property, shall be constructed along all property boundaries abutting the residential use.

14A.7 OTHER REQUIREMENTS - HOME BUSINESS USES

The following requirements shall apply for all home business uses:

- (a) Any business shall be wholly contained within the dwelling which is the principal residence of the owner of the business. No more than one employee, not living in the dwelling, shall be permitted.
- (b) No more than 500 square feet (46.5 m²) of the building or accessory building shall be devoted to any business use.
- (c) Notwithstanding subsection (b), day care services for not more than 7 children may be permitted in conjunction with single unit dwellings subject to the remaining requirements for home business uses.
- (d) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling and which is not obnoxious.
- (e) Excluding out play areas associated with a daycare facility, no storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted outside on the property.
- (f) No more than one (1) sign shall be permitted advertising any such home business and no such sign shall exceed 2 square feet (0.2 m²) in area.
- (g) One off-street parking space shall be required for every 150 square feet (13.9 m²) of floor space devoted to the Home Business.

14A.8 OTHER REQUIREMENT: COMMERCIAL PARKING

Within the CC Zone, parking shall be located at the side and/or in the rear of the building. Where parking is located in any required yard abutting a residential use, a wood fence of 5 feet (1.52 m) in height or a landscaped buffer, shall be constructed along all property boundaries abutting the residential use. The landscaped buffer

may contain evergreen trees, earth berms, fences, or shrubs provided it screens the parking lot from the abutting residential property.

14A.9 OTHER REQUIREMENTS - STORAGE AND UTILITIES

Where uses are permitted as Commercial Uses in any CC Zone, the following requirements shall apply:

- (a) No storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted outside of a building on the property;
- (b) HVAC equipment, refuse containers, electrical equipment excluding metres, propane tanks, oil tanks and other similar equipment shall not face the street or shall be screened with a fence, berm or Landscaping that creates a visual barrier.

14A.11 OTHER REQUIREMENTS: LANDSCAPING

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Where uses are permitted as Commercial Uses in any CC Zone, the following requirements shall apply:

- (a) A 15 foot (4.6 m) wide landscape strip shall be provided along all street lines, exclusive of buildings, driveways and walkways. The required landscape strip shall incorporate a minimum of one (1) tree (minimum of 60 mm calliper) and three (3) shrubs per 15 feet (4.6 m) of street lines. The required landscape strip, may be installed in the form of groupings.
- (b) In addition to clause (a), all landscaped areas shall include any one or a combination ground covers of grass, natural ground covers such as water features, washed or flat stone, decorative pavers, mulch, perennials, and annuals.
- (c) Notwithstanding clauses (a) and (b), existing trees and shrubs may be incorporated into the landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per ~~15 foot (4.6 m)~~ 15 foot (4.6 m) requirement.
- (d) Notwithstanding clauses (a) and (b), existing trees that are in excess of 150 mm in calliper, measured 150 mm above grade, shall be retained in the landscaped strip where possible and shall be calculated as part of the one (1) tree and three (3) shrubs per ~~15 foot (4.6 m)~~ 15 foot (4.6 m) requirement.

14A.12 OTHER REQUIREMENTS: LIGHTING

Where uses are permitted as Commercial Uses in any CC Zone, all lighting shall be designed to meet the following requirements:

- (a) all lighting devices shall be designed to direct light to driveways, parking areas, loading area, building entrances and walkways and arranged to divert the light away from streets, adjacent lots and buildings;**
- (b) have different purpose oriented lighting such as flush mount lighting for building accent, ground-oriented lighting along pathways, shall be provided; and**
- (c) comprise full cut-off fixtures that are properly shielded to reduce the spillover of lighting onto adjacent properties.**

PART 14B: VC -CDD (VILLAGE CORE COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE

14B.1 VC -CDD DEVELOPMENT AGREEMENT REQUIREMENTS

No development permit shall be issued for a development in a VC-CDD Zone unless the proposed development is in conformance with a development agreement which has been approved by Council.

14B.2 USES PERMITTED

The following uses maybe permitted in any VC-CDD (Village Core Comprehensive Development District Zone) Zone:

Commercial Uses

Retail Stores

Food stores

Service and Personal Service Uses

Offices

Health and Wellness Centres

Banks and Financial Institutions

Restaurants -Full Service and Take-out

Funeral Establishments, excluding crematoriums

Greenhouses and Nurseries

Medical, Dental and Veterinarian Clinics, outdoor kennels associated with veterinary clinics are prohibited

Garden Centre

Pub, tavern, lounge

Craft Shops

Residential Uses

Multiple Unit Dwellings no greater than 3 units per gross acre

Community Uses

Open space uses

Institutional uses

Fraternal Halls and Centres

Transit Facilities

PART 14C: VMS (VILLAGE MAIN STREET) ZONE

14C.1 USES PERMITTED

No development permit shall be issued in any VMS (Village Mainstreet) Zone except for the following:

Commercial Uses

Retail Stores

Service and Personal Service Uses

Offices

Wellness Centres

Banks and Financial Institutions,

Restaurants -Full Service, Take-out and Drive-in

Existing Service Stations pursuant to Section 4.6 (j)

Funeral Establishments, excluding crematoriums

Greenhouses and Nurseries

Medical, Dental and Veterinarian Clinics, outdoor kennels associated with veterinary clinics are prohibited

Garden Centre

Pub, Tavern, lounge

Craft Shops

Residential Uses

Single unit dwellings

Two unit dwellings

Bed and Breakfast

Home Businesses

Community Uses

Open space uses

Institutional uses

Fraternal Halls and Centres

Transit Facilities

14C.2 VMS ZONE REQUIREMENTS: RESIDENTIAL USES

In any VMS Zone, where uses are permitted as Residential Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	10,000 square feet (929 m ²) where central sewer services are provided
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	40,000 square feet (3716 m ²) where no central sewer services are provided
Minimum Frontage:	75 feet (22.9 m) where central services are provided 100 feet (30.4 m) where no central sewer services are provided
Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Side Yard:	8 feet (2.4 m) where central sewer services are provided 8 feet (4.5 m) where no central sewer services are provided
Minimum Rear Yard	15 feet (4.5 m)
Maximum Lot Coverage	35 per cent
Maximum Impervious Surface Coverage	50 percent
Maximum Height of Main Building	10.7 metres (35 ft.)
Maximum Building Width	60 feet (18.2 m)
Minimum Landscaped Area	25 percent

