

# **User Guide: DRAFT Regional Centre Land Use By-law for Public Consultation (Package A)**

**NOTE:** The following User Guide (pages i to iii) is not an official part of the draft By-law. The draft By-law begins on page 1.

The **Draft Regional Centre Land Use By-law (Package A)** has been prepared for the purpose of public consultation and does not represent the complete set of proposed land use regulations. It applies to all properties in the Regional Centre of the Halifax Regional Municipality within the Centre, Corridor, Higher-Order Residential, and Future Growth Node designations. (For the boundaries of these areas, see Schedule 1.) After revisions based on public feedback, adoption by Council following a public hearing, and approval by the Minister, it will become the rulebook that controls how land and buildings are used, where buildings may be located on a lot, and the form, height, and design of those buildings. This draft By-law also contains other regulations necessary to implement the policies of the Regional Centre Secondary Municipal Planning Strategy (Package A).

## **How to Use this By-Law**

Follow the steps below to find out how this By-law governs your property.

### **Step 1: Determine Your Zone**

Find your property on the zone map (Schedule 3). The code on your property (e.g., “ER-3”) is your zone.

### **Step 2: Identify Permitted Uses**

Table 1 indicates which activities are permitted in each zone. Find the column corresponding to your zone and note which activities, or “uses,” are permitted (indicated with a black dot: ●). Be sure to consult the Definitions (Part XIII) to make sure you understand what each use includes.

### **Step 3: Identify Other Applicable Regulations**

In addition to Table 1, your property is governed by regulations for building shape and size, parking, landscaping, signage, and more. These are contained in Parts III to XI. All regulations apply in every zone unless otherwise indicated. The following list summarizes what the regulations of each Part do.

DRAFT Regional Centre LUB — February 2018

- **Land Use** (Part III): How land may be used, specific rules for individual activities, urban agriculture, development near water
- **Lot Requirements** (Part IV): Creation of new lots as part of a subdivision process
- **Built Form** (Part V): Where buildings may be located on a lot, and maximum building dimensions
- **View Planes and Waterfront View Corridors** (Part VI): Tools for preserving key views
- **Wind Energy Facilities** (Part VII): Where wind turbines may be located
- **Landscaping** (Part VIII): Vegetation, fencing, and groundcover
- **Parking and Off-Street Loading** (Part IX): What uses require parking for motor vehicles and bicycles, and how this parking must be provided
- **Signs** (Part X): Permitted types of signs, maximum dimensions, and illumination
- **Incentive or Bonus Zoning** (Part XI): Requirements for buildings that exceed a pre-bonus height or floor area threshold

#### **Step 4: Identify Your Approval Process**

Unless exempted in Section 9, all development requires a permit. (For the definition of “development”, see Subsection 207(63).) Even if you are exempt from requiring a development permit, you may still require another permit from the Municipality (e.g. a building permit) and must ensure you meet the requirements of this By-law.

If you have any questions, please contact the planning office for more information before starting work.

If your project requires a permit, you can apply for one at \_\_\_\_\_. When you apply, you must provide enough information for HRM to determine that you are meeting the requirements of this By-law. See Section 10 for the information you must provide.

Developments in the area shown on Schedule 2 are subject to “site plan approval,” which allows HRM to review a project’s architectural and urban design features. The Design Manual, contained in Appendix 1, explains what is expected when a project undergoes site plan approval. An application for site plan approval must contain detailed architectural drawings and \_\_\_\_\_.

#### **Step 5: Review All Relevant Definitions**

You should review the definitions in Part XIII to make sure you have correctly interpreted the requirements of this By-law. If a word is not defined in Part XIII, its typical dictionary definition applies.

## How this By-law is Structured

This By-law is organized in a six-level hierarchy that makes information easy to find and use. Each section of this By-law has been numbered using the following system:

- **PART II** Main topic areas (uppercase Roman numeral)
- **Chapter 1** Sub-topics (Arabic numeral)
- **Section 235** Main headings (Arabic numeral)
- **Subsection 235(5)** Individual paragraphs and sentences (Arabic numeral in parentheses)
- **Clause 235(5)(a)** List items (lowercase letter in parentheses)
- **Subclause 235(5)(a)(ii)** List sub-items (lowercase Roman numeral in parentheses)

Sections are numbered continuously starting at 1 through to the end of the document. Chapters, Subsections, Clauses, and Subclauses restart numbering/lettering with each new parent part.

