

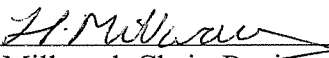


PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

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**Halifax Regional Council**  
**April 25, 2006**

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

**SUBMITTED BY:**   
Hugh Millward, Chair, Regional Planning Committee

**DATE:** April 19, 2006

**SUBJECT:** Regional Municipal Planning Strategy (The Regional Plan)

**ORIGIN**

Council approved Regional Planning Phase II Action Plan - December 3, 2002  
Council appointed Regional Planning Committee - February 25, 2003  
Council approved Regional Planning Committee Terms of Reference - May 13, 2003  
Council approved Regional Planning Process, Timeline and Workplan - June 10, 2003  
Council approved Regional Planning Principles - June 10, 2003

(Listing of Origin documentation continued on the next page)

**RECOMMENDATION**

It is recommended Halifax Regional Council:

1. Give First Reading to the Regional Municipal Planning Strategy and Regional Subdivision By-law as set out in Attachments "A", "B" and "D", respectively, and schedule a Public Hearing for Tuesday, May 16, 2006;
2. Approve amendments to the Municipal Planning Strategies and Land Use By-laws of Halifax Regional Municipality necessary to implement the Regional Municipal Planning Strategy as set out in Attachments "C" and "D".

ORIGIN (continued from Page 1)

Council approved Regional Planning Public Consultation Resolution - September 2, 2003  
Council approved Regional Planning Goals and Objectives - January 27, 2004  
Council approved Regional Planning Concept Alternatives for Growth - April 20, 2004  
Council approved Consultation Program: Concept Alternatives for Growth - April 20, 2004  
Council approved Interim Growth Management Policies - May 4, 2004  
Council accepted Summary Report on Spring 2004 Consultation - November 9, 2004  
Council approved Regional Plan Preferred Alternative: The Proposed Plan - December 7, 2004  
Council approved Consultation Program: Preferred Alternative - December 7, 2004  
Council accepted Summary Report: Consultation: Preferred Alternative - April 26, 2005  
Council endorsed Regional Plan Draft #1 for Consultation - May 10, 2005  
Council approved Consultation Program for Draft #1 - May 10, 2005  
Council accepted Summary Report: Consultation on Draft #1 - July 5, 2005  
Council accepted Information Report: Regional Plan Update - October 18, 2005  
Council accepted Information Report: Regional Plan Draft #2 Update - December 6, 2005  
Council accepted Summary Report: Community Council Sessions - December 6, 2005  
Council approved Regional Plan Draft #2 for Public Review - December 6, 2005  
Council approved Public Review Period (to January 31, 2006) - December 6, 2005

**BACKGROUND**

Regional Council appointed a Regional Planning Committee (RPC) on February 25, 2003. Phase II of the process to create the Regional Plan began in June of 2003. Regional Plan Principles, Goals and Objectives were developed from public input and endorsed by Council. Guided by the RPC, information dissemination and opportunities for public input were provided throughout the process.

On May 4, 2004, Regional Council approved a series of amendments to the Municipal Planning Strategies and Land Use Bylaws (in parts of HRM) to restrict new residential development in order to reduce the risk of speculative lot development in advance of the Regional Plan. In its approval of the interim growth management policies and regulations, Council recognized the policies and regulations would remain in place until the Regional Plan was completed.

A first draft of the regional plan was delivered to Regional Council on April 26, 2005; a second draft on December 6, 2005, following extensive public consultation. A period of public review of Draft #2 closed on January 31, 2006.

The RPC has fulfilled the mandate to deliver a Regional Municipal Planning Strategy to Regional Council. The RPC recommends Regional Council give First Reading and set Tuesday, May 16, 2006, as the date for a public hearing.

Once Council sets the date for the public hearing, the plan cannot be changed until Council closes the public hearing. At that time, Council can accept the plan, direct changes to the plan, or reject the plan. If changes are of a substantive nature, such that they alter the intent (meaning) of land use policy, a second public hearing must be scheduled.

## DISCUSSION

### Public Review of Draft #2

Regional Council tabled Draft #2 of the Regional Plan for a period of public review on Tuesday, December 6, 2005. By the close of the review period on January 31, 2006, more than **80 submissions** had been received on the draft. Most of the submissions were supportive overall, although many suggested additional small changes to consider. Many of the suggested changes were already covered in the draft plan and had been contemplated for future functional plans. In these instances, clarification was all that was needed. A few errors were picked up which have been corrected.

The Regional Planning Committee began reviewing the submissions on February 15, 2006. The committee's review continued on February 22, March 1 and March 8. In two documents prepared by Regional Planning staff, the committee received a response and a recommendation for every submission. The "Response to Public Input"<sup>1</sup> documents laid out the issue or concern being raised in the submission, discussion on the issue and possible options to address it, rationale and implications, and a recommendation on whether or not Draft #2 should be changed.

On Wednesday, March 8, 2006 the Regional Planning Committee completed its discussion on the submissions. Following this meeting, and in response to direction from the committee, final amendments to Draft #2 were prepared and a revised draft circulated to the committee. **On Wednesday, March 22, 2006, the RPC voted unanimously to recommend the Regional Plan to Regional Council for First Reading and to set a date for the public hearing.**

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<sup>1</sup> Reference Documents: (1) Regional Plan Draft #2: Response to Public Input, February 10, 2006 and (2) Regional Plan Draft #2: Response to Public Input (Supplementary), February 14, 2006

Changes to Draft #2

Several significant changes to the Regional Plan have resulted from the submissions received. These changes are discussed below:

1. Changes to Urban Settlement Designation

The Generalized Future Land Use Map has been changed to include two additional land areas in the Urban Settlement Designation. These lands are the Sandy Lake area and the Highway 102 West Corridor. These lands were designated as Urban Reserve in Draft # 2. Lands within the Urban Settlement Designation are lands where sewer and water services are intended to be provided over the next 25 years. This change was directed by the Regional Planning Committee to provide more opportunity for serviced growth in HRM and to provide further options for competition in land development. However, further to the principles of the Regional Plan, the future development of areas identified for new growth within the Urban Settlement Designation will be evaluated to ensure the fiscal health of the municipality is protected and any deficiencies in municipal services systems needed to service the proposed growth area are addressed.

2. Changes to Natural Resource and Open Space Designation

The regulation of land use in the Natural Resource and Open Space Designation has been changed to open opportunity for infill development on existing roads but still provide protection for lands in the interior. These changes accommodate the wishes of the private forestry land owners, yet maintain the intent of the Regional Plan to avoid further fragmentation of forestry and natural resource lands. The Land Use Bylaw regulations in Draft # 2, which required a very large minimum lot size, have been deleted. Instead, the creation of new lots within this designation will be regulated through prohibiting new road construction in the Subdivision By-law. These changes leave existing zoning on private forestry lands intact, maintaining opportunity for various land uses such as lodges and camps.

Lands between Highway 103 and Trunk 3 have been changed from an Open Space and Natural Resource Designation to a Rural Commuter Designation to reflect future use of these lands. Within the Rural Commuter Designation, open space subdivision may take place by development agreement and criteria within the plan seeks to protect valued open space. The change recognizes the landowner's concerns these lands do not fit within the bulk of the Open Space and Natural Resources lands. Highway 103 is seen as a reasonable physical border between the natural resource and rural commutershed areas.

3. Changes to Allow Subdivision Along Trunk Roads

The proposed boundary of the Open Space and Natural Resource Designation has been changed to allow subdivision to occur within 500 metres of existing trunk roads (not including 100 series highways). The lands within the 500 metre setback from the trunk roads will be designated as Rural Commuter. The 500 metre setback will not be applied along Highway 224 or Highway 357 (linking the Eastern Shore with Musquodoboit Valley) as the Natural Resource Designation will permit infill lots on these trunk roads. The change allows opportunities to subdivide along existing trunk roads, yet avoid fragmentation and subdivision of natural resource and open space lands beyond the 500 metres.