14C.3 OTHER REQUIREMENTS: COMMERCIAL USES

In any VMS Zone, where uses are permitted as Commercial Uses, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	10,000 square feet (929 m ²) where central sewer services are provided 40,000 square feet (3716 m ²) where no central sewer services are provided
Minimum Frontage:	75 feet (22.9 m) where central services are provided 100 feet (30.4 m) where no central sewer services are provided

Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Side Yard	15 feet (4.5 m) where no central sewer services are provided 8 feet (2.4 m) where central sewer services are provided
Minimum Rear Yard	15 feet (4.5 m)
Maximum Lot Coverage	35 per cent
Maximum Impervious Surface Coverage	50 percent
Maximum Height of Main Building	10.7 metres (35 ft.)
Maximum Building Width	60 feet (18.2 m)
Minimum Landscaped Area	25 percent

14C.4 OTHER REQUIREMENTS - FLOOR AREA

- (a) The gross floor area of the main building on a lot in any VMS Zone, shall not exceed 8,000 square feet (743.2 m²). In addition, no main building footprint shall exceed 4,000 square feet (371.6 m²).

14C.5 OTHER REQUIREMENTS – INCREASED FLOOR AREA AND BUILDING WIDTH

- (a) Notwithstanding Section 14C.3 (a), where uses are permitted as Commercial or Community uses situated at 3182 Highway 2, as illustrated on Schedule 1, the following shall apply:
 - (i) the gross floor area of the main building may be increased to 20,000 square feet (1858 m²);
 - (ii) no main building footprint shall exceed 10,000 square feet (929 m²);
 - (iii) all uses permitted as Commercial or Community uses, except Existing Service Stations, in any VMS Zone may be extended throughout the entirety of the building; and
 - (iv) the width of the main building may be increased to a maximum of 120 feet (36.5 m).

14C.6 OTHER REQUIREMENTS - BED AND BREAKFAST ESTABLISHMENTS

The following requirements shall apply for all bed and breakfast uses:

- (a) The Business shall be wholly contained within the dwelling which is the principal residence of the owner of the business. No more than one employee, not living in the dwelling, shall be permitted.
- (b) Not more than four (4) rooms may be let;
- (c) No more than one (1) sign advertising the bed and breakfast shall be permitted and no such sign shall exceed two (2) square feet (0.2 m²) in area;
- (d) One (1) off-street parking space, in addition to that required for the dwelling, shall be provided for every two rooms to be let or part thereof;
- (e) Where parking is located in any required yard abutting a residential use, an opaque fence of 5 feet (1.52 m) in height or a Landscaped buffer, adequate to screen the view from the adjacent residential property, shall be constructed along all property boundaries abutting the residential use.

14C.7 OTHER REQUIREMENTS - HOME BUSINESS USES

The following requirements shall apply for all home business uses:

- (a) Any business shall be wholly contained within the dwelling which is the principal residence of the owner of the business. No more than one employee, not living in the dwelling, shall be permitted.
- (b) No more than 500 square feet (46.5 m²) of the building or accessory building shall be devoted to any business use.
- (c) Notwithstanding subsection (b), day care services for not more than 7 children may be permitted in conjunction with single unit dwellings subject to the remaining requirements for home business uses.
- (d) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling and which is not obnoxious.
- (e) Excluding out play areas associated with a daycare facility, no storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted outside on the property.
- (f) No more than one (1) sign shall be permitted advertising any such home business and no such sign shall exceed 2 square feet (0.2 m²) in area.
- (g) One off-street parking space shall be required for every 150 square feet (13.9 m²) of floor space devoted to the Home Business.

14C.8 OTHER REQUIREMENT: COMMERCIAL PARKING

Within the VMS Zone, parking shall be located at the side and/or in the rear of the building. Where parking is located in any required yard abutting a residential use, an opaque fence of 5 feet (1.52 m) in height or a landscaped buffer, adequate to screen the view from the adjacent residential property, shall be constructed along all property boundaries abutting the residential use. The landscaped buffer may contain evergreen trees, earth berms, fences, or shrubs provided it provided an effective screen of the parking lot from the abutting residential property.

14C.9 OTHER REQUIREMENTS - STORAGE

Where uses are permitted as Commercial Uses in any VMS Zone, the following requirements shall apply:

- (a) Except for Garden Centres, no storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted outside of a building on the property; and
- (b) HVAC equipment, trash containers, electrical equipment, propane tanks and other similar features shall not face the street and shall be screened with a fence, berm or Landscaping that creates a visual barrier.

14C.10 COMMUNITY USES - ZONE REQUIREMENTS

In any VMS Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conformity with the provisions of Part 22.

14C.11 OTHER REQUIREMENTS: LANDSCAPING

Where uses are permitted as Commercial or Community uses in any VMS Zone, the following requirements shall apply:

- (a) A 30 foot (9.1 m) wide landscape strip shall be provided along all street property lines, exclusive of buildings, driveways and walkways and a 15 foot (4.6 m) wide landscape strip shall be provided along all other property lines exclusive of driveways and walkways. The required landscape strip along the street property line shall incorporate a minimum of one (1) tree (minimum of 60 mm caliber) and three (3) shrubs per 15 feet (4.6 m) of street frontage. The required landscape strip, may be installed in the form of groupings, provided a minimum ratio of one (1) tree and three (3) shrubs are provided per 15 feet (4.6 m) of street frontage.
- (b) In addition to clause (a), all landscaped areas shall include any one or a combination ground covers of grass, natural ground covers such as water features, washed or flat stone, decorative pavers, mulch, perennials, and annuals.
- (c) Notwithstanding clauses (a) and (b), existing trees and shrubs may be incorporated into the landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per ~~15-foot (4.6 m)~~ 15 foot (4.6 m) requirement.
- (d) Notwithstanding clauses (a) and (b), existing trees that are in excess of 150 mm, measured 150 mm above grade, shall be retained in the landscaped strip where possible and shall be calculated as part of the one (1) tree and three (3) shrubs per ~~15-foot (4.6 m)~~ 15 foot (4.6 m) requirement.

