



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**REVISED** June 24/14  
**(Attachments 1 & 2 only)**

**Item No. 11.1.11**  
**Halifax Regional Council**  
**June 24, 2014**

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:** Original signed by   
\_\_\_\_\_  
Richard Butts, Chief Administrative Officer

Original Signed by Director  
\_\_\_\_\_  
Jane Fraser, Director, Planning and Infrastructure

**DATE:** June 5, 2014

**SUBJECT:** **Case 16424 – MPS and LUB Amendments for Planning Districts 1 and 3 – Tantallon at the Crossroads**

---

**ORIGIN**

September 21, 2010, Motion of Halifax Regional Council to:

1. Initiate the process to consider amending the Municipal Planning Strategy and Land Use By-law for Planning Districts 1 and 3 (St. Margarets Bay) to implement the results of the Community Forum “Upper Tantallon at the Crossroads” Concept Plan.
2. Request that staff follow the public participation program approved by Council in February 1997, including additional consultation as outlined in the report dated August 31, 2010 (Attachment 1).

**LEGISLATIVE AUTHORITY**

Halifax Regional Municipality Charter, Part VIII – Planning and Development

**RECOMMENDATION**

It is recommended that Halifax Regional Council give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) for Planning Districts 1 and 3, as set forth in Attachments 1 and 2, and schedule a public hearing.

## **EXECUTIVE SUMMARY**

This project arose from the initiative of a Community Steering Committee with representation from the St. Margaret's Bay Stewardship Association, the St. Margaret's Bay Chamber of Commerce and the St. Margaret's Bay Regional Tourism Development Association. The Committee is concerned about the emergence of large-format commercial development around the junctions of St. Margaret's Bay Road with Hammonds Plains Road and Peggy's Cove Road. As a result of this concern and a desire to safeguard the natural environment and character of the area, the Committee organized three community forums and developed a vision that calls for development that is more reflective of the traditional character of St. Margaret's Bay.

The resulting vision reflects the priorities articulated at the three forums: in essence, a coastal village that respects the environment and the cultural heritage of the area. The third Community Forum, held on April 16 and 17, 2010, was attended by over one hundred community residents representing more than thirty community organizations. According to the Summary of Community Feedback:<sup>1</sup>

“Bay residents want to see Upper Tantallon at the Crossroads as a village that has distinct boundaries, with its own special development plan quite apart from that of Exit 5. As befitting a gateway to Peggy's Cove, the village will have its own identity, being rural in a “modern” way, with a discernible architecture, signage, scale, and focus on community interactions; it will encourage small business, appropriate land uses, street and yard landscaping, a concern for natural environment, green building techniques and energy conservation, along with walking and biking connectivity. In summary, it will be a town that develops in tune with the community values.”

On September 21, 2010 Regional Council directed staff to initiate the process to consider amending the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Planning Districts 1 and 3 to implement the results of the Community Forum “Upper Tantallon at the Crossroads” Concept Plan.

Accordingly, a Public Information Meeting was held jointly by HRM staff and the Community Consultation Committee on June 2, 2011. Staff worked closely with the Community Forum Organizing Committee, and consulted with land owners, business owners, the Halifax Watershed Advisory Board, and the recently formed St. Margaret's Bay Coastal Area Planning Advisory Committee.

In response to the vision, staff is recommending new MPS policies to establish a Tantallon Crossroads Coastal Village Designation. Three sub-designations support three zones (VC – Village Centre, VG – Village Gateway and VR - Village Residential) to implement the new policies, with limits to building size together with architectural and landscaping requirements. There are provisions for considering development agreements to enable large multiple unit dwellings or institutional buildings, tourist accommodations, marinas and, on a specific property in the VG Zone, self-storage facilities.

---

<sup>1</sup> Available online at [http://www.heartofthebay.ca/Portals/0/Forum%20III%20Report\(3\).pdf](http://www.heartofthebay.ca/Portals/0/Forum%20III%20Report(3).pdf)

The community falls within HRM's Tantallon Watershed Servicing Study area. That study, together with advice from a member of the Halifax Regional Watersheds Advisory Board, was taken into account in the preparation of the policies and regulations recommended in this report, particularly regarding minimum lot sizes.

## **BACKGROUND**

### **Introduction**

The area around the intersection of St. Margaret's Bay Road with Hammonds Plains Road and Peggy's Cove Road has traditionally been an area of small and moderately scaled commercial development. However, in recent years, large-format commercial development has emerged. The scale, appearance and environmental impact of such development are of concern in the community. There is also a desire to safeguard the natural environment and character of the area and protect rural residential neighbourhoods, while continuing to allow traditional uses.

### **Community-Initiated Forums**

In response to this, community leaders embarked upon a local visioning project guided by a Community Steering Committee with representation from the St. Margaret's Bay Stewardship Association, the St. Margaret's Bay Chamber of Commerce and the St. Margaret's Bay Regional Tourism Development Association. The Committee organized three community forums and developed a vision that calls for development that is more reflective of the traditional character of St. Margaret's Bay. To ensure that the resulting concept plan would be feasible, and to identify potential issues, HRM staff was invited to sit with the organizers and provide guidance about land use policy and regulation.<sup>2</sup>

### **Interim Plan Amendment**

In February 2009, Council amended the MPS to require development agreements for commercial and industrial uses greater than 697 square metres (7500 square feet) in gross floor area (Policy MU-16(A)). Those amendments were a short-term response to community issues about the future character of the area, and are to be superseded by the proposed MPS and LUB amendments within the area affected by this report.

### **Request for Plan Review**

Based on a resolution of Regional Council on September 21, 2010, the results of the three Community Forums formed the framework for staff to draft amendments to the Municipal Planning Strategy (MPS) and Land Use By-Law (LUB), to incorporate policy and by-law provisions to implement the desired outcomes.

---

<sup>2</sup> This exercise was not part of the formal HRM Community Visioning program.

## Existing Plan Designations

According to the Regional Plan, the subject area overlaps part of the Upper Tantallon Rural Commuter Centre. The Regional Plan Designation is Rural Commuter. Planning Districts 1 & 3 Municipal Planning Strategy (MPS) land use designations include Mixed Use “A” (MUA), Mixed Use “B” (MUB), Hubley Mill Lake (HML), Mixed Rural Residential (MRR) and Residential (RES) (see Map 1). The most prevalent designation is Mixed Use “B” (MUB).

The Mixed Use designations allow a wide array of residential, commercial and industrial uses. The Mixed Use “A” Designation (see Map 1) recognizes the semi-rural nature of large parts of the Plan Area. As such, the designation supports a wide range of residential, commercial, institutional and resource uses. The Mixed Use “B” Designation also recognizes the semi-rural nature of much of the Plan Area; because of differing land use patterns, however, fish processing plants are not permitted by right.

The Mixed Rural Residential Designation covers areas in transition from a relatively diverse land use pattern to one in which residential uses are coming to predominate. The designation bridges the gap between these two ranges of land use and permits a number of residential and institutional uses, as well as small scale commercial operations.

As its name suggests, the Residential designation allows primarily residential and related uses. The Residential Designation or, in some locations, the Hubley Mill Lake Designation apply to large, low-density residential subdivisions and vacant lands located off Highways 3 and 333. The former designation includes some two-unit dwellings, while the latter designation includes two schools.

## Existing Zoning

The area is currently governed by six zones (see Map 2):

- R-A – Residential Zone: permits single unit dwellings with an auxiliary dwelling, and also allows limited daycare, home business and bed-and-breakfast operations.
- R-A1 – General Residential Zone: largely the same as the R-A zone, but also permits institutional uses.
- R-2 – Two Unit Dwelling Zone: allows single and two-unit unit dwellings, limited daycare and home business uses, but does not permit bed and breakfast operations or institutional uses.
- MRR-1 – Mixed Rural Residential Zone: allows a variety of residential uses, limited commercial uses (e.g., intended to serve local residents), resource uses (agriculture and forestry excluding mills), fishery support uses, and institutional uses.
- MU-1 - Mixed Use 1 Zone: permits a wide range of uses, including residential as well as commercial operations, and also permits fish processing by development agreement.
- MU-2 – Mixed Use 2 Zone: resembles MU-1, but allows fish processing as-of-right.

## **The Need for Change**

The existing MPS policies and LUB regulations do not achieve the vision that was expressed through the three community workshops. A particular concern is that the current policies enable large-format retail development by agreement, with limited guidance on parking orientation and building design. The range of commercial activities allowed in the village core under current zoning includes vehicle-oriented uses and other operations which are not felt to be conducive to creating walkable social space. Furthermore, the existing policies and regulations were compiled before the watershed study was prepared, and therefore do not reflect the latest findings regarding hydrogeological carrying capacity.

## **DISCUSSION**

### **The “Village Concept Plan”**

The starting point for the community-driven Tantallon at the Crossroads Concept Plan was to recommend that the area be themed as a “coastal village.” Broad vision statements included many elements which fall under the jurisdiction of municipal planning:

- Establish a village zone that reflects the natural and man-made boundaries that define Upper Tantallon [more recently, referred to as Tantallon Crossroads] as a coastal village;
- Protect and enhance the natural and cultural assets that already exist in the village area;
- Create and enhance a "main street" atmosphere and ambiance that accommodates pedestrians and bicycles;
- Respect and enhance the character of a coastal village through clear land-use regulations that will apply to all development or redevelopment;
- Establish landscaping standards that are aesthetic and which support the coastal village ambiance;
- Establish lighting standards that minimize light pollution while maintaining safety and security;
- Within the village zone, establish a signage identity program that harmonizes the coastal village character with commercial interests;
- Protect wetlands, ocean, water supply, air quality and other aspects of environment;
- Encourage a traditional [coastal village] arrangement of commercial buildings, parking lots, roads and walkways; and
- Based on community preferences, define the coastal village identity and determine the right mix of encouragement and controls to achieve that identity over time.

### **Plan Review**

As a result of early discussions between HRM staff and community representatives, the subject area was enlarged from the original study area shown in the August 31, 2010 initiation report which formed the basis of the September 21, 2010 motion of Regional Council. This expanded area was displayed at the Public Information Meeting open house presentation, and is reflected in the recommended MPS designations and LUB zones in this report.

The results of Community Forum III provided direction for staff in generating options for MPS policies and implementation mechanisms. Staff has worked closely with the Community Forum Organizing Committee, and consulted with land owners, business owners, the former Halifax Watershed Advisory Board, the new Regional Watersheds Advisory Board, and the recently formed St. Margarets Bay Coastal Area Planning Advisory Committee.

### **Public Information Meeting and Open House**

A Public Information Meeting, including an open house, was held by HRM staff on June 2, 2011. This included a presentation by the St. Margarets Bay Stewardship Association outlining the three Community Forums already held, and explaining the resulting concepts and goals. HRM staff then explained how the formal planning process can help achieve the community's vision. Staff also provided an overview of existing regulations, identified gaps between the vision and those regulations, and suggested changes. The staff presentation included maps showing proposed zoning, together with potential rules that could be applied within each zone. Mechanisms such as development agreements and site plan approvals were also explained and compared.

Following the presentations, attendees were encouraged to visit four “stations” dealing with Site Design and Signage, Building Design and Size, Environment, and Proposed Zoning and Land Use respectively. An HRM staff member and a representative of the St. Margarets Bay Stewardship Association were available at each station to answer questions and receive any comments. Maps, illustrations and text were also provided. Comment sheets at each station included specific questions to help attendees think through the various issues. The evening concluded with a “town hall” style question-and-answer session.

### **Watershed Advisory Boards and Watershed Servicing Study**

Comments were also received from the former Halifax Watershed Advisory Board (HWAB). The Tantallon Watershed Servicing Study (CBCL Limited, Sept. 6, 2013) has provided further insights. Earlier in the process, the consultants for that study had already met with community and business leaders, and had been presented with the community-initiated vision that was being prepared at that time. Upon its completion, the final study report was presented to the new Regional Watersheds Advisory Board (RWAB), and HRM staff explored the implications of the study in more detail in consultation with a qualified member of that committee.

To address groundwater depletion and recharge, based on the findings of the watershed study and discussions with knowledgeable professionals, a minimum lot size of 3716 sq. m (40,000 sq. ft.) will be required for new subdivisions, compared with the 1858 sq. m (20,000 sq. ft.) required by the current MU-1 and R-A1 zones. Lots existing on the date of adoption of the proposed land use by-law will continue to be allowed to be developed (assuming a permit for a septic system is approved by the Province). Additional increments in minimum lot size will be required as the number of dwelling units increases. Each zone will have a maximum number of dwelling units and building footprint size, beyond which a development agreement will be required. The criteria for development agreements will include a requirement for a hydrogeological study.

Based on Section 3.10 (Riparian Buffers) of the watershed study, the proposed regulations envisage a riparian protection buffer of 30 metres (98.5 ft.) on each side of the East River. This is an increase from the standard 20 metres (65.6 ft.) required by the Regional Plan. Because property lines typically follow watercourses, for most properties the impact of this increased buffer on landowners will be at the edges of lots. For lots existing at the time of adoption of the proposed policies and regulations, exemptions will be allowed where the increased buffer would have a prohibitive impact on development.

As approved by Regional Council on October 22, 2013, as a separate project HRM staff will be developing a Regulatory and Policy Strategy for Stormwater Management for the Municipality as a whole. This will include a Stormwater Management and Lot Grading By-law to address public safety and environmental protection while encouraging economic development through a more efficient regulatory process.

### **St. Margarets Bay Coastal Area Planning Advisory Committee**

On January 31, 2013, staff presented an overview of the draft MPS and LUB provisions to the recently formed St. Margarets Bay Coastal Planning Advisory Committee (PAC). At that meeting, PAC members were generally supportive of the proposal. Concern was expressed about allowing self-storage in the Village Gateway Zone, given the desire of the community for vibrant land uses and the desire to avoid blank walls. Accordingly, self-storage uses will be permitted only on one specific property, subject to a development agreement.

Other questions raised by the Planning Advisory Committee concerned maximum building footprints, the effect of the proposed regulations on churches, and whether the proposed height limits were too restrictive. Staff has considered these issues in finalizing the draft policies and regulations.

### **Proposed MPS Designation and Sub-Designations**

The draft MPS policies would establish a Tantallon Crossroads Coastal Village Designation and three Sub-Designations, to retain and enhance the character of a coastal village while allowing for compatible businesses and services by regulating land use, building size, lot layout, building orientation, form and appearance, site layout, landscaping, lighting and signage. (Refer to Attachment 1)

Each of the three Sub-Designations enables one of three zones:

- Village Centre Sub-Designation: Village Centre (VC) Zone
- Village Gateway Sub-Designation: Village Gateway (VG) Zone
- Village Residential Sub-Designation: Village Residential (VR) Zone

The proposed policies also enable development agreements (see “Development Agreement Options section later in this report) for some additional uses and large multiple unit dwellings or institutional buildings. Specific as-of-right allowances have been included to accommodate some approved undeveloped lots and two local light industries.