4. Changes to Blue Mountain/Birch Cove Lakes Regional Park

The privately owned lands within the generalized park area of the proposed Blue Mountain/Birch Cove Lakes Regional Park have been changed from an Open Space and Natural Resource Designation to an Urban Reserve Designation. Privately owned lands outside the generalized park area have been changed from an Open Space and Natural Resource Designation to an Urban Settlement Designation. The change recognizes land-owner concerns regarding potential property devaluation, as well as concerns the public may have in perceiving the private lands as park lands in advance of acquisition by the municipality or other government agencies.

5. Changes to Serviceable Area Boundaries

The proposed service area boundary to permit the extension of sewer and water services has been changed to include additional lands in the Middle Sackville Area. It is anticipated HRM will extend the trunk sewer along Sackville Drive to the Lively Subdivision, and including additional lands will provide more immediate funding for the trunk sewer in the form of local improvement charges, and will allow development to proceed in a manner more consistent with the intent of the Urban Settlement Designation. Because the Sackville Trunk Sewer currently overflows to the Sackville River during periods of high rainfall, an equivalent amount of land within the existing boundary is being re-zoned to restrict development until additional capacity is available.

Draft #2 Adjustments and Clarifications

A majority of the recommended changes to the draft plan were to enhance wording and add clarification to policies. The changes recommended by the RPC have been incorporated into the Regional Plan. A summary of the changes is included in Attachment "E".

Following approval of the final draft of the Regional Plan by the Regional Planning Committee, staff noted the Burnside East Suburban Local Centre on Map 1 - Settlement and Transportation, and in Table 3-1: Characteristics of Centres, would be more appropriately classified as a Suburban District Centre, to reflect the Dartmouth Crossing retail development project currently being developed there. Regional Council may wish to consider this change at the time of First Reading.

Interim Growth Provisions

The intent of the Interim Growth Management policies was to prevent accelerated unserviced<sup>2</sup> residential subdivision activity (ie. pre-emptive growth) and to ensure Council's ability to consider a broad range of policy options while preparing the Regional Plan was not undermined. Past municipal experience with adopting growth management regulations in HRM had demonstrated the risks associated with pre-emptive subdivision were real. Council understood the risks could be mitigated through the adoption of interim growth measures.

Through the process to prepare the Regional Plan, staff monitored and reported to Council on the impact of "interim growth" on residential development activity. With Regional Council's approval of the Regional Plan, the Interim Growth Management policies will be removed and replaced with the provisions of the Regional Plan.

Regional Subdivision By-law

The development of a single subdivision by-law to replace the four by-laws regulating the subdivision of land in the four former municipal units was finalized concurrent with the completion of the Regional Planning Project. The document is a general harmonization of all of the former regulations and serves to standardize the subdivision process across HRM. In addition to reflecting existing community plan policies, the by-law also implements a number of new policies introduced in the Regional Plan which include:

- the management of development within the rural designations;
- the prohibition of new private road development throughout HRM;
- methods to preserve future transportation corridors;
- the increase in park dedication from 5% to 10%; and
- grand-fathering for current subdivision applications.

With respect to grand-fathering provisions, two additional rural subdivisions have been accommodated. At the time of the adoption of the Interim Growth Management Controls, certain subdivision proposals were permitted to continue through the subdivision process but subject to yearly limitations on the number of lots that could be created and the amount of road constructed. The continuation and completion of these subdivisions, consistent with the same yearly limitations, is provided for in the new by-law. Due to technicalities in not meeting the prescribed subdivision application requirements, two particular subdivision projects were not accommodated. It is clear that these developments were not pre-emptive in nature as they had previously proceeded through substantial planning and design processes. As such, it is reasonable to provide for their

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<sup>2</sup> unserviced means a lot which is serviced with an on-site septic system and well.

continued development but subject to the same restrictions as other subdivisions within the Interim Growth Management Area. These two subdivisions appear to be unique and staff are not aware of any other subdivision developments which would have similar circumstances and warrant grandfathering.

Given the timing of completion of the Regional Plan and the need to implement some of the key rural development policies through a subdivision by-law, it is an appropriate occasion to also adopt the Regional Subdivision By-law (Attachment "B").

Amendments to Existing Municipal Planning Strategies and Land Use By-laws to Implement the Regional Municipal Planning Strategy

Attachment "C" contains a series of By-laws to amend the Municipal Planning Strategies (MPS) and Land Use By-laws (LUB) of HRM. Approval of the amendments proposed in the attached by-laws is necessary to implement the Regional Municipal Planning Strategy. Through the amending by-laws, specific (existing) policies and/or regulations must be either deleted or amended to remove conflict with the new Regional MPS.

(A) Summary of Amendments to Existing Municipal Planning Strategies:

1. **Policies to permit new private road development will be deleted** from the Planning Districts 8 and 9 (Lake Echo/Porter's Lake), Hammonds Plains/Beaver Bank/Upper Sackville, Planning District 5 (Chebucto Peninsula), Planning Districts 1 and 3 (St. Margaret's Bay), Planning District 4 (Prospect), Lawrencetown, Eastern Shore East, Eastern Shore West, Musquodoboit Valley/Dutch Settlement, North Preston/Lake Major/Lake Loon/Cherry Brook/East Preston municipal planning strategies.
2. **Policy will be added to require developments exceeding 40 feet in height to be considered through the provisions of a development agreement** under the Spring Garden Road Commercial Area Plan under the Halifax Municipal Planning Strategy.
3. **The Residential Growth Management policy set will be deleted** from the Hammonds Plains/Beaver Bank/Upper Sackville Municipal Planning Strategy.
4. **Policy will be added to the Hammonds Plains/Beaver Bank/Upper Sackville Municipal Planning Strategy to allow areas zoned Comprehensive Development District** or areas under consideration for rezoning to a Comprehensive Development District, prior to the first notice of the intention to adopt the Regional Plan, to be considered for future residential development through the provisions of a development agreement.

5. **Policy to consider residential development through rezoning to a Comprehensive Development District and entering into a development agreement will be deleted** from the from the Planning District 4 (Prospect) and Planning District 5 (Chebucto Peninsula) municipal planning strategies.
6. **Policy will be added to the Dartmouth Municipal Planning Strategy to enable consideration of lands in the north-east section of the Burnside Business Park to be rezoned from Industrial to Comprehensive Development District.** The Comprehensive Development District Zone will allow consideration of an urban transit village consisting of a mix of residential and commercial uses, through the provisions of a development agreement.

(B) Summary of Amendments to Existing Land Use by-laws

When Draft #1 of the Regional Plan was tabled in May of 2005, it was anticipated a Regional Land Use By-law would be the appropriate tool to deal with the necessary amendments to all existing land use by-laws, where the change was a direct result of the Regional Plan and was legally required to implement the plan.

Upon review of this approach, and on the advice of HRM Legal Services, it was determined it would be more efficient to administer the land use by-law amendments, resulting from the Regional Plan, through the twenty-one (21) individual land use bylaws. From an administrative standpoint, Planning and Development Services staff would rely on an amended land use by-law for a given Plan Area, rather than interpreting both an existing land use by-law and a separate regional land use by-law.

While the approach taken in the end may appear more complex, it will, in fact, greatly reduce the potential for error in land use by-law interpretation and administration.