14C.12 OTHER REQUIREMENTS: LIGHTING

Where uses are permitted as Commercial Uses in any VMS Zone, all lighting shall be designed to meet the following requirements:

- (a) all lighting devices shall be designed to direct light to driveways, parking areas, loading area, building entrances and walkways and arranged to divert the light away from streets, adjacent lots and buildings;**
- (b) have different purpose oriented lighting such as flush mount lighting for building accent, ground-oriented lighting along pathways, shall be provided; and**
- (c) comprise full cut-off fixtures that are properly shielded to reduce the spillover of lighting onto adjacent properties.**

PART 14D: VG (VILLAGE GATEWAY) ZONE

14D.1 USES PERMITTED

No development permit shall be issued in any VG (Village Gateway) Zone except for the following:

Commercial Uses

Retail Stores
Service and Personal Service Uses,
Offices
Health and Wellness Centres
Banks and Financial Institutions
Restaurants Full-Service, Take-out and Drive-in
Existing Service Stations pursuant to Section 4.6 (j)
Greenhouses and Nurseries
Funeral Establishments, excluding crematoriums
Medical, Dental and Veterinarian Clinics
Garden Centre
Pub, Tavern, lounge
Hotels, motels and motor-inns
Parking lots
Craft Shops

Residential Uses

Single unit dwellings

Community Uses

Open space uses
Institutional uses
Fraternal Halls and Centres
Transit Facilities

14D.2 VG ZONE REQUIREMENTS: ALL PERMITTED USES

In any VG Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area:	40,000 square feet (3716 m ²)
Minimum Frontage:	100 feet (30.4 m)
Minimum Front or Flankage Yard	30 feet (9.1 m)

Minimum Side Yard	15 feet (4.5 m)
Minimum Rear Yard	15 feet (4.5 m)
Maximum Lot Coverage	35 per cent
Maximum Impervious Surface Coverage	50 percent
Maximum Height of Main Building	35 feet (10.7 m)

14D.3 VG ZONE REQUIREMENTS - COMMERCIAL FLOOR AREA

The gross floor area of the main buildings on a lot in any VG Zone, shall not exceed 20,000 square feet (1858 m²). In addition, no main building footprint shall exceed 10,000 square feet (929 m²).

14D.4 OTHER REQUIREMENTS – INCREASED FLOOR AREA

Notwithstanding Section 14D.3 (a), where uses are permitted as Commercial Uses at 3009 Highway 2, as illustrated on Schedule J, the following shall apply:

- (i) the gross floor area of the main building may be increased to 32,000 square feet (2972 m²);
- (ii) no main building footprint shall exceed 16,000 square feet (1486 m²); and
- (iii) all uses permitted as Commercial Uses in any VG Zone, except existing Service Stations, may be extended throughout the entirety of the building.

14D.5 OTHER REQUIREMENTS – INCREASED FLOOR AREA

Notwithstanding Section 14D.3 (a), where uses are permitted as Commercial Uses at 2998 Highway 2, as illustrated on Schedule K, the maximum gross floor area of all buildings on the four lots combined shall be limited to 32,000 square feet (2972 m²) with no building footprint exceeding 8,000 square feet (743.2 m²). The maximum number of buildings permitted in the area shown on Schedule K shall be limited to 3.

14D.6 OTHER REQUIREMENT: COMMERCIAL PARKING

Within the VG Zone, parking lots shall be located at the side, rear or in a combination of the side and rear of the building.

14D.7 OTHER REQUIREMENTS - STORAGE AND UTILITIES

Where uses are permitted as Commercial Uses in any VG Zone, the following requirements shall apply:

- (a) Except for Garden Centres, no storage or display of materials, goods, supplies, or equipment related to the operation of the business use shall be permitted outside of a building on the property; and
- (b) HVAC equipment, trash containers, electrical equipment, propane tanks and other similar features shall not face the street and shall be screened with a fence; berm or Landscaping that creates a visual barrier.

14D.8 COMMUNITY USES - ZONE REQUIREMENTS

In any VG Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conformity with Part 22.

14D.9 OTHER REQUIREMENTS: LANDSCAPING

Where uses are permitted as Commercial or Community uses in any VG Zone, the following requirements shall apply:

- (a) A 30 foot (9.1 m) wide landscape strip shall be provided along all street property lines, exclusive of buildings, driveways and walkways and a 15 foot (4.6 m) wide landscape strip shall be provided along all other property lines exclusive of driveways and walkways. The required landscape strip along the street property line shall incorporate a minimum of one (1) tree (minimum of 60 mm caliber) and three (3) shrubs per ~~15 feet (4.6)~~ 15 feet (4.6 m) of street frontage. The required landscape strip, may be installed in the form of groupings, provided a minimum ratio of one (1) tree and three (3) shrubs are provided 15 feet (4.6 m) of street frontage.
- (b) In addition to clause (a), all landscaped areas shall include any one or a combination ground covers of grass, natural ground covers such as water features, washed or flat stone, decorative pavers, mulch, perennials, and annuals.
- (c) Notwithstanding clauses (a) and (b), existing trees and shrubs may be incorporated into the landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs 15 foot (4.6 m) requirement.
- (d) Notwithstanding clauses (a) and (b), existing trees that are in excess of 150 mm, measured 150 mm above grade, shall be retained in the landscaped strip where possible and shall be calculated as part of the one (1) tree and three (3) shrubs per 15 foot (4.6 m) requirement.

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14D.10 OTHER REQUIREMENTS: LIGHTING

Where uses are permitted as Commercial Uses in any VG Zone, all lighting shall be designed to meet the following requirements:

- (a) all lighting devices shall be designed to direct light to driveways, parking areas, loading area, building entrances and walkways and arranged to divert the light away from streets, adjacent lots and buildings;
- (b) have different purpose oriented lighting such as flush mount lighting for building accent, ground-oriented lighting along pathways, shall be provided; and
- (c) comprise full cut-off fixtures that are properly shielded to reduce the spillover of lighting onto adjacent properties.