### A Note to Staff: How to Amend this By-law

When amending this By-law, a new document section may be inserted at any level of the hierarchy by using a decimal point. For example, a new Section may be inserted between existing Sections 25 and 26 by numbering it “Section 25.5”. The use of a decimal point is mathematical, not hierarchical — Section 25 and Section 25.5 are equivalent in the hierarchy outlined above. This system eliminates the need to renumber existing sections when amending this By-law.

If additional Sections are required between Section 25 and Section 25.5, they should be numbered 25.1, 25.2, 25.3, and 25.4. If yet more sections are required, an additional digit should be added: “Section 25.45”. Use as many digits as required to properly locate the new document section within the existing hierarchy.

Indentation, white space, and bullets improve the document’s usability but carry no legal effect. Each piece of the document must be clearly located and labeled within the established hierarchy, using the system outlined above.

Schedules, tables, diagrams, and appendices are numbered sequentially starting at 1. New schedules, tables, diagrams, and appendices are added using the decimal point system described above. For example, to insert a new schedule between Schedule 3 and Schedule 4, number it “Schedule 3.5”.

# **DRAFT REGIONAL CENTRE LAND USE BY-LAW (PACKAGE A)**

**The following version of the Draft Regional Centre Land Use By-law (Package A) has been prepared for public consultation purposes only. It does not contain comprehensive regulatory language, and is subject to change.**

**Enactment**

**Effective Date**

**Signatures**

# Table of Contents

<b>PART I: ADMINISTRATION</b> .....	<b>8</b>
Chapter 1: General Administration.....	9
Title .....	9
Lands Governed by this By-law (Package A) .....	9
Repeal of Former By-laws .....	9
Compliance with this By-law.....	9
Requirement for a Development Permit .....	9
Compliance with Other Legislation and By-laws.....	10
Severability .....	10
Administration by the Development Officer.....	10
Chapter 2: Development Permit.....	11
Development Permit Exemptions .....	11
Development Applications.....	11
Approval.....	12
Expiry .....	12
Revocation .....	12
Chapter 3: Site Plan Approval .....	13
Requirement for Site Plan Approval .....	13
Site Plan Approval Exemptions .....	13
Site Plan Approval Applications .....	14
Methods of Public Consultation.....	15
Requirement of Public Consultation Process.....	15
Public Consultation: Public Meeting Newspaper Advertisement .....	16
Public Consultation: Public Meeting Days and Times .....	16
Public Consultation: Public Meeting Facility Requirements .....	16
Public Consultation: Display Panel Component .....	17
Public Consultation: Website Component .....	17
Public Consultation: Weather-Proof Sign Component .....	18
Substantive Site Plan Approval .....	18
Relaxation of By-law Requirements.....	19
Notification .....	19
Appeal of Decision .....	20
Chapter 4: Non-Conforming Structures and Uses .....	21
Non-Conforming Structures.....	21
Chapter 5: Interpretation of this By-law.....	22
Diagrams .....	22
Defined Terms.....	22
More Restrictive Requirement Applies.....	22
Chapter 6: Schedules and Appendices .....	23
List of Schedules and Appendices .....	23
<b>PART II: ZONES</b> .....	<b>24</b>
Chapter 1: Establishment of Zones and Special Areas.....	25
List of Zones and Special Areas .....	25
Interpretation of Zone and Special Area Boundaries.....	25
Chapter 2: Land Uses .....	27
Interpretation of Permitted Uses.....	27
Additional Provisions Elsewhere in this By-law .....	27
Permitted Uses in the CDD and TR Zones .....	27