To implement the Regional Plan, existing land use by-laws will be amended by:

- adding requirements for bicycle parking in relation to new development;
- adding development setbacks and retention of vegetative buffers from all watercourses in relation to development;
- adding a setback for residential development within a 2.5 metre elevation from the Atlantic Coastline;
- referring development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage;
- prohibiting development within any wetland 2,000 square metres and over;



- adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Resource, Agricultural, and Rural Commuter, except in the Beaver Bank/Hammonds Plains Growth Control areas;
- adding provisions to allow consideration of residential development on islands in areas designated Rural Commuter and Rural Resource;
- creating a RPK (Regional Park) Zone and applying it to lands previously zoned regional/provincial park under existing land use by-laws, or identified as park under provincial agreement, legislation or administrative list;
- creating an US (Urban Settlement) Zone which will permit single unit dwellings on existing lots on unserviced lands that may eventually be included in the Urban Service Boundary for future urban development;
- creating an UR (Urban Reserve) Zone which will permit single unit dwellings and passive recreation uses on existing lots on lands that are beyond Urban Service Boundary and the time frame for anticipated urban development under the Regional Plan;
- creating a PWS (Protected Water Supply) Zone and applying it to areas previously zoned conservation for the protection of public water supplies under existing land use by-laws;
- adding the BCDD Burnside Comprehensive Development District to the Dartmouth Land Use By-law to allow consideration of a mix of residential, commercial, recreation and institutional uses on portions of land in the northeast section of the Burnside Industrial Park by rezoning and development agreement;
- rezoning lands in the north-east section of the Burnside Business Park from H (Holding) to I-2 (General Industrial);
- reducing the list of permitted commercial and institutional uses in the MU (Mixed Use) Zone, applicable to lands outside of the Dutch Settlement, Middle Musquodoboit, Upper Musquodoboit and Meagher's Grant VIL (Village) Zone areas;
- creating the TR (Transportation Reserve) Zone and applying it to lands that are being reserved for the future development of the Mount Hope Avenue Interchange and extension to Baker Drive and Beaver Bank By-pass;
- creating the PA (Protected Area) Zone and applying it to the Tangier Grand Lake, White Lake, Waverley Salmon River, Long Lake, Clattenburg and Terence Bay Provincially Protected Wilderness Areas and to other areas under official designation by a conservation agency or organization;
- creating a CDD (Comprehensive Development District) Zone to allow consideration of residential, commercial, institutional, recreation uses, parking facilities, transit stations or stops on parcels of land within the centres in Musquodoboit Harbour, Fall River, Enfield, Hubbards, Porters Lake and Lake Echo;
- rezoning lands in the vicinity of Sunset Ridge, in Sackville, from R-6 (Rural Residential) to R-1 (Single Unit Dwelling);

- rezoning lands in the vicinity of Sunset Ridge and between Wilson Lake and Lively Road, in Sackville, from R-6 (Rural Residential) to CDD (Comprehensive Development District); and
- adding provisions to Halifax Peninsula Land Use By-law to require developments exceeding 40 feet (12 metres) in height within the Spring Garden Road Commercial area to proceed only by way of a development agreement.

#### Corrections - Attachment "D"

After printing the final documents for Regional Council, several minor corrections were necessary. Attachment "D" lists the corrections to each document. These changes will be included within each document prior to providing them to the public.

#### Public Hearing

Some thought had been given to selecting an alternative venue for the public hearing such as the World Trade & Convention Centre. This is not recommended. The convenience of the public is well served in the Halifax Council Chambers and Halifax Hall. Maintaining the traditional location will result in less confusion for the public.

The following schedule is recommended to Regional Council. Additional sessions for the continuation of the hearing have been anticipated and would take place within the same week:

Committee of the Whole Session	-	Tuesday, April 25, 2006
First Reading	-	Tuesday, April 25, 2006
<b>Public Hearing</b>	-	<b>Tuesday, May 16, 2006</b>
Additional Session 1	-	Wednesday, May 17, 2006
Additional Session 2	-	Thursday, May 18, 2006

If Council gives first reading on April 25, 2006, the first notice of the public hearing would appear in the Chronicle Herald/Mail Star and Daily News on Saturday, April 29. A second notice would appear Saturday, May 6. Where deadlines permit, notices will also be placed in community newspapers.

#### BUDGET IMPLICATIONS

Budgets to implement the Regional Municipal Planning Strategy will be decided by Council on a yearly basis. Endorsement of this planning strategy does not represent a budget commitment.

**FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

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

**ALTERNATIVES**

Council normally sets the date for the public hearing concerning a Municipal Planning Strategy or Land Use Bylaw at the time of first reading of the recommended policy and regulatory items. This practice should be followed with the Regional Plan for setting the official date for the public hearing.


**ATTACHMENTS**

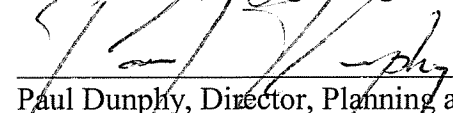
Attachment "A"	Regional Municipal Planning Strategy
Attachment "B"	Regional Subdivision By-law
Attachment "C"	By-laws to Amend the Municipal Planning Strategies and Land Use By-laws of Halifax Regional Municipality to Implement the Regional Municipal Planning Strategy
Attachment "D"	Corrections to Regional Municipal Planning Strategy, Regional Subdivision By-law and the amending MPS and LUB By-laws
Attachment "E"	Summary of Minor Adjustments/Clarifications
Attachment "F"	Summary of Land Use By-law Amendments (listed by Plan Area)

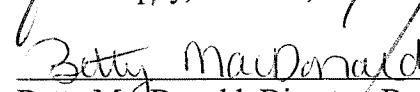
Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210 or Fax 490-4208.

Report Prepared by: Susan Corser, Senior Planner, Regional Planning

Approved by:

  
Austin French, Manager, Regional Planning

  
Paul Dunphy, Director, Planning and Development Services

  
Betty MacDonald, Director, Business Planning and Information

**Attachment "D"**

Below are additions to the Regional Municipal Planning Strategy, Subdivision By-law and the by-laws to amend the land use by-laws of Halifax Regional Municipality:

**Under By-laws to Amend Land Use By-laws**

1. Add the following zone to the by-laws to amend the Eastern Passage/Cow Bay, Planning District 5 (Chebucto Peninsula) and Halifax Mainland land use by-laws:

**PA (PROTECTED AREA) ZONE**

**PA USES PERMITTED**

The following uses shall be permitted in any PA (Protected Area) Zone:

**Scientific study and education, involving no buildings**

**Trails, boardwalks or walkways**

**Conservation uses**

**Uses accessory to the foregoing uses**

**PA ZONE REQUIREMENTS**

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

**Minimum Lot Area: 930m<sup>2</sup>**

**Minimum Frontage: 30.5m**

**Minimum Front or Flankage 20m**

**Yard:**

**Minimum Side or Rear Yard: 20m**

**OTHER REQUIREMENTS: GRADE ALTERATION AND VEGETATION REMOVAL**

Within any PA zone, no infilling, excavation, alteration of grade or removal of vegetation shall be permitted. The construction of board walks, walkways or trails shall be permitted provided that no infilling or alteration of grade occurs other than the placement of piles or the placement of trails on top of the existing grade.