PART 14E - FRB (FALL RIVER BUSINESS) ZONE

14E.1 USES PERMITTED

No development permit shall be issued in any FRB (Fall River Business) Zone except for the following:

Commercial Uses

Light Manufacturing that is not obnoxious and is wholly contained and conducted within a building

Offices

Health and Wellness Centres

Banks and Financial Institutions

Greenhouses and Nurseries

Commercial recreation uses

Funeral Establishments

Medical, Dental and Veterinarian Clinics

Existing Service Stations pursuant to Section 4.6 (j)

Building supply outlets

Pub, Tavern, lounge

Hotels, motels and motor-inns

Parking lots

Transportation terminals

Construction storage yards

Warehousing and wholesaling

Residential Uses

Single unit dwellings accessory to any permitted use

Community Uses

Open space uses

Institutional uses

Fraternal Halls and Centres

Transit Facilities

14E.2 FRB ZONE REQUIREMENTS: ALL PERMITTED USES

In any FRB Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area: 40,000 square feet (3716 m²)

Minimum Frontage: 100 feet (30.4 m)

Minimum Front or Flankage Yard	30 feet (9.1 m)
Minimum Side Yard	15 feet (4.5 m)
Minimum Rear Yard	15 feet (4.5 m)
Maximum Lot Coverage	35 per cent
Maximum Height of Main Building	35 feet (10.7 m)

14E.3 FRB ZONE REQUIREMENTS - COMMERCIAL FLOOR AREA

The gross floor area of ~~the main buildings~~ any building supply outlet on a lot in any FRB Zone, shall not exceed 20,000 square feet (1858 m²).

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14E.4 COMMUNITY USES - ZONE REQUIREMENTS

In any FRB Zone, where uses are permitted as Community Uses, no development permit shall be issued except in conformity with Part 22.

14E.5 OTHER REQUIREMENTS: LANDSCAPING

(1) Where uses are permitted as Commercial or Community uses in any FRB Zone, the following requirements shall apply:

- (a) A 30 foot (9.1 m) wide landscape strip shall be provided along all street property lines, exclusive of buildings, driveways and walkways and a 15 foot (4.6 m) wide landscape strip shall be provided along all other property lines exclusive of driveways and walkways. The required landscape strip along the street property line shall incorporate a minimum of one (1) tree (minimum of 60 mm caliber) and three (3) shrubs per ~~15 feet (4.6 m)~~ 15 feet (4.6 m) of street frontage. The required landscape strip, may be installed in the form of groupings, provided a minimum ratio of one (1) tree and three (3) shrubs are provided per ~~15 feet (4.6 m)~~ 15 feet (4.6 m) of street frontage.
- (b) In addition to clause (a), all landscaped areas shall include any one or a combination ground covers of grass, natural ground covers such as water features, washed or flat stone, decorative pavers, mulch, perennials, and annuals.
- (c) Notwithstanding clauses (a) and (b), existing trees and shrubs may be incorporated into the landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per ~~15 feet (4.6 m)~~ 15 feet (4.6 m) requirement.

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- (d) Notwithstanding clauses (a) and (b), existing trees that are in excess of 150 mm, measured 150 mm above grade, shall be retained in the landscaped strip where possible and shall be calculated as part of the one (1) tree and three (3) shrubs per ~~15 feet (4.6 m)~~ 15 foot (4.6 m) requirement.

- (2) Where any FRB Zone abuts any Residential or Community Facility Zone, the abutting yard shall be landscaped so as to provide a visual buffer.

14E.6 OTHER REQUIREMENTS: LIGHTING

Where uses are permitted as Commercial Uses in any FRB Zone, all lighting shall be designed to meet the following requirements:

- (a) all lighting devices shall be designed to direct light to driveways, parking areas, loading area, building entrances and walkways and arranged to divert the light away from streets, adjacent lots and buildings;
- (b) have different purpose oriented lighting such as flush mount lighting for building accent, ground-oriented lighting along pathways, shall be provided; and
- (c) comprise full cut-off fixtures that are properly shielded to reduce the spillover of lighting onto adjacent properties.

PART 14F: RCDD (RESIDENTIAL COMPREHENSIVE DEVELOPMENT DISTRICT) ZONE

14F.1 RCDD DEVELOPMENT AGREEMENT REQUIREMENTS

No development permit shall be issued for a development in a RCDD Zone unless the proposed development is in conformance with a development agreement which has been approved by Council.

14F.2 USES PERMITTED

The following uses maybe permitted in any RCDD (Village Core Comprehensive Development District Zone) Zone:

Local Commercial Uses

Variety Stores
Restaurant - Take-out
Food Stores
Offices
Medical and dental offices and clinics
Service and Personal Uses
Craft Shops