Obnoxious Uses Prohibited.....	27
Pedestrian-Oriented Commercial Streets.....	28
Halifax Waterfront View Corridors: Abutting Uses.....	28
Development Consisting of More Than One Use.....	28
Table 1: Permitted uses by zone.....	29
Adult entertainment use.....	30
C&D transfer, processing, and disposal uses.....	30
Salvage use.....	30
<b>PART III: LAND USE .....</b>	<b>31</b>
Chapter 1: General Land Use Requirements .....	32
Exterior Lighting.....	32
Outdoor Storage and Dealerships.....	32
Recreational Vehicles.....	32
Temporary Construction Uses Permitted .....	32
Uses Near Railways.....	33
Solid Waste Management Areas.....	34
Chapter 2: Residential Requirements.....	35
Combination of Non-Residential Uses in Residential Zones.....	35
Home Occupation and Home Office Uses.....	35
Bed and Breakfast Uses .....	35
Single-Room Occupancy Uses.....	35
Day Cares in ER-3, ER-2, and ER-1 Zones .....	35
Fabrication Uses.....	35
Secondary Suites and Backyard Suites.....	35
Maximum Bedroom Counts in Low-Density Dwellings.....	35
Dwelling Unit Mix.....	36
Amenity Space .....	36
Work-Live Units.....	37
Mobile Homes.....	37
Chapter 3: Urban Agriculture .....	38
Urban Agriculture Requirements.....	38
Keeping of Bees as an Accessory Use .....	38
Keeping of Chickens as an Accessory Use.....	39
Sale of Urban Agricultural Products as an Accessory Use.....	39
Chapter 4: Environmental Requirements .....	40
Coastal Areas .....	40
Watercourse Setbacks and Buffers.....	41
Northwest Arm (NWA) Special Area .....	43
Lake Banook (LB) Special Area .....	43
Wetlands.....	43
Chapter 5: Heritage Requirements .....	44
Registered Heritage Properties and Lots within Heritage Conservation Districts .....	44
Development Abutting a Registered Heritage Property .....	44
<b>PART IV: LOT REQUIREMENTS.....</b>	<b>45</b>
Chapter 1: Lot Requirements.....	46
Regional Subdivision By-law .....	46
Access to a Street.....	46
Existing Undersized Lots .....	46
Minimum Lot Area .....	46
Minimum Lot Frontage .....	47

<b>PART V: BUILT FORM .....</b>	<b>48</b>
Chapter 1: General Built Form Requirements .....	49
Number of Buildings on a Lot .....	49
Structures Located in Yards, Setbacks, Stepbacks, and Separation Distances.....	49
Encroachments into Streets.....	49
Viewing Triangles.....	50
Development Abutting a TR Zone .....	50
Prohibited External Cladding Materials .....	50
Projections, Overhangs, and Cantilevers .....	50
Pedways .....	51
Drive-Throughs .....	51
Buildings in WA Zones.....	51
Streetwall Heights.....	51
Chapter 2: Maximum Height and Gross Floor Area Ratio .....	52
Maximum Building Height .....	52
Height Exemptions.....	52
Maximum Gross Floor Area Ratio (GFAR).....	54
Height and GFAR Bonusing .....	54
Chapter 3: Built Form Requirements for D Zones.....	55
Built Form Requirements for D Zones.....	55
Maximum Lot Coverage (D) .....	55
Ground Floor Requirements (D) .....	55
Streetline Setbacks (D).....	55
Other Setbacks (D).....	55
Streetwall Height (D).....	55
Streetwall Width (D) .....	55
Streetwall Stepbacks (D).....	55
Minimum Separation Distances (D) .....	55
Maximum Building Dimensions (D).....	56
Balconies (D) .....	56
Additional Special Area Requirements (D).....	56
Chapter 4: Built Form Requirements in CEN-2, CEN-1, COR, HR-2, and HR-1 .....	57
Built Form Requirements for CEN-2, CEN-1, COR, HR-2, and HR-1 Zones .....	57
Maximum Lot Coverage (CEN-2, CEN-1, COR, HR-2, HR-1).....	57
Ground Floor Requirements (CEN-2, CEN-1, COR, HR-2, HR-1) .....	57
Streetline Setbacks (CEN-2, CEN-1, COR, HR-2, HR-1) .....	58
Side Yards (CEN-2, CEN-1, COR, HR-2, HR-1).....	59
Rear Yard (CEN-2, CEN-1, COR, HR-2, HR-1) .....	59
Streetwall Height (CEN-2, CEN-1, COR, HR-2, HR-1) .....	59
Streetwall Width (CEN-2, CEN-1, COR, HR-2, HR-1).....	59
Streetwall Stepbacks (CEN-2, CEN-1, COR, HR-2, HR-1).....	60
Side and Rear Setbacks and Stepbacks (CEN-2, CEN-1, COR, HR-2, HR-1).....	60
Minimum Separation Distances (CEN-2, CEN-1, COR, HR-2, HR-1).....	60
Maximum Building Dimensions (CEN-2, CEN-1, COR, HR-2, HR-1) .....	61
Building Articulation (CEN-2, CEN-1, COR, HR-2, HR-1) .....	61
Chapter 5: Built Form Requirements for Other Zones and Buildings .....	62
Built Form Requirements for All Other Zones and Buildings .....	62
Maximum Lot Coverage (Other Zones).....	62
Minimum Streetline Setback .....	(Other Zones)
.....	62
Minimum Side Yard (Other Zones) .....	63
Minimum Rear Yard (Other Zones).....	63