## Proposed Zoning

Within the subject area, the proposed zoning would replace the existing zones with three new zones (see Schedule L in **Attachment 2**):

- **VC – Coastal Village Centre Zone** is proposed for the area closest to the intersections of St. Margarets Bay Road, Hammonds Plains Road and Peggy’s Cove Road. The area already forms the centre of the village, and is well suited to a mix of retail, service, institutional, community and multiple-unit residential development. The intent is to enhance the gateway areas leading to the village centre by forming a transition between the residential portion and the central core of the village; enabling residential, commercial, and institutional uses, including multiple-unit dwellings close to shops and services; and encouraging small building footprints.

This proposed zone limits building heights to 10.7 m (35 ft.), with some flexibility to encourage steep roofs with lofts. A *maximum* front yard and maximum flankage yard of 10 m (33 ft.) is imposed. Each building footprint is limited to 558 sq. m (6000 sq. ft.). A maximum of twelve residential units may be included in a commercial or institutional building, with the actual number of permissible units based on the size of the lot. Multiple-unit residential buildings with a maximum of twelve units are also allowed, again limited by lot size. Parking must be at the rear or side of the building, and there are requirements for architecture, signage and landscaping.

- **VG – Village Gateway Zone** is proposed between the village centre and established residential neighbourhoods. These gateway areas are currently characterized by a mix of land uses and building styles. Local businesses are small, and generally serve nearby residents as well as tourists. The intention is to enhance the gateway areas leading to the village centre by forming a transition between the residential portion and the central core of the village, by enabling residential, commercial, and institutional uses, including multiple-unit dwellings close to shops and services, and by requiring small building footprints. The proposed zone permits residential, commercial, craft shop and community uses. In general, drive-in restaurants, motor vehicle dealerships, adult entertainment, self-storage and dry cleaning are not permitted. Buildings are limited to 10.7 m (35 ft.) in height, with flexibility to encourage lofts in steep roofs. Each building footprint is limited to 558 sq. m (6000 sq. ft.). A maximum of twelve residential units may be included in a multiple unit dwelling, or in a commercial or institutional building, with the actual number of permissible units based on the size of the lot. Requirements impose a *maximum* front yard and maximum flankage yard of 10 m (33 ft.),<sup>3</sup> parking located only in the side or rear yard, landscaping, pitched roofs, and features to break up long facades. Signage is more restricted than in the Village Centre Zone, notably prohibiting back-lit signs.

Near the southwestern edge of the Sub-Designation, three contiguous lots under common

---

<sup>3</sup> Where an existing utility easement fronts on the property, the greater of the maximum front yard or the width of the easement applies.



ownership include office and storage uses, steel and precast fabrication, assembly of marine components, and maintenance of automotive and heavy equipment. Part of the property is encumbered by a power line easement which limits potential for tourism or residential uses. The owner envisages adding storage, sales and service for trailers, boats and recreational vehicles. Although these existing and proposed uses do not reflect the overall vision for the Village Gateway Zone, the peripheral location and the encumbrance of the power line support a special case for allowing such uses, provided that landscaping, building size, building design and buffers reflect the vision for the area.

An existing drive-through restaurant is recognized as a permitted use in the VG Zone, to enable expansion of the building on condition that no additional drive-through windows are created. Self-storage may also be considered by development agreement on this specific property (see next section), subject to considerations for building footprints, siting, orientation, height, architecture, landscaping, screening, parking and access.

- **VR - Village Residential Zone** is proposed for lands which are predominantly used or intended for residential development. The proposed zone permits single unit dwellings, auxiliary dwelling units, semi-detached dwellings and up to four townhouse-style multiple dwellings, with the permissible number of units related to the size of the lot. Community uses and small-scale tourist accommodations, fishery support and forestry uses (other than commercial mills, chippers or incinerators) are also allowed. Small stables are permitted on lots at least 9290 sq. m (100,000 sq. ft.) in size. In addition, existing commercial uses are recognized as permitted uses. Requirements for screening and signage are included for non-residential uses. Non-residential building footprints are limited to 297.3 sq. m (3200 sq. ft.). Further options are available by development agreement only (see next section).

### **Development Agreement Options**

The proposed Tantallon Crossroads Coastal Village Designation enables development agreements for:

- Multi-unit residential buildings exceeding the maximum number of units set forth in the Land Use By-Law, in the Village Residential Zone
- Tourist accommodation in the Village Residential Zone
- Multi-unit residential buildings exceeding the maximum number of units or building footprint set forth in the Land Use By-Law, in the Village Gateway and Village Centre zones
- Institutional buildings exceeding the maximum building footprint set forth in the Land Use By-Law, in the Village Centre and Village Gateway zones
- Self-storage uses on one specific property in the Village Gateway Zone
- Marinas in any zone

Development agreement criteria vary according to the uses proposed and, depending on the intended use, include such considerations as water supply, erosion and sediment control, stormwater management, continuous open space, site layout, landscaping, walkways, parking,

screening, and the appearance of buildings.

### **Existing Lots**

The Land Use By-law already enables undersized lots existing at the time of its adoption, to be developed under any use permitted in any zone. Within the Tantallon Crossroads Coastal Village Designation, that provision is replaced with a new provision that refers to undersized lots existing at the time of adoption of the new zoning and designation recommended in this report. The new provision is also more limited in terms of the zones and uses to which it applies. This is necessary to avoid excessive impacts of wells and septic systems associated with undersized lots.

In addition, several vacant lots on Azalea Lane (a private road), which have already received approval for the purpose of semi-detached dwellings, will be permitted to develop as planned, even though one of these lots is below the minimum size that would otherwise be required for this dwelling type.

### **Existing Retail Centre Development Agreements**

Much of the Village Centre Sub-Designation is currently characterized by large shopping plazas and large-format retail oriented to front yard parking. This format is not consistent with the vision for a coastal village. Most of these properties are subject to development agreements which were enabled by policies which would be superseded by the proposed Village Centre Sub-Designation. To enable these properties to respond to future market opportunities in a manner which is more consistent with the vision for a coastal village, a new policy is included to enable these development agreements to be modified or supplemented, subject to conditions.

### **Non-Conforming Structures**

Except in the case of Adult Entertainment Uses, for lots with non-conforming structures, the statutory restrictions are relaxed by allowing minor additions or alterations to existing buildings, as long as non-conforming uses do not expand into any addition, and as long as any addition complies with the new regulations other than maximum setbacks. Additions to nonconforming structures are limited to a total of 112 sq. m (1200 sq. ft.) on each lot, and are subject to other special requirements set forth in the Land Use By-Law.

### **Project Timeframe**

In undertaking this review of the Municipal Planning Strategy (MPS) and Land Use By-law (LUB), staff considered a variety of implementation methods to achieve the community vision. This was done during a time of organizational re-alignment and staff changes, resulting in a much longer timeframe than had originally been anticipated.

The *HRM Charter* does not allow the use of site plan approvals for exterior building appearance outside the Regional Centre. While development agreements offer an alternative, they involve a lengthy application process, commercial risk and high demands on staff time. After experimenting with several approaches and consulting internally, it was determined that as-of-right zoning should be used wherever possible, with clear requirements governing the

appearance of buildings in addition to rules regarding parking orientation, landscaping and signage. As explained above, development agreements are retained as an option for special cases.

Recent community input was also received regarding diverse housing needs, which required further analysis and revisions to the draft MPS and LUB. It is hoped that what has been learned during this extended process will benefit and help expedite other comparable projects in the future.

## **CONCLUSIONS**

The recommendations in this report seek to achieve an acceptable balance between the interests of a wide range of stakeholders, including local residents, businesses, landowners and the housing market, bearing in mind the constraints identified in the watershed study and the limitations of the *HRM Charter*. Staff believes that the proposed amendments to the Secondary Planning Strategy and Land Use By-Law will significantly help toward achieving the vision for the future of this growing rural community.

## **FINANCIAL IMPLICATIONS**

There are no immediate financial implications arising from this report. Any direct costs resulting from individual projects aligned with the MPS or LUB would be brought forward for Council's approval in a future report.

## **COMMUNITY ENGAGEMENT**

Community engagement has been consistent with the intent of the HRM Community Engagement Strategy, the *Halifax Regional Municipality Charter*, the Public Participation Program approved by Council on February 25, 1997, and the consultation outlined in the report dated August 31, 2010. Further information is provided in the Background and Discussion sections of this report.

The level of community engagement has been consultation, achieved through working sessions with members of the Community Forum Organizing Committee, the St. Margarets Bay Stewardship Association and the St. Margaret's Bay Seniors Association; conducting a Public Information Meeting including an open house; and drawing from three community-initiated workshops held prior to the formal plan review process. Staff also discussed issues and options with interested developers and landowners, and presented the project to the recently established St. Margarets Bay Coastal Area Planning Advisory Committee.

A public hearing must be held by Regional Council before it can consider the approval of any amendments. Should Regional Council decide to proceed with a public hearing on this proposal, newspaper advertisements will be placed and a notice will be posted on the HRM website.

The proposed municipal plan and land use by-law amendments will potentially impact the following stakeholders: local residents, property owners, business owners, community or neighbourhood organizations, business and professional associations, commercial land owners,

HRM Planning and Development, and the Nova Scotia Departments of the Environment and of Transportation and Infrastructure Renewal.

### **ENVIRONMENTAL IMPLICATIONS**

Focused, walkable, mixed-use development enables multipurpose errands to be done without requiring multiple automobile trips. The proposed landscaping requirements and a widened buffer along the East River will help reduce stormwater impacts. Minimum lot sizes are increased on the basis of the recently completed watershed study in consultation with a qualified member of the Regional Watersheds Advisory Board.

Care must be taken in how individual sites are developed and serviced, guided by the proposed policies, recommended zoning and provincial regulations. In particular, development agreement criteria for large, multi-unit residential buildings, and for large institutional structures include requirements for groundwater assessments and erosion, sedimentation and stormwater management plans.

### **ALTERNATIVES**

1. Regional Council may give First Reading and 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 1 and 3, as provided in Attachments 1 and 2. This is the staff recommendation.
2. Regional Council may direct staff to modify the proposed amendments. The proposed amendments seek to balance regulatory content, discretionary power, design scope, public aspiration and development opportunities. Any substantive modifications may require additional consultation or analysis which could further delay adoption. The community sees the proposed new policies and rules as a critical milestone for implementing its vision for this strategic location.

### **ATTACHMENTS**

|               |   |
|---------------|---|
| Map 1:        | Existing Generalized Future Land Use  |
| Map 2:        | Existing Zoning   |
| Attachment 1: | Proposed Amendments to the Municipal Planning Strategy for Planning Districts 1 and 3 |
| Attachment 2: | Proposed Amendments to the Land Use By-Law for Planning Districts 1 and 3             |

---

---

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.

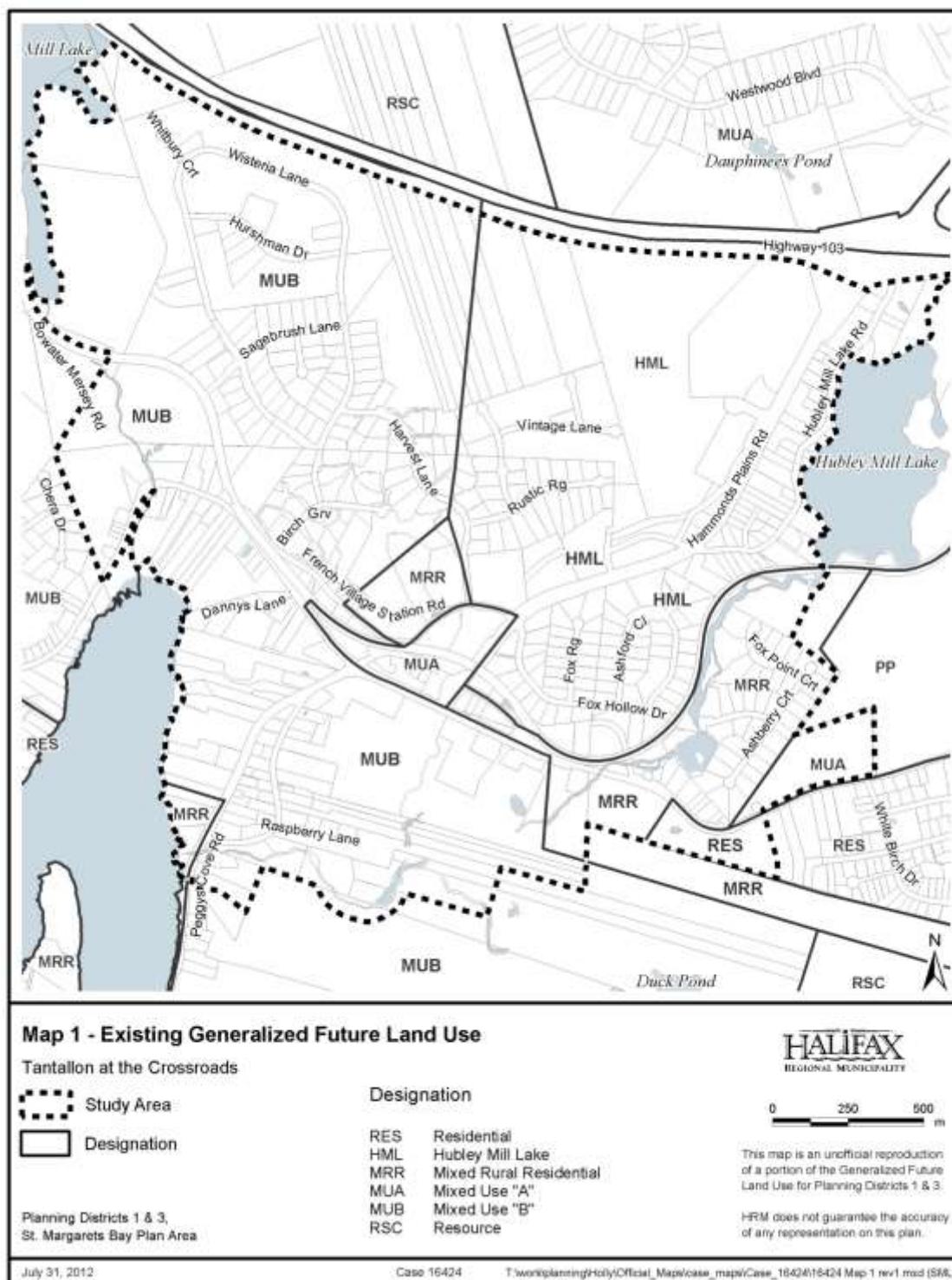
Report Prepared by: Marcus Garnet, Senior Planner 490-4481