*(Assign appropriate reference numbers to above within the land use by-laws)*

2. Add the words “**PART (assign number): PA (Protected Area) Zone**” to the Table of Contents in the Eastern Passage/Cow Bay, Planning District 5 (Chebucto Peninsula) and Halifax Mainland land use by-laws.
3. Add the following zone to the by-law to amend the Halifax Mainland Land Use By-law to replace the W Watershed Zone:

**PWS**

**(PROTECTED WATER SUPPLY) ZONE**

**62 (1) PWS USES PERMITTED**

**(a) the gathering and retention of water for the public water supply.**

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

**62(3) No person shall in any PWS Zone use or permit to be used any land or building in whole or in part for any purpose other than one or more of the uses set out in subsection (1)**

4. Replace the words “W Watershed Zone” with the words “**PWS Protected Water Supply Zone**” in the Table of the Halifax Mainland Land Use By-law.
5. Add the words “**PA Protected Area Zone**” to Section 3.1 of the Eastern Passage/Cow Bay and Planning District 5 (Chebucto Peninsula) land use by-laws.
6. Replacing the words “Rural Commuter” with the words “**Rural Resource**” in amendment 12 of the amending by-law to amend the Land Use By-law for Eastern Shore East.
7. Replacing the words “Rural Resource” with the words “**Rural Commuter**” in amendment 9 of the amending by-law to amend the Land Use By-law for Lawrencetown.

8. Adding the following to amendment 12 of the Eastern Shore East, amendment 15 of the Eastern Shore West, amendment 9 of the Lawrencetown, amendment 15 of the Planning Districts 1 and 3 (St Margaret's Bay), amendment 11 of the Planning District 5 (Chebucto Peninsula), amendment 15 of the Planning Districts 8 and 9 (Lake Echo - Porter's Lake), and amendment 11 of the Planning District 4 (Prospect):

**(iii) residential development on islands as per policy S-18.**

**Under the Subdivision By-law**

- (a) In clauses (ii), (iii) and (v) of subsection (3) of Section 9, **inserting** the words "**or private roads**" immediately following the words "public streets or highways".
- (b) In subsection (1) of Section 11, **replacing** the words "**sections 12 and 13**" with the words "**section 12**".
- (c) In subsection (5) of Section 11, **replacing** the words "**sections 9, 12 and 13**" with the words "**sections 9 and 12**".
- (d) In Section 19, **replacing** the number "**128**" with the number "**126**".
- (e) In subsection (2) of Section 31, **replacing** the number "**6**" with the number "**7**".
- (f) In clause (d) of subsection (1) of Section 127, **replacing** the number "**131**" with the number "**129**".

**Under the Regional Municipal Planning Strategy**

- (a) In Policy IM-14, **inserting clause (iii)** after clause (ii) of subsection (b) as follows:  
**"(iii) residential development on islands"**.
- (b) In Policy IM-14, **inserting clause (ii)** after clause (i) of subsection (c) as follows:  
**"(ii) residential development on islands"**.

Attachment "E"

**Summary of Minor Adjustments and Clarifications to Regional Plan Draft #2**

**\*\*\*Reference document entitled, "Response to Public Input", dated February 10, 2006**

**Reader-Friendly Summary**

RPC Recommendation: Following the adoption of the Regional Plan a reader-friendly/motivational accompanying document be prepared to express the Vision of the Regional Plan.

**Riparian Buffers**

RPC Recommendation: Make the appropriate corrections in the Land Use Bylaw amendments for consistency for activities permitted in buffer areas.

**Wetland Protection**

RPC Recommendation: Add to policy a reference of 2,000 square metres (as the minimum) of wetland area.

**Forestry Industry**

RPC Recommendation: Include Forestry Technicians & Foresters as persons qualified to prepare cutting plans.

**Impacts on Lumber Industry Interests**

RPC Recommendation: Change Policy E-4 to include sustainable forestry uses for the new Porters Lake Regional Park. *(Note: Further to the RPC recommendation, the Regional Park Zone was removed from Porters Lake)*

**Blue Mountain-Birch Cove Lakes**

RPC Recommendation: Amend draft to reflect corrections as follows: (1) add crown-owned islands within the proposed regional park to Regional Park Zone; (2) add a written description of the proposed Natural Resources zone within the land use by-law for Halifax Mainland; and, (3) change the park name from Birch Cove Lakes Regional Park to Blue Mountain-Birch Cove lakes Regional Park. *(Note: Further to RPC recommendation (2), the Natural Resource Zone was deleted from the Regional Plan)*

**Kidston Lake**

RPC Recommendation: Undertake further research through the Open Space Functional Plan.

### **Trails and Open Space**

RPC Recommendation: Remove all trails from Map 3. **Open Space Functional Plan and**

### **Map 3 (Trails and Natural Networks)**

RPC Recommendation: Update Map 3 to correct omissions and errors regrading water routes; add wording to the Open Space Functional Plan regarding methods to protect public access to water bodies and where advisable, repatriate privately owned waterfront lands to the public realm.

### **Parks and Parkland - Mainland Common, Parkland Classification, Parkland Dedication**

RPC Recommendation: Include an additional “shall consider” statement in the Open Space Functional Plan (Section 2.4.2) to allow for the analysis of current HRM owned parks for future designation as Regional Parks, with additional provision for management plans.

### **Parkland Dedication**

RPC Recommendation: Incorporate more detailed criteria for parkland usability into the Subdivision Bylaw at a later date once the Open Space Functional Plan has been completed.

### **Green Building Requirements**

RPC Recommendation: Add clarification and support to section 7.5.4, Community Energy Functional Plan, on “green buildings”.

### **Wind Turbine Generators and Citizen Consultation**

RPC Recommendation: Add reference to community involvement in the Community Energy Functional Plan in Section 7.5.4, ss. 5, as follows: “*in cooperation with the Province, citizens and industry stakeholders, appropriate measures for the siting of wind turbines.*”

### **Recreation Facility Planning**

RPC Recommendation: Expand Policy G-12 (g), section 9.4.6) to read, “encouraging more people to live, work and play in existing communities...” and include reference with respect to indoor & outdoor facility master plans. *(Note: Staff have determined indoor/outdoor facility master plans are not regulated by an MPS/LUB)*

### **Zoning - Point Pleasant Park**

RPC Recommendation: Simplify the definition of recreation use; remove the reference to miniature golf; outline the role of park management plans in the preamble; and include a requirement for a PPC to oversee the development of Regional Parks. *(Note: Further to*



*the RPC recommendation concerning the establishment of a PPC, the open space functional plan will address public involvement in regional park development and management)*

#### **Define Areas Suitable for Cluster Subdivision**

RPC Recommendation: Expand Policy S-14 by adding a new bullet (aa) after bullet (a) to read, “whether the soil conditions and other relevant criteria to enable septic systems can be met.” Given the degree of expertise required, detailed analysis is appropriate at the local level once there is a demonstrated interest in development at a given location.

#### **Golf Courses as a Component of Open Space Development**

RPC Recommendation: Revise draft policy in section 3.5.1 to allow for the consideration of golf courses in classic open space design developments during secondary planning processes especially in Centres where water services may be established, such as Fall River and Tantallon. This will allow for the consideration of watershed analyses and other environmental factors.

#### **Private Seniors Housing**

RPC Recommendation: Consult with the Province on a potential legislative amendment (human rights exemption and licensing).

#### **Institutional Uses in Holding (H-2) Two Zone**

RPC Recommendation: Provide for institutional uses through discretionary process to allow for sufficient analysis of impact on unserviced land holdings. *(Note: The H-2 zone was removed, however, a new policy will grand-father existing development agreement or rezoning applications)*

#### **One Lot Per Year Provision – Dartmouth**

RPC Recommendation: Remove provision in draft Subdivision By-law, as draft policy reflects the removal of this requirement.

#### **Infill Development - Rural Commuter Designation**

RPC Recommendation: Add the wording, “inability to achieve open space design” as an additional criteria in Policy S-21, section 3.5.3. Detailed analysis would take place at community planning level.