Minimum Separation Distances (Other Zones).....	63
Attached Garages (Other Zones) .....	63
Townhouses (Other Zones).....	63
Chapter 6: Accessory Structures and Shipping Containers.....	64
Built Form Requirements for Accessory Structures .....	64
Shipping Containers .....	65
<b>PART VI: VIEW PLANES AND WATERFRONT VIEW CORRIDORS .....</b>	<b>66</b>
Chapter 1: General View Plane and Waterfront View Corridor Requirements .....	67
General View Plane and View Corridor Requirements .....	67
Chapter 2: Halifax Citadel View Planes and Rampart View Planes .....	68
Halifax Citadel View Planes.....	68
Halifax Citadel Rampart View Planes .....	68
Chapter 3: Dartmouth View Planes .....	69
Dartmouth View Planes .....	69
Chapter 4: Halifax Waterfront View Corridors .....	70
Halifax Waterfront View Corridors .....	70
Chapter 5: Dartmouth Waterfront View Corridors .....	71
Dartmouth Waterfront View Corridors.....	71
<b>PART VII: WIND ENERGY FACILITIES .....</b>	<b>72</b>
Chapter 1: Wind Energy Facility Requirements .....	73
General Wind Energy Facility Requirements .....	73
Wind Energy Overlay Zones .....	73
Urban Wind Zone (UW-1) .....	73
Restricted Zone (R) .....	73
Setback Exceptions .....	74
Chapter 2: Wind Energy Facility Permits .....	75
Permit Application Requirements.....	75
Additional Permit Requirements .....	76
Installation and Design.....	77
<b>PART VIII: LANDSCAPING .....</b>	<b>78</b>
Chapter 1: General Landscaping Requirements .....	79
General Landscaping Requirements .....	79
Chapter 2: Specific Landscaping Requirements.....	82
Specific Landscaping Requirements.....	82
Chapter 3: Landscaped Buffers.....	84
General Landscaped Buffer Requirements .....	84
L1 General Landscaped Buffer .....	84
L2 Screen Landscaped Buffer .....	85
Chapter 4: Landscaping Plan Requirements .....	86
Requirement to Submit a Landscape Plan .....	86
Landscaping Required Before Occupancy.....	86
<b>PART IX: PARKING AND OFF-STREET LOADING.....</b>	<b>88</b>
Chapter 1: Motor Vehicle Parking .....	89
General Motor Vehicle Parking Requirements .....	89
Parking Space Dimensions .....	90
Rounding Regulation.....	90
Required Number of Motor Vehicle Parking Spaces.....	90
Required Parking to be Provided On-Site .....	93
Parking in Streetline Setbacks.....	93
Large Commercial Vehicles .....	93