Commercial Uses

Self Storage Facility

Residential Uses

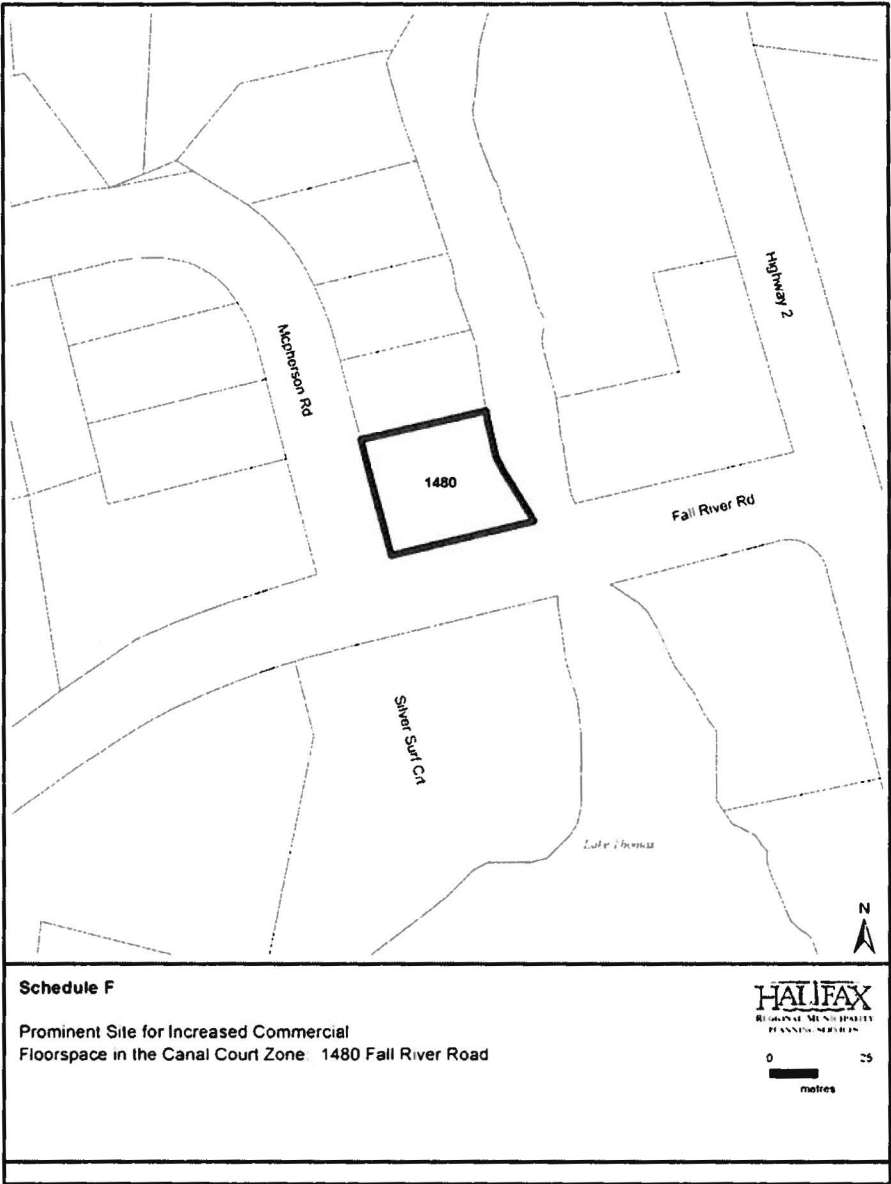
Multiple Unit Dwellings
Townhouses
Single unit dwellings
Two unit dwellings

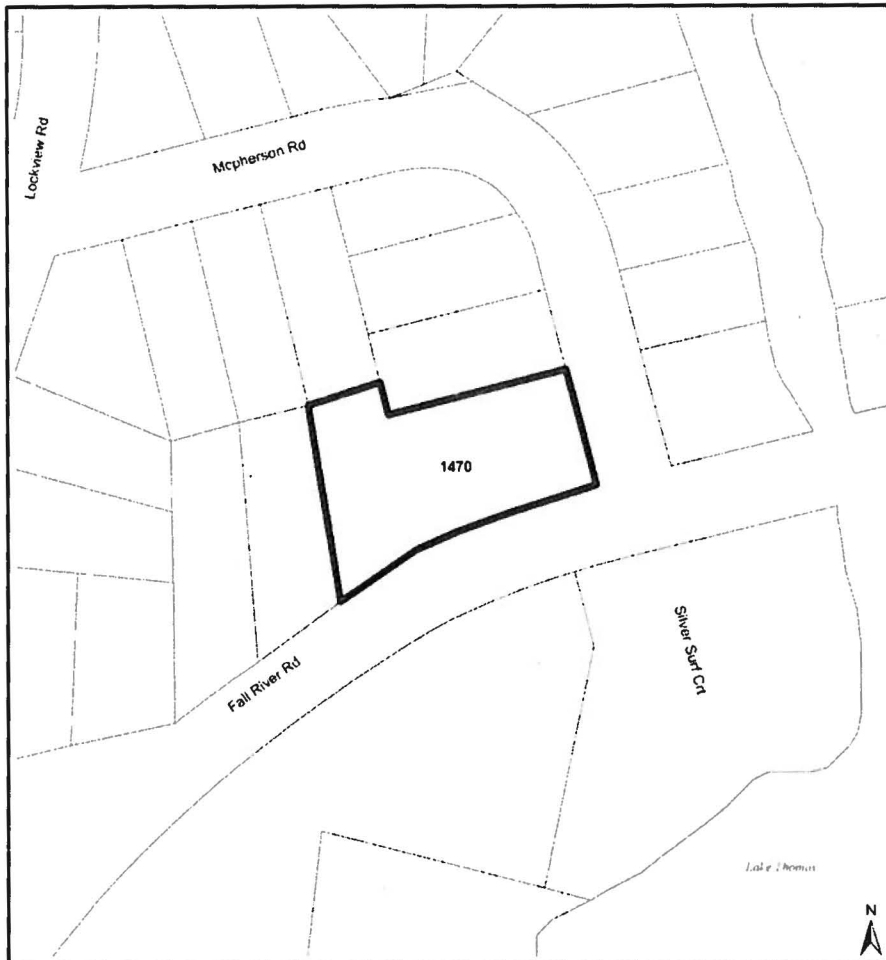
14F.3 RCDD REQUIREMENTS – LOCAL COMMERCIAL FLOOR AREA

The gross floor area of any local commercial floor space on a lot in any RCDD Zone, shall not exceed 371 square metres (4000 ft²) and the gross floor area of any self storage facility shall not exceed 929 square metres (10,000 ft²)

71. Change the letter "G" to "C" after the word SCHEDULE on SCHEDULE G.
72. Change the letter "H" to "D" after the word SCHEDULE on SCHEDULE H.
73. Change the letter "I" to "E" after the word SCHEDULE on SCHEDULE I.