#### **Increased Protection for Stable Neighbourhoods**

RPC Recommendation: Incorporate the following in the revised draft: (1) strengthen the wording on the value of existing neighbourhoods in the introduction to settlement (section 3.0); (2) state the rate of change of established neighbourhoods should be monitored and indicators may be used to determine investments, change in the land use

regime, etc., in the preamble of section 3.7.4; and, (3) add a provision to the Housing Functional Plan (section 3.8.2) to develop indicators.

**Provisions for Affordable and Accessible Housing**

RPC Recommendation: Add to Policy S-28 (section 3.7.1), “developments that exceed Nova Scotia Building Code accessibility requirements as eligible for incentives”. In the Functional Plan “universal design guidelines” will be replaced with “developing accessible and adaptable housing design guidelines”.

**Housing and Support for Persons with Disabilities**

RPC Recommendation: Change the preamble on provincial role (number of units in HRM, partnership agreements in the delivery of affordable housing units, delete reference of the delivery of low cost building lots). Add reference to the Metropolitan Regional Housing Authority; add reference to housing background studies (Tomalty and Cantwell), add text to Policy S-26, “including consultation with the residents and providers of affordable and assisted housing”, and amend preamble for Section 3.6.2 as follows:

“Nova Scotia has one of the highest rates of disabilities when compared to the rest of Canada. The need to provide Support to Persons with Disabilities is an important component of the spectrum when considering housing options in HRM for at least some of the children, youth, adults and seniors who cannot live on their own due to their disability. Support to Persons with Disabilities is provided in private, public and non-profit residential living arrangements and includes the provision of meals, housekeeping, transportation, individualized personal care, life skills and health services for people who require assistance with activities of daily living. The types and sizes may vary from a small home to apartment-style settings and they may include various levels of care and services. Currently residential living environments of up to three residents are allowed in all residential neighbourhoods but their operation and economic feasibility would be facilitated by modestly increasing the number of residents that can be supported to reside together”

**Rooming Houses on Wellington Street, Halifax**

RPC Recommendation: Add a note that rooming houses can be dealt with at the community planning level. (*Note: Future planning for Centres and community visioning will consider a range of housing types*)

**Include Annual Re-Visioning/Audit in the Implementation Process, Particularly with Respect to Poverty and Social Well-Being**

RPC Recommendation: Future editions of the HRM Corporate Scorecard should include more health, social and quality of life indicators.

### **Health Impacts**

RPC Recommendation: Include reference to health and to the Heart and Stroke study in the preamble and forward the Heart and Stroke submission to HRM CAO's office for follow up. Future editions of the HRM Corporate Scorecard should include more health, social and quality of life indicators. The Heart and Stroke submission should also be forwarded to the Active Transportation Committee.

### **Transportation/Transit Infrastructure Improvements - Hammonds Plains Road and Hammonds Plains Transit**

RPC Recommendation: No changes to the Transportation Chapter occur at this time in response to the issues raised. As indicated in the Transportation Chapter of the Regional Plan, public transit improvements, particularly the express bus service along 100 series highways, will be implemented to provide commuters with alternatives to driving. Hammonds Plains Road will not be added to the capital projects list for upgrading as it has been determined transit improvements, as well as the restrictions placed upon development along Hammonds Plains Road will ease traffic pressures. Some upgrading will occur to the lower reaches of the Hammonds Plains Road pursuant to the Bedford West Master Planning program. Construction of Highway 113, though an option, can be delayed, as improvements to public transit service will offset the need for the new highway.

### **Climate Change and Impact on Roads**

RPC Recommendation: Cross reference in the Transportation Chapter introduction to show the Regional Plan has included, within the emissions plan, the reduction of green house gas emissions due to changes in transportation.

### **Transit Accessibility**

RPC Recommendation: Adding a new section, 4.3.2.6 Transit Accessibility:

“Improvements to conventional... (move the 2nd paragraph from 4.3.2.1 here)

Access-A-Bus currently operates within 610 meters of an urban transit route in Halifax Regional Municipality. Registered users outside the area may still access the system once they travel to an area within the service boundary. As this type of door-to-door service can not be sustainably funded in rural areas, there is no intention of extending the Access-A-Bus service area to coincide with expansion of transit services into rural areas. New rural transit services will be designed for accessibility, but the onus will be on the user to get to the transit stop.

The extension of transit to areas that currently are without such service will broaden accessibility throughout the region. At the same time, transit investment must also be

directed to providing a higher order of transit service to areas with high trip generation and existing basic transit service as a means of addressing critical roadway loading from car trips. It is this investment in shifting the highest volume of trips possible to transit that will take priority in the Transit Functional Plan.”

**Bicycle Friendliness / Bicycle Path Along the Rail Cut**

RPC Recommendation: No change pending approval of the Active Transportation Plan.

**Transportation Issues - Greater Burnside Business Association**

RPC Recommendation: Work with the province to have the Burnside Expressway project put onto the province’s priority list.

**Road Through Waterstone**

RPC Recommendation: The road alignment shown in the Regional Plan should remain, although staff will endeavour to modify the alignment slightly to minimize impact.

**Transportation Concerns - Trip Ratios, Roadway Corridors, Roadway Re-classification, Impacts on Downtown Parking**

RPC Recommendation: Transit modal splits will be part of the performance evaluation of the Regional Plan.

**Abandoned Rail Line Corridors**

RPC Recommendation: Remove Section 4.3.3.4, Abandoned Rail Corridors as there is no longer an issue with a 2007 review for rail corridor disposition.

**Parking Policy and Standards**

RPC Recommendation: Add consideration of managing parking supply, with specific reference to establishing maximum as well as minimum capacities or dimensions in discussion of the Transportation Functional Plan (section 4.3.5). Maximum parking standards will ultimately reduce demand for parking and encourage the use of other modes of transportation.

**Minimize Road Expansion Projects**

RPC Recommendation: Keep the list of road expansion projects (section 4.1.1.2) as is and explain the investment in road improvements will also facilitate alternative modes. This will show the relationship between road improvements and alternative transportation at a regional level.

### **Identify Desirable Levels of Congestion**

RPC Recommendation: Include as a component for the Transportation Demand management Functional Plan and leave it out of the transportation chapter. This is more appropriately dealt with in a document that will have more detail.

### **Integrate Community Design Elements - Chapter 4: Transportation**

RPC Recommendation: Include a cross reference in the introduction for section 3.4 to explain how the two chapters are linked. As well, a chapter within the Transportation Master Plan should contain reference to the settlement pattern. The reference to the settlement pattern is significant to how the transportation projects were chosen and the direction to be taken.

### **Bicycle Parking**

RPC Recommendation: Including the tradeoffs in the Regional Parking Functional Plan.

### **Harbour Plan - Trails**

RPC Recommendation: Retain the conceptual harbour-front trail system as currently described and illustrated, but adding wording to Policy EC-8 concerning potential acquisition of appropriate waterfront sites for trail/park development.

### **Halifax Harbour - Trails**

RPC Recommendation: Add text to the preamble of Section 5.2.1 to better explain how the right balance of competing harbour uses will be achieved.

### **Industrial Park Lands**

RPC Recommendation: Rezone the lands associated with Policy EC-12, as HRM will regulate its development through RPAM processes so there would be no threat of premature development as in the case of private lands.

### **Views from Brightwood**

RPC Recommendation: Add a reference in Policy CH-5 to include the Dartmouth Secondary Planning Strategy” to emphasize the support of the Regional Plan for previously established view planes.

### **Otter Lake Landfill**

RPC Recommendation: Add wording to section 7.4.1 stating a requirement to conduct appropriate public consultation in considering all options....”

### **East Hants / HRM Inter-Municipal Cooperation**

RPC Recommendation: The existing staff committee be formalized and expanded, with the possibility of expanding the mandate to a full committee of Regional Council.