Car Sharing.....	93
Parking Structures.....	93
Standalone Surface Parking Lots.....	93
Commercial Surface Parking Lots.....	94
Accessory Surface Parking Lots: D Zones.....	94
Accessory Surface Parking Lots: CEN-2 and CEN-1 Zones.....	94
Accessory Surface Parking Lots: All Other Zones.....	95
Electric Vehicle Charging Stations.....	95
Automated and Autonomous Vehicle Parking.....	95
Chapter 2: Bicycle Parking.....	96
Bicycle Parking Exemptions.....	96
General Bicycle Parking Requirements.....	96
Rounding Regulation.....	97
Required Number of Bicycle Parking Spaces.....	97
Class A Bicycle Parking Requirements.....	99
Class B Bicycle Parking Requirements.....	99
Bicycle Parking Geometric Requirements.....	100
Chapter 3: Off-Street Loading.....	104
Off-Street Loading Space.....	104
<b>PART X: SIGNS.....</b>	<b>105</b>
Chapter 1: General Signage Requirements.....	106
Requirement for a Sign Permit.....	106
Sign Permit Exemptions.....	106
Temporary Sign By-law.....	107
Prohibited Signs.....	108
Encroachment License.....	109
Illuminated Signs.....	109
Signs on Registered Heritage Properties and Lots in a Heritage Conservation District.....	109
Chapter 2: Signage Requirements for CEN-2, CEN-1, COR, HR-2, and HR-1 zones.....	110
Fascia Signs.....	110
Window and Door Signs.....	110
Ground Signs.....	110
Projecting Signs.....	110
Abutting Zone Requirements.....	111
Signs for Work-Live Units.....	111
Chapter 3: Signage Requirements for ER-3, ER-2, ER-1, and MH zones.....	112
Signs for Bed and Breakfasts.....	112
Signs for Home Occupations, Day Cares, Sale of Urban Agricultural Products as an Accessory Use, and Fabrication Uses.....	112
Signs for Local Commercial Uses and Medical Clinics.....	112
Signs for Urban Farm Uses.....	112
Signs for Cultural, School, and Community Recreation Uses.....	112
<b>PART XI: INCENTIVE OR BONUS ZONING.....</b>	<b>113</b>
Chapter 1: Incentive or Bonus Zoning Regulations.....	114
Requirement to Provide a Public Benefit.....	114
Requirements for a Development Exceeding a Pre-Bonus Height Limit or GFAR.....	114
Density Bonus Rates.....	114
Review of Density Bonus Rates.....	116
Proposal and Calculation of Required Public Benefits.....	116
Minimum Affordability Period.....	116
Public Benefit Categories.....	117

Public Benefit Requirements: Affordable Housing Units .....	117
Public Benefit Requirements: Conservation of a Registered Heritage Building .....	119
Public Benefit Requirements: Publicly Accessible Space .....	119
Public Benefit Requirements: Affordable Community or Cultural Indoor Space .....	119
Public Benefit Requirements: Public Art .....	120
Incentive or Bonus Zoning Agreement .....	120
<b>PART XII: DEVELOPMENT AGREEMENTS .....</b>	<b>122</b>
Uses Permitted by Development Agreement on a Registered Heritage Property .....	123
Development in the TR Zone .....	123
Development on Lots Larger than One Hectare in CEN-2.....	123
<b>PART XIII: DEFINITIONS .....</b>	<b>124</b>
Chapter 1: Definitions.....	125
<b>SCHEDULES .....</b>	<b>161</b>
<b>APPENDICES.....</b>	<b>162</b>
Appendix 1: Design Manual .....	163
Appendix 2: Density Bonus Calculation and Public Benefits Proposal .....	164
Appendix 3: Report on Affordable Housing Units .....	168
Appendix 4: Report on Affordable Community or Cultural Indoor Space .....	170
Appendix 5: Wind Assessment Standards .....	171
General Wind Assessment Standards .....	171
Qualitative Assessment.....	171
Quantitative Assessment .....	172
Requirement to Mitigate Wind Impacts .....	172

**PART I:**  
**ADMINISTRATION**

## Chapter 1: General Administration

### Title

- 1 This By-law is cited as the *Regional Centre Land Use By-law*.

### Lands Governed by this By-law (Package A)

- 2 This By-law applies to the lands shown on Schedule 1.