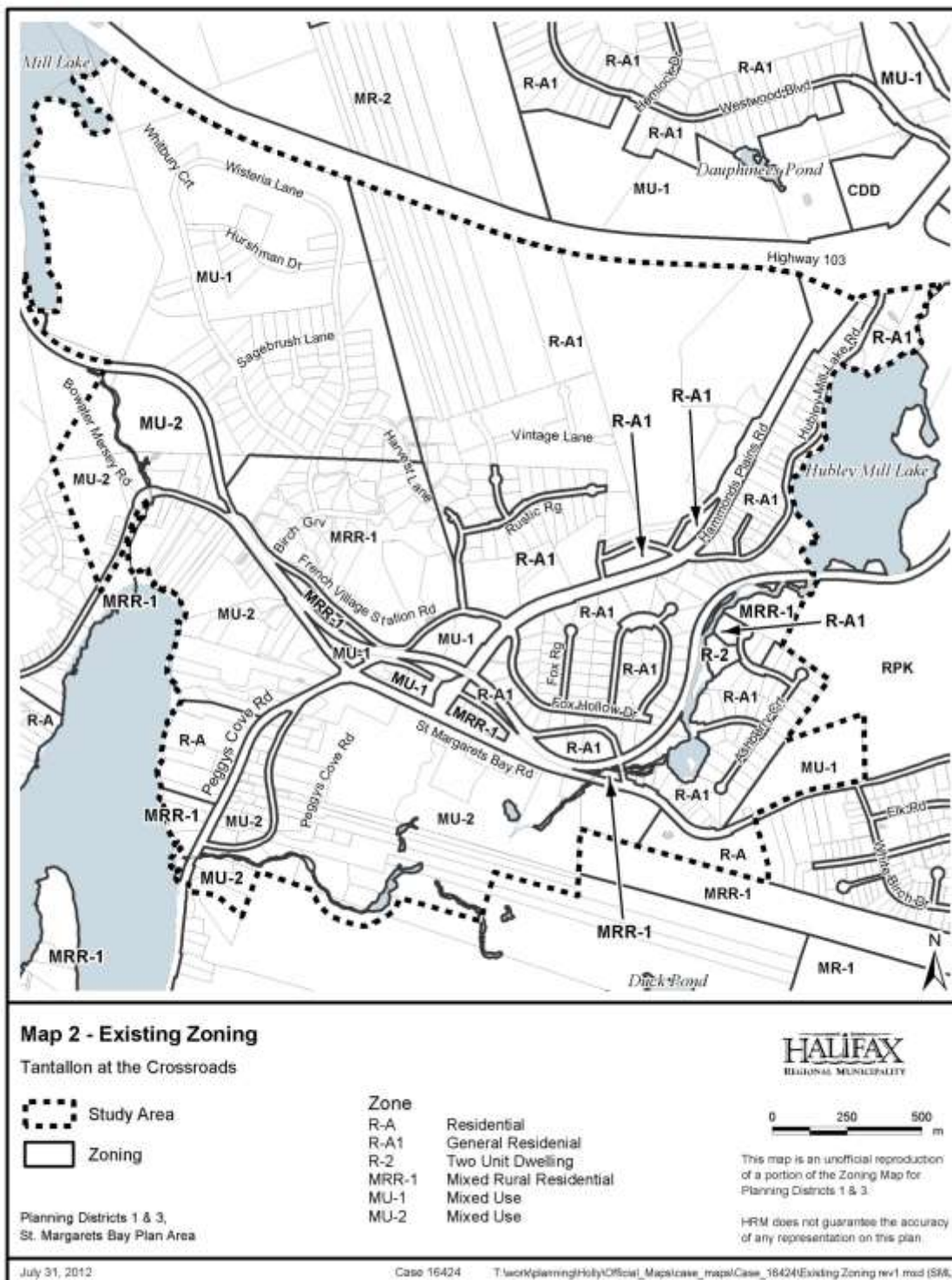
Report Approved by: \_\_\_\_\_  
Bob Bjerke, Chief Planner, Planning & Infrastructure 490-1627

Report Approved by: \_\_\_\_\_  
Brad Anguish, Director of Community & Recreation Services 490-4933

Report Approved by: \_\_\_\_\_  
Jane Fraser, Director of Planning and Infrastructure 490-7166

---





# REVISED

## ATTACHMENT 1

### **Proposed Amendments to the Municipal Planning Strategy for Planning Districts 1 and 3**

BE IT ENACTED by the Halifax Regional Council that the Municipal Planning Strategy for Planning Districts 1 and 3 (St. Margarets Bay), which was adopted by the former Halifax County Municipality on the 3<sup>rd</sup> day of April 1995, as amended, is hereby further amended as follows:

1. The Table of Contents is amended by adding the words and number “Tantallon Crossroads Coastal Village Designation” followed by tabulation and the appropriate page number at the end of the line, on a new line below the words and number “Hubley Mill Lake Designation...39”, with the same indentation, and above the words and number “Mixed Rural Residential Designation...44”.
2. The Table of Contents is amended by adding the words and number “Maps and Schedules – Tantallon Crossroads” followed by tabulation and the appropriate page number at the end of the line, on a new line below the words and number “Implementation...90”, with the same indentation.
3. In Section II, in the subsection entitled LAND USE INTENT, in the list of designations following the first paragraph, insert the following designation at the top of the second column, above the word “Resource”:  
“Tantallon Crossroads Coastal Village”
4. In Section II, in the subsection entitled LAND USE INTENT, after the paragraph beginning “The Hubley Mill Lake Designation ...”, and before the paragraph beginning “The Resource Designation...” add a new paragraph as follows:  
  
“The Tantallon Crossroads Coastal Village Designation covers the area generally bounded by Mill Lake, St. Margarets Bay, Hubley Mill Lake, and a portion of Highway 103. The intent of this designation is to retain and enhance the character of a coastal village, encourage compatible uses, foster environmental sustainability, minimize impacts on watersheds, respect cultural heritage, and orient new development to pedestrians.”
5. In Section II, in the subsection entitled “HUBLEY MILL LAKE DESIGNATION”, delete Policies HM-6 and HM-7, together with the two paragraphs immediately preceding said Policies.
6. In Section II, after the subsection entitled “HUBLEY MILL LAKE DESIGNATION”, and before the subsection entitled “MIXED RURAL RESIDENTIAL DESIGNATION”, add a new subsection as follows:



## “TANTALLON CROSSROADS COASTAL VILLAGE DESIGNATION

### Location

The Tantallon Crossroads is the area generally bounded by Mill Lake, St. Margarets Bay, Hubley Mill Lake, and a portion of Highway 103. Within this area, there is a mix of land uses such as large residential subdivisions between Highway 103 and St. Margarets Bay Road, and commercial uses situated between where the Hammonds Plains Road and Peggy’s Cove Road intersect with the St. Margaret Bay Road. Along the coast on St. Margarets Bay, there is a mix of residential uses interspersed with commercial enterprises on long, narrow lots.

### Vision

To retain and enhance the character of the Tantallon Crossroads area as a coastal village, the St. Margarets Bay Stewardship Association and HRM worked together to undertake community consultation in order to map out a vision for the area. The result of this initiative was that the community envisages the area as a centre with a mix of commercial, residential, and community uses forming a continuous streetscape of facades that encourage walking and socializing.

Community form should be characterized by small building footprints, pitched roofs, and facades with windows and doors oriented to the public street. Siding should reflect traditional styles, whether or not modern materials are used. Throughout the area, groundwater and surface water are important considerations in determining the density and siting of new development.

The community envisions that commercial development should be small sized commercial uses, local food processing with a retail component, marinas and traditional craft shops which will provide local employment while supporting tourism. In terms of residential development, the vision is to provide for a wide variety of housing choices, especially in locations close to shops and services, to enable all ages of residents to remain in the community. To support the residential development, educational and health care facilities are needed and they also provide local employment.

### Intent

The intent for this area is to retain and enhance its character as a coastal village, and more specifically to:

- (a) Encourage compatible buildings and land uses;
- (b) Foster appropriate architectural design;
- (c) Enable a variety of housing options close to shops and services;
- (d) Protect groundwater, surface water and natural areas;
- (e) Respect cultural heritage;
- (f) Orient new development to pedestrians; and

(g) Accommodate bicycling as a means of active transportation and tourism.

CV-1 It shall be the intention of Council to establish a Tantallon Crossroads Coastal Village Designation as shown on the Generalized Future Land Use Map (Map 1). Within this designation, it shall be the intention of Council to retain and enhance the character of the area as a coastal village, and, more specifically, to:

- (a) Encourage compatible buildings and land uses, including housing, small commercial establishments, marinas, fishery and forestry uses, and small-scale production of local food and local crafts;
- (b) Foster appropriate architectural design by regulating the size, orientation, and appearance of structures;
- (c) Enable a variety of housing options, located within walking distance of shops and services, by permitting a range of dwelling types and sizes;
- (d) Protect groundwater, surface water and natural areas by regulating lot size in relation to the number of dwelling units and specifying additional riparian buffers;
- (e) Respect cultural heritage by allowing traditional uses and encouraging traditional building forms;
- (f) Orient new development to pedestrians by regulating off-street parking, building orientation, façade design, signage, landscaping, lighting and walkways; and
- (g) Accommodate bicycling as a means of active transportation and tourism, by requiring bicycle parking facilities for specific zones or uses, and by considering potential connections to existing multi-use trails when negotiating development agreements.

#### Sub-Designations

Within the Tantallon Crossroads Coastal Village Designation, there are three distinct areas based on variations in local geography and land use. The three areas are as follows:

- (1) Village Centre: is the area closest to the intersections of St. Margarets Bay Road, Hammonds Plains Road and Peggy's Cove Road. This area already forms the centre of the village, and is well suited to a mix of retail, service, institutional, community and multiple-unit residential development.
- (2) Village Gateways: are the areas on the major transportation routes leading to the village centre, providing a transition between the intensity of land uses within the village centre and the surrounding low-density subdivisions. These areas are important to the community as they present a positive impression of local character to people arriving from outside the community.
- (3) Residential Areas: consist of existing and planned low-density subdivisions which should be recognized while enabling limited small enterprises associated with tourism, recreation, agriculture and forestry. Opportunities should also be available

for such living options as auxiliary flats, semi-detached houses and small townhouse-style dwellings.

To address the unique features of each area, specific land use policies and controls are required which shall be achieved through three separate sub-designations within the Tantallon Crossroads Coastal Village Designation.

CV-2 It shall be the intention of Council to establish three Sub-Designations within the Tantallon Crossroads Coastal Village Designation:

- (a) Village Centre Sub-Designation;
- (b) Village Gateway Sub-Designation; and
- (c) Village Residential Sub-Designation.

#### Village Centre Sub-Designation

Centred on St. Margarets Bay Road and its intersections with the Hammonds Plains and Peggy's Cove Roads, the commercial centre of the village offers a variety of stores through small to large format retail stores which serve a range of markets from local and area residents to tourists. The community is not in favour of continued development of large-format retail with its characteristic large front-yard parking lots. Instead, new development in this area should be small format businesses fronted by walkways and with landscaped parking to the sides or rear. Retail frontages should be inviting to pedestrians, and walkways should enable people to visit more than one business without having to park multiple times. This area should also provide for a mix of residential uses with commercial uses, to the extent that on-site septic and groundwater constraints allow, enabling housing for all ages close to shops and services.

The intention for this area is to:

- (a) encourage a human-scale, commercially focussed centre in a form that respects traditional building styles while answering to modern local and tourist needs;
- (b) encourage a range of housing types close to shops and services; and
- (c) support small-scale building footprints.

CV-3 Within the Tantallon Crossroads Coastal Village Designation, it shall be the intention of Council to establish a Village Centre Sub-Designation as shown on the Generalized Future Land Use Map (Map 1). Within this sub-designation, it shall be the intention of Council to:

- (a) encourage a human-scale, commercially focussed centre in a form that respects traditional building styles while answering to modern local and tourist needs;
- (b) encourage a range of housing types close to shops and services; and
- (c) support small-scale building footprints.

CV-4 Within the Village Centre Sub-Designation, it shall be the intention of Council to establish a Village Centre (VC) Zone, which shall permit:

- (a) commercial, community and institutional uses within buildings that have a small footprint, and excluding drive-through banks, drive-in theatres, drive-in restaurants, drive-through retail, self-storage uses and adult entertainment uses;
- (b) service stations existing on the date of adoption of this Policy;
- (c) light industrial uses limited to traditional crafts or traditional products;
- (d) dwelling units in a commercial, medical or institutional building; and
- (e) multiple unit dwellings with a small footprint and a limited number of units.

The community recognizes that larger residential or institutional buildings and marinas may have merit on a site-by-site basis to address the compatibility of the use, size, orientation, and design. It is also important to require hydrogeological analysis for large residential or institutional buildings, or large numbers of residential units, to ensure that the carrying capacity of the land for groundwater and wastewater disposal is not exceeded. Stormwater management becomes increasingly important as roof and pavement areas increase. Therefore, multiple unit dwellings and institutional buildings exceeding the maximum size or number of units allowed in the land use by-law, as well as marinas, may be considered only by development agreement.

CV-5 Within the Village Centre Sub-Designation, it shall be the intention of Council to consider the following uses only by development agreement:

- (a) multiple unit dwellings that exceed that exceed the maximum number of units set forth in the Land Use By-Law, or that exceed the maximum building footprint set forth in the Land Use By-Law, subject to the provisions of Policy CV-6;
- (b) institutional buildings that exceed the maximum building footprint set forth in the Land Use By-Law, subject to the provisions of Policy CV-6; and
- (c) marinas, subject to the provisions of Policy CV-6 and Policy MRR-7.