**Extension of Water Service Boundary to 1057 Waverley Road**

RPC Recommendation: Update the map to reflect the amendment to the service boundary map to extend the water service district out to the existing water main.

**Grand-fathering of Rural Subdivision Projects (Not Grand-fathered at Interim Growth)**

RPC Recommendation: Undertake an analysis of each of the projects to determine the particular issues and identify how best to address them (section 3.5.3).

**Plan Interpretation**

RPC Recommendation: Provide policy guidance. Staff to consult with HRM Legal Services for appropriate wording. (*Note: Policy IM-22 addresses conflicts - more stringent policy to prevail*)

**Existing Development Agreements**

RPC Recommendation: Add policy guidance to provide clarity between “major” and “minor” amendments. Staff to consult with HRM Legal Services for appropriate wording. (*Note: addressed under Policy IM-20 and IM-21*)

**Planning Application Process**

RPC Recommendation: Staff administrative procedures be dealt with in report to Regional Council.

**Draft Land Use By law Amendments - Halifax Mainland**

RPC Recommendation: Include a regional re-zoning map for context only purposes. This map will be for information and not a part of an official document. Further study is required regarding the use of bicycle path requirements. RPC recommended including these in the HRM Redbook which is reviewed annually. This matter needs to be sent to the Regional Trails Advisory Committee for further study on the use of bicycle path requirements.

**Enforcement**

RPC Recommendation: Change Policy G-5 to strengthen HRM’s commitment to explore opportunities for issuing summary offence tickets from “should” to “shall” and expand Policy G-4 to apply the Public Education Functional Plan not only to implementing the policies “of the Regional Plan”, but also, “the policies, regulations and priorities of secondary planning strategies, land use and subdivision by-laws and functional plan”. This will serve to emphasize the integration of the Regional Plan with other HRM plans, bylaws, strategies and operations. It would also increase awareness of community and corporate policies and regulations.

#### **Time lines to Review Development**

RPC Recommendation: Expand Policy G-12, noting it is important to balance the need for efficient processing with the need for public consultation, especially at the community and neighbourhood level. Efforts to expedite application procedures by reducing staff and Council discretion must be balanced against the public interest. This balance is best achieved at the community level in the context of the Regional Plan. The Community Visioning and Secondary Planning processes are the obvious opportunities to achieve this.

#### **Adequate Staff Resources**

RPC Recommendation: Expand Policy G-3(j) to add the need for “timely processing of development applications” as a factor to consider when determining staffing levels.

#### **Placement of Schools**

RPC Recommendation: Expand Policy G-13(c) which sets forth criteria for Community Visioning to consider to read, “ a compact, mixed use building form with transit, shops, services and schools in close proximity to the centre”. Add a new Policy (S-12) to state, “HRM shall encourage the province and school board to locate schools within existing or planned communities, to integrate them with other complementary land uses, to minimize land consumption for school buildings and parking, and to provide convenient and attractive pedestrian access to all school facilities. It is important to ensure that Policy G-3(f) can be applied to the strategic location, siting and design of schools when considering requests for cost sharing.

#### **Food Security Policy**

RPC Recommendation: Add a bullet to Policy G-15 referring to “opportunities for integrating small scale food production and community gardening into site and building designs” and add “agriculture and other traditional rural resource industries” in section 5.4.1.

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### **Summary of Minor Adjustments and Clarifications to Regional Plan Draft #2 (continued)**

**\*\*\* Reference document entitled, “Response to Public Input (Supplementary)”, dated February 14, 2006**

#### **MacTara Limited Submission**

RPC Recommendation: Mention biomass as an energy source to be considered in the Community Energy Functional Plan (Section 7.5.4); clarify future land use intent

concerning the Halifax Grain Elevator facility; revise Section 5.4.1, The Rural Economy, (para. 6) to more accurately describe the contributions of the forest industry in HRM.

**Frank George Island Ltd. Submission**

RPC Recommendation: Correct errors in Maps 2, 3, and 5.

**Ecology Action Centre (EAC) - Natural Environment**

RPC Recommendation: Revise Policy E-17 and its preamble to clarify that studies should recommend measures to improve the condition of waterbodies; modify Map 3 to delineate the location of kayak routes.

**Climate Change (ClimateSMART)**

RPC Recommendation: Include a reference to climate change in the executive summary and edit the preamble in section 2.4.4 to reference climate change risks (also make changes to individual chapters as necessary); and add wording to the preamble of section 2.2.5 and section 2.4.4 to indicate that appropriate detailed mapping and modelling analysis will be an important component of the management plan.

**Soil and Water Conservation Society Submission**

RPC Recommendation: Defer until budget and seek Council direction. There are currently no additional resources available to support additional staff. Any staff hiring in future must go through normal channels with definition of roles and duties, justification, budget approval.

**Chemical vs Biological Monitoring in Limnology**

RPC Recommendation: HRM intends to initiate a water quality (chemical) monitoring program under the Regional Plan. While it may be possible and desirable to include some biological monitoring in future (as recommended by Dillon, 2003) there is currently no additional budget available to add this to the monitoring. Consideration will be given under future program enhancements.

**Advanced Assessments on STPs**

RPC Recommendation: HRM will continue to meet all applicable federal and provincial regulations for sewage treatment plants, and await further national developments in the treatment and regulation of EDCs.

**Prohibit Walkways in Buffers**

RPC Recommendation: Amend the Policy E-10 and its regulations to limit the extent of walkway development in riparian buffers and to clarify that only public road crossings and private driveways that have received approval from NSDEL are permitted in riparian buffers.



**Climate Change and “Peak Oil”**

RPC Recommendation: Make adjustments to the plan to explicitly state concerns toward Climate Change and to strengthen policies toward the assessment of risk and adaptation of land use to Climate Change.

**Ecological Housing Design**

RPC Recommendation: Establish policy to develop a functional plan pertaining to green building design in accordance with Leadership in Energy and Environmental Design (LEEDS) standards

**Wetlands; Riparian Buffers; Flood-proofing Structures; Parkland Dedication**

RPC Recommendation: No change to Section 2.2.2., Wetlands; use plain language in the preamble to Policy E-15 (Section 2.2.3, Riparian Buffers) to explain the relaxation of riparian buffer requirements for lots and subdivision applications in existence prior to Plan passage; no change to Policy E-15; and no change to Policy E-5.

**Documentary Heritage**

RPC Recommendation: Add reference to “documentary resources”.

**Zoning of Registered Heritage Properties**

RPC Recommendation: In Section 6.5.2, Heritage Functional Plan, add #7 consideration of “regulatory barriers and disincentives to heritage preservation”.

**Emphasis on Heritage as a Priority**

RPC Recommendation: No change.

**Use of “Consider” Verses “Ensure” in Heritage Policies**

RPC Recommendation: No change.

**Municipal, Provincial and Federal Registered Properties**

RPC Recommendation: (Pending confirmation of legal authority) expand Policy CH-1 to include federally, provincially and municipally registered heritage properties.

**Definitions**

RPC Recommendation: Revise definition of proportion.

**Views and View Planes**

RPC Recommendation: Change Draft #2 to amend Policy CH-5 to include “views and view planes”.

**Spring Garden Road Commercial Area Plan**

RPC Recommendation: Add wording change to clarify the existing land use bylaw provisions (e.g. angle controls) will remain in effect in the Spring Garden Road Commercial Area.

**Capital District Policy Amendments**

RPC Recommendation: Change Draft #2 to delete reference to “signature design” and revise Policy EC-4, subsection (a) to read : “defining and facilitating design excellence and architecture and build on the image of the downtown as the cultural capital of Atlantic Canada.”. Delete the words “concentration” and “where possible” from subsections (b) and (d).