### Repeal of Former By-laws

- 3 This By-law repeals the following:
  - (a) the *Land Use By-law for Downtown Dartmouth*;
  - (b) the *Downtown Halifax Land Use By-law*;
  - (c) the *Land Use By-law for Halifax Peninsula*; and
  - (d) portions of the *Land Use By-law for Dartmouth*, for the areas shown on Schedule 1.

### Compliance with this By-law

- 4 A person shall comply with this By-law when undertaking a development, including when:
  - (a) erecting, constructing, altering, or reconstructing any structure;
  - (b) locating or carrying on any industry, business, or trade; or
  - (c) changing the use of land.

### Requirement for a Development Permit

- 5 (1) Subject to Section 9, no person shall undertake any development without first obtaining a development permit, including when:
  - (a) erecting, constructing, altering, or reconstructing any structure;
  - (b) locating or carrying on any industry, business, or trade; or
  - (c) changing the use of land.
- (2) All developments shall comply with the provisions of this By-law, including developments that do not require a development permit.

### **Compliance with Other Legislation and By-laws**

- 6 (1) This By-law does not exempt any person from any other enactment of the Municipality, the Province of Nova Scotia, or the Government of Canada.
- (2) No development permit shall be issued for any development prohibited by an enactment of the Municipality, the Province of Nova Scotia, or the Government of Canada.

### **Severability**

- 7 The provisions of this By-law are severable from each another, and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

### **Administration by the Development Officer**

- 8 This By-law shall be administered by the Development Officer.

## Chapter 2: Development Permit

### Development Permit Exemptions

- 9 The following developments shall not require a development permit:
- (a) accessory structures with a footprint of less than 20.0 square metres, unless associated with an urban agriculture use;
  - (b) unenclosed structures less than 0.6 metres high, such as uncovered decks, patios, and planters;
  - (c) home offices;
  - (d) single-room occupancies;
  - (e) temporary uses;
  - (f) construction, replacement, or repair of infrastructure by utilities or municipal, provincial, or federal governments; and
  - (g) any signs listed under Section 174.

### Development Applications

- 10 A development permit application shall include documents and plans, drawn to scale, that show the following, where applicable:
- (a) floor plans with rooms labelled, and elevation drawings for all sides of proposed structures;
  - (b) lot dimensions, lot lines, and the location of all proposed structures and uses, including setbacks;
  - (c) the location of all parking areas, the location and width of driveways, driving aisles, parking lot entrances and exits, solid waste management areas, off-street loading space, visitor parking areas, and snow storage areas;
  - (d) for a building or addition to a building higher than 22.0 metres, a wind impact assessment that uses the standards in Appendix 5;
  - (e) sites plans and elevation drawings certified by a surveyor licensed in the Province of Nova Scotia, confirming compliance with the view plane and waterfront view corridor requirements of Part VI; and
  - (f) any other information the Development Officer requires to determine if the development complies with this By-law.

### **Approval**

- 11 The Development Officer must issue a development permit where the development meets the requirements of this By-law or the terms of an approved site plan.

### **Expiry**

- 12 A development permit shall expire 24 months from the date issued.

### **Revocation**

- 13 The Development Officer shall revoke a development permit if:
- (a) the requirements of the development permit are not met;
  - (b) the Development Officer issued the permit based on incorrect information provided by the applicant when applying for a development permit; or
  - (c) the Development Officer issued the permit in error.

## Chapter 3: Site Plan Approval

### Requirement for Site Plan Approval

- 14 Subject to Section 15, any development in those areas identified on Schedule 2 shall be subject to site plan approval.

### Site Plan Approval Exemptions

- 15 The following developments are exempt from site plan approval:
- (a) any development that does not require a development permit in accordance with Section 9;
  - (b) low-density dwellings;
  - (c) a new building, or an addition to a building that existed on the coming into force date of this By-law, if the new building or addition has a total gross floor area of 1,000 square metres or less and do not increase the height of the building above 14.0 metres high;
  - (d) new window and door openings, or alterations and replacements in existing window and door openings;
  - (e) interior renovations;
  - (f) installation and replacement of minor building features;
  - (g) a change of use or tenancy in a building;
  - (h) commemorative signs and historic sites or monuments on municipally owned land;
  - (i) [\(see Package B\)](#);
  - (j) [\(see Package B\)](#);
  - (k) temporary construction uses;
  - (l) accessory structures;
  - (m) changes to the external cladding materials of a building wall that faces a street;
  - (n) repainting, including a change in paint colour;
  - (o) signs;
  - (p) steps, stairs, and other building entrances; and
  - (q) beekeeping equipment.