74. Insert the following schedules after Schedule E in the Land Use By-law:



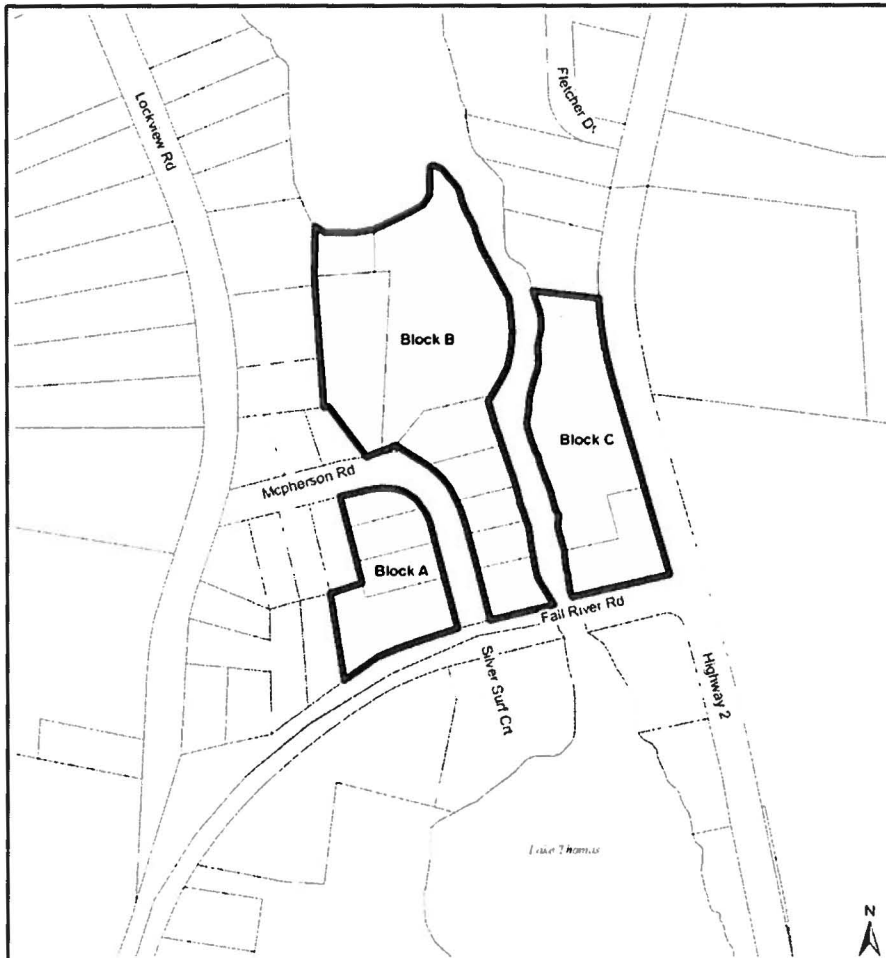


Schedule G

Prominent Site for Increased Commercial
Floorspace in the Canal Court Zone: 1470 Fall River Road