**Targets for Transit Modal Split**

RPC Recommendation: Add the following to the end of the introduction to transportation (Section 4.0):

“A computerized network model was used to test the influence of a variety of settlement patterns on the transportation system. Targets were set for the number of vehicle trips that would be reduced through transit improvements and transit-oriented development, then combined with the overall increase in trip-making resulting from growth. The model could then report areas of congestion to be addressed through the road expansion program. The targets set for the percentage of trips taken by transit for various combinations of origins and destinations are show in Table 4-1.”

**GBBA Submission - Transportation Issues - (Addendum to page 62, Response to Public input, Feb 10/06)**

RPC Recommendation: Change as noted above.

**Other recommended changes:**

Include Map 13 - Blue Mountain - Birch Coves Lakes Regional Park.

Chapter 2 – Environment:

- p. 37, second line – change 1860 m<sup>2</sup> to 2,000 m<sup>2</sup>
- clarify the CCME guidelines referred to in the plan, include the Canadian Guidance Framework for the Management of Phosphorus in Freshwater Systems (2004).

Chapter 3 – Settlement & Housing:

- P. 46 – last 2 paragraphs should not be removed from The Plan. These 2

- paragraphs reinforce the intent of what the plan is about in terms of family housing. Staff agreed they would take a closer look at these 2 paragraphs, perhaps move them into another section of The Plan
- P. 47 – S-1 ... “*water and sewer services are intended to be provided*” leave as is.
  - P. 47 – S-3 ... “*HRM may consider requests to allow*” change to “*HRM will consider requests to allow*”
  - P.47 – S-3 (b) – remove this item completely
  - P. 47 – 3.2 Urban Reserve Designation “*HRM intends to* services within the next 25 years” leave as is
  - P. 48 - the top of the page showing the list of 6 bullets, there is another bullet that needs to be added “**private lands within the proposed Blue Mountain/Birch Cove Lakes Regional Park**”.

Chapter 5 – Economy and Finance:

- p.98, paragraph just before EC-13, add wording “... these uses and any commercial retail and office uses **may be considered by rezoning...**”
- add reference to inland freight terminal and specify the business park sub-designation be revised to include these lands after they are acquired by the Port (section 5.3.1)

Chapter 7 – Water, Wastewater, Utilities and Solid Waste, p.133, SU-19, wording to be changed as follows “... through a public consultation process **as defined by Regional Council** consider all options for a new regional...”

Chapter 9 – Governance, consider moving the two paragraphs, as discussed earlier in the Settlement & Housing section, to this chapter. (Leave it up to staff); p.149, section 9.1.3, change the wording from “*The Halifax Harbour Authority*” to “*The Halifax Port Authority*”

**Attachment "F"**

**Summary of Land Use By-law Amendments  
to Implement the Regional Plan**

1. **Bedford Land Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; the application of an UR (Urban Reserve) Zone to permit single unit dwellings and passive recreation uses on existing lots on lands that are beyond Urban Service Boundary and the time frame for anticipated urban development under the Regional Plan; creation of an RPK (Regional Park) Zone to permit park uses and application of it to lands around Jacks Lake and the Admiral Cove Park; and application of an US (Urban Settlement) Zone which will permit single unit dwellings on existing lots on unserviced lands that may eventually be included in the Urban Service Boundary for future urban development.
2. **Cole Harbour Land Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; creation of the RPK (Regional Park) Zone to permit park uses, existing dwellings and accessory uses and application of it to the Cole Harbour-Lawrencetown Coastal Heritage Park and a parcel of crown land on Lawlor's Point; replacement of the P-4 (Conservation) Zone with a PWS (Protected Water Supply) Zone; and the application of an UR (Urban Reserve) Zone to permit single unit dwellings and passive recreation uses on existing lots on lands that are beyond Urban Service Boundary and the time frame for anticipated urban development under the Regional Plan.

3. **Dartmouth Land Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding the BCDD Burnside Comprehensive Development District which will allow consideration of a mix of residential, commercial, recreation and institutional uses in the northeast section of the Burnside Industrial Park by rezoning and development agreement; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; rezoning of lands in the north east section of the Burnside Business Park from Holding to I-2 (General Industrial); the application of an UR (Urban Reserve) Zone to permit single unit dwellings and passive recreation uses on existing lots on lands that are beyond Urban Service Boundary and the time frame for anticipated urban development under the Regional Plan; creation of the RPK (Regional Park) Zone to permit park uses and application of it to the Canal Lakes Provincial Park; application of the TR (Transportation Reserve) Zone to lands that are being reserved for the future development of the Mount Hope Avenue Interchange and extension to Baker Drive; and application of an US (Urban Settlement) Zone which will permit single unit dwellings on existing lots on unserviced lands that may eventually be included in the Urban Service Boundary for future urban development.
  
4. **Downtown Dartmouth Land Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; and prohibition of development within any wetland.
  
5. **Eastern Passage/Cow Bay Land Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; the application of an UR (Urban Reserve) Zone to permit single unit dwellings and passive recreation uses on

existing lots on lands that are beyond Urban Service Boundary and the time frame for anticipated urban development under the Regional Plan; replacement of the P-3 (Provincial Park) Zone with the RPK (Regional Park) Zone and application of it to McNabs and Lawlor Islands Provincial Park, MacCormack's Beach, and the Cole Harbour-Lawrencetown Coastal Heritage Park; application of the TR (Transportation Reserve) Zone to lands that are being reserved for the future development of the Mount Hope Avenue Interchange and extension to Baker Drive; application of an US (Urban Settlement) Zone which will permit single unit dwellings on existing lots on unserviced lands that may eventually be included in the Urban Service Boundary for future urban development; and application of the PA (Protected Area) Zone to lands slated for conservation as shown on the amending schedule to this Land Use By-law.

6. **Eastern Shore East Land Use By-law** - adding requirements for development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Resource; adding provisions to allow consideration of residential development on islands designated Rural Resource; replacing the P-4 (Provincial Park) Zone with the RPK (Regional Park) Zone; and application of the PA (Protected Area) Zone to the Tangier Grand Lake Wilderness Area and other areas slated for conservation as shown on the amending schedule to this Land Use By-law.
7. **Eastern Shore West Land Use By-law** - adding requirements for development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; adding provisions to allow consideration of residential development on islands designated Rural Commuter; adding a CDD (Comprehensive Development District) Zone to allow consideration of residential, commercial, institutional, recreation uses, parking facilities, transit stations or stops on a parcel of land located along Highway 7, in Musquodoboit Harbour; replacing the P-4 (Provincial Park) Zone with the RPK (Regional Park) Zone and applying it to

Gibraltar Rock Park, Lake Charlotte North Park, Lake Charlotte Park; Owls Head Park and Clam Harbour Park; and application of the PA (Protected Area) Zone to the White Lake and Tangier Grand Wilderness Areas and other areas slated for conservation as shown on the amending schedule to this Land Use By-law.

8. **Halifax Mainland Land Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; the application of an UR (Urban Reserve) Zone to permit single unit dwellings and passive recreation uses on existing lots on lands that are beyond Urban Service Boundary and the time frame for anticipated urban development under the Regional Plan; application of an RPK (Regional Park) Zone to the Long Lake Provincial Park, to a portion of the crown lands in the Blue Mountain-Birch Cove Lakes Regional Park and Hemlock Ravine Park; the application of an US (Urban Settlement) Zone which will permit single unit dwellings on existing lots on unserviced lands that may eventually be included in the Urban Service Boundary for future urban development; and application of a PA (Protected Area) Zone to lands slated for conservation as shown on the amending schedule to this Land Use By-law.
9. **Halifax Peninsula Land Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to require developments exceeding 40 feet in height within the Spring Garden Road Commercial area to proceed only by way of a development agreement; and the application of an RPK (Regional Park) Zone to Point Pleasant Park, Citadel Hill and Georges Island.
10. **Lawrencetown Land Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the

Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; adding provisions to allow consideration of residential development on islands designated Rural Commuter; and application of an RPK (Regional Park) Zone to the Cole Harbour-Lawrencetown Coastal Heritage Park.

11. **Musquodoboit Valley - Dutch Settlement Land Use By-law** - adding requirements for development setbacks and retention of vegetative buffers from all watercourses in relation to development; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Agricultural; replacing the P-4 (Provincial Park) Zone with the RPK (Regional Park) Zone and applying it to the Dollar Lake Provincial Park, Gibraltar Rock and other areas slated for regional park; reducing the list of permitted commercial and institutional uses in the MU (Mixed Use) Zone, applicable to lands outside of the Dutch Settlement, Middle Musquodoboit, Upper Musquodoboit and Meagher's Grant VIL (Village) Zone areas; and application of the PA (Protected Area) Zone to the Clattenburg Brook and White Lake Wilderness Areas and other areas slated for conservation as shown on the amending schedule to this Land Use By-law.
  
12. **Planning Districts 1 and 3 (St Margaret's Bay) Land Use By-law** - adding requirements for development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; adding provisions to allow consideration of residential development on islands designated Rural Commuter; adding a CDD (Comprehensive Development District) Zone to allow consideration of residential, commercial, institutional, recreation uses, parking facilities, transit stations or stops on a parcel of land in Hubbards and a parcel of land at the Upper Tantallon, Exit 5 Interchange; replacing the P-3 (Provincial Park) Zone with the RPK (Regional Park) Zone and application of it to the Lewis Lake Provincial Park; replacing the P-4 (Conservation) Zone with the PWS (Protected Water Supply)



Zone; and application of the PA (Protected Area) Zone to the lands around Big Five Bridge and Moore lakes and the Peggy's Cove Preservation Area.

13. **Planning Districts 14 and 17 (Shubenacadie Lakes) Land Use By-law** - adding requirements for development setbacks and retention of vegetative buffers from all watercourses in relation to development; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Resource; adding a CDD (Comprehensive Development District) Zone to allow consideration of residential, commercial, institutional, recreation uses, parking facilities, transit stations or stops on a parcel of land in Enfield and Fall River; the application of an UR (Urban Reserve) Zone to permit single unit dwellings and passive recreation uses on existing lots on lands that are beyond Urban Service Boundary and the time frame for anticipated urban development under the Regional Plan; replacing the P-3 (Provincial Park) Zone with the RPK (Regional Park) Zone and application of it to the Laurie, Oakfield and Canal Lakes parks; replacing the P-4 (Watershed) Zone with the PWS (Protected Water Supply) Zone; and application of the PA (Protected Area) Zone to the Waverley-Salmon River, Long Lake and Clattenburgh Brook Wilderness Areas and any other areas slated for conservation as shown on the amending schedule to this Land Use By-law.
  
14. **Hammonds Plains, Beaver Bank and Upper Sackville Land Use By-law** - adding requirements for development setbacks and retention of vegetative buffers from all watercourses in relation to development; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in portions of the Rural Commuter Designation that are outside of the Beaver Bank/Hammonds Plains Growth Control areas; replacing the P-3 (Park) Zone with the RPK (Regional Park) Zone and application of it to lands around Cox Lake and a portion of the crown lands in the Birch Cove Lakes Park; replacing the P-4 (Watershed) Zone with the PWS (Protected Water Supply) Zone; application of the TR (Transportation Reserve) Zone to lands that are being reserved for the future potential development of the Beaver Bank By-pass; and the application of an US (Urban Settlement) Zone which will permit single unit dwellings on existing lots on unserviced lands that may eventually be included in the Urban Service Boundary for future urban development.

15. **Planning District 5 (Chebucto Peninsula) Land Use By-law** - adding requirements for development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Resource; adding provisions to allow consideration of residential development on islands designated Rural Commuter; replacement of the CDD Zone on the south side of Kidston Lake with the UR (Urban Reserve) Zone which will permit single unit dwellings on existing lots and passive recreation uses; replacing the P-3 (Park) Zone with the RPK (Regional Park) Zone and application of it to York Redoubt, Crystal Crescent Beach Provincial Park and Herring Cove Headland; and creation of the PA (Protected Area) Zone and application of it to the Terence Bay Wilderness Reserve, Duncan's Cove International Biological Program site and other areas slated for conservation as shown on the amending schedule to this Land Use By-law.
  
16. **Planning Districts 8 and 9 Land Use By-law** - adding requirements for development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; adding provisions to allow consideration of residential development on islands designated Rural Commuter; adding a CDD (Comprehensive Development District) Zone to allow consideration of residential, commercial, institutional, recreation uses, parking facilities, transit stations or stops on a parcel of land situated along Highway 7, in Porter's Lake and Highway 7, in Lake Echo; replacing the P-3 (Provincial Park) Zone with the RPK (Regional Park) Zone and applying it to the Porter's Lake Provincial Park and to lands around Paces Lake; replacing the P-4 (Conservation) Zone with the PWS (Protected Water Supply) Zone; and application of the PA (Protected Area) Zone to the Waverley-Salmon River, Long Lake Wilderness Area and any other areas slated for conservation as shown on the amending schedule to this Land Use By-law.

17. **Planning District 4 (Prospect Area) Land Use By-law** - adding requirements for development setbacks and retention of vegetative buffers from all watercourses in relation to development; setback of residential development within a 2.5 metre elevation from the Atlantic Coastline; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; adding provisions to allow consideration of residential development on islands designated Rural Commuter; replacing the P-3 (Provincial Park) Zone with the RPK (Regional Park) Zone and applying it to the Long Lake Provincial Park and crown lands in Blind Bay; and application of the PA (Protected Area) Zone to the Terence Bay Wilderness Area and other areas slated for conservation as shown on the amending schedule to this Land Use By-law.
18. **North Preston, Cherry Brook, Lake Major, Lake Loon and East Preston Land Use By-law** - adding requirements for development setbacks and retention of vegetative buffers from all watercourses in relation to development; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; replacing the P-4 (Conservation) Zone with the PWS (Protected Water Supply) Zone; and application of the PA (Protected Area) Zone to the White Lake Wilderness Area.
19. **Sackville Land Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; application of the TR (Transportation Reserve) Zone to lands that are being reserved for the future potential development of the Beaver Bank By-pass; creation of an RPK (Regional Park) Zone and application of it to lands surrounding Feely Lake and the Second Lake Provincial Park; application of the Sackville Land Use By-law CDD (Comprehensive Development District) Zone to lands in the vicinity of Sunset Ridge and vacant lands between Lively and Wilson Lake roads, in the Berryhill Subdivision, in Sackville North; and rezoning

of lands from R-6 to R-1 (Single Unit Dwelling) on lands in the vicinity of Sunset Ridge.

20. **Sackville Drive Land Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; and prohibition of development within any wetland.
  
21. **Timberlea/Lakeside/Beechville Use By-law** - adding requirements for bicycle parking in relation to new development, development setbacks and retention of vegetative buffers from all watercourses in relation to development; referral of development applications affecting potential archaeological resource areas to the Nova Scotia Department of Tourism, Culture and Heritage; prohibition of development within any wetland; adding provisions to allow consideration of open space design developments through the provisions of a development agreement in areas designated Rural Commuter; the application of an UR (Urban Reserve) Zone to permit single unit dwellings and passive recreation uses on existing lots on lands that are beyond Urban Service Boundary and the time frame for anticipated urban development under the Regional Plan.