CV-6 When considering a development agreement within the Tantallon Crossroads Coastal Village Designation, Council shall consider the following:

- (a) the footprints, siting, massing, orientation and form of the building respecting:
  - (i) the retention of continuous natural open space;
  - (ii) the protection of environmentally sensitive landscapes and water features;
  - (iii) the preservation, rehabilitation or incorporation of registered heritage features;
  - (iv) compatibility with the natural topography;
  - (v) building facades, landscaping and vistas as seen from the public roadway;

- (vi) the achievement of a walkable, human scale community form, considering such aspects as safety, weather, shade and outdoor social space;
  - (vii) minimizing the impacts on adjacent land uses; and
  - (viii) the concealment of parking lots, loading and storage areas from the public roadway and adjacent residential properties
- (b) the height of the building, the architectural elements of the building and the landscaping on the site and their promotion of visual integration:
  - (i) between buildings on the site,
  - (ii) between buildings and open spaces on the site, and
  - (iii) between the site as a whole and adjacent sites;
- (c) whether the development is reasonably consistent with the Parking, Outdoor Storage and Display requirements, signage controls, and Architectural Requirements for the Tantallon Crossroads Coastal Village Designation as set forth in the Land Use By-Law;
- (d) the safe and continuous connectivity of walkways between each main building entrance, and with nearby public parks and trails where applicable;
- (e) minimizing the number of driveways accessing the property;
- (f) the effects of the proposed development on groundwater supply for adjacent properties as determined through a hydrogeological assessment prepared by a qualified professional;
- (g) the adequacy of erosion and sediment control plans and stormwater management plans prepared by a qualified professional; and
- (h) the provisions of Policy IM-9.

Much of the Village Centre Sub-Designation is currently characterized by large shopping plazas and large-format retail oriented to front yard parking. This format is not consistent with the vision for a coastal village. Most of these properties are subject to development agreements which were enabled by policies which are now superseded by the Village Centre Sub-Designation. To enable these properties to respond to future market opportunities in a manner which is more consistent with the vision for a coastal village, provisions should be included to enable these development agreements to be modified subject to conditions.

CV-7 Within Schedule N as shown on Map 2, Council shall only consider development agreements, or amendments to existing development agreements, provided that:

- (a) For new buildings:
  - (i) front yard setbacks, building footprints and building heights do not exceed the maximum for the Village Centre Zone;
  - (ii) facades are located parallel to the public street and include display windows, awnings and entry doors facing the public street;
  - (iii) walkways connect the façade entry doors to existing or approved walkways on the same property without the need for pedestrians to cross parking areas, vehicle lanes or drive-through lanes;
  - (iv) no surface parking, drive-through, circulation lane, fuel pump, recharging station or loading bay is located between the public roadway and the building façade; and
  - (v) the provisions of Policy CV-6;
- (b) For expansions to existing buildings:
  - (i) the expansion includes elements that reduce the average front yard setback or that increase the height of the building;
  - (ii) the building includes a façade with display windows, awnings and entry doors oriented to the public street;
  - (iii) the expansion does not add new surface parking, drive-through lanes, circulation lanes, fuel pumps, recharging stations or loading bays between the public street and the building façade; and
  - (iv) the provisions of Policy CV-6.

#### Village Gateway Sub-Designation

When approaching the village centre, there are transitional areas between the centre and the residential areas that form gateways to the centre. These entry points should be enhanced to create a sense of arrival and help define the image of a coastal village.

These gateway areas are currently characterized by a mix of land uses and building styles. Local businesses are small, and generally serve nearby residents as well as tourists.

The intention is to enhance the gateway areas leading to the village centre by:

- forming a transition between the residential portion and the central core of the village;
- enabling residential, commercial, and institutional uses, including multiple-unit dwellings close to shops and services; and
- encouraging small building footprints.

The community also recognizes that larger residential or institutional buildings or marinas may have merit on a site-by-site basis, but only by development agreement. Further, there are two existing sites within this sub-designation that warrant consideration of more intensive land uses than envisioned for the area due to site conditions.

CV-8 Within the Tantallon Crossroads Coastal Village Designation, it shall be the intention of Council to establish a Village Gateway Sub-Designation to

encourage a mix of residential, commercial and institutional uses to form a transitional gateway between the residential portion and the central core of the village. Specifically, the following features are to be encouraged:

- (a) building heights, proportions and architectural features evoking traditional coastal village styles;
- (b) small building footprints; and
- (c) commercial uses facing the public roadway and oriented to pedestrian movement, with residential uses above or behind the commercial uses.

CV-9 Within the Village Gateway Sub-Designation, it shall be the intention of Council to establish and apply a Village Gateway (VG) Zone, which shall permit:

- (a) single dwellings, auxiliary dwellings, two unit dwellings, multiple-unit dwellings with a small building footprint and a limited number of dwelling units, and mobile homes existing on the date of adoption of this Policy;
- (b) commercial uses in buildings with a small footprint, excluding drive-through banks, drive-in theatres, drive-in restaurants, drive-through retail, self-storage facilities and adult entertainment;
- (c) service stations existing on the date of adoption of this Policy;
- (d) community and institutional uses in buildings with a small footprint; and
- (e) a limited number of dwelling units in any building which is also used for commercial or institutional purposes.

Near the southwestern edge of the Village Gateway Sub-Designation there is a light industrial operation which includes office and storage uses, steel and precast fabrication, assembly of marine components, and maintenance of automotive and heavy equipment. A portion of the property is encumbered by a power line easement which limits its potential for tourism or residential uses. Thus, the owner envisages adding storage, sales and service components for trailers, boats and recreational vehicles. While these uses do not reflect the overall vision for the Village Gateway Sub-Designation, the location near the edge of the village and the power line easement support a special case for allowing additional uses on this property, subject to requirements for landscaping, screening and building design.

CV-10 In addition to the uses set forth in Policies CV-8 and CV-9, the following uses shall be permitted for the properties identified in Schedule P as shown on Map 2:

- (a) outdoor storage, which shall be screened from neighbouring properties and the public roadway; and
- (b) fabrication, maintenance, repair, sales and service of boats, utility or recreational trailers, boat docks, residential and recreational decks, recreational rafts, boat slipways and boat ramps, provided that fabrication, maintenance, repair and service operations must be screened from neighbouring properties and the public roadway.

The community recognizes that larger residential or institutional buildings, or marinas may have merit on a site-by-site basis, but consideration needs to be given to the compatibility of their use, size, orientation and design. It is also important to require hydrogeological analysis for such uses to ensure that the carrying capacity of the land for groundwater and wastewater disposal is not exceeded. Further, stormwater management becomes increasingly important as roof and pavement areas increase. Therefore, multiple unit dwellings, marinas, and institutional buildings exceeding the maximum size or number of units allowed in the land use by-law, may only be considered by development agreement.

CV-11 Within the Village Gateway Sub-Designation, it shall be the intention of Council to consider the following uses only by development agreement:

- (a) multiple unit dwellings that exceed the maximum number of units set forth in the Land Use By-Law, or that exceed the maximum building footprint set forth in the Land Use By-Law, subject to the provisions of Policy CV-6;
- (b) institutional buildings that exceed the maximum building footprint set forth in the Land Use By-Law, subject to the provisions of Policy CV-6; and
- (c) marinas, subject to the provisions of Policy MRR-7.

An automotive service and convenience business occupies a property at the junction of Hammonds Plains Road and French Village Station Road. Further development options are constrained by grades, limited access highway frontage and a nearby stream. The owner wishes to have the option of establishing a self-storage business on the site. In recognition of these constraints, small self-storage buildings may be permitted on this specific property by development agreement. Consideration of such a use should include access to the site, building footprint, site controls, orientation, setbacks, buffering and building appearance.

CV-12 For the property identified in Schedule M as shown on Map 2, it shall be the intention of Council to consider self-storage buildings only by development agreement. In considering such a use on the property, Council shall have regard to the following:

- (a) that each building footprint does not exceed 697 sq. m (7500 sq. ft.)
- (b) that no building height exceeds 35 feet;
- (c) that a minimum of one off-street parking space is provided for each employee if a full service office is located on the lot, and a minimum of one space for every 100 storage units is provided; and
- (d) the provisions of Policy CV-6, except that no hydrogeological assessment shall be required, and the parking requirements in clause (c) above shall apply.

#### Village Residential Sub-Designation



The village centre and gateway areas of the Tantallon Crossroads Coastal Village Designation are surrounded by established and expanding low-density rural residential neighbourhoods. Many of these lots are accessed by private roads, and some units are served by shared driveways. The community wishes to protect the quiet ambiance and valued character of these neighbourhoods while accommodating some rural activities that are compatible with residential uses. There is also interest in accommodating well designed, sensitively sited multiple-unit residences to offer a wider variety of housing options.

The intent for the residential neighbourhoods is outlined in the following objectives:

- support and protect existing and planned residential neighbourhoods;
- enable a choice of housing types and price ranges, suitable for a wide range of age groups; and
- allow small-scale tourism, resource and agricultural activities associated with a dwelling.

The community also recognizes that multi-unit buildings, marinas, and small scale tourist accommodations may have merit on a site-by-site basis, but only by development agreement.

CV-13 Within the Tantallon Crossroads Coastal Village Designation, it shall be the intention of Council to establish a Village Residential Sub-Designation, to:

- (a) support and protect existing and planned residential neighbourhoods;
- (b) enable a broad range of housing types, suitable for a wide range of age groups; and
- (c) allow small-scale tourism, resource and agricultural activities associated with a dwelling.

CV-14 Within the Village Residential Sub-Designation, it shall be the intention of Council to establish and apply a Village Residential Zone, to allow:

- (a) single unit dwellings, auxiliary dwelling units, semi-detached dwellings and, on large lots, townhouse-style multiple unit dwellings up to a limited number of units;
- (b) home businesses;
- (c) day care facilities of limited size, in conjunction with a permitted dwelling;
- (d) bed and breakfast uses with a limited number of rooms to be let, in conjunction with a permitted dwelling;
- (e) commercial uses existing at the time of adoption of this Policy;
- (f) limited community and institutional uses; and
- (g) small-scale tourism, fishery, forestry and agricultural activities.

Prior to the adoption of the Tantallon Crossroads Village Designation and Village Residential Zone regulations, lots on Azalea Court were already approved for two-unit dwellings. Some of these may no longer comply with the minimum lot size for two-unit dwellings set forth in the Village Residential Zone regulations. Two-unit development should be allowed to proceed on these lots as approved.

CV-15 It shall be the intention of Council to permit, through the Land Use By-Law, the lots identified in Schedule O as shown on Map 2, to be developed with two-unit dwellings as approved for subdivision prior to adoption of the Tantallon Crossroads Village Designation and Village Residential Zone regulations.

Multiple-unit buildings can provide an opportunity for residents to downsize without having to leave their community, and for accommodating a cross-section of age groups. Therefore, multiple-unit buildings with more than four units may be appropriate on large lots along major roadways at the edges of low-density neighbourhoods, but only by development agreement.

Small scale tourist accommodations and marinas may also be appropriate in low density residential areas, provided that these uses are compatible with their context and proceed through the development agreement process.

CV-16 Within the Village Residential Sub-Designation, it shall be the intention of Council to consider the following uses by development agreement:

- (a) multiple unit dwellings that exceed the maximum number of units set forth in the Land Use By-Law, where the lot area is at least 5290 sq. m (100,000 sq. ft.), subject to the provisions of Policy CV-6;
- (b) marinas, subject to the provisions of Policy CV-6 and Policy MRR-7; and
- (c) tourist accommodations not exceeding a building footprint of 297.3 sq. m (3200 sq. ft.), subject to the provisions of Policy CV-6.

#### Watershed Conservation

The *Tantallon Watershed Servicing Study Final Report* (CBCL Limited, 2013) offers general guidance on minimum lot size, suitable locations for development, servicing options and factors affecting the use and quality of surface and ground water. The Study calls for:

- implementing stormwater management measures;
- minimizing disturbance of existing vegetation;
- considering hydrogeological constraints when determining the intensity of development; and
- establishing a riparian protection buffer of 30 metres (98.5 ft.) on each side of the East River shown on Map 3.

The intent of the Tantallon Crossroads Coastal Village Designation, with regard to watershed conservation, is to protect the chemical, physical and biological functions of water resources.

CV-17 It shall be the intention of Council to require, through the Land Use By-Law, a minimum 30 metre (98.5 ft) wide riparian buffer from the ordinary high water mark for the East River, shown on Map 3, to protect the chemical, physical and biological functions of marine and freshwater resources. No alteration of land levels, removal of vegetation, or other development shall be permitted by the Land Use By-Law within the riparian buffer, except as provided for in the Regional Plan.

CV-18 Notwithstanding Policy CV-17, Council may, through the Land Use By-Law, reduce the riparian buffer requirement to that set forth in the Regional Plan, for lots in existence on the effective date of the Tantallon Crossroads Coastal Village Designation, and lots shown on current tentative and final subdivision applications as of the effective date of the Tantallon Crossroads Coastal Village Designation, where otherwise development would be prohibitive.

7. Insert the following policy after Policy TR-6 and before the following page bearing the title “EDUCATION”, as set out below:

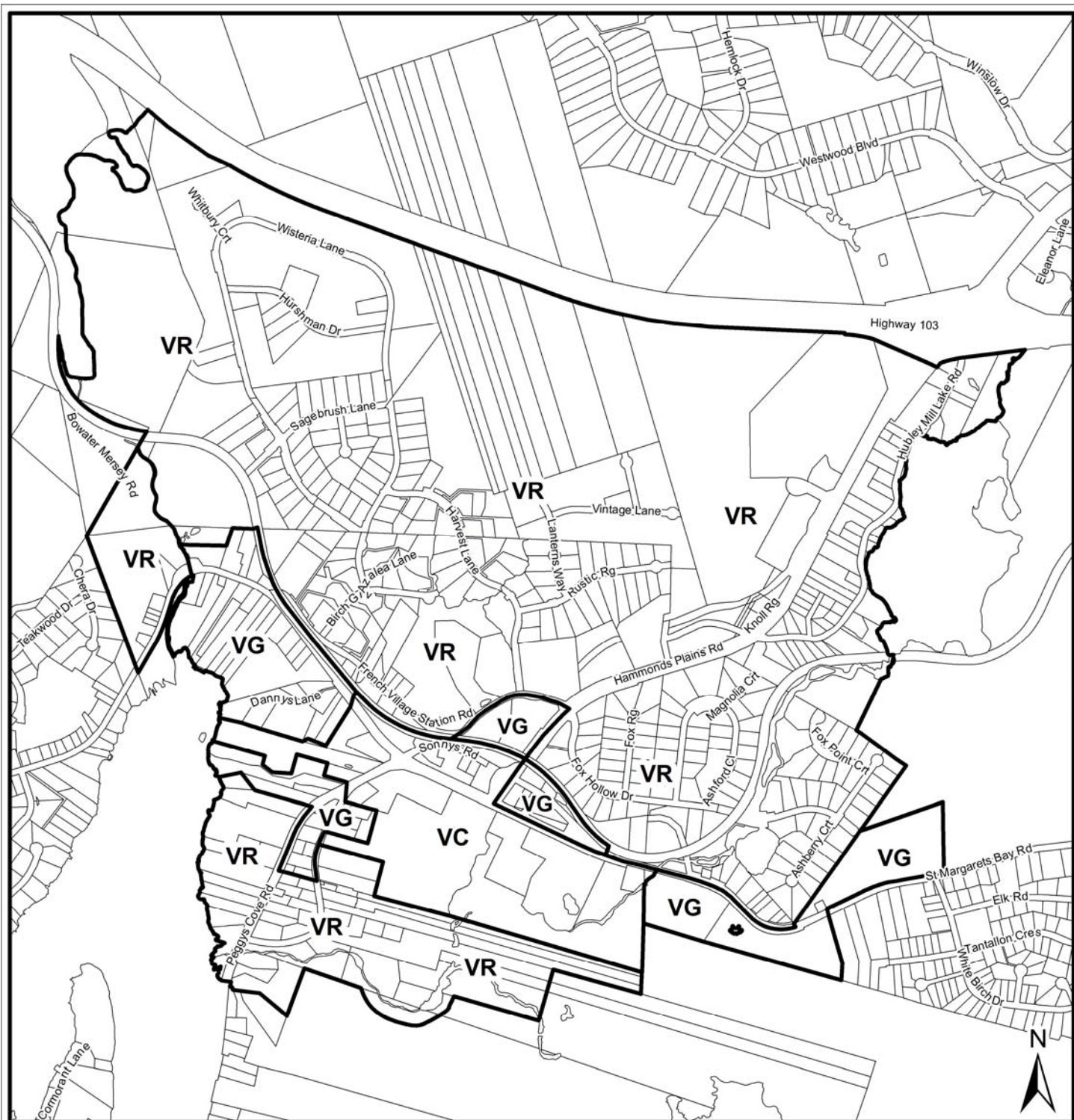
“Existing Uses and Structures – Tantallon Crossroads Coastal Village Designation

Section 257 of the *HRM Charter* allows Council, through the Land Use By-law, to relax the restrictions on legal non-conforming structures. To ensure the continued viability of existing businesses, it is important to allow some flexibility to adapt to changing markets and new opportunities while requiring any major expansions to comply with the intent of the Tantallon Crossroads Coastal Village Designation. Accordingly, the following objectives underlie the provisions for non-conforming structures within the Tantallon Crossroads Coastal Village Designation:

- Enable building additions for permitted uses;
- Allow existing uses to continue to operate in the original structure;
- Foster incremental change toward realization of the intent of the Tantallon Crossroads Coastal Village Designation; and
- Enable businesses that have already invested in a building to remain and adjust to the new policies and regulations as business opportunities arise.

Policy TR-7 Notwithstanding Policy TR-5, within the Tantallon Crossroads Coastal Village Designation, the restrictions contained in the *HRM Charter* respecting legal non-conforming structures shall be relaxed to allow the non-conforming structure to be extended, enlarged or altered, subject to the provisions of the Land Use By-law, and provided that no adult entertainment uses exist on the property.”

8. Amend the Generalized Future Land Use Map, to delete the applicable Designations within the Tantallon Crossroads Coastal Village Designation, and replace them with a new Designation labeled, “Tantallon Crossroads Coastal Village Designation”, and new Sub-Designations, as shown on Map 1 attached to this report.
9. Adding a new map entitled “Map 2 – Tantallon Crossroads Coastal Village – Schedules” that shows where Schedules M, N, O and P are located, after the page on which Policy IM-17 appears, and before the page entitled, “MUNICIPAL PLANNING STRATEGY AMENDMENTS IN CHRONOLOGICAL ORDER OF MINISTERIAL APPROVAL”, as attached.



## Map 1 - Tantallon Crossroads Coast Village Designation

Tantallon Crossroads Coastal Village

**HALIFAX**

 Designation Boundary

### Sub-Designation

VR Village Residential  
VG Village Gateway  
VC Village Centre

Planning District 1 & 3  
(St Margarets Bay) Plan Area

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

Effective:

T:\work\planning\Casemaps\SMB\16424\ (HEC)





## Schedules M, N, O, and P

Tantallon Crossroads Coastal Village

**HALIFAX**

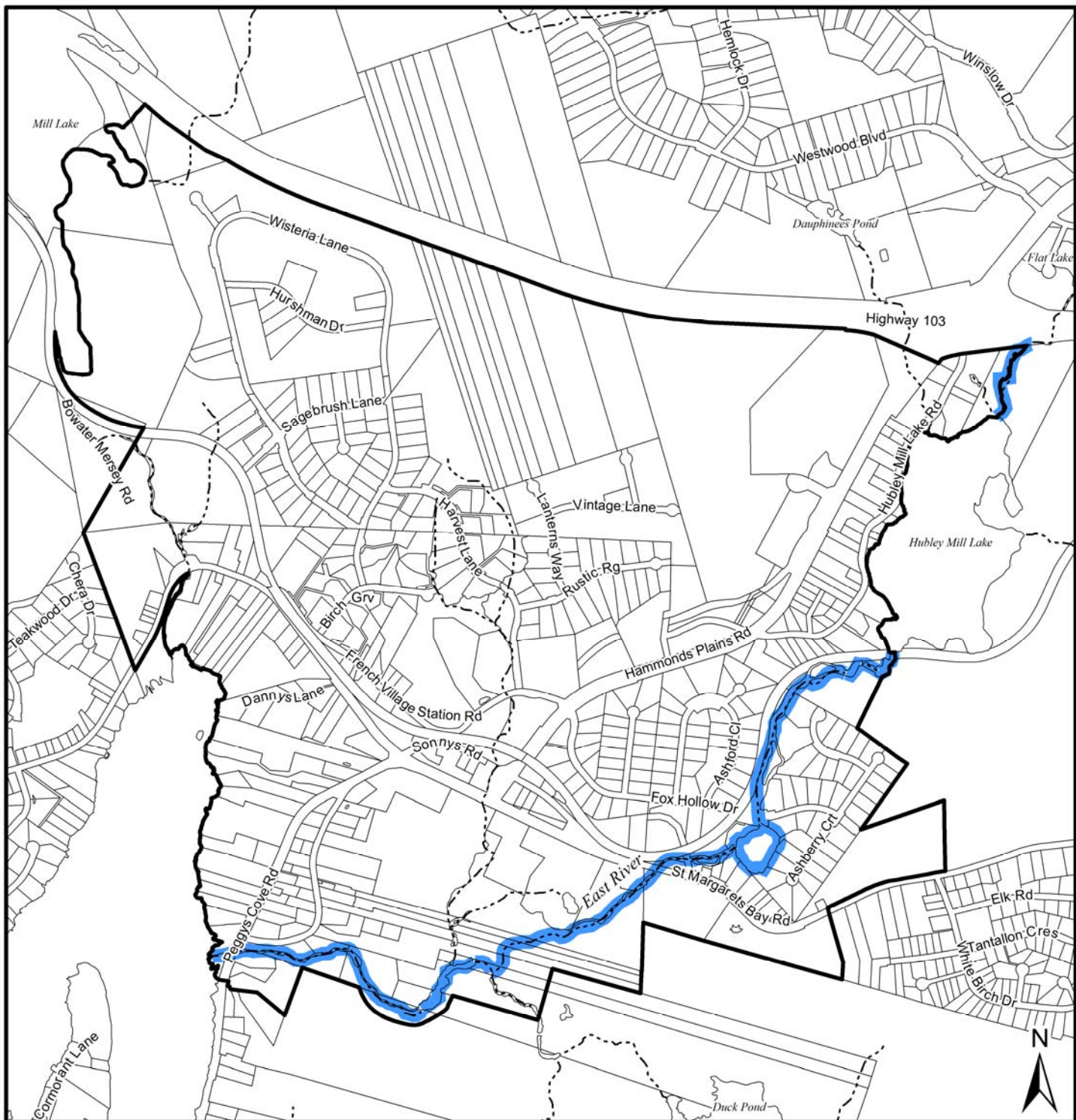
0 200 400 600 m

Planning District 1 & 3  
(St Margarets Bay) Plan Area

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

Effective:

T:\work\planning\Casemaps\SMB\16424\ (HEC)



### Map 3 - East River

Tantallon Crossroads Coastal Village

- East River
- Waterway

Planning District 1 & 3  
(St Margarets Bay) Plan Area

**HALIFAX**



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

Effective:

T:\work\planning\Casemaps\SMB\16424\ (HEC)



**ATTACHMENT 2: Proposed Amendments to the Land Use By-Law for Districts 1 and 3**

BE IT ENACTED by the Halifax Regional Council that the Land Use By-Law for Districts 1 and 3, which was adopted by the former Halifax County Municipality on the 3rd day of April, 1995, as amended, is hereby further amended as follows:

1. In the Table of Contents, on a new line below the words and number “PART 5: Signs ... 35” and above the words and number “PART 6: R-1 (Single Unit Dwelling) Zone ... 38” add the text “PART 5A – SPECIAL PROVISIONS FOR TANTALLON CROSSROADS COASTAL VILLAGE DESIGNATION (SCHEDULE L)” followed by tabulation and the appropriate page number at the end of the line.
2. In the Table of Contents, on new lines below the words and number “PART 11: MRR-1 (Mixed Rural Residential) Zone ... 51” and above the words and number “PART 12: MU-1 (Mixed Use) Zone ... 55”, add the following text, followed by tabulation and the appropriate page number at the end of each line:

“PART 11A: VR (VILLAGE RESIDENTIAL) ZONE

PART 11B: VG (VILLAGE GATEWAY) ZONE

PART 11C: VC (VILLAGE CENTRE) ZONE”

3. Insert the following definitions in Part 2, after Section 2.2 and before Section 2.3, as set out below:
  - “2.2A ADULT ENTERTAINMENT USE means a massage parlour, sex-aid shop, an adult bookstore, or (RC-Mar 26/13;E-Apr 13/13) an adult cabaret, or an adult theatre. (RC-Mar 26/13;E-Apr 13/13)
  - 2.2B ADULT CABARET means any premises or part thereof, whether public, semi-public, or private, wherein a client is provided the opportunity to feel, handle, touch, paint, be in the presence of, or be entertained by the nude body of another person, or to observe, view or photograph any such activity.
  - 2.2C ADULT BOOKSTORE includes any establishment or place for the purpose of retail trade where:
    - (a) 20% or more of the value of the total stock in trade; or
    - (b) 20% or more of the area used for display of materials;in any such establishment or place comprises books, magazines, or other periodicals relating to, or portrayed as relating to, sexual activities.



4. Insert the following definition in Part 2, after Section 2.12 and before Section 2.13, as set out below:

“2.12A CLUBHOUSE means the premises of a public service club, recreation club or other group which charges a membership fee that is intended for administration, meetings, social events or public events, and includes:

  - (a) a licence for the sale or consumption of alcohol on the premises, or
  - (b) any kitchen or dining facilities;

but excludes premises used for adult entertainment.”
5. Renumber Clauses (f), (g) and (h) of Section 2.22 in Part 2, as Clauses (h), (i) and (j) respectively, and insert the following definitions after Clause (e) and before renumbered Clause (h), as set out below:

“(f) Dwelling, Townhouse means a multiple unit dwelling that is divided vertically into three (3) or more dwelling units, each of which is located on a separate lot and each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of the unit.

(g) Dwelling, Townhouse-Style means a multiple unit dwelling that is divided vertically into three (3) or more dwelling units, all of which are located on the same lot, and each of which has independent entrances to at least two yards.”
6. Insert the following definitions in Part 2, after Section 2.26 and before Section 2.27, as set out below:

“2.26A FABRICATION, within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, means the cutting, shaping, forming, molding, curing, assembly, gluing, welding and painting of components to form one or more products, but does not include smelting, calcination, tanning, rendering, bulk processing, refining or food processing.”
7. Insert the following definition in Part 2, after Section 2.30 and before Section 2.31, as set out below:

“2.30A GREENHOUSE means a building whose roof and sides are made of glass or other transparent or translucent material, and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants as a community enterprise or for subsequent sale.”

8. Insert the following definitions in Part 2, after Section 2.36 and before Section 2.37, as set out below:
- “2.36A LANDSCAPED AREA means any combination of trees, shrubs, flowers, grass, or other horticultural elements, decorative stonework, pavers, screening or other landscape architectural elements, all of which are designed to enhance the visual amenity of a property or to provide an amenity for common use by the occupants of a building.
- 2.36B LANDSCAPED OPEN SPACE means any outdoor landscaped area or playground for common use by the occupants of a building, but excludes space for vehicular access, car parking, or areas for the maneuvering of vehicles.”
9. Insert the following definition in Part 2, after Section 2.46 and before Section 2.47, as set out below:
- “2.46A MESSAGE PARLOUR includes any premises or part thereof, by whatever name designated:
- (a) 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
  - (b) which is equipped or arranged so as to provide a massage, body rub, alcohol rub, bath or similar activity;
  - (c) but excludes any premises or part thereof where:
    - (i) treatment is routinely offered or performed for the purpose of medical or therapeutic treatment; and
    - (ii) medical or therapeutic treatment is performed or offered by or under the supervision or direction of a physician, licensed naturopath, chiropractor, osteopath, massage therapist, physiotherapist, or nurse licensed or registered under the laws of the Province of Nova Scotia.”
10. Insert the following definition in Part 2, after Section 2.47 and before Section 2.48, as set out below:
- “2.47A MEDICAL CLINIC, within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, means a building or part of a building where two or more practitioners provide human health services without overnight accommodations for patients.”
11. Insert the following definition in Part 2, after Section 2.50 and before Section 2.51, as set out below:

- “2.50A NUDE means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of a female breast with less than a full opaque covering over any portion thereof below the top of the areola of the breast.”
12. Renumber Section 2.72A in Part 2 as Section 2.72B, and insert the following definition in Part 2, after Section 2.72 and before renumbered Section 2.72B, as set out below:
- “2.72A SEX-AID SHOP includes any establishment or place for the purpose of retail trade where 10% or more of the value of the total stock in trade or 20% or more of the area used for display of materials in any such establishment or place comprises articles relating to or portrayed as relating to sexual activities.”
13. Insert the following definitions in Part 2, after Section 2.73 and before Section 2.74, as set out below:
- “2.73A STREET FACADE means a building wall facing a street.”
14. Insert the following definitions in Part 2, after Section 2.78 and before Section 2.79:
- “2.78A VEGETATIVE ROOFING SYSTEM (also known as a “green roof”) means outdoor rooftop vegetation maintained and supported by growing media, trays, or modules.
- 2.78B VETERINARY CLINIC means a building or structure in which domestic animals are examined, treated, groomed, or operated on, and includes the portion of the building or structure where the animal is sheltered during the examination, treatment, grooming or operation.”
15. Insert the following subsection in Part 3, Section 3.6 (“USES CONSIDERED BY DEVELOPMENT AGREEMENT”), after clause (q) and before Part 4:
- “(r) Within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L:
- (i) Within the Village Residential (VR) Zone, in accordance with Policy CV-16 of the Municipal Planning Strategy for Planning Districts 1 and 3:
    - a. Multiple unit dwellings exceeding four (4) units;
    - b. Marinas; and
    - c. Tourist accommodations not exceeding a building footprint of 297.3 sq. m (3200 sq. ft.).
  - (ii) Within the Village Gateway (VG) Zone:
    - a. Multiple unit dwellings with more than twelve (12) units, in accordance with Policy CV-11 of the Municipal Planning Strategy for Planning Districts 1 and 3;
    - b. multiple unit dwellings with a building footprint exceeding 558 sq. m (6000 sq. ft.), in accordance with Policy CV-11 of the Municipal Planning Strategy for Planning Districts 1 and 3;