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 25
metres

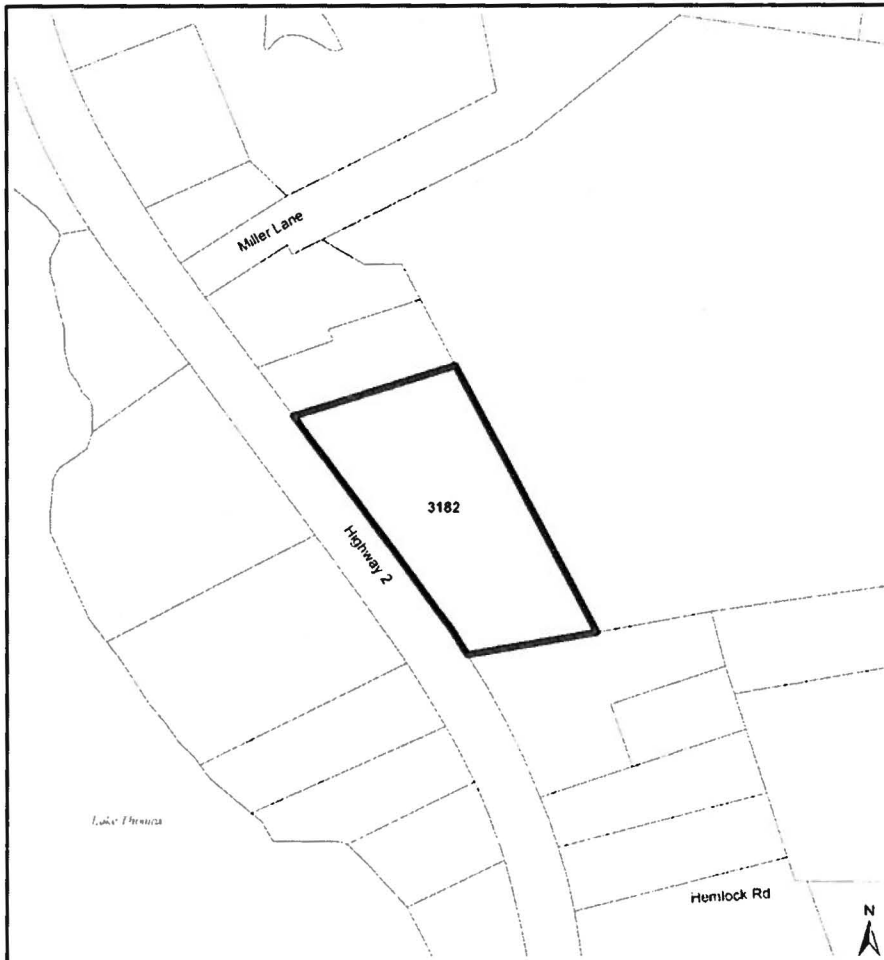


Schedule H

Canal Court Development

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 50
metres

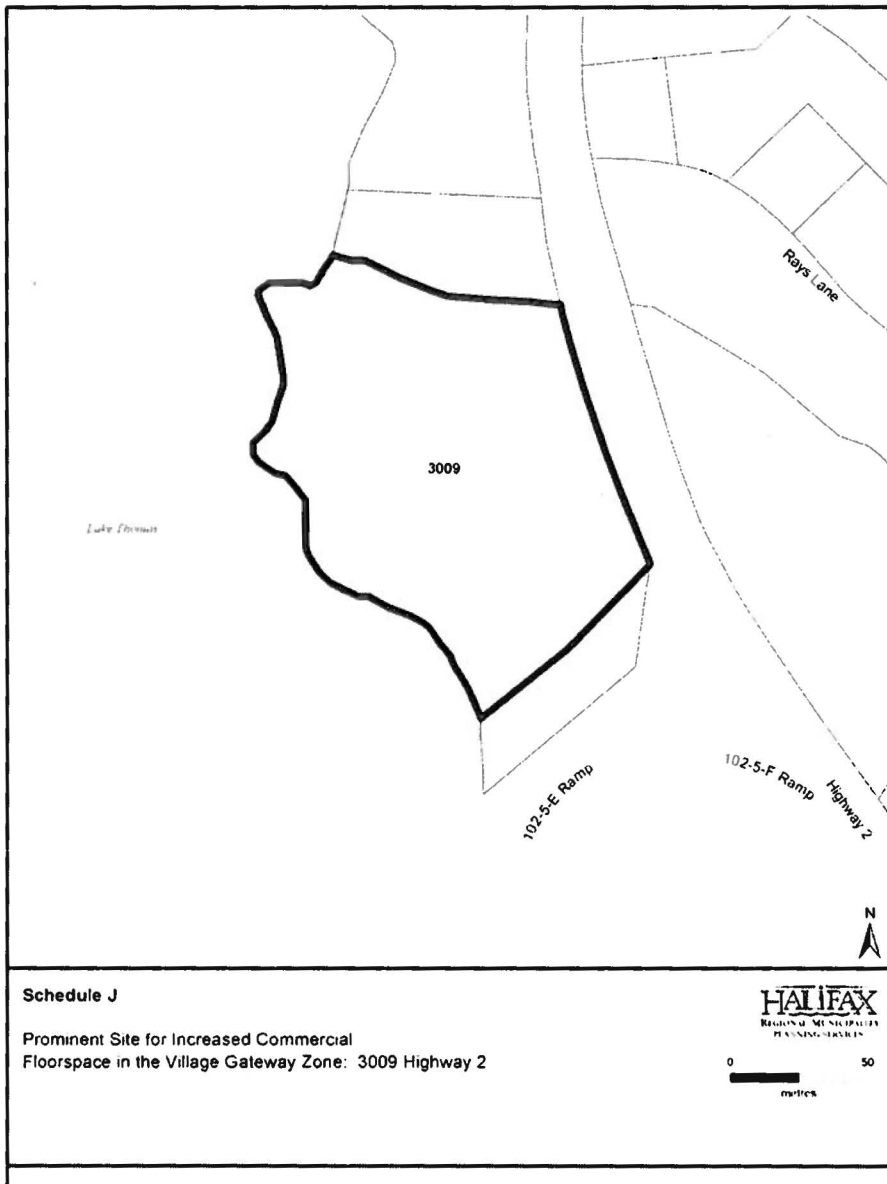


Schedule I

**Prominent Site for Increased Commercial
Floorspace in the Village Mainstreet Zone: 3182 Highway 2**

HALIFAX
REGION OF MUNICIPALITIES
PLANNING SERVICES

0 50
metres

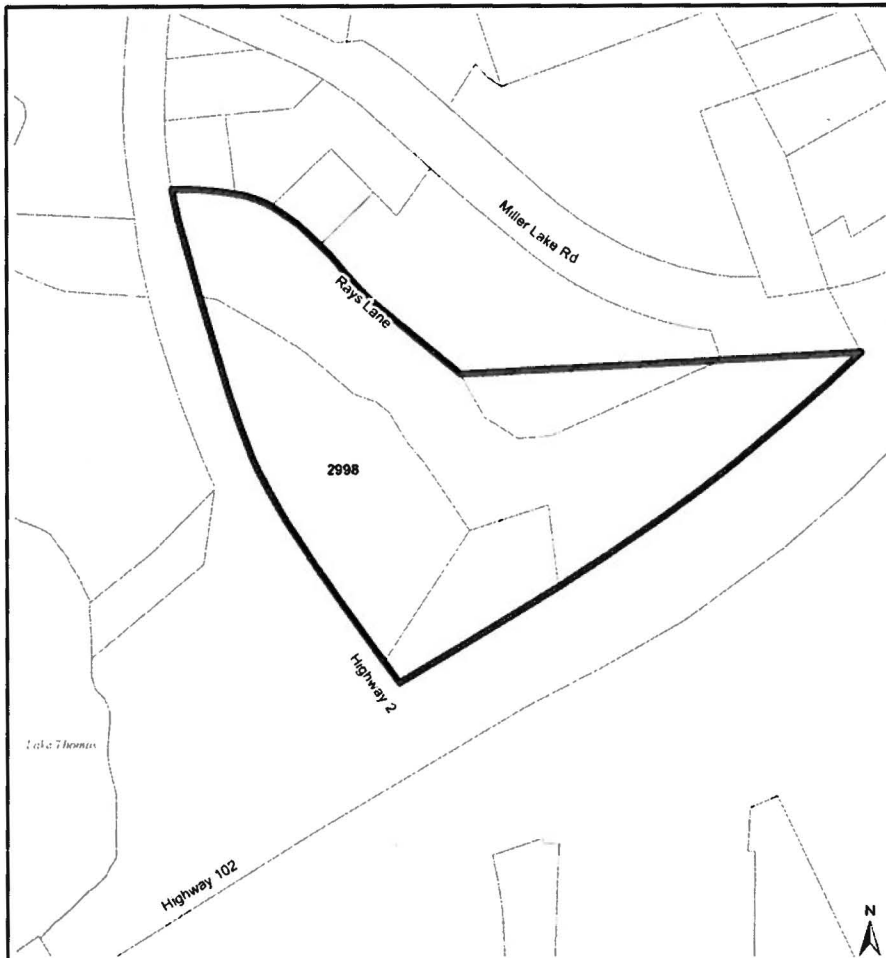


Schedule J

Prominent Site for Increased Commercial
Floorspace in the Village Gateway Zone: 3009 Highway 2