## Site Plan Approval Applications

- 16 (1) A site plan approval application shall include documents and plans, drawn to scale, that show the information required in Section 10.
- (2) A site plan approval application shall also include plans that meet all applicable design requirements of the Design Manual (Appendix 1), and that show the following:
- (a) setbacks, streetwall heights, and streetwall stepbacks;
  - (b) streetwall material type and detail;
  - (c) the location of building utilities, vehicular access routes, parking areas, and lighting; and
  - (d) any other information the Development Officer requires to determine if the development meets the requirements of the Design Manual.
- (3) A site plan approval application that includes a registered heritage property or a building located in a heritage conservation district shall include information about any material that will be removed from the heritage property, and about the conservation treatment that will be employed.
- (4) A site plan approval application shall include a landscape plan that meets the requirements of Section 147.
- (5) Subject to Subsection 16(7), a site plan approval application that abuts a registered heritage property or a heritage conservation district shall include drawings, including elevations and perspectives, that accurately show the relative scale of the development to any buildings on the abutting registered heritage property or heritage conservation district.
- (6) Subject to Subsection 16(7), a site plan approval application that includes a request for relaxation of requirements in accordance with Section 26 shall include:
- (a) drawings, including elevations and perspectives, that accurately show the relative scale of the development to any buildings on lots that abut the development site; and
  - (b) a written statement explaining the nature and extent of the requested relaxation of requirements, as well as a rationale for the request based on criteria listed in the Design Manual.

- (7) In any required elevation and perspective drawings, the representation of buildings on abutting lots shall be included, and may be limited to the first 15.0 metres from any interior lot line.
- (8) Applications for substantive site plan approval (see Section 25) must include confirmation that the public information and consultation requirements of Sections 17 to 24 have been met.

### **Methods of Public Consultation**

- 17 Public information and consultation are required before submitting an application for substantive site plan approval. Public consultation shall be in the following form:
  - (a) a public meeting, which shall be advertised in accordance with Section 19 and which shall meet the requirements of Sections 20 and 21;
  - (b) public display panels, which shall meet the requirements of Section 22;
  - (c) a website, which shall meet the requirements of Section 23; and
  - (d) a weather-proof sign at the development site, which shall meet the requirements of Section 24.

### **Requirement of Public Consultation Process**

- 18 Where required in Section 17, the applicant, the owner of the lot, or a person authorized on their behalf shall:
  - (a) identify how the development meets the requirements of this By-law;
  - (b) identify any relaxation of the requirements of this By-law that are being sought; and
  - (c) create a complete record of the public consultation process, including feedback received at the public meeting, from the website, and from any correspondence, and submit it with an application for substantive site plan approval.

### **Public Consultation: Public Meeting Newspaper Advertisement**

- 19 The advertisement for the public meeting component specified in Clause 17(a) shall, at the expense of the applicant or lot owner, be published in a newspaper circulating in the entire Municipality and shall:
- (a) be advertised at least 10 clear calendar days before the meeting date;
  - (b) be in or adjacent to the Municipal Notices section of the newspaper;
  - (c) specify the internet address for the website specified in Section 23; and
  - (d) provide the date, time, and location of the public meeting.

### **Public Consultation: Public Meeting Days and Times**

- 20 The public meeting specified in Clause 17(a) shall:
- (a) include at least one two-hour evening session that begins at 7:00 pm;
  - (b) be scheduled for a Monday, Wednesday, or Thursday, and not on a statutory holiday; and
  - (c) not be scheduled on the same day as a regularly scheduled meeting of the advisory committee, if one is established in accordance with Section 28, or of a Community