- c. institutional buildings with a building footprint exceeding 558 sq. m (6000 sq. ft.), in accordance with Policy CV-11 of the Municipal Planning Strategy for Planning Districts 1 and 3;
    - d. marinas, in accordance with Policy CV-11 of the Municipal Planning Strategy for Planning Districts 1 and 3; and
    - e. self storage buildings on the property identified in Schedule M, in accordance with Policy CV-12 of the Municipal Planning Strategy for Planning Districts 1 and 3.
  - (iii) Within the Village Centre (VC) Zone, in accordance with Policy CV-5 of the Municipal Planning Strategy for Planning Districts 1 and 3:
    - a. multiple unit dwellings with more than twelve (12) units;
    - b. multiple unit dwellings with a building footprint exceeding 558 sq. m (6000 sq. ft.);
    - c. institutional buildings with a building footprint exceeding 558 sq. m (6000 sq. ft.); and
    - d. marinas.
  - (iv) Within Schedule N, in accordance with Policy CV-7 of the Municipal Planning Strategy for Planning Districts 1 and 3, building expansions or new buildings.”
16. In subsection (a) of section 4.5 of Part 4, replace the capital letter “N” of the first word with a lower-case letter “n”, and insert the following text immediately preceding the first word, as set out below:
- “Except within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, and”
17. Insert the following subsection after subsection (b) of section 4.5 of Part 4, as set out below:
- “(c) Within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, a vacant lot existing on June 24, 2014, having less than the minimum frontage, depth or area required by this By-law, may be used for the following purposes, and a building may be erected on the lot for such purposes:
- (i) a single unit dwelling; or
  - (ii) a semi-detached dwelling within Schedule O (Azalea Lane).
18. Insert the following section after section 4.11 and before section 4.12 of Part 4, as set out below:
- “4.11A NON-CONFORMING STRUCTURES – TANTALLON CROSSROADS COASTAL VILLAGE DESIGNATION
- Notwithstanding Sections 4.9 and 4.10, within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, the restrictions respecting non-conforming structures are relaxed to allow a non-conforming structure to be extended,

enlarged or altered provided that:

- (a) the non-conforming structure remains on one lot;
- (b) all extensions and enlargements on the lot total no more than 112 sq. m (1200 sq. ft.);
- (c) the non-conforming use does not expand into the extension, enlargement or alteration;
- (d) no adult entertainment use exists on the property;
- (e) the extension, enlargement or alteration complies with all provisions in the Land Use By-law for the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, except that the maximum front yard setback, flankage yard setback and building footprint may be exceeded subject to this Section;
- (f) a walkway is provided between the main door and the driveway entry from the public street, with crosswalks traversing any internal vehicle lanes; and
- (g) the extension, enlargement or alteration:
  - (i) does not create an additional drive-through window or lane, nor result in a drive-through becoming the main use; and
  - (ii) does not result in the total Lot Coverage or Building Height exceeding the maximum Lot Coverage or Building Height in the Land Use By-law for the zone applied to the property.”

19. Insert the following clauses in Part 4, after Clause (g) of Subsection (1) and before Subsection (2) of Section 4.19:

- “(h) Notwithstanding clause (a), within the Tantallon Crossroads Coastal Village Designation, the required buffer shall be 30 m (98.5 ft) from the ordinary high water mark of the East River shown on Schedule Q.
- (i) Within the required buffer pursuant to clause (h), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.
- (j) Within the required buffer pursuant to clause (h), activity shall be limited to the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m<sup>2</sup> or a combination of an accessory structure and attached deck not exceeding 20 m<sup>2</sup>, fences, boardwalks, walkways and trails not exceeding 3 metres in width, wharfs, boat ramps, marine dependent uses, fisheries uses, conservation uses, parks on public lands, historic sites and monuments, and public road crossings, driveway crossings and wastewater, storm and water infrastructure, and water control structures.
- (k) Notwithstanding clause (h), where the configuration of any lot created prior to the effective date of the Tantallon Crossroads Coastal Village Designation, is such that no main building could be located on the lot:
  - (i) the minimum riparian buffer requirements set forth in the Regional Municipal Planning Strategy shall apply; and
  - (ii) for greater certainty, Subsection 4.19(3) shall apply.”

20. Insert the following new Part after Section 5.8 of Part 5, and before Part 6:

“PART 5A: SPECIAL PROVISIONS FOR TANTALLON CROSSROADS COASTAL VILLAGE DESIGNATION (SCHEDULE L)”

**5A.1      STANDARDS FOR PARKING – TANTALLON CROSSROADS**

Within the VG (Village Gateway) Zone and the VC (Village Centre) Zone of the Tantallon Crossroads Coastal Village Designation as shown in Schedule L:

- (a) Minimum parking requirements established in Section 4.27 shall be reduced by 20 percent;
- (b) All new parking shall be located to the side or the rear of the building;
- (c) All parking lots requiring more than ten (10) parking spaces shall have ten (10) percent of their parking area landscaped with vegetation. This percentage shall not be concentrated in only one area of the parking lot, and shall be complimentary to the overall design. Required landscaped areas shall have a minimum of one (1) tree (minimum of 60 mm (2.4 in.) calliper) and three (3) shrubs; and
- (d) Bicycle parking shall be provided which:
  - (i) permits the locking of at least two bicycles by the frame and the front wheel and support of each bicycle in a stable position with two points of contact (bicycle racks - including wall mounted varieties);
  - (ii) in the case of institutional uses, is provided at a rate of 1 per 250 sq. m (2,691 sq. ft.) of gross floor area, excluding residential units; and is clearly visible from the main entrance doorways to buildings; and
  - (iii) in the case of buildings with more than two residential units, is provided at a rate of one (1) per dwelling unit, and protects each bicycle from inclement weather.
- (e) Notwithstanding subsection (d), bicycle parking shall not be required for single and two unit residential uses and open space uses.

**5A.2      LIGHTING AND LANDSCAPING - TANTALLON CROSSROADS**

- (a) Within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, all outdoor lighting shall be oriented such that it is directed downwards and away from adjacent properties.
- (b) Within the VG (Village Gateway) Zone and the VC (Village Centre) Zone of the Tantallon Crossroads Coastal Village Designation as shown in Schedule L:
  - (i) Where any commercial or institutional use abuts a residentially zoned or used lot, the rear or side yard abutting the residentially zoned or used lot shall contain a fence or vegetative screening;

- (ii) A landscape strip at least 4.5 m (15 ft.) wide shall be provided along all street property lines, exclusive of driveways and walkways. This requirement shall not apply to single unit or two-unit residential properties. The required landscape strip shall incorporate a minimum of one (1) tree (minimum of 60 mm calibre (2.4 in.)) and three (3) shrubs per 7.6 m (25 ft.) of street frontage. The incorporation of trees and shrubs into the required landscape strip may be provided in the form of groupings, provided a minimum ratio of one (1) tree and three (3) shrubs are provided per 7.6 m (25 ft.) of street frontage;
- (iii) Notwithstanding Section 5A2(b)(ii), existing trees may be substituted where trees and shrubs are required; and
- (iv) Notwithstanding Section 5A2(b)(ii), where the Development Officer determines that an existing building location or topographic constraints prevent the owner from satisfying the requirements of Section 5A2(b)(ii), an equivalent area of landscaping may be wholly or partly substituted using any combination of the following clearly visible from the abutting street:
  - a) landscaped areas of at least 4.6 square metres (50 square feet) in area having no dimension less than 0.6 metres (2 feet); and
  - b) landscape planter(s) constructed of wood, brick, stone or concrete blocks resembling stone, and having a total minimum of 2.3 square metres (25 square feet)."

### 5A.3 ADDITIONAL SIGN CONTROL – TANTALLON CROSSROADS

Within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, the following signage requirements shall apply unless the requirements conflict with Part 5, and in a case of such conflict the more stringent requirements shall apply:

- (a) within the Village Gateway (VG) and Village Residential (VR) Zones, no sign shall be backlit;
- (b) within the Village Residential (VR) Zone, no ground sign shall exceed 1.9 m (6 ft) in height, and no sign face shall exceed an area of 0.5 sq. m (5 sq. ft) except for any sign contemplated in Section 5.4 (c ), (e ), (f), (g) or (h) of Part 5;
- (c) within the Village Gateway (VG) Zone, no ground sign shall exceed 4.6 m (15 ft) above established grade in vertical height and 3.1 m (10 ft) in width;
- (d) within the Village Centre (VC) Zone, no ground sign shall exceed 6.1 m (20 ft) above established grade in vertical height and 4.6 m (15 ft) in width;
- (e) within the Village Gateway (VG) Zone and the Village Centre (VC) Zone, ground signs shall be permitted within the required landscape strip, provided all other land use by-law requirements are satisfied;
- (f) within the Village Gateway (VG) Zone and the Village Centre (VC) Zone, all ground signs located outside the required landscape strip shall be sited in a landscaped area a minimum of 27.9 sq. m (300 sq. ft.) in size;
- (g) ground signs shall have a maximum of two (2) faces, which shall be affixed back to back;
- (h) no sign shall be located on the roof of any building;

- (i) no wall mounted signs shall extend above the top of any wall;
- (j) no sign shall incorporate any flashing or moving illumination; and
- (k) within the Village Gateway (VG) Zone and the Village Centre (VC) Zone, each business occupancy located in a multiple commercial occupancy building may be permitted a maximum of two (2) wall mounted (fascia) signs, the total of which shall not exceed an area equal to ten (10) percent of the business facade upon which it is located.

#### 5A.4 ARCHITECTURAL REQUIREMENTS – TANTALLON CROSSROADS

Within the Tantallon Crossroads Coastal Village Designation as shown in Schedule L, the following architectural requirements shall apply to all buildings except single-unit dwellings, two-unit dwellings, auxiliary dwelling units, accessory buildings, greenhouses, temporary garden centres, temporary structures erected for festivals or special events, temporary construction uses, changes in use or occupancy within an existing building, or internal renovations within an existing building:

- (a) A combination of arcades, display windows, entry doorways, permanent awnings or other such features shall be incorporated into the street façade of every building containing a commercial or community use. Such features shall be at least 60 percent of the horizontal length of the building facing a public street;



- (b) Every street façade shall incorporate a minimum of one clearly defined entrance doorway;
- (c) A hard surface walkway shall be provided between the entrance doorway required in Subsection (b), and a point where the driveway joins the street;
- (d) All roofs shall be pitched roofs, with a minimum slope of 6:12, except for dormers, porches, or where occupied by vegetative roofing systems;
- (e) All roofs visible from the street shall be articulated at intervals of at least 15.3 m (50 ft.) measured horizontally, with features such as cross-gables, dormers, parapets, or masonry-style chimneys;



- (f) At least one wall of each building shall be oriented to face the street;
- (g) No uninterrupted length of any street facade shall exceed 15.3 m (50 ft.) measured horizontally. Wall plane projections, recesses, or other architectural features shall



be incorporated into all facades greater than 15.3 m (50 ft.) in length, measured horizontally;

- (h) Siding shall have the appearance of horizontal or vertical wood siding, shingles, stone or brick;
- (i) Windows, doors and corners shall be accentuated by trim or other design details (i.e. arches, hoods, mouldings, decorative lintels, pediments, sills, corner boards);
- (j) Window openings, except for retail display windows and basement windows, shall be vertical or square; and
- (k) 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 public street.”

21. Insert the following Parts after Section 11.12 of Part 11 and before Part 12, beginning on a new page for each Part, as set out below:

“PART 11A: VR (VILLAGE RESIDENTIAL) ZONE

11A.1 VR USES PERMITTED

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

Residential Uses

Single unit dwelling

Auxiliary dwelling unit

Semi-detached dwelling on a lot with an area of at least 4046 sq. m (1 acre)

Townhouse dwelling or townhouse-style dwelling with a maximum of four (4) units

Day care facilities for not more than fourteen (14) children in conjunction with a permitted dwelling

Business uses in conjunction with a permitted dwelling

Bed and breakfasts not exceeding 3 rooms for rent within any one building, in conjunction with a permitted dwelling

Commercial Uses

Existing commercial uses

Agricultural Uses

Stables or pastures for the keeping of horses, ponies, donkeys or mules

### Resource Uses

Fishery support uses

Forestry uses, excluding commercial mills, commercial chippers or commercial incinerators

### Community Uses

Open space uses

Institutional uses excluding fire stations, police stations, public works depots and hospitals

## 11A.2 VR ZONE REQUIREMENTS

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

|                                 |   |
|---------------------------------|---|
| Minimum Lot Area                | 3716 sq. m (40,000 sq. ft.) except:<br>(a) 4046 sq. m (1 acre) for a semi-detached dwelling;<br>(b) 2023 sq. m (21,780 sq. ft.) for each unit of a subdivided semi-detached dwelling;<br>(c) 4459 sq. m (48,000 sq. ft.) for a 3-unit townhouse-style dwelling;<br>(d) 5945 sq. m (64,000 sq. ft.) for a 4-unit townhouse-style dwelling;<br>(e) 1486 sq. m (16,000 sq. ft.) for each unit of a townhouse dwelling;<br>(f) 5945 sq. m (64,000 sq. ft.) for an institutional use; and<br>(g) 9290 sq. m (100,000 sq. ft.) for stables. |
| Minimum Frontage                | 30.5 m (100 feet) except:<br>15 m (50 ft) for each lot of a subdivided semi-detached dwelling; and<br>7.6 m (25 feet) for each lot of a townhouse dwelling.   |
| Minimum Front or Flankage Yard  | 6 m (20 ft.)  |
| Minimum Rear or Side Yard       | 2.4 m (8 ft.) except common walls of semi-detached dwellings or townhouse dwellings   |
| Maximum Lot Coverage            | 35 percent  |
| Maximum Height of Main Building | 10.7 m (35 ft.)   |
| Maximum Building Footprint      | 297.3 sq. m (3200 sq. ft.) for each non-residential building  |
| Minimum Landscaped Area         | 50 percent of the lot   |

### 11A.3 OTHER REQUIREMENTS: AUXILIARY DWELLING UNITS

Where auxiliary dwelling units are permitted in any VR Zone the following shall apply:

- (a) No more than thirty-five (35) per cent of gross floor area of any dwelling shall be devoted to the auxiliary dwelling unit.
- (b) A minimum of one off-street parking space shall be provided for each dwelling unit.”