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 50
metres

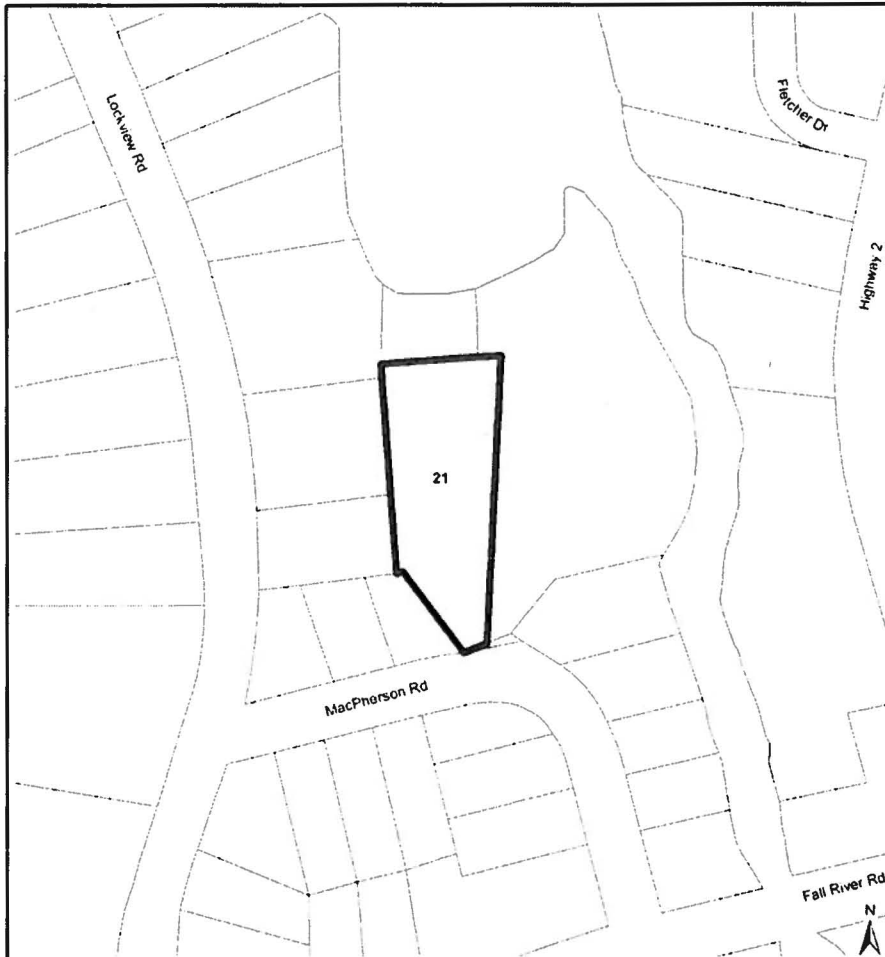


Schedule K

Prominent Site for Increased Commercial
Floorspace in the Village Gateway Zone: 2998 Highway 2

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 50
metres

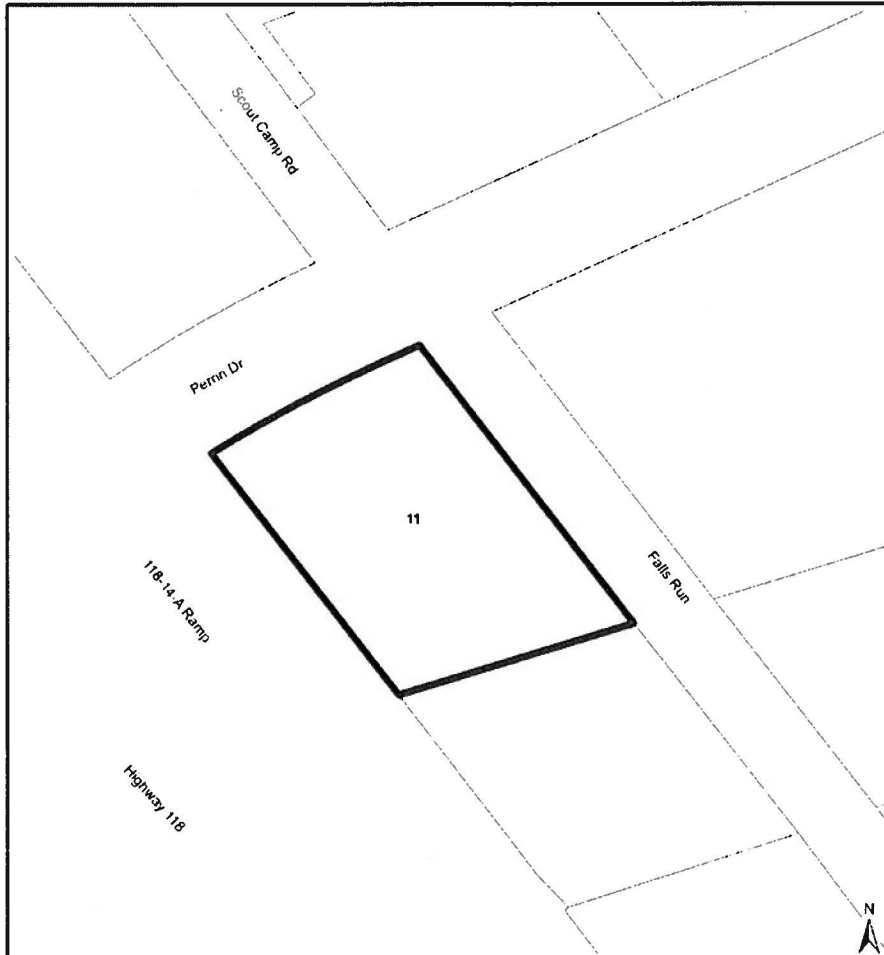


Schedule L

Site for multiple unit dwelling expansion
pursuant to Section 14A.5 at 21 MacPherson Road

HALIFAX
REGIONAL MUNICIPALITY
PLANNING SERVICES

0 50
metres



Schedule M

Prominent Site for Increased Commercial
Floorspace in the Canal Court Zone: 11 Falls Run

HALIFAX
REGION OF NOVA SCOTIA

0 25
metres

75. Amend the Schedules A and B of the Land Use By-law to rezone the subject properties as outlined below:

