

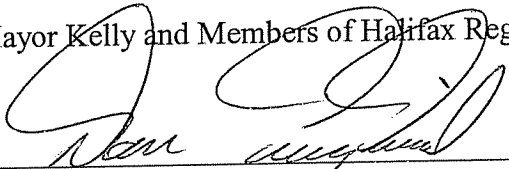
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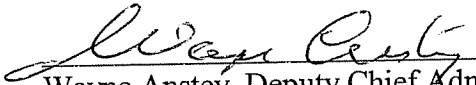


PO Box 1749  
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Halifax Regional Council  
June 13, 2006  
June 27, 2006

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

**SUBMITTED BY:**   
Dan English, Chief Administrative Officer

  
Wayne Anstey, Deputy Chief Administrative Officer

**DATE:** June 7, 2006

**SUBJECT:** Regional Plan - Response to Public Hearing

**SUPPLEMENTARY REPORT**

**ORIGIN**

- Regional Planning Committee report dated April 19, 2006.
- First Reading of the Regional Plan - April 25, 2006
- Public Hearing on the Regional Plan - May 16, 2006

**RECOMMENDATION**

It is recommended Halifax Regional Council amend its motion of May 16, 2006, to adopt, by by-law, the Regional Municipal Planning Strategy (Regional Plan), Regional Subdivision By-law, and Amendments to the By-laws to Amend the Land Use by-laws of Halifax Regional Municipality, as set out in Attachments "A-D" of the Regional Planning Committee's April 19, 2006 report, and as amended by Attachments "A", "B" and "C" of this supplementary report.

## **EXECUTIVE SUMMARY**

By motion of Council on May 16, 2006, adoption of the Regional Plan, Regional Subdivision By-law and Amending By-laws to Amend the Land Use By-laws for Halifax Regional Municipality, was deferred pending receipt of a report from Regional Planning staff on all submissions (written and verbal) to the public hearing. Council agreed to begin debate on the proposed plan on Tuesday, June 13, 2006.

This supplementary report provides an overview of sixteen (16) recommended non-substantial changes to the Regional Plan. A summary is also provided for eight (8) substantial issues, raised by Council, where staff is recommending no change to the Plan at this time; however, for most of these issues, ongoing work will lead to change in the future.

Attachment "D" of the supplementary report is a document entitled Response to Regional Plan Public Hearing. It provides analysis and a recommendation for all 112 issues raised through the formal public hearing process.

A number of the changes requested at the public hearing are not being recommended, however, positive action on many of these issues will take place through functional planning or future community/secondary planning processes. Some issues, beyond the scope of the Regional Plan, do merit consideration through other administrative and/or budgetary processes.

## **BACKGROUND AND DISCUSSION**

On Tuesday, April 25, 2006, the Regional Planning Committee presented the proposed Regional Plan to Regional Council. The Regional Plan, Regional Subdivision By-law, and the Amending By-laws to Amend the Land Use By-laws for HRM, received first reading on April 25<sup>th</sup>. Tuesday, May 16, 2006 was set as the date for the public hearing.

Fifty-eight (58) speakers appeared before Council on May 16<sup>th</sup>. Upon closing the hearing, Council directed Regional Planning staff to prepare a response to all verbal and written submissions received. By motion of Council, questions and debate were deferred to June 13, 2006 in order to receive the report from staff.

### **Response to the Regional Plan Public Hearing**

Attachment "D" of this supplementary report contains a document entitled Response to Regional Plan Public Hearing report<sup>1</sup>. It is presented to Council to aid in the discussion and debate of the issues raised at the public hearing. In each response, staff have provided advice as to whether or not

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<sup>1</sup> The Response to Regional Plan Public Hearing report was previously circulated to Council.

an amendment would be required. Substantial amendments would require a separate public hearing; no substantial amendments to the Regional Plan are being recommended at this time.

Requests for Change - (Not Being Recommended)

As Council will note in its review of the public hearing responses, there were a number of requests from the public where staff are not recommending any change to the proposed plan, but where positive action will take place. Examples include functional planning relative to wind turbines (Issue #101, p. 141); identification of rural transit sites (Issue #69, p. 88); and non-profit housing (Habitat for Humanity) (Issue #48, p. 62). In other instances, the issues raised are more appropriately dealt with through community/secondary planning processes, such as extending services to the Bear Cove area (Issue #93, p. 129), re-designating Urban Reserve lands (Geldart lands) in Cole Harbour (Issue #94, p. 131), and addressing issues associated with the future and long term use of the Brightwood Golf Course lands (Issue #28, p. 31).

**The Chebucto Road widening issue (Issue #63, p. 80) will be dealt with in an entirely separate report to be tabled for June 13, 2006.**

Some issues raised are simply beyond the scope of the Regional Plan, however, merit consideration through other administrative/budgetary processes, such as the adoption of a lawn fertilizer by-law (Issue #12, p.13), DNA fingerprinting (Issue #13, p. 14), and notification of as-of-right development proposals (Issue #111, p. 155).

Post Public Hearing Submissions

Following the close of the public hearing proceedings on May 16<sup>th</sup>, several items were forwarded to staff for consideration in responding to public input. These items were not raised during the actual public hearing, however, staff have provided a response for Council. (Items received/referred to staff post public hearing are coded in the Response to Regional Plan Public Hearing report using the letters "PPH" immediately following the issue #)

Upon review of the responses to public input and the resulting amendments in Attachments "A", "B" and "C" of this report, it is recommended Regional Council entertain a motion to approve the Regional Plan.

**Recommended Non-Substantial Changes to Regional Plan**

This section of the report provides a summary of the non-substantial changes being recommended to the Regional Plan. The issues are presented generally in the same order as the chapters of the Regional Plan. The issue and page numbers refer to the Response to Regional Plan Public Hearing report. The actual amendments for adoption are presented in Attachments "A", "B" and "C" of this report.

1. Watercourse Buffer and Negative Slope (Issue #6, p. 7)

Insert the word "**positive**" in the amending land use by-laws as identified in the following sample clause:

**"Where the average positive slopes within the 20m setback are greater than 20%, the setback shall be increased by one (1) metre for each additional 2% of slope, to a maximum of 60m."**

This change responds to a concern, the proposed wording associated with watercourse buffering does not differentiate between slopes that are upward or downward of the watercourse. It was suggested the requirement could be interpreted to require the wider buffers for both types of slopes.

2. Need for Buffer Zones Between Industrial and Residential Uses (Issue #26, p. 28)

Re-phrase Policy EC-14, clause (d), to state "**that the residential component of the development is adequately separated and buffered from any existing or future potential heavy industrial use to mitigate land use conflicts;**"

Add to Policy G-12, the following new clause:

**"(j) separation and buffering between residential and industrial uses to:**  
**(i) minimize noise, odour, glare, dust and other impacts of industrial operations on residential uses; and**  
**(ii) protect industry from nuisance complaints."**

Add the word "**and**" between the words "**light, noise**" in clause (e) of Policy G-12 and strike the words "**aesthetic pollution**" from this clause.

This change responds to a motion of Council to clarify and strengthen the intent of the plan toward the separation and buffering between residential and industrial land uses and to achieve and maintain compatibility over the long-term.

3. Regional Park Recreation Definition (Issue #30, p. 34)

Amend the requirements of the proposed Regional Park Zone in the amending land use by-laws to **reduce the permitted lot coverage for recreational facilities in large regional parks, of 4 hectares (10 acres) or more, to five (5) percent.** The 50% lot coverage would remain for regional parks less than 4 hectares.

This change responds to concerns regarding the application of the Regional Park Zone (RPK) to Point Pleasant Park [and potentially other Regional Parks], particularly, permitted usage for the construction of indoor recreation facilities contained in the definition of "Recreation Use" and maximum lot coverage ( up to 50% ).

Allowing building coverage of up to 50 percent was put forward to allow Council considerable flexibility in determining appropriate land uses further to park master plans. However, concerns were expressed this approach could lead to inappropriate land uses. As this level of flexibility is not mandatory for very large parks, it can be reduced without undermining the overall intent.

4. Jacks Lake Park (Issue #31, p. 36)

Replace the last sentence in Section 2.1.3 (Regional Parks) with the following:

**"Through the secondary planning process for the Sandy Lake Urban Settlement Area, the remainder lands, including the lands owned by the Province will be examined for re-designation to permit development as appropriate. "**

The proposed Regional Plan identifies that the Jacks Lake Lands include 20 hectares that should be re-designated for redevelopment at the same time as the secondary planning process for the Sandy Lake Urban Settlement Area. Staff were requested to consider whether the word "should" could be replaced with "shall" in the text of the Plan. Staff indicated in the Response to the Public Hearing document the word "should" is more appropriate, as the word "shall" would commit future Councils to an action, when in fact, any re-designation is always at Council's discretion. Pre-determining the outcome of Council's decision-making authority is not the intent of the plan.

The use of the words "will be examined" is meant to provide assurance to landowners the potential re-designation will not be overlooked.

5. Balance between Urban and Rural Population Growth (Issue #33, p. 38)

Insert a new paragraph following paragraph two of Section 3.0 to state:

**"The intention is not to penalize rural housing growth in favour of urban or suburban communities. Rather, the approach is to shape settlement in such a way transit and other**

alternatives to commuting will become more viable. This offers not only lifestyle and environmental benefits, but also helps prepare for the possibility of rising oil prices. Similarly, it is important to encourage rural employment growth and ensure the long-term economic viability of remote rural areas to keep jobs close to residents.”

This change responds to a submission which sought for a clear indication in the Plan, the intent is not to grow the urban core at the expense of rural communities.

Conversely, it was stated at the public hearing, the proposed Regional Plan is not visionary, in that it needs to consider rising vehicle fuel prices and changing preferences toward urban lifestyles. It was felt not enough population growth has been allocated to the Regional Centre. It was suggested Peak Oil will eliminate the feasibility of commuting to work, and the Plan should encourage people to work where they live, and provide more incentives for people to live in urban areas. It was also suggested the entire concept of “Rural Commuter Designation” and “Rural Commuter Centre” be rejected.

6. Middle Sackville Holding Zone (Changes to Serviceable Area Boundary) (Issue #35 page, 41)

Apply a **Comprehensive Development District (CDD) zone to the Sunset Ridge lands** on the west side of Sackville Drive. The change would affect 21 hectares of undeveloped land added to the Urban Service area under Policy SU- 9 (page 119) of the Regional Plan.

This change will ensure issues raised by Community Council and members of the public are addressed in a public forum before development may proceed. This approach will also allow property rights issues which may affect cost recovery, relevant to the planned extension of sewer and water services, to be addressed in a timely manner.

The affected lands would stay in the urban service area, but the proposed R-1 zoning would be replaced by a CDD zone. This change in the Regional Plan follows from Regional Council’s instructions to respond to a motion made by North West Community Council (NWCC) to place a holding zone on Middle Sackville until issues associated with sewer capacity, flooding of Union Street, school capacity, and traffic are addressed. Council/staff also received written correspondence from area residents expressing concerns regarding traffic, poor infrastructure, and pedestrian and cyclist safety on Trunk #1 (Sackville Drive from the Kent store to Upper Sackville).

Staff do not support the proposed holding zone, as the traffic safety issues requiring a holding zone be applied to the Beaver Bank Road, are not present on Sackville Drive. This would result in a substantial change to the Regional Plan requiring a new public hearing, as property rights for many properties would be effected.

7. Commercial Design and Layout (Issue #53, p. 68)

Expand the scope of Policy EC-19 and Section 5.5.1.2 to include **suburban** as well as urban core communities.

This change responds to a submission which expressed a dislike for surface parking and strip malls. However, it is important to note the proposed Regional Plan calls for alternatives to conventional surface-parking oriented strip malls by supporting mixed-use, pedestrian oriented development (Section 3.4).

While the Urban Design Study and Urban Design Guidelines Functional Plan will provide concepts and tools to help shape these alternatives, the scope is limited to the Capital District and parts of the Regional Centre. It is recognized, however, issues related to surface parking and strip malls are especially relevant to the suburban areas where automobile access is critical to commercial success. The Regional Plan does recognize the Urban Design Study could form a model for similar studies in other communities (Policy EC-3 and Section 5.1.3). These studies will have to be done prior to, or as part of the Community Visioning program which is to follow adoption of the Regional Plan. Some work has already been done on suburban commercial streetscape design in relation to Sackville Drive and the Herring Cove Road. This work could help in developing concepts and tools which would be useful at the Community Visioning process.

8. Montague Estates Subdivision, Dartmouth (Issue #58, p. 74)

Amend the proposed Regional Subdivision By-law by inserting the following:

**“65A Notwithstanding the requirements of section 8, the subdivision of Lands of Loon Lake Developments Ltd. (PID No's. 40698748 and 41188806) in Dartmouth shall be permitted with a maximum of thirteen lots abutting Highway 107.”**

This change responds to a motion of Council to examine the grand-fathering of five additional lots in the Montague Estates Subdivision in Dartmouth. The proposed lots are essentially landlocked, bordered to the north and south by lands under provincial ownership, to the west by Highway 107, and to the east by Lake Loon. Lot frontage is proposed to be along Highway 107 with access via a private, shared driveway from Lochmoor Lane.

This property is in a unique situation relative to the application of existing and proposed requirements in conformance with the MGA. As well, as described above, the configuration of the property is unique. For these reasons and the very limited number of additional lots that have been requested, staff are able to support a specific amendment for this proposal. To mitigate against safety concerns, specific restrictions concerning the driveway access will be necessary.

9. Rural Transit (Issue #69, p. 88)

Add the **Cow Bay rural bus service** to Maps 1 and 7.

There were several comments calling for new or improved transit service in rural areas. Two additions were requested to the Regional Plan maps (Maps 1 and 7) - the addition of a local bus on Highway 3 from Hubbards to Halifax, and a request to correct a mapping error to show rural bus service in the Cow Bay area.

There were also requests to improve or upgrade existing services - East Preston/Preston Township would like to receive full Metro Transit service, while it was stated the Community transit service starts too late in the day in Porters Lake and on Highways 7/107 and 207. Three other comments called for implementing routes which are already shown on the Regional Plan maps - to extend transit service around the Sambro loop; to provide public transportation to the 6500 citizens on Prospect Road; to accommodate a need for sustainable transit for rural communities along the Eastern Shore.

Of the changes requested, only the change to the Cow Bay service is recommended. Under the proposed Regional Plan, the importance of improving existing transit is recognized (Section 4.3.2.1) and possible options for community-based transportation in rural areas is mentioned (Section 4.3.2.5). Policy T-8 calls for a Public Transit Functional Plan which will consider, among other initiatives, the development of community and specialized transit services and Section 4.3.2.5 states priority will be placed on transit investments to shift the highest volume of trips possible to transit, rather than on developing low-volume rural services.

10. Spring Garden Road Commercial Area Plan (Issue #75, p.95)

Amend Policy EC-2 and clause (h) as follows (new text shown in *italics*; text to be deleted as ~~strikeout~~):

**EC-2** ~~Within the Spring Garden Road Commercial Area Plan and notwithstanding Policy EC-5,~~ HRM shall only consider new development or expansions to existing development greater than 12 metres in height by development agreement. When considering an application for a development agreement ~~within the Spring Garden Road Commercial Area Plan,~~ in addition to the applicable policies of the Halifax Municipal Planning Strategy, *including the Spring Garden Road Commercial Area Secondary Planning Strategy and the requirements of the Halifax Peninsula Land Use By-law, including requirements pertaining to height and setback of buildings,* HRM shall consider the following:

**(h)** ~~the upper stories storeys of mid-to-high rise buildings should be designed to promote visual interest and variety in the urban skyline;~~



This change responds to concern expressed over a lack of specific height controls in Policy EC-2 as compared to the existing policies and regulations in the Spring Garden Secondary Planning Strategy and Halifax Peninsula Land Use Bylaw. The proposed clarification to Policy EC-2 removes a cross reference to Policy EC-5 which was causing confusion.

11. Economic Development Strategy (Issue #79, p. 102)

Expand the wording of Section 5.4.1 (d) to make reference to **forestry, fishing and resource extraction**, and that, as appropriate, investigate measures by which these industries can be protected from encroachment by incompatible uses.

This change responds to a concern the Economic Development Strategy section of the proposed Regional Plan (Section 5.4) omits reference to the importance of the aggregate industry as a significant component of the transportation infrastructure and building construction sectors of HRM economy.

The Economic Development Strategy as described in Section 5.4 is relatively broad in scope and does not make reference to specific industry sectors. Rather, its focus is centered on business and job creation and making the HRM environment conducive to economic growth. While it is agreed the aggregate extraction industrial sector of our economy is important, there are numerous other sector-based industries and businesses of similar economic importance. Section 5.4 is not intended to present an exhaustive sector-based analysis.

12. Bulk Materials on Halifax Harbour (Issue #80, p. 103)

Add a reference to **bulk cargo facilities** in the preamble to Policy EC-7.

This change responds to a concern the Plan does not make reference to the handling and loading capacity for bulk materials within the Halifax Harbour section of the proposed plan.

The Halifax Harbour Plan (on-going) will further determine sites suitable for bulk cargo handling. From work (studies) completed to date, sites that are either currently used for bulk cargo shipping or have future potential include Ocean Terminals, Richmond Terminals and the Wrights Cove/Navy Island area. Section 5.2.2 and Policy EC-8 (a) and (b) describe the importance of the working harbour to the economic growth of HRM and the Province, and Appendix E presents a list of harbourfront sites proposed to be reserved for marine-dependent industrial/commercial uses.

13. Inland Rail/Truck Distribution Terminal (Issue #81, p. 104)

Delete the reference to the Annual Review process in Section 5.3.1 and make reference instead to **Policy IM-10 (rather than IM-8) as the basis for the future Regional Plan amendment for applying the Business/Industrial Park Sub-Designation.**

This change responds to the suggestion HRM should look at additional areas and/or locations for Business or Industrial Park Designation, other than Bedford, for the purpose of developing the proposed rail/truck distribution terminal.

HRM and the Halifax Port Authority have already looked at other locations for the proposed rail/truck distribution terminal. The Halifax Inland Terminal and Trucking Options Study (MariNova, January 2006) examined seven possible sites, and eliminated all but two. Of these, the Rocky Lake Site was preferred as it offered significant savings in operating costs due to its closer proximity to the other site which was located outside HRM near Milford Station. Given that the terminal is not expected to be needed for at least thirteen years, there is opportunity to minimize potential future impacts through site design, and to allow for the proposal when making planning decisions in the vicinity of the proposed site. At such a time as the necessary land has been acquired by the Port Authority and its partners, the Business/Industrial Park Sub-Designation should be applied pursuant to Policy IM-10 rather than Policy IM-8, as Policy IM-10 has a wider scope for amendments and is not limited to the Annual Review.

14. City of Lakes Business Park (Issue #82, p.106)

Add text and mapping in the Regional Plan document as follows:

- (a) Amend Map 12 to illustrate the boundary of the CLBP as identified in the Dartmouth MPS;
- (b) Amend Map 12 to remove "Potential Mixed Use Area" (Burnside CDD) from lands within the CLBP;
- (c) Add reference to CLBP in Section 5.3.1 (Business/Industrial Park Sub-Designation), Section 5.3.2 (Future Potential for Associated Mixed Use Development - Area Surrounding Burnside) and EC-13;
- (d) Include "offices" as permitted uses within the Burnside CDD (Policy EC-13);
- (e) Include "offices" as a permitted use within the Dartmouth Land Use By-law (Section 54AA (Burnside CDD));
- (f) Insert a new Section immediately following Section 5.5.3.1 (Burnside Business Park) to be titled "City of Lakes Business Park". This new section will describe the following actions to be undertaken as part of the Functional Plan/Secondary Planning:
  - (I) confirmation that the CLBP will be developed as a premiere suburban office and business services location;

- (ii) **determination of appropriate restrictive covenants and zoning by-law provisions pertaining to the CLBP, including permitted land uses, site and architectural design criteria, urban amenities (infrastructure, active transportation and transit services, parks/trails) and signage/marketing strategy. The “Draft 2.0 Municipal Planning Strategy” and “Draft 2.0 Land Use By-law”, City of Dartmouth, 1990, and the “North Dartmouth Planning Study”, EDM, 1994, will be used as a framework for this work; and**
- (iii) **determination of additional lands for expansion of the CLBP.**

This change responds to a concern from a property owner in the City of Lakes Business Park (CLBP), there was a lack of policy direction in the Regional Plan regarding the CLBP

The lack of specific reference to the CLBP in the Regional Plan was in no way intended to undermine HRM’s commitment to this area, however, the changes (above) will provide clarity with respect to the future development of the CLBP.

15. Bayers Lake Business Park (Issue#83, p. 109)

Add to the list of topics to be addressed under Section 5.5.3.2 (Bayers Lake Business Park) as follows:

- (a) **opportunities to improve transportation infrastructure and safety, including left-hand turning locations, driveway locations and bus lay-bys;**
- (b) **opportunities to assist in crime prevention;**
- (c) **continue to develop a brand-building signage program for the park;**
- (d) **opportunities to improve transit service for both employees and customers**

Replace the last two sentences of Section 4.3.2 with the following:

**In light of public consultation, existing transit services will be improved and new services offered, not only to the Capital District, but also to the region’s major employment centres such as Bayers Lake and Burnside/City of Lakes Business Parks. These topics will form part of the Public Transit Functional Plan.**

Add to the list of items to be addressed under the Public Transit Functional Plan, Section 4.3.2.6, as follows:

- “(6) improvements to transit service to the region’s major business parks for both employees and customers”**

This change responds to a list of concerns raised by a representative of the Bayers Lake Business Association.

16. Heritage Protection Secondary Plans (Issue #87, p. 118)

Re-word Policy CH-8 (d) as follows (new text is shown in *italics*; text to be deleted is shown as ~~strikeout~~):

**“identifying key sites within the Regional Centre for which ~~where~~ opportunities for exceptional new architecture can be pursued through the flexible application of heritage design guidelines while respecting the heritage character of the surroundings.”**

Re-word and expand Policy CH-8 (h) to clarify the intention to protect and facilitate continued use of registered heritage properties, and to include the ability to adjust zoning provisions to better reflect the characteristics and traditional form and placement of heritage buildings in an area, as follows (new text is shown in *italics*; text to be deleted is shown as ~~strikeout~~):

**“(h) strategies to encourage the reuse, restoration, and retention of registered heritage properties throughout HRM, ~~such as including but not limited to:~~**

**(i) allowing for a relaxation of ~~development zoning~~ requirements for registered heritage properties, *such as setback or side yard provisions, permitted uses, or parking requirements*, where it can be demonstrated that current limitations are an impediment to the revitalization, rehabilitation, and ongoing use of the property;**

**(ii) *allowing for a relaxation of building code requirements through the application of the Alternate Compliance Methods of the Nova Scotia Building Code Regulations;***

**(iii) *amending zoning requirements to better reflect the traditional form and placement of heritage buildings and the streetscape typology of the neighbourhood.*”**

This change responds to suggestions for minor changes, deletions and rewording of some clauses to tighten the heritage protection intended by this policy.

### Substantial Changes

This section of the report provides a summary of a number of substantial changes raised by Council. For the reasons cited in the discussion following each issue, these substantial changes are not being recommended by staff at this time, however, for most of these changes, ongoing work will lead to change in the future.

1. CDD Sites in Porters Lake/Lake Echo for Transit Oriented Communities (Issue #56, p. 72)

Council noted the Comprehensive Development District (CDD) site in Porters Lake has been changed to include only the shopping centre. By motion of Council it requested this change be reconsidered and the area adjacent to Exit 20 (Highway #107) be added as was the case in an earlier draft. It was also requested the proposed CDD site in Lake Echo be moved to a more central location.

Specific sites were chosen under Policy S-10 and Section 3.3.4 after considering distance from freeway interchanges, lot sizes, access from one or more roads, proximity to the core of the community, and site topography. Because rural express commuter buses will use freeways to avoid major route detours, this required a compromise between proximity to the interchange and proximity to the core of the community. The sites were chosen on an interim basis pending further, more comprehensive analysis as part of the Rural Transit Study to be undertaken this summer.

While no further amendments are being recommended to the proposed Regional Plan in response to this issue, staff will ensure alternative sites, including the requested site at Exit 20, are considered as part of the Rural Transit Study. If any of these are found to be promising, staff will recommend amendments to the Regional Plan at that time.

2. Kellswater Subdivision, Lake Echo (Issue #57, p. 73)

By motion of Council, it was requested staff address, recognize and permit the advancement of the Kellswater Subdivision in Lake Echo.

When the Interim Growth Management regulations were introduced in January 2004 there was no approved concept plan or application on file with HRM which would have grand-fathered the Kellswater project from the new regulations.

As proposed in the Plan (Policy S-22), two particular subdivision proposals that did not meet the technical requirements for grand-fathering at the time of the Interim Growth Management regulations are now proposed to be recognized. These two proposals were active and subdivision applications were imminent. In the interest of fairness, it was determined they should be grand-fathered.

The area of the Kellswater Subdivision is approximately 57 hectares which would translate into about 100 lots. It has been in the proposal stages for over 30 years. The last recognized subdivision application, proposing the first phase of development involving a new street, occurred in 1987. It is staff's position, the Kellswater Subdivision is not imminent. It has not advanced to the first phase of development which would involve a new street, and as such, has not established a pattern of development.

It is more appropriate therefore, an open space design concept be explored consistent with the intent of the Regional Plan consistent with Policy S-15 which requires new residential subdivision development in the Rural Commuter Designation to be in the form of the open space design and by way of a development agreement. Staff are therefore not recommending any further amendments to the plan to accommodate the Kellswater development.

3. Chebucto Road Reversing Lane (Issue #63, p. 80)

Thirteen (13) speakers addressed Council to voice concerns against the intersection widening at Chebucto Road and Mumford Road. In addition to a number of specific issues raised, it was requested the project be removed from the Regional Plan and a moratorium be placed on the capital expenditures related to the project.

\*\*\*THIS ISSUE IS NOT DISCUSSED IN THIS REPORT. A SEPARATE STAFF REPORT HAS BEEN PREPARED FOR COUNCIL.

4. Request to Include Bear Cove in the Service Area (Issue #93, p. 129)

By motion of Council staff were asked to examine the possible expansion of the serviceable area boundary in Bear Cove for water service.

The area is immediately beyond the Urban Service Area in Herring Cove. The boundary was established by a recent community planning process. The proposed Regional Plan does not change the existing boundary. Further, Policy SU-13 of the proposed plan requires that new water service districts, to accommodate growth, be established in growth centres.

There are approximately 1,200 acres assembled by United Gulf Developments immediately beyond the limit of the existing service area which could accommodate approximately 1,200 units under the open space subdivision design provisions of the Regional Plan. Open space subdivisions with central water and on-site sewer would provide a transition from the fully serviced areas of Herring Cove to the more sparsely settled area towards Ketch Harbour. In addition, the privately owned open space would provide a buffer with crown land that is proposed to be designated as Open Space and Natural Resource.

Extending water service would involve two key regulatory amendments: establishing a water service district boundary in the Regional Subdivision By-law, and amending the local community plan to establish the centre boundary. Both amendments are the type of amendment the Regional Plan contemplates will occur during community planning. In addition, all technical issues relating to central water and traffic need to be addressed when considering the amendments described above.

5. Re-designate the Geldart Lands in Cole Harbour from Urban Reserve to Urban Settlement  
(Issue #94, p. 131)

A land owner has requested approximately 200 acres of the interior land bounded by Highway #7, Ross Road, Highway #207 and Broom Road be removed from the proposed Urban Reserve Designation, and be considered for development with central water and on-site septic systems.

The subject parcels are part of the area known as “interior land bounded by Highway #7, Road, Highway #207, and Broom Road”. The lands are proposed to be designated as Urban Reserve in order to preserve the lands for future consideration for serviced development. The site is not proposed for development within the 25 year life of the Regional Plan primarily due to the high cost of providing infrastructure.

This area was one of the most expensive to develop when compared to ten other “greenfield” areas studied in preparation for the Regional Plan<sup>2</sup>. Of the ten, only one other site was more expensive. Major costs include the provision of sewage treatment, and the costs of either widening Main Street or extending the Highway #107 by-pass. Limited capacity at the Eastern Passage Sewage Treatment Plant prevent the land from being serviced at this time.

In addition to being costly to develop with full central services, the site also has unique stormwater management challenges regarding the impact of development on the Upper Reaches of the Cole Harbour protected area, and has very culturally significant view planes as identified in the existing community plan.

The majority of the land is owned by the Nova Scotia Home for Coloured Children, who have expressed a desire to develop significant community recreational facilities. There is a planned expansion of the MetroLink service to include a route from Cherry Brook to the Urban Centre which would capitalize on development of this site.

Given these conditions, removal of these lands from the Urban Reserve Designation is not recommended at this time. However, when the Regional Plan is reviewed, consideration should be

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<sup>2</sup> Greenfield Areas Servicing Analysis: A comparative analysis of land use and servicing opportunities and constraints for residential development in areas which have not been previously urbanized.; CBCL Limited, July 2004

given, in consultation with the community, to re-designating this site as Rural Commuter and creating a Rural Commuter Centre.

6. Designate 137 Acres on Caldwell Road as Urban Settlement and Include Within Serviceable Areas Boundary (Issue #95, p. 133)

A land owner has requested approximately 137 acres along Caldwell Road, in the vicinity of Atholea Drive, be removed from the Rural Commutershed Designation and placed within the Urban Service Area. The land is currently zoned for unserviced development, and approximately 35 acres is located within an existing Water Service District and surrounded on three sides by development serviced with both water and sewer.

Expanding the Urban Service Area in this vicinity is pre-mature due to limited capacity at the Eastern Passage Sewage Treatment Plant. Serviced development of this scale can be considered under Policy IM-18 providing other policies are satisfied, including capacity at the Eastern Passage Sewage Treatment Plant. Staff is therefore not recommending this change to the proposed Regional Plan.

7. Include East Preston/Preston Township in a Water Service District (Issue #96, p. 135)

By motion of Council staff were asked to examine the request for the extension of the water service boundary to East Preston and the Preston Township.

Policy SU-13 of the proposed Regional Plan requires that new water service districts, to accommodate growth, are established in growth centres. Extending water service would involve two key regulatory amendments: establishing a water service district boundary in the Regional Subdivision By-law, and amending the local community plan to establish the centre boundary. Both amendments are the type of amendment the Regional Plan contemplates will occur during community planning. In addition, all technical issues relating to central water and traffic need to be addressed when considering the amendments described above.

8. Height Restrictions on Wind Turbines (Issue # 101, p. 141)

By motion of Council, it was requested staff consider whether wind turbines should be exempt from the 35 foot height restrictions of the land use by-law. The question arose from a recent development application by the Tantallon Real Atlantic Superstore to erect a wind turbine on their property.

Section 4.18 of the existing Land Use By-law for Planning Districts 1 and 3 exempts windmills from height restrictions. This standard provision is contained in all former County of Halifax planning district land use by-laws. As such, applications for the construction of wind turbines in these planning districts are currently being approved by-right without public consultation. In anticipation of economic and environmental opportunities for the orderly development of renewable energy, as well as the potential for land use conflicts arising from the siting of wind turbines, staff has



developed a draft Wind Energy Master Plan. Staff will likely proceed to public consultation by the fall of this year, then submit recommendations for plan and by-law amendments for Council's consideration.

Proposed Policy SU-30 of the Regional Plan would require HRM to prepare a Community Energy Functional Plan that will, among other initiatives regarding the development and promotion of safe, clean, and renewable energy, consider the siting of wind turbines in cooperation with senior levels of government, industry and community representatives.

Given the policy direction proposed in the Regional Plan, and the fact a wind energy master plan is currently being prepared, staff is recommending no further changes to the proposed Regional Plan at this time.

### **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 can accept the plan, direct changes to the plan, or reject the plan. It is recommended Council amend its motion of May 16, 2006 to adopt the Regional Plan as set out in Attachments "A-D" of the Regional Planning Committee's April 19, 2006 report, and as amended by Attachments "A", "B" and "C" of this supplementary report. The changes contained in Attachments "A", "B" and "C" of this report are all non-substantial amendments and therefore do not require a new public hearing. If Council seeks to make changes of a substantial nature, a separate public hearing must be scheduled. It is not recommended Council make any substantial changes to the Regional Plan.

#### **Middle Sackville Holding Zone - Alternative to Staff Recommendation:**

If Regional Council is not comfortable making changes to zoning in advance of secondary planning as recommended (Issue #35), the option of returning to property rights as contained in Regional Plan Draft 2 (Option 4 in Response to Regional Plan Public Hearing report) is included as an alternative amendment (Attachments "E", "F" and "G"). This approach would not require a new public hearing.

However, if this option is selected, it is recommended Council initiate the secondary planning process in Middle Sackville immediately upon adoption of the Regional Plan.

Alternative Concerning the Balance of the Consolidated Fastfrate (CF) Lands:

Should approval of the Regional Plan be delayed, Council should consider approval of an alternative provision that would recommend the balance of the Consolidated Fastfrate (CF) Lands be "approved" in terms of zoning, and brought into the development boundary.

The reason being, this is an Economic Initiative whereby considerable efforts have been made at all levels of governments over the past 18+ months, Council has approved the capital project to construct the roads and services (06/07 Capital Budget advanced approval), and the Municipality has entered into an agreement of purchase and sale with CF. There is no reason this matter should be held up if further debate/delay on the Regional Plan is necessary.

If Council delays adoption of the regional plan, then Council should set a date for a public hearing to amend the Dartmouth Municipal Planning Strategy and give first reading of the by-laws to amend the Dartmouth Municipal Planning Strategy and Land Use by-law as illustrated in Attachments "H" and "I". The hearing would take place on July 4 to comply with the MGA's advertising requirements. The requirements for public consultation are deemed to have been satisfied under the Regional Plan Public Consultation Resolution.

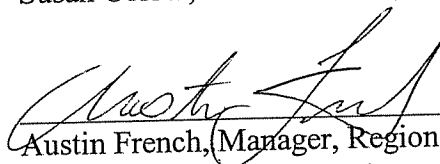
**ATTACHMENTS**

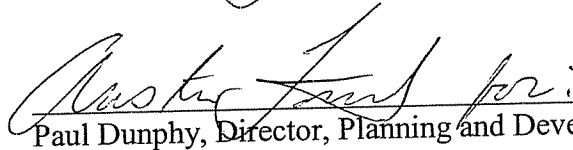
Attachment "A"	Amendments to the Proposed Regional Municipal Planning Strategy
Attachment "B"	Amendments to the By-laws to Amend the Land Use By-laws of Halifax Regional Municipality
Attachment "C"	Amendments to the Proposed Regional Subdivision By-law
Attachment "D"	Response to Regional Plan Public Hearing Report
Attachment "E"	Alternative Amendments to the Proposed Regional Municipal Planning Strategy (Sunset Ridge, Middle Sackville)
Attachment "F"	Alternative Amendments to the Proposed Regional Subdivision By-law (Sunset Ridge, Middle Sackville)
Attachment "G"	Alternative Amendments to the By-law to Amend the Land Use By-law for Sackville (Sunset Ridge, Middle Sackville)
Attachment "H"	Alternative Amendments to Dartmouth MPS (Fastfrate)
Attachment "I"	Alternative Amendments to Dartmouth LUB (Fastfrate)

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

Attachment "A"

**AMENDMENT OF THE PROPOSED  
REGIONAL MUNICIPAL PLANNING STRATEGY**

The Regional Municipal Planning Strategy is hereby amended as follows:

1. Replace clause (d) of Policy EC-14 with the following:

**(d) that the residential component of the development is adequately separated and buffered from any existing or future potential heavy industrial use to mitigate land use conflicts;**

2. Replace clause (e) of Policy G-12 with the following:

**(e) adopting performance standards to minimize light and noise;**

3. Add a new clause at the end of Policy G-12 with the following:

**(j) separation and buffering between residential and industrial uses to:**  
**(I) minimize noise, odour, glare, dust and other impacts of industrial operations on residential uses, and**  
**(ii) protect industry from nuisance complaints.**

4. Replace the last sentence of the sixth paragraph in Section 2.1.3 with the following:

**Through the secondary planning process for the Sandy Lake Urban Settlement area, the remainder lands, including the lands owned by the Province, will be examined for re-designation to permit development as appropriate.**

5. Insert the following paragraph following the second paragraph of Section 3.0 :

**The intention is not to penalize rural housing growth in favour of urban or suburban communities. Rather, the approach is to shape settlement in such a way that transit and other alternatives to commuting will become more viable. This offers not only lifestyle and environmental benefits, but also helps prepare for the possibility of rising oil prices. Similarly, it is important to encourage rural employment growth and ensure the long-term economic viability of remote rural areas to keep jobs close to residents.**

6. Delete Policies SU-9 and SU-10 and replace them with the following:

**SU-9** HRM shall, through the Sackville Land Use By-law, establish a CDD (Comprehensive Development District) Zone over a portion of PID No. 41071069 and the whole of PID No's. 40281479, 40875346, 41093733, 40695504, 41089012 and 41089004 located in Middle Sackville. Consideration may be given to allow for the extension of municipal wastewater and water distribution services to these properties to allow for a residential subdivision if a development agreement has been entered into with HRM. In considering approval of a development agreement, HRM shall have regard to the following matters:

- (a) the types of land uses to be included in the development and that, where the development provides for a mix of housing types, it does not detract from the general residential character of the community;
- (b) that adequate and useable lands for community facilities are provided;
- (c) any specific land use elements which characterize the development;
- (d) the general phasing of the development relative to the distribution of specific housing types or other uses;
- (e) that the development is capable of utilizing existing municipal trunk sewer and water services without exceeding capacity of these systems;
- (f) the provisions of Policies S-2 and SU-5;
- (g) that a sewage flow monitoring program is established for the development and that provisions are made for its phasing in relation to achieving sewage flow targets;
- (h) that the sewage flow monitoring program proposed by the developer for implementation under clause (g) addresses, in a form acceptable to HRM, target sewage flows to be achieved in relation to development phasing and the method, duration, frequency and location of monitoring needed to verify that target sewage flows have been achieved;
- (I) provisions for the proper handling of stormwater and general drainage within and from the development; and
- (j) any other matter relating to the impact of the development upon surrounding uses or upon the general community, as contained in Policy IM-15.

**SU-10** Notwithstanding Policy IM-9, HRM shall include within the Urban Settlement Designation and Urban Service Area approximately 21 hectares of undeveloped land within PID No's. 40281479 and 40875346, located in Middle Sackville along the west side of Sackville Drive in Middle Sackville. In considering approval of a development agreement for these lands pursuant to Policy SU-9, HRM shall have regard to the criteria specified in Policy SU-9 with the exception of items (f), (g) and (h). Further, to recognize the existing development rights on the

portion of these lands which abut Sackville Drive, HRM shall through the Land Use By-law for Sackville, provide for the development of these lands as shown on approved final plan of subdivision file no. 19980686-19-F in accordance with the Rural Residential (R-6) Zone of the Land Use By-law for Sackville.

7. Replace Policy EC-19 with the following:

**EC-19 HRM shall prepare an Urban Design Guidelines Functional Plan, in conjunction with other policies of this Plan, to address opportunities and issues related to the integration of transportation and streetscape design, underground utilities, bicycle travel, vehicular parking, urban forestry, sidewalk cafes, universal design, maintenance of street furnishings, litter and solid waste, energy conservation and funding opportunities. The functional plan shall consider suburban as well as urban core communities.**

8. Replace Map 1 and Map 7, identifying a rural transit route in Cow Bay, with the versions appended as Appendices I and II.

9. Replace the beginning of Policy EC-2 with the following:

**EC-2 Within the Spring Garden Road Commercial Area Plan, HRM shall only consider new development or expansions to existing development greater than 12 metres in height by development agreement. When considering an application for a development agreement, in addition to the applicable policies of the Halifax Municipal Planning Strategy, including the Spring Garden Road Commercial Area Secondary Planning Strategy and the requirements of the Halifax Peninsula Land Use By-law, including requirements pertaining to height and setback of buildings, HRM shall consider the following:**

10. Replace clause (h) of Policy EC-2 with the following:

**(h) the upper storeys of buildings should be designed to promote visual interest in the urban skyline;**

11. Replace clause (e) of section 5.4.1 with the following:

**(e) support agriculture and other traditional rural resource industries including forestry, fishing and resource extraction and investigate measures by which these industries can be protected from encroachment by incompatible uses;**

12. Insert the word "bulk" between the words "general" and "cargo" in the third sentence of the third paragraph of Section 5.2.2.
13. Replace the last line of the second paragraph of Section 5.3.1 with the following:  
  
**When acquisition is complete, the lands should be included within the Business/Industrial Park Sub-Designation as per Policy IM-10.**
14. Replace the first sentence of the first paragraph of Section 5.3.1 with the following:  
  
**HRM operates 6 of the 13 business parks - the Aerotech Business Park, Burnside Business Park, City of Lakes Business Park, Bayer's Lake Business Park, Lakeside Business Park and Ragged Lake Business Park.**
15. Replace the title of Section 5.3.2 with the following:  
  
**5.3.2 Future Potential for Associated Mixed Use Development - Area Surrounding Burnside and City of Lakes Business Park**
16. Replace the first sentence of the second paragraph of Section 5.3.2 with the following:  
  
**One area where a mix of medium to high density residential land uses might be considered complementary is in the area north and east of the Burnside Business Park and the City of Lakes Business Park as shown on the Burnside Potential Mixed Use Area (Map 12).**
17. Replace the third sentence of the second paragraph of Section 5.3.2 with the following:  
  
**Limitations on the extent of residential development shall be established to ensure that it does not become the predominant land use in this area.**
18. Replace the first two sentences of Policy EC-13 with the following:  
  
**HRM shall establish a Burnside Comprehensive Development District (BCDD) Zone within the Dartmouth Land Use By-law which may be applied to portions of the lands east and north of the Burnside Business Park and the City of Lakes Business Park, as shown on the Burnside Potential Mixed Use Area (Map 12), by rezoning. This zone shall permit a mix of multiple unit dwellings, townhouses, commercial, office, institutional and recreation uses subject to the provisions of a development agreement.**

19. Replace clause (b) of Policy EC-14 with the following:

(b) **the residential component, which shall constitute a minor portion of the area of the Business Parks shown on Map 12;**

20. Add a new Section immediately following Section 5.5.3.1 Burnside Business Park as follows:

#### **5.5.3.2 City of Lakes Business Park**

**The City of Lakes Business Park was created in the mid 1980s. It is located north and east of the Burnside Drive/Highway 111 interchange, and includes lands adjacent Spectacle and Frenchman Lakes. Most property within the park was originally under public ownership, with the exception of a small, privately held area east of Frenchman Lake. The focus for the City of Lakes Business Park is that it be developed as a premier suburban office and business services location, capitalizing on its strategic location and natural features of the area. Numerous high-end office buildings, a hotel and several retail/warehousing outlets have been constructed, together with an extensive park/trail system.**

**The future of the City of Lakes Business Park should address reinforcing its role as a prestigious office building location, determining areas for expansion and reviewing and enhancing development controls to encourage appropriate land use, proper site and building design criteria and Park amenities.**

**Through the Business Parks Development Functional Plan, the following topics are intended to be addressed, specific to the City of Lakes Business Park:**

- (i) confirmation that the City of Lakes Business Park will be developed as a premiere suburban office and business services location;**
- (ii) determination of appropriate restrictive covenants and zoning by-law provisions pertaining to the City of Lakes Business Park, including permitted land uses, site and architectural design criteria, urban amenities (infrastructure, active transportation and transit services, parks/trails) and signage/marketing strategy. The “Draft 2.0 Municipal Planning Strategy” and “Draft 2.0 Land Use By-law”, City of Dartmouth, 1990, and the “North Dartmouth Planning Study”, EDM, 1994, will be used as a framework for this work; and**
- (iii) determination of additional lands for expansion of the City of Lakes Business Park.**

21. Renumber Sections 5.5.3.2, 5.5.3.3 and 5.5.3.4 to 5.5.3.3, 5.5.3.4 and 5.5.3.5, respectively.



22. Replace Map 12, identifying the City of Lakes Business Park and revising the extent of the Potential Mixed Use Area, with the version appended as Appendix III.
23. In Section 5.5.3.2, add the following list of topics to consider in the Business Parks Development Functional Plan, specific to the Bayers Lake Business Park:
  4. **opportunities to improve transportation infrastructure and safety, including left-hand turning locations, driveway locations and bus lay-bys;**
  5. **opportunities to assist in crime prevention;**
  6. **continue to develop a brand-building signage program for the park; and**
  7. **opportunities to improve transit service for both employees and customers.**
24. Replace the last two sentences of Section 4.3.2 with the following:

**In light of public consultation, existing transit services will be improved and new services offered, not only to the Capital District, but also to the region's major employment centres such as Bayers Lake and Burnside/City of Lakes Business Parks. These topics will form part of the Public Transit Functional Plan.**
25. In Section 4.3.2.6, add the following item in the list of items to be considered under The Public Transit Functional Plan:
  6. **improvements to transit service to the region's major business parks for both employees and customers.**
26. Replace clause (d) of Policy CH-8 with the following:
  - (d) **identifying key sites within the Regional Centre where opportunities for exceptional new architecture can be pursued while respecting the heritage character of the surroundings;**

27. Replace clause (h) of Policy CH-8 with the following:

- (h) strategies to encourage the reuse, restoration, and retention of registered heritage properties and throughout HRM, including but not limited to:**
  - (i) allowing for a relaxation of zoning requirements for registered heritage properties, such as setback or side yard provisions, permitted uses, or parking requirements, where it can be demonstrated that current limitations are an impediment to the revitalization, rehabilitation, and ongoing use of the property;**
  - (ii) allowing for a relaxation of building code requirements through the application of the Alternate Compliance Methods of the Nova Scotia Building Code Regulations; and**
  - (iii) amending zoning requirements to better reflect the traditional form and placement of heritage buildings and the streetscape typology of the neighbourhood;**

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 2006.

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Jan Gibson

# Map 1

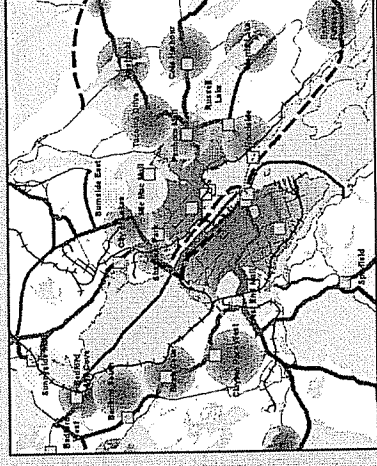
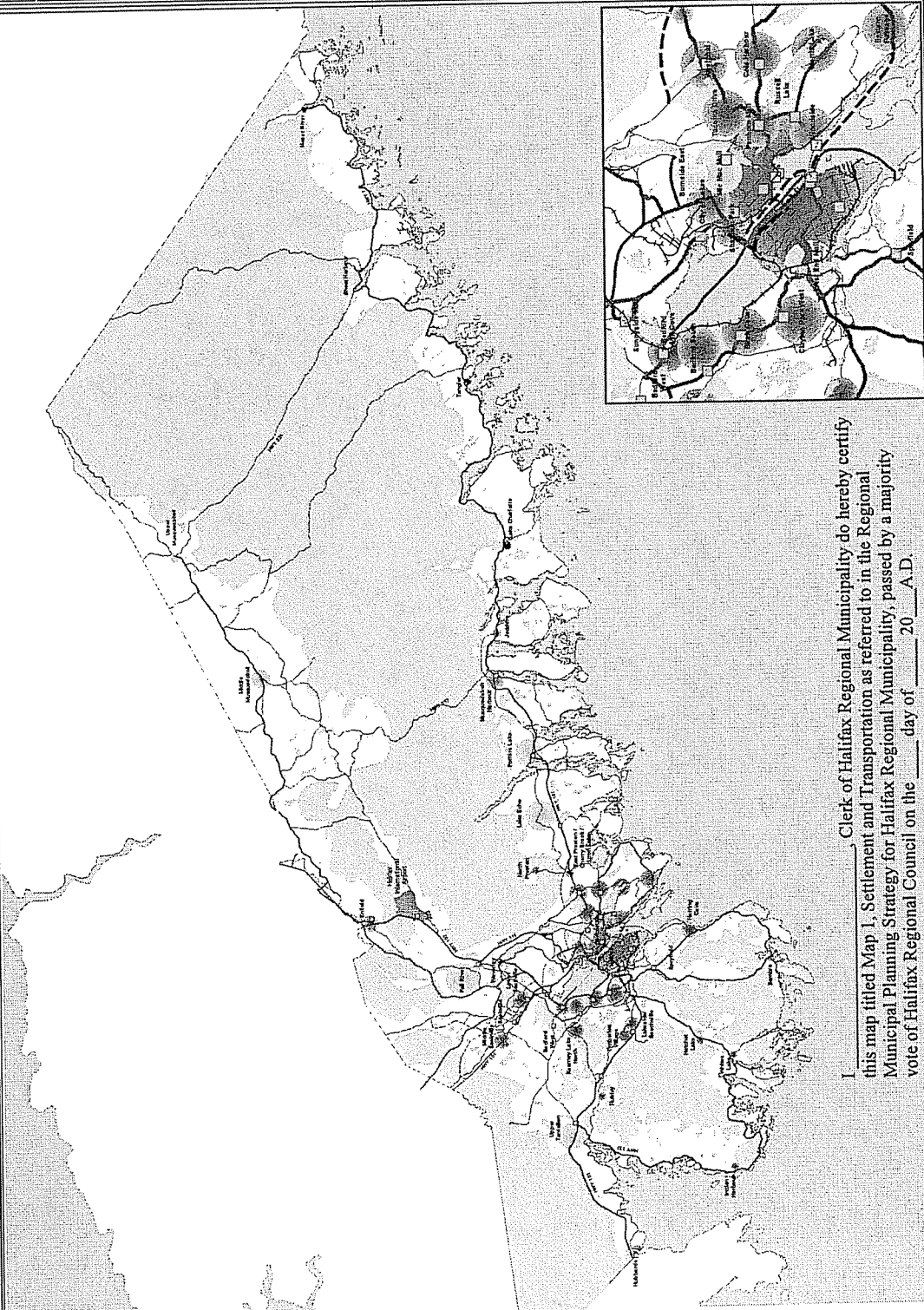
## Settlement and Transportation

- Centres**
- Regional Centre (Urban Core)
  - Agricultural District Centre
  - Rural Commuter Centre
  - Rural Commuter District Centre
  - Rural Commuter Local Centre
  - Rural Resource District Centre
  - Rural Resource Local Centre
  - Suburban District Centre
  - Suburban Local Centre
  - Urban District Centre
  - Urban Local Centre
- Transit**
- Bus Rapid Transit
  - Express Bus
  - Rural Bus
  - Transit Hubs
- Future Major Routes**
- Programmed
  - Planned
  - Future Potential
- Open Space & Natural Resources Network**

**HALIFAX MUNICIPALITY**

The following is a graphical representation and although care has been taken to ensure the accuracy of the data, it does not guarantee the accuracy of this document.

**Note:** This map demonstrates a vision to be implemented over the life of the Regional Plan, through various tools, subject to financial ability and community interest.



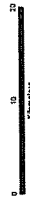
I, \_\_\_\_\_, Clerk of Halifax Regional Municipality, do hereby certify this map titled Map 1, Settlement and Transportation as referred to in the Regional Municipal Planning Strategy for Halifax Regional Municipality, passed by a majority vote of Halifax Regional Council on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ A.D.

# Map 7

## Future Transit & Transportation

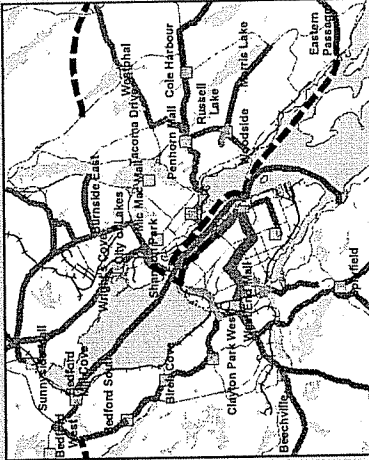
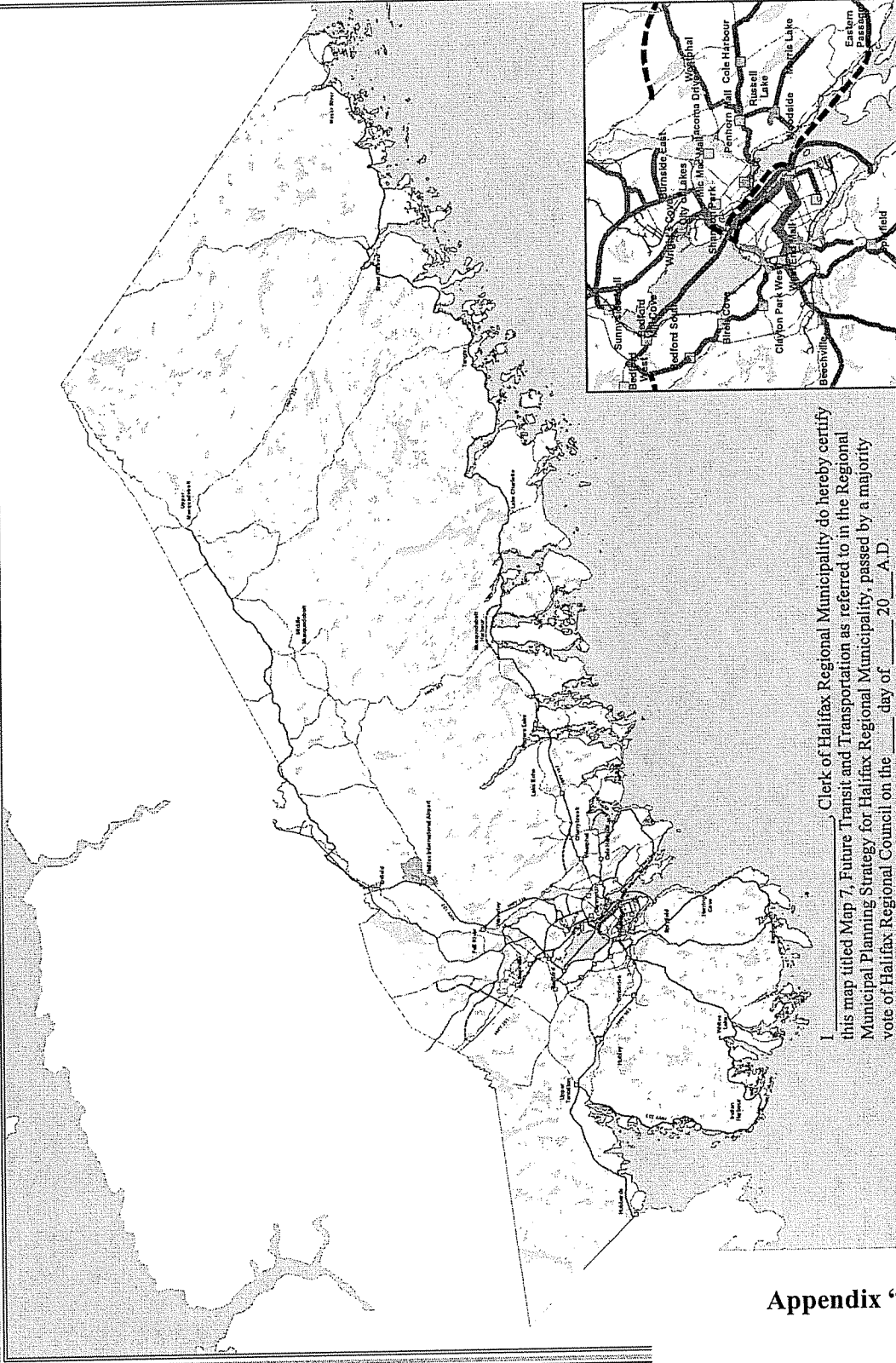
### LEGEND

- Future Major Routes**
- Programmed
- Planned
- Future Potential
- Future Transit**
- Bus Rapid Transit
- Express Bus
- Rural Bus
- (including Community Based Transit)
- Transit Hubs



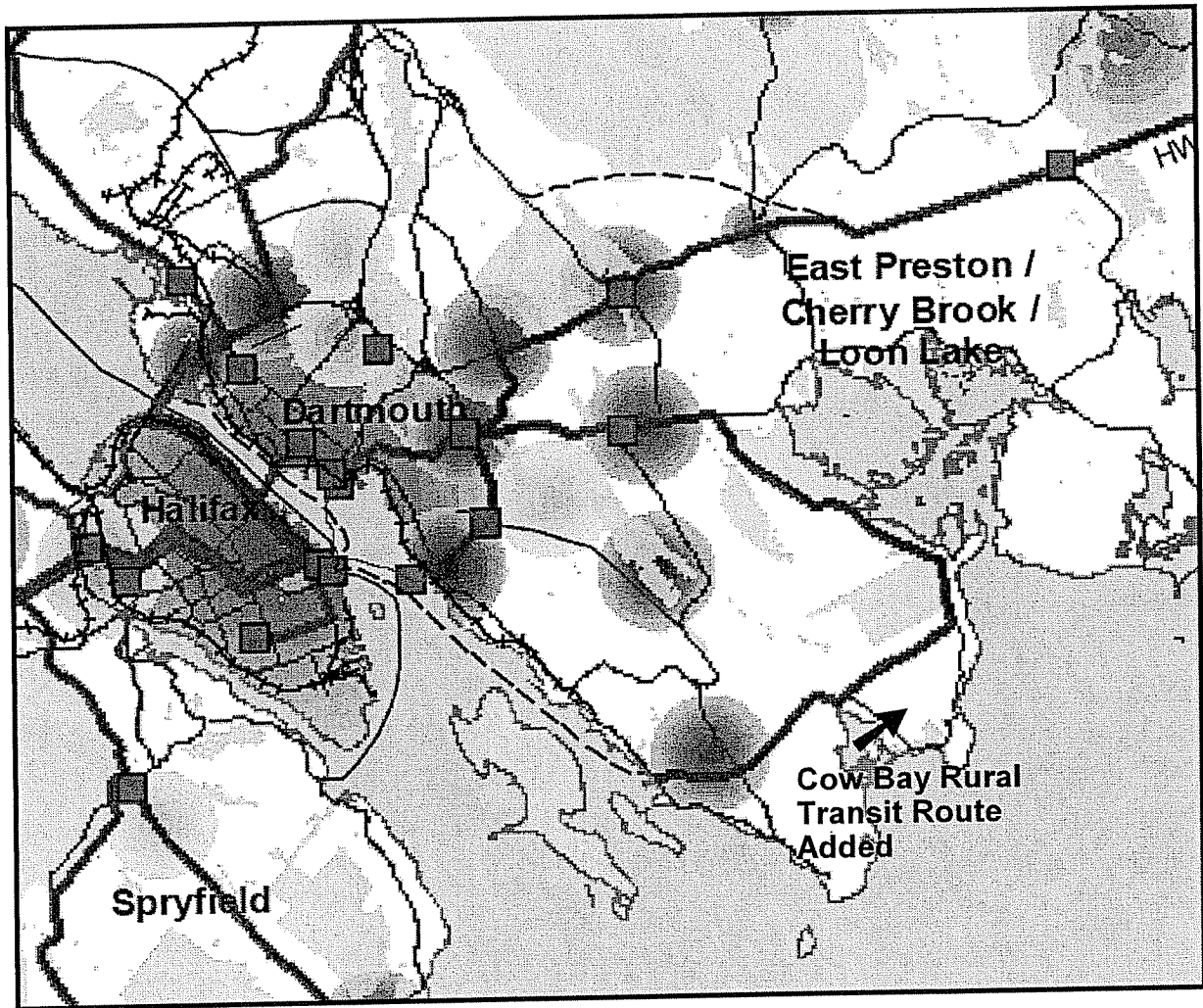
The following is a graphical representation and although care has been taken to ensure the best possible quality, RRM does not guarantee the accuracy of this document.

Notes: This map demonstrates a vision to be implemented over the life of the Regional Plan, through various means, subject to financial ability and community interest.



I, \_\_\_\_\_, Clerk of Halifax Regional Municipality do hereby certify this map titled Map 7, Future Transit and Transportation as referred to in the Regional Municipal Planning Strategy for Halifax Regional Municipality, passed by a majority vote of Halifax Regional Council on the \_\_\_\_ day of \_\_\_\_ 20\_\_ A.D.

**COW BAY RURAL TRANSIT ROUTE**




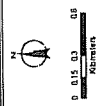
NOTE: Graphic showing amendments to Maps 1 and 7 for illustration purposes only.

# Map 12

## Burnside Potential Mixed Use Area

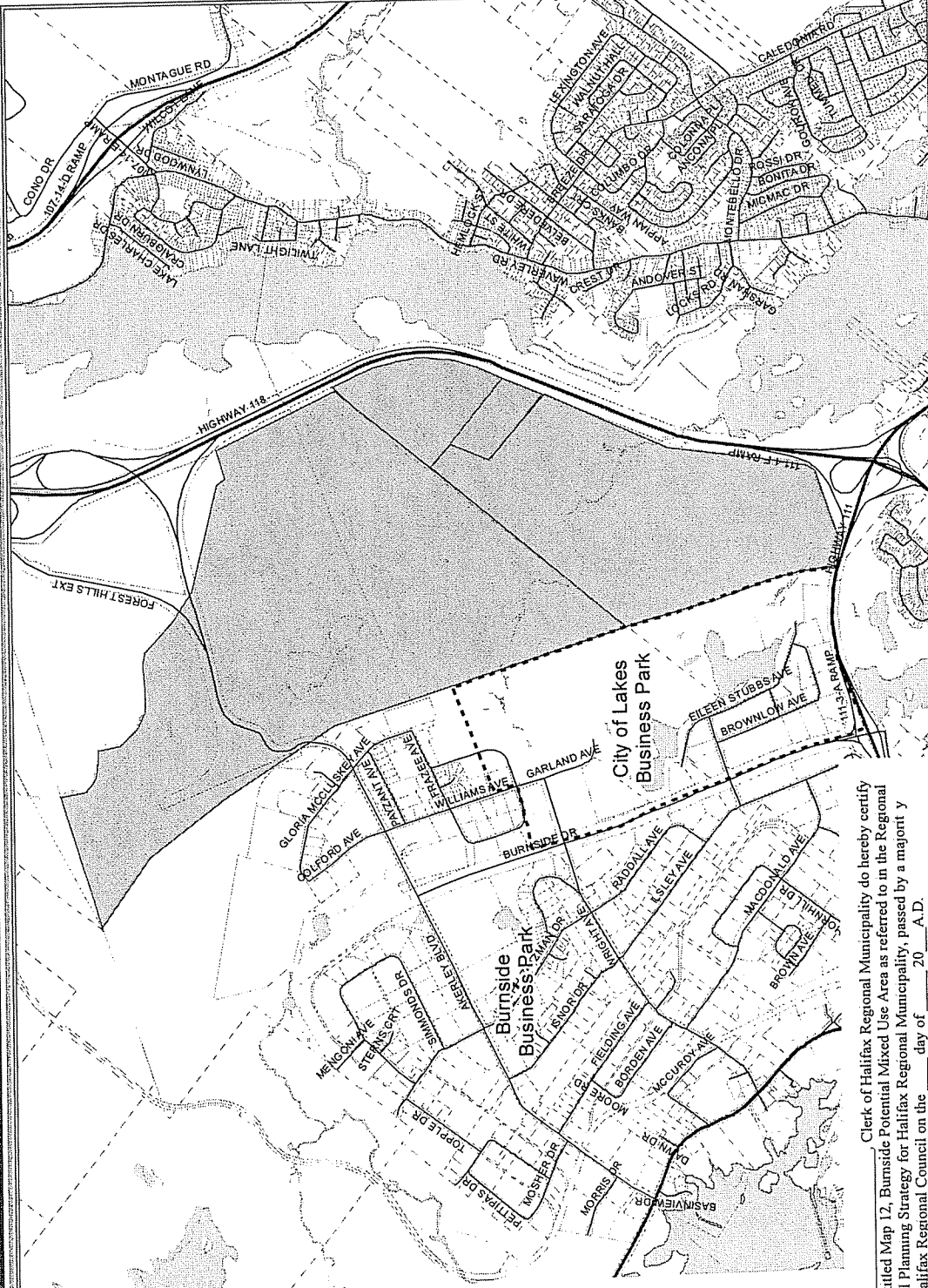
### Legend

 Potential Mixed Use Area  
See Policy -EC13



The following is a graphic representation and although care has been taken to ensure the accuracy of this document, the Municipality does not guarantee the accuracy of this document.

Note: This map demonstrates a vision to be implemented over the life of the Regional Plan, through various tasks, subject to financial ability and community interest.



## Appendix "III"

\_\_\_\_\_, Clerk of Halifax Regional Municipality do hereby certify this map titled Map 12, Burnside Potential Mixed Use Area as referred to in the Regional Municipal Planning Strategy for Halifax Regional Municipality, passed by a majority vote of Halifax Regional Council on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ A.D.

Attachment "B"

AMENDMENT OF BY-LAWS  
TO AMEND THE LAND USE BY-LAWS  
OF HALIFAX REGIONAL MUNICIPALITY

The by-laws to amend the land use by-laws of Halifax Regional Municipality, are hereby amended as follows:

1. Insert the word, "positive" as shown in the following sample clause in all of the amending land use by-laws:
  - (1) (b) Where the average **positive** slopes within the 20m setback are greater than 20%, the setback shall be increased by 1 metre for each additional 2% of slope, to a maximum of 60m.
2. Replace the Maximum Lot Coverage requirement in the Regional Park Zone in the applicable amending land use by-laws as follows:

RPK ZONE REQUIREMENTS

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

Maximum Lot Coverage: **50% for lots less than 4 ha in area, or  
5% for lots 4 ha or more in area**

3. Insert the word, "offices" in the list of permitted uses in the Burnside Comprehensive Development District Zone in the amending by-law for the Dartmouth Land Use By-law as follows:

BCDD - Burnside Comprehensive Development District

- 54AA (a) The following uses only shall be permitted in a BCDD:
- (I) townhouse;
  - (ii) apartment building;
  - (iii) commercial retail;
  - (iv) institutional;
  - (v) recreation;
  - (vi) **offices**

4. Replace Appendix A of the amending by-law for the Sackville Land Use By-law, identifying 21 hectares of land on the west side of Sackville Drive rezoned to the Comprehensive Development District (CDD) Zone, with the version appended as Appendix I.
5. In the amending by-law for the Sackville Land Use By-law, add the following item:

**Add the following Section after Section 23.3:**

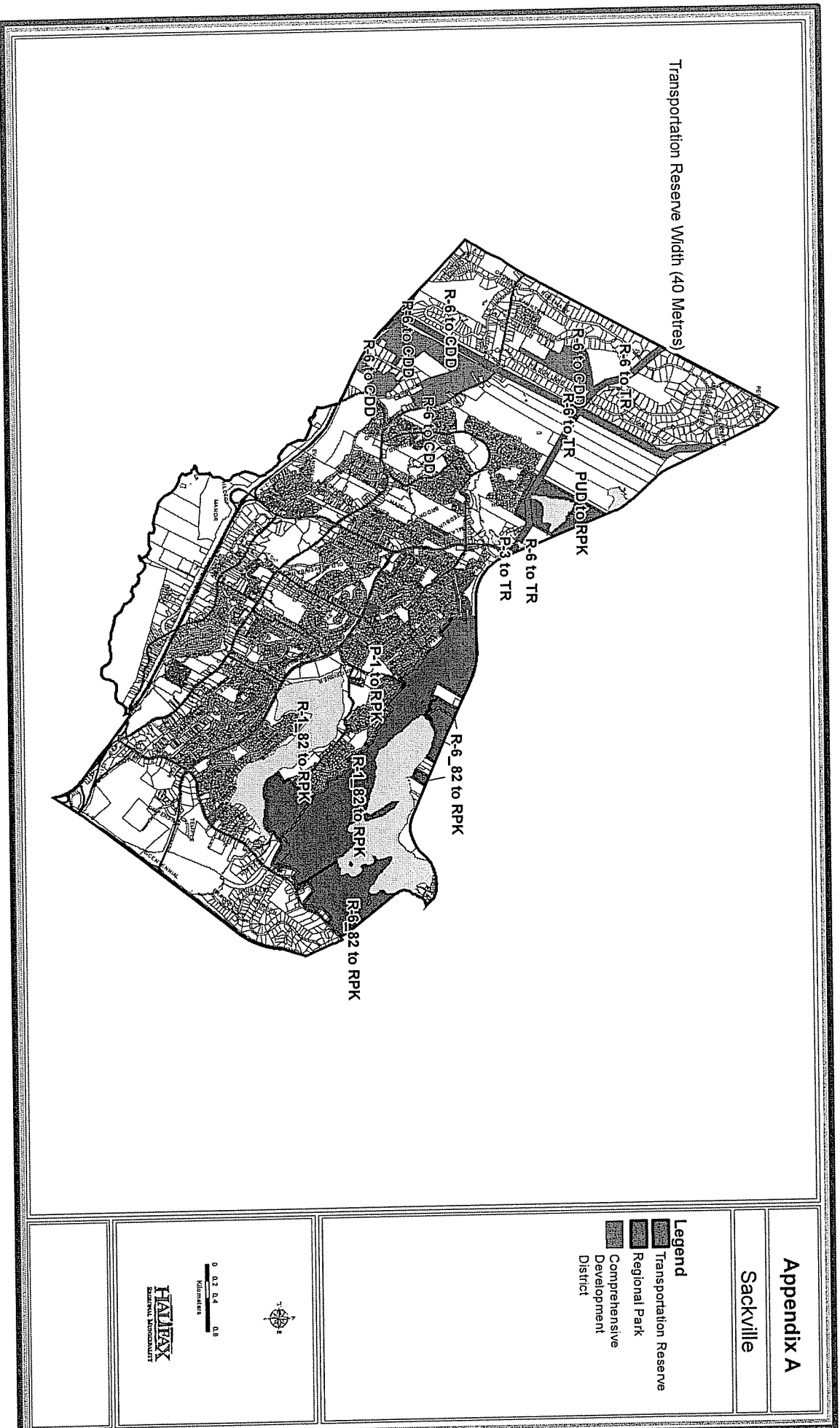
- 23.4 Notwithstanding sections 23.1 through 23.3, the lots shown on approved final plan of subdivision file no. 19980686-16-F of the Sunset Ridge Subdivision shall be developed subject to the permitted uses and requirements of the R-6 (Rural Residential) Zone.**

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_, A.D. 2006.

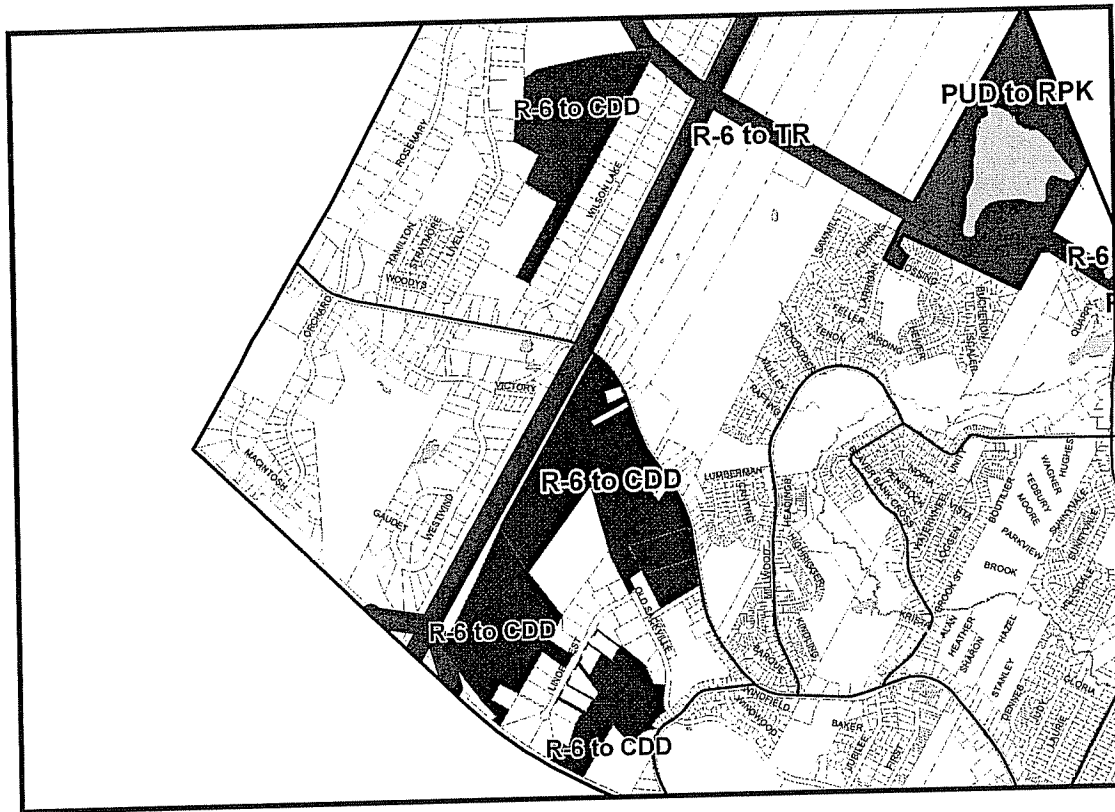
Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 2006.

\_\_\_\_\_  
Jan Gibson





# MIDDLE SACKVILLE - SUNSET RIDGE LANDS REZONING



NOTE: Graphic showing amendments to Appendix A of the amending by-law to the Sackville Land Use By-law for illustration purposes only.

Attachment "C"

**AMENDMENT OF THE PROPOSED  
REGIONAL SUBDIVISION BY-LAW**

The Regional Subdivision By-law is hereby amended as follows:

1. Insert the following section after section 65 in the Regional Subdivision By-law:

**65A Notwithstanding the requirements of section 8, the subdivision of Lands of Loon Lake Developments Ltd. (PID No's. 40698748 and 41188806) in Dartmouth shall be permitted with a maximum of thirteen lots abutting Highway 107.**

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 2006.

\_\_\_\_\_  
Jan Gibson

Attachment "E"

AMENDMENT OF THE PROPOSED  
REGIONAL MUNICIPAL PLANNING STRATEGY

Middle Sackville - Draft 2 Alternative

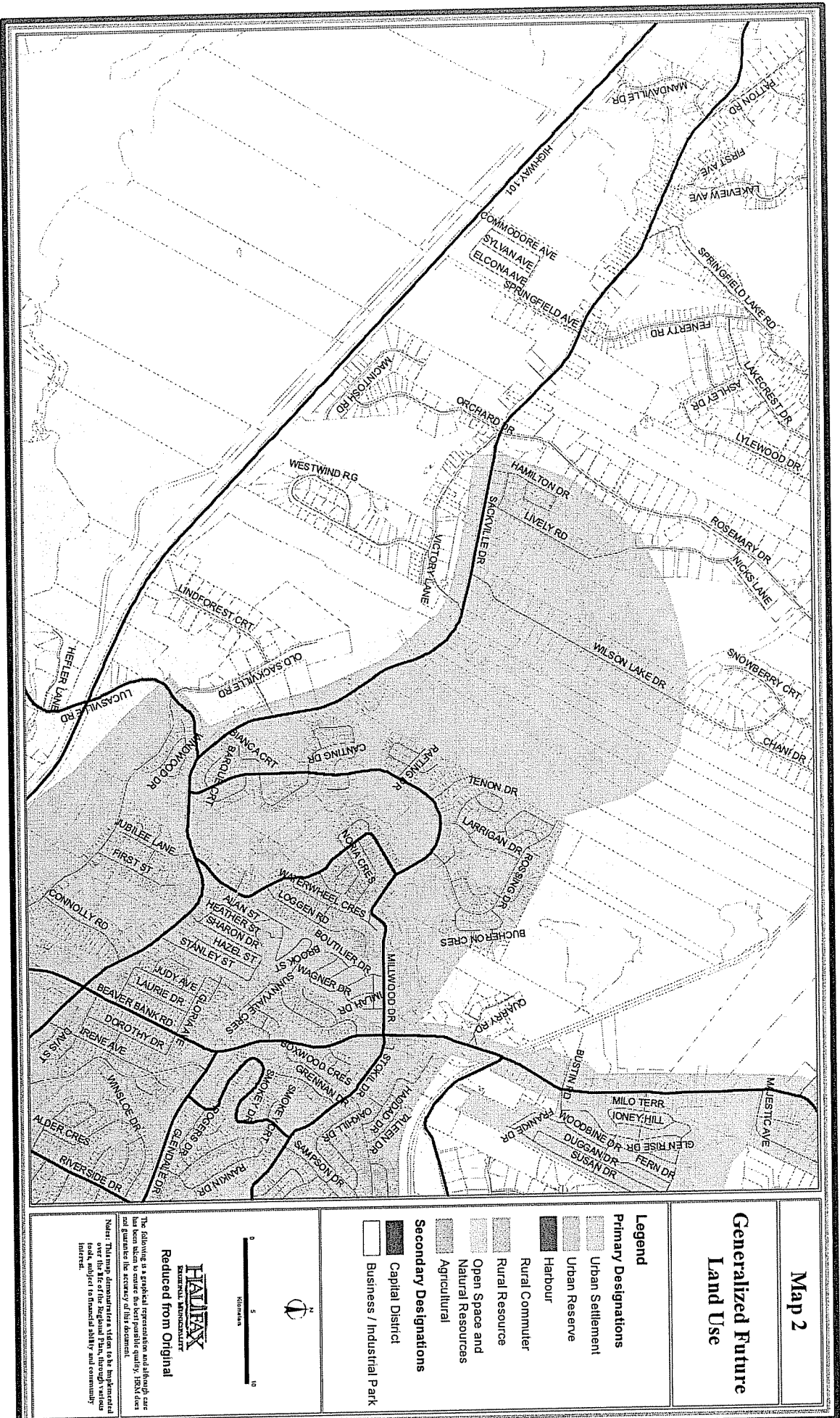
The Regional Municipal Planning Strategy is hereby amended as follows:

1. Delete Policies SU-9 and SU-10 and associated preamble; and
2. Amend Map 2 (Generalized Future Land Use Map) in the area of Middle Sackville as shown on Appendix I.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 2006.

\_\_\_\_\_  
Jan Gibson



Attachment "F"

AMENDMENT OF BY-LAW  
TO AMEND THE LAND USE BY-LAW  
FOR SACKVILLE

Middle Sackville - Draft 2 Alternative

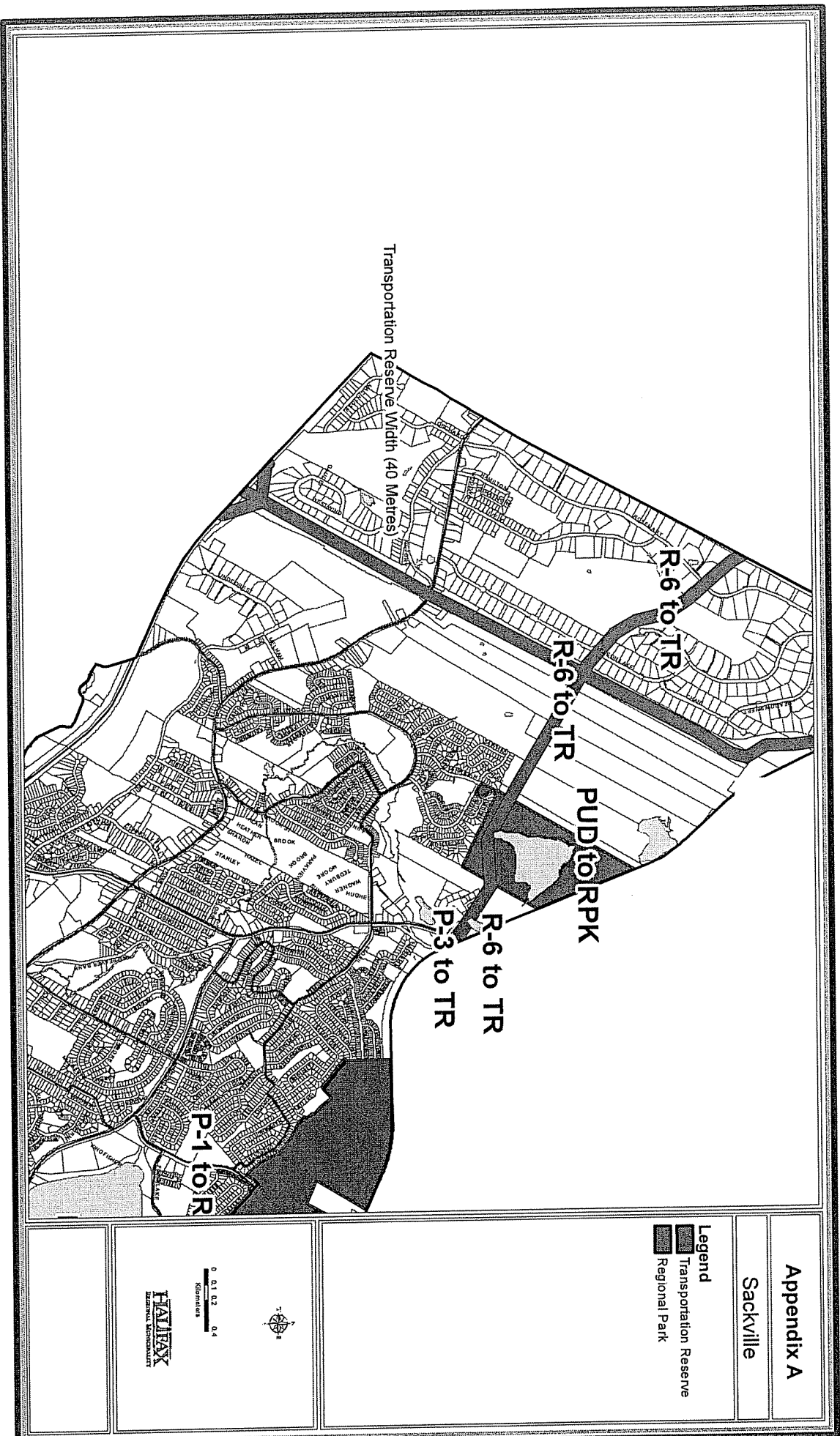
The amending by-law for the Sackville Land Use By-law, is hereby amended as follows:

1. Amend Appendix "A" In the area of Middle Sackville as shown on Appendix I.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 2006.

\_\_\_\_\_  
Jan Gibson



Appendix A

Sackville

- Legend**
- Transportation Reserve
  - Regional Park

Attachment "G"

**AMENDMENT OF THE PROPOSED  
REGIONAL SUBDIVISION BY-LAW**

**Middle Sackville - Draft 2 Alternative**

The Regional Subdivision By-law is hereby amended as follows:

1. Amend Schedule "B" of the Regional Subdivision By-law in the area of Middle Sackville as shown on Appendix I.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 2006.

\_\_\_\_\_  
Jan Gibson





Halifax Regional Municipality

I, \_\_\_\_\_, Clerk of Halifax Regional Municipality do hereby certify this map is filed in accordance with the provisions of the Subdivision By-law for Halifax Regional Municipality, passed by a majority vote of Halifax Regional Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ A.D.

**Halifax Regional Municipality**

**Subdivision By-law  
Service Requirement Map  
Schedule "B"**



The following is a graphical representation and although care has been taken to ensure the best possible quality, HRM does not guarantee the accuracy of this document.



**Legend**

- Urban Service Area
  - Water Service Area
  - Sewer (Sewer Only)
  - Rural Service Area
- Notes:**
- Does not include storm drainage system, sanitary sewerage system, water distribution system and other primary and secondary services in accordance with the Design Guidelines for Urban Streets.
  - Does not include Rural Service Requirements and water distribution system when adjacent to existing water services.
  - Will be required to connect to sewer by law.
  - Does not include storm drainage system and other primary and secondary services in accordance with the Design Guidelines for Rural Streets.

Attachment "H"

BY-LAW TO AMEND THE  
MUNICIPAL PLANNING STRATEGY FOR DARTMOUTH

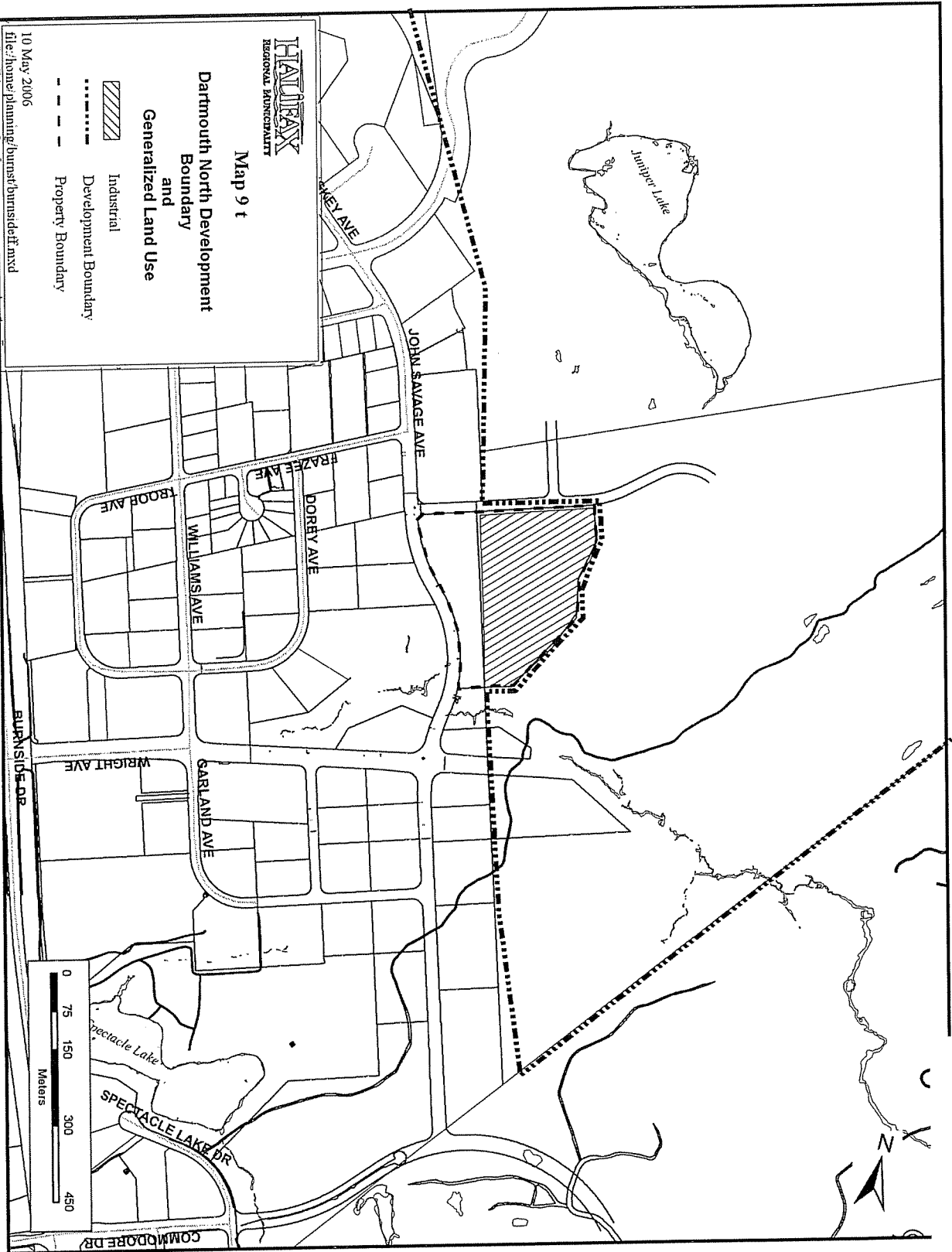
BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Dartmouth is hereby amended as follows:

1. Adding the following text before the word "summary" in Section 4, under the Chapter 3: Directions For Growth:  
  
**"In order to allow for the development of a regional freight and distribution facility on lands fronting on the planned extension to John Savage Avenue, the municipal development boundary in North Dartmouth should be expanded and the subject lands redesignated from Reserve to Industrial as shown on Map 9t."**
2. Adding the word and figure "Map 9t and" after the figure and word "1e and" in Policy G-1.
3. Adding the word and figure "and 9t" between the figure "9r" and the open bracket "(" in Policy 1P-1 (b).
4. Adding the words "By-law, July, 2006" after "1984" in Policy 1P-1(b).
5. Adding the word and figure "and 9t" between the figure "9r" and the open bracket "(" in Policy 1P-1(c).
6. Adding the words "By-law, July, 2006" after "1984" in Policy 1P-1(c).
7. Adding Map 9t (Dartmouth North Development Boundary Expansion and General Land Use) as illustrated on Appendix "T" attached to this document.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 2006.

\_\_\_\_\_  
Jan Gibson



Attachment "I"

**BY-LAW TO AMEND THE  
LAND USE BY-LAW FOR DARTMOUTH**

BE IT ENACTED BY THE Council of the Halifax Regional Municipality that the Land Use By-law for Dartmouth is hereby amended as follows:

- a) Amending Appendix "A" of the Dartmouth Zoning Map as illustrated on Appendix "T" of this document.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Halifax Regional Council of Halifax Regional Municipality held on the \_\_\_\_ day of \_\_\_\_, A.D. 2006.

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_, A.D., 2006.

\_\_\_\_\_  
Jan Gibson