### 11A.4 OTHER REQUIREMENTS: TOWNHOUSE AND TOWNHOUSE-STYLE MULTIPLE UNIT DWELLINGS

Where townhouse or townhouse-style multiple unit dwellings are permitted in any VR Zone, garage doors shall occupy no more than 50 percent of the street facade length of each dwelling unit.

### 11A.5 OTHER REQUIREMENTS: DAY CARE USES

Where day care facilities are permitted in any VR Zone, the following shall apply:

- (a) With the exception of outdoor play space, any day care facility shall be wholly contained within the dwelling which is the principal residence of the operator of the facility.
- (b) No open storage or outdoor display shall be permitted.
- (c) No more than one (1) sign shall be permitted for any day care facility and no such sign shall exceed 0.38 sq. m (4 sq. ft.) in area, and no such sign shall exceed 1.2 m (4 ft.) in any one dimension.

### 11A.6 OTHER REQUIREMENTS: BUSINESS USE IN CONJUNCTION WITH A PERMITTED DWELLING

Where business uses in conjunction with a dwelling are permitted in any VR Zone, the following shall apply:

- (a) No more than 28 sq. m (300 sq. ft.) of gross floor area of any dwelling unit shall be devoted to any business use.
- (b) No mechanical equipment shall be used except that which is reasonably consistent with the use of a dwelling, and which does not create a nuisance by virtue of noise, vibration, glare, odour, smoke or dust.
- (c) No open storage or outdoor display shall be permitted.
- (d) No window display shall be permitted.
- (e) No more than one (1) sign shall be permitted for any business, and no such sign shall exceed 0.38 sq. m (4 sq. ft.) in area and shall not exceed 1.2 m (4 ft.) in any one dimension.

#### **11A.7 OTHER REQUIREMENTS: BED AND BREAKFASTS**

Where any bed and breakfast is permitted in any VR Zone, the following shall apply:

- (a) Any bed and breakfast shall be conducted wholly within the principal operator's dwelling unit;
- (b) Not more than three (3) rooms may be let within any one building.
- (c) No window display shall be permitted;
- (d) No more than one (1) sign shall be permitted, and no such sign shall exceed 0.38 sq. m (4 sq. ft.) in area and shall not exceed 1.2 m (4 ft.) in any one dimension; and
- (e) One off-street parking space, in addition to that required for the dwelling, shall be provided for each room to be let.

#### **11A.8 OTHER REQUIREMENTS: AGRICULTURAL USES**

Notwithstanding the provisions of Section 11A.2, where the keeping of horses, ponies, donkeys or mules is permitted in any VR Zone, the following shall apply:

- (a) A minimum lot size of 9290 sq. m (100,000 sq. ft.) shall be required .
- (b) No more than 69.7 sq. m (750 sq. ft.) gross floor area of any building shall be used for the keeping of the animals, and no such building shall:
  - (i) subject to clause (c), be located less than 6 m (20 ft.) from any rear or side lot line;
  - (ii) be located less than 30.5 m (100 ft.) from any dwelling or potable water supply except a dwelling or potable water supply located on the same lot; or
  - (iii) be located less than 91.4 m (300 ft) from any watercourse or waterbody.
- (c) Where a horse, pony, donkey or mule is to be sheltered in an existing accessory structure, then the minimum rear or side yard required under subclause (b)(i) may be reduced to 2.4 m (8 ft.).
- (d) No more than a total of four of any combination of horses, ponies, donkeys or mules shall be permitted on a lot.

#### **11A.9 OTHER REQUIREMENTS: FORESTRY USES**

Notwithstanding the provisions of Section 11A.2, where forestry uses are permitted in any VR Zone, the following shall apply:

- (a) The combined gross floor area of all structures devoted to the forestry use shall not exceed 139.4 sq. m (1,500 sq. ft.).
- (b) Any area devoted to open storage shall not be permitted within any required front or side yard, and shall not exceed twenty-five (25) percent of the lot area.
- (c) No more than fifteen hundred 139.4 sq. m (1,500 sq. ft.) of the combined gross floor area of any structure on the lot shall be devoted to a commercial use, including a retail use accessory to a forestry use or a business use.

## 11A.10 OTHER REQUIREMENTS: FISHERY SUPPORT USES

Notwithstanding the provisions of Section 9A.2, where fishery support uses are permitted in any VR Zone, the following shall apply:

- (a) The total gross floor area of all structures devoted to the fishery support use shall not exceed 139.4 sq. m (1,500 sq. ft.); and
- (b) No more than 139.4 sq. m (1,500 sq. ft. of the combined gross floor area of any structure on the lot shall be devoted to a commercial use, including a retail use accessory to a fishery use or a business use.
- (c) Where a fishery support use abuts a residentially zoned or used lot, the rear or side yard abutting the property shall contain a fence or vegetative screening.”

## PART 11B: VG (VILLAGE GATEWAY) ZONE

### 11B.1 VG USES PERMITTED

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

#### Residential Uses

Single unit dwellings

Semi-detached dwellings

Auxiliary dwelling units

Two unit dwellings

Multiple unit dwellings with a maximum of twelve (12) units

Townhouse dwellings with a maximum of twelve (12) units

A maximum of twelve (12) dwelling units in a commercial or institutional building

Mobile homes existing on June 24, 2014

#### Commercial Uses

Banks and financial institutions, excluding drive-throughs

Commercial entertainment uses, excluding adult entertainment and drive-in theatres

Commercial recreation uses

Craft shops

Farmers markets

Medical clinics

Offices

Personal service shops, except that dry cleaning fluids shall not be permitted on the site

Restaurants, except drive-in

Retail stores, excluding drive-throughs, motor vehicle dealerships, adult bookstores and sex-aid shops

Service shops

Service stations existing on the date of adoption of this Section

Tourist accommodations

Traditional uses

Veterinary clinics

Greenhouses located no less than 45.7 m (150 feet) from any well situated on another lot, and from any watercourse

#### Community Uses

Day care facilities

Institutional uses

Public transit terminals

Open Space

### 11B.2 OTHER PERMITTED USES

The following properties may also have the following uses:

- (a) On the lands identified on Schedule M:
  - (i) The drive-in restaurant shall also be a permitted use, provided that:
    - a) the number of drive-through windows has not increased since the date of adoption of this Section; and
    - b) no drive-through window shall face any street.
  - (ii) A self-storage use may be permitted by development agreement only.
- (b) On the lands identified on Schedule P:
  - (i) Subject to the conditions set forth in clause (ii), permitted uses shall also include:
    - a) Storage of materials used for on-site fabrication, maintenance and repair of boats, utility or recreational trailers, docks, decks, rafts, slipways and ramps;
    - b) Fabrication, maintenance, repair, sales and service of boats, utility or recreational trailers, docks, decks, rafts, slipways and ramps;
    - c) Storage of boats provided that masts are removed; and
    - d) Storage of utility or recreational trailers.
  - (ii) The uses set forth in clause (i) shall be allowed only where all components, equipment, vehicles and vessels undergoing fabrication, under repair, awaiting servicing or being stored, are screened from neighbouring properties and from the public roadway by:
    - a) a buffer at least 6 metres (20 feet) wide with evergreen vegetation; or
    - b) a 1.8 m (6 ft) high closed-board fence; or
    - c) a 1.8 m (6 ft) high evergreen hedge.

### 11B.3 VG ZONE REQUIREMENTS

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

|                                |  |
|--------------------------------|--|
| Minimum Lot Area               | 3716 sq. m (40,000 sq. ft.) except:<br>(a) 4046 sq. m (1 acre) for a semi-detached dwelling;<br>(b) 2023 sq. m (21,780 sq. ft.) for each unit of a subdivided semi-detached dwelling;<br>(c) 4459 sq. m (48,000 sq. ft.) for a multiple unit dwelling with three (3) units;<br>(d) for each dwelling unit of a multiple unit dwelling exceeding three units, other than a townhouse dwelling, the minimum lot area shall be increased by 1486 sq. m (16,000 sq. ft.);<br>(e) for a townhouse dwelling, the minimum lot area for each unit shall be 1486 sq. m (16,000 sq. ft.); and<br>(f) 5945 sq. m (64,000 sq. ft.) for an institutional use. |
| Minimum Frontage               | 30.5 m (100 ft.) except that for a subdivided semi-detached dwelling or a townhouse dwelling, the minimum frontage shall be 7.6 m (25 ft.);  |
| Minimum Front or Flankage Yard | 5 m (16.5 ft.)   |
| Maximum Front or Flankage Yard | the greater of 10 m (33 ft.), or the width of any utility easement existing in the front or flankage yard on the date of adoption of this section  |
| Minimum Rear or Side Yard      | 4.5 m (15 ft.) except common walls of semi-detached dwellings or townhouse dwellings   |
| Maximum Lot Coverage           | 40%  |
| Maximum Height of Building     | 10.7 m (35 ft.), or 15 m (49 ft.) only where a gable roof with a pitch of at least 8:12 encloses a loft as the uppermost Storey of a 2 1/2-Storey building.  |
| Maximum Building Footprint     | 558 sq. m (6000 sq. ft.)   |
| Minimum Landscaped Area        | 40% of the lot   |

### 11B.4 OTHER REQUIREMENTS: MULTIPLE DWELLING UNITS

- (a) Where a building contains commercial or community uses, such uses shall include windows and pedestrian entries facing the street at the ground floor level;
- (b) In the case of townhouse dwellings or townhouse-style dwellings, garage doors shall occupy no more than 50 percent of the street facade length of each dwelling unit.

- (c) In the case of multiple unit dwellings, a minimum of 12 sq. m (130 sq. ft.) of landscaped amenity area shall be provided for each dwelling unit.

#### **11B.6 OTHER REQUIREMENTS: OPEN STORAGE AND OUTDOOR DISPLAY**

Within the VG (Village Gateway) Zone:

- (a) No outdoor storage shall be permitted in the front or side yard;
- (b) Outdoor storage located in the rear yard shall be screened and/or fenced;
- (c) Outdoor display of goods and wares shall be permitted, provided the outdoor display is associated with commercial uses permitted in the C-1A Zone, retail uses, retail stores, bakeries, institutional uses or, on the lands identified on Schedule P, boats or trailers; and
- (d) No outdoor display shall be permitted in any required landscaped area, or any area required for pedestrian movement.

#### **11B.7 OTHER REQUIREMENTS: GREENHOUSES**

Notwithstanding the provisions of Section 15A.2, where greenhouses are permitted in any VG Zone, the following shall apply:

- (a) The greenhouse shall be located no less than 45.7 m (150 feet) from any well situated on another lot, and from any watercourse;
- (b) The greenhouse shall not have a flat roof; and
- (c) The external finish shall not have the appearance of unpainted metal, exposed tarpaper or plastic membrane.

### **PART 11C: VC (VILLAGE CENTRE) ZONE**

#### **11C.1 VC USES PERMITTED**

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

##### **Residential Uses**

A maximum of twelve (12) dwelling units in a commercial or institutional building  
Multiple unit dwellings with a maximum of twelve (12) units

##### **Commercial Uses**

Commercial uses permitted in the C-1A Zone, except that drive-throughs and dry cleaning fluids shall not be permitted

Bakeries

Banks and Financial Institutions excluding drive-throughs

Commercial Entertainment Uses, excluding adult entertainment uses



Craft Shops  
Full Service Restaurants excluding drive-in  
Greenhouses  
Medical Clinics  
Offices  
Personal Service Shops  
Retail Stores excluding drive-throughs and automobile sales lots  
Service stations existing on the date of adoption of this Section  
Take-Out Restaurants excluding drive-in  
Theatres and Cinemas, excluding drive in theatres and adult theatres  
Tourist Accommodations  
Traditional Uses  
Veterinary Clinics and the associated boarding of animals

#### Light Industrial Uses

Maple product processing

#### Community Uses

Institutional Uses, excluding cemeteries  
Public Transit Terminals  
Public Parks  
Service club or recreational club house not exceeding 418.1 m<sup>2</sup> (4,500 ft<sup>2</sup>) of gross floor area  
Uses Accessory to Permitted Uses

### 11C.2 VC ZONE REQUIREMENTS

In any VC (Village Centre) Zone no development permit shall be issued except in conformity with the following requirements:

|                  |   |
|------------------|---|
| Minimum Lot Area | 3716 sq. m (40,000 sq. ft.) except:   |
|                  | (a) 4459 sq. m (48,000 sq. ft.) for a multiple unit dwelling with three (3) units other than a townhouse dwelling;  |
|                  | (b) for each dwelling unit exceeding three units in a multiple unit dwelling other than a townhouse dwelling, the minimum lot area shall be increased by 1486 sq. m (16,000 sq. ft.); |
|                  | (c) for a townhouse dwelling, the minimum lot area for each unit shall be 1486 sq. m (16,000 sq. ft.); and  |
|                  | (d) 5945 sq. m (64,000 sq. ft.) for an institutional use.   |

|                                     |   |
|-------------------------------------|---|
| Minimum Frontage                    | 30.5 m (100 ft.), except that for a townhouse dwelling the minimum frontage for each unit shall be 7.6 m (25 ft.);  |
| Minimum Front/Flankage Yard Setback | 5 m (16.5 ft.)  |
| Maximum Front/Flankage Yard Setback | the greater of 10 m (33 ft.), or the width of any utility easement existing in the front or flankage yard on the date of adoption of this section;          |
| Minimum Rear and Side Yard Setback  | 4.6 m (15 ft.) except common walls of townhouse dwellings   |
| Maximum Height of a Building        | 10.7 m (35 ft.), or 15 m (49 ft.) only where a gable roof with a pitch of at least 8:12 encloses a loft as the uppermost Storey of a 2 1/2-Storey building. |
| Maximum Lot Coverage                | 40 %  |
| Maximum Building Footprint          | 558 sq. m (6000 sq. ft.)  |
| Minimum Landscaped Area             | 40% of the lot  |

#### 11C.3 OTHER REQUIREMENTS: STREET FACADE AND AMENITY AREA

Where dwelling units are permitted in any VC (Village Centre) Zone, the following shall apply:

- (a) Where a building contains commercial or community uses, such uses shall include windows and pedestrian entries facing the street at the ground floor level;
- (b) In the case of townhouse dwellings or townhouse-style dwellings, garage doors shall occupy no more than 50 percent of the street facade length of each dwelling unit.
- (c) In the case of multiple unit dwellings, a minimum of 12 sq. m (130 sq. ft.) of landscaped amenity area shall be provided for each dwelling unit.

#### 11C.4 OTHER REQUIREMENTS: OPEN STORAGE AND OUTDOOR DISPLAY

Within the VC (Village Centre) Zone:

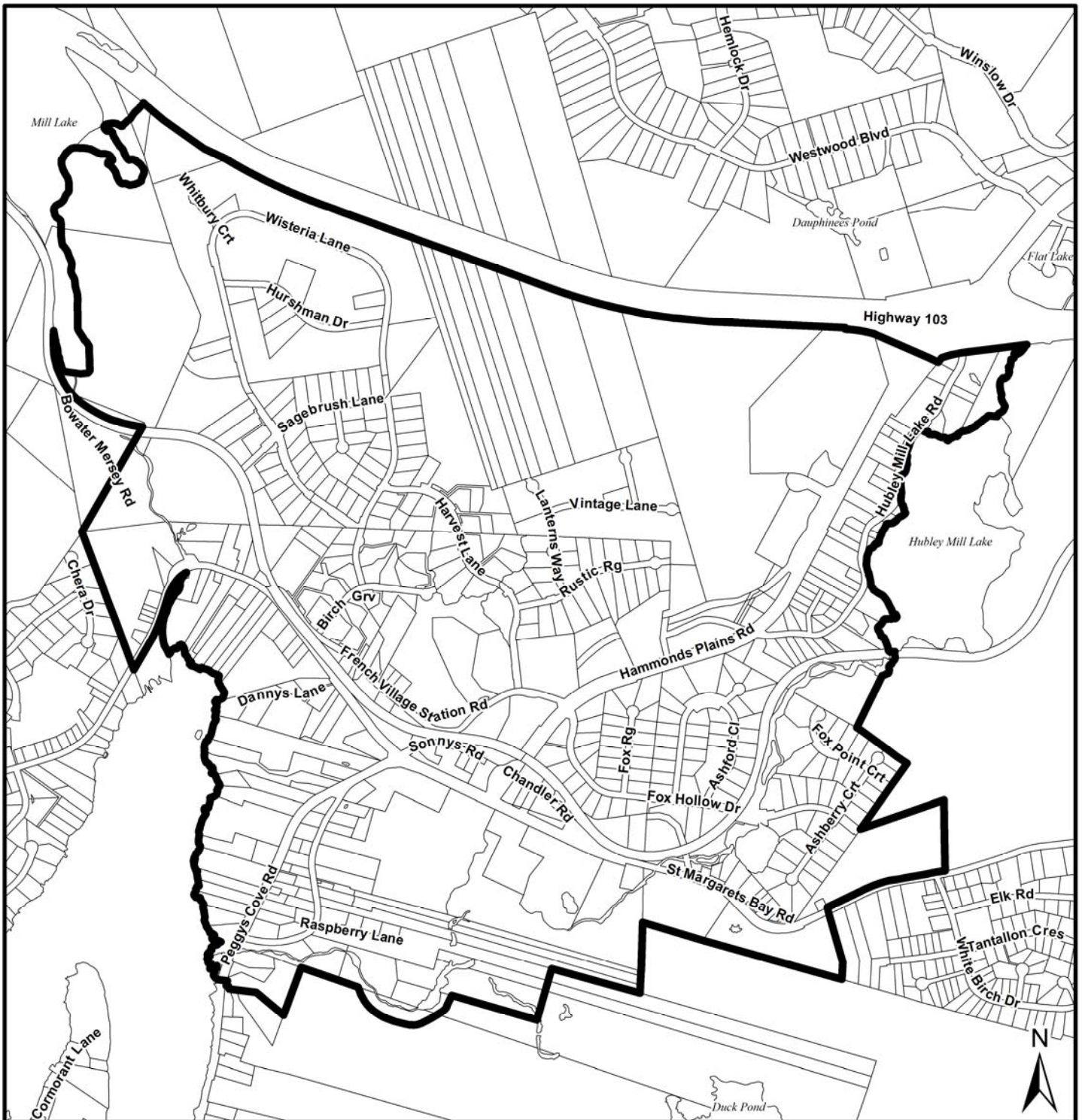
- (a) No outdoor storage shall be permitted in the front or side yard;
- (b) Outdoor storage located in the rear yard shall be screened and/or fenced;
- (c) Outdoor display of goods and wares shall be permitted, provided the outdoor display is associated with commercial uses permitted in the C-1A Zone, retail uses, retail stores, bakeries, traditional uses or institutional uses; and
- (d) No outdoor display shall be permitted in any required landscaped area, or any area required for pedestrian movement.

#### 11C.5 OTHER REQUIREMENTS: GREENHOUSES

Notwithstanding the provisions of Section 15B.2, where greenhouses are permitted in any VC Zone, the following shall apply:

- (a) The greenhouse shall be located no less than 45.7 m (150 feet) from any well situated on another lot, and from any watercourse;
- (b) The greenhouse shall not have a flat roof; and
- (c) The external finish shall not have the appearance of unpainted metal, exposed tarpaper or plastic membrane.”

22. Insert the following Schedule L after Schedule K, beginning on a new page, as set out overleaf.



## Schedule L

Tantallon Crossroads Coastal Village Designation

**HALIFAX**

 Tantallon Crossroads Coastal Village Designation Boundary

0 200 400 600 m

Planning District 1 & 3  
(St Margarets Bay) Plan Area

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

Effective:

T:\work\planning\Casemaps\SMB\16424\ (HEC)

23. Insert the following two maps, depicting Schedules M-P and Schedule Q respectively, each map beginning on a new page, after new Schedule L (see above), as set out overleaf:





## Schedules M, N, O, and P

Tantallon Crossroads Coastal Village

**HALIFAX**

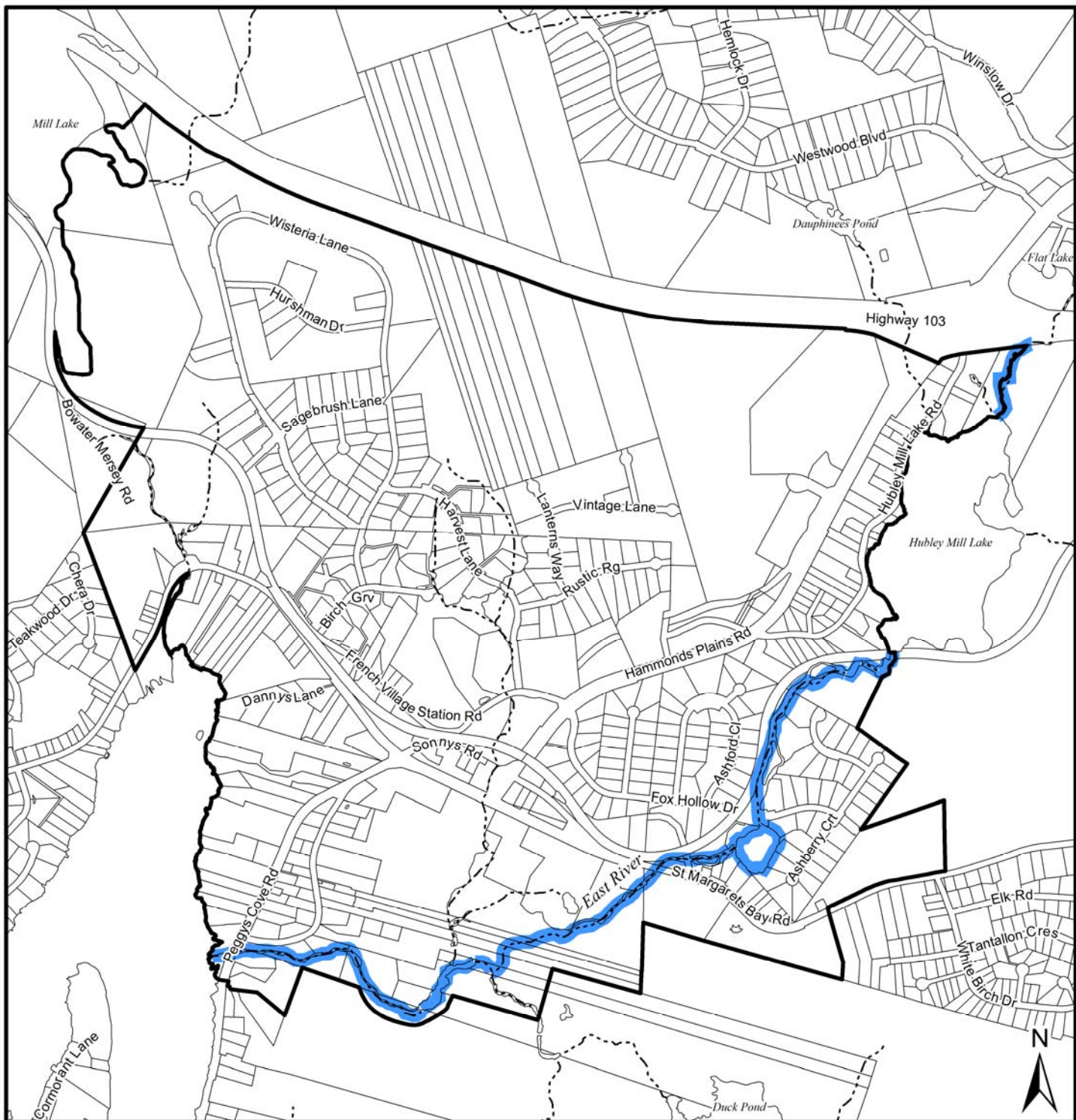
0 200 400 600 m

Planning District 1 & 3  
(St Margarets Bay) Plan Area

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

Effective:

T:\work\planning\Casemaps\SMB\16424\ (HEC)



## Schedule Q - East River

Tantallon Crossroads Coastal Village

**HALIFAX**

East River

----- Waterway

0 200 400 600 m

Planning District 1 & 3  
(St Margarets Bay) Plan Area

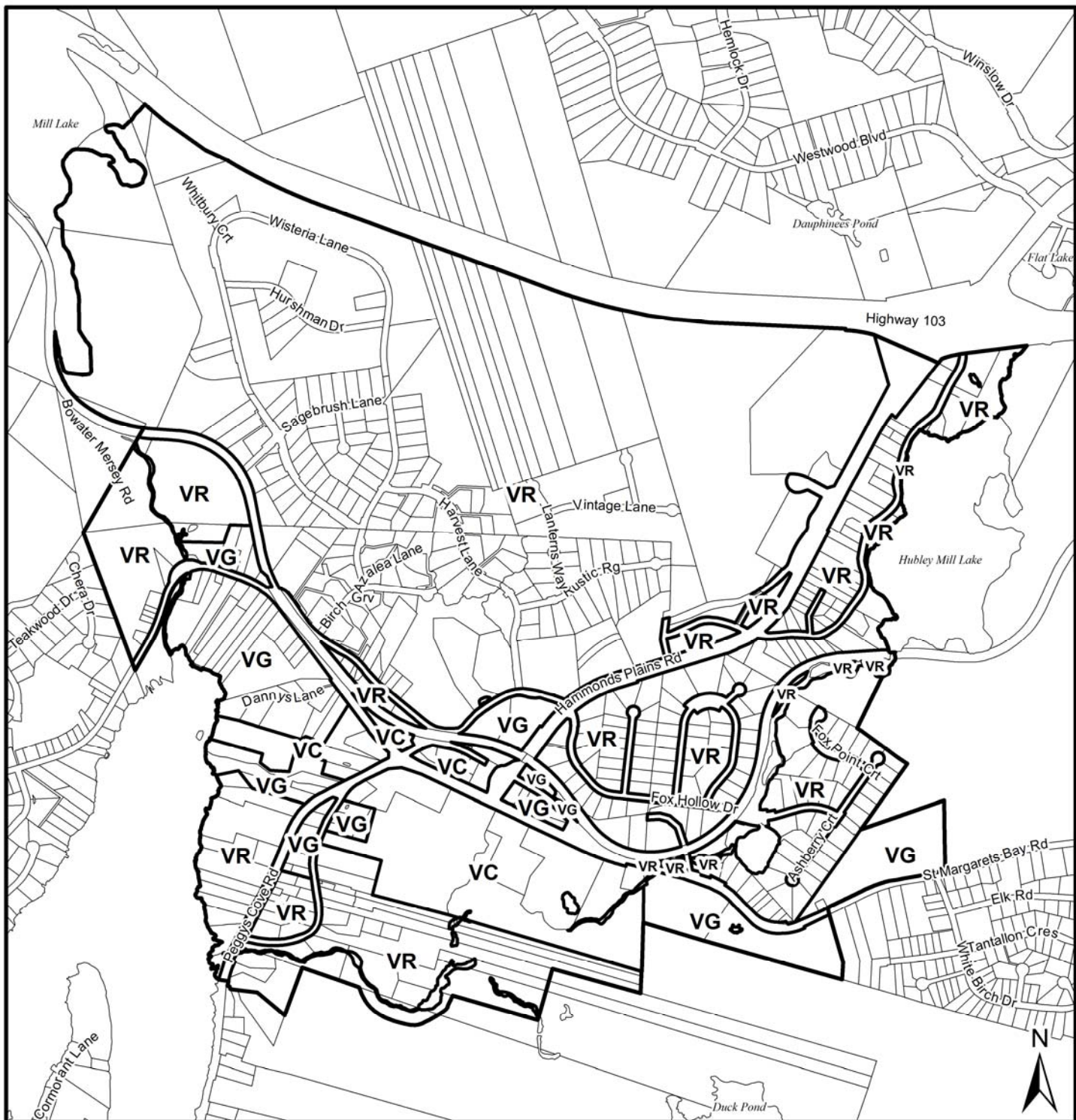
HRM does not guarantee the accuracy  
of any representation on this plan.

Effective:

T:\work\planning\Casemaps\SMB\16424\ (HEC)

24. Amend Schedule A – Zoning as illustrated in Appendix A as set out overleaf.





## Appendix A - Amendments to Schedule A (Zoning)

Tantalton Crossroads Coastal Village

**HALIFAX**

Planning District 1 & 3  
(St Margarets Bay) Plan Area

### Zone

VR Village Residential  
VG Village Gateway  
VC Village Centre

0 200 400 600 m

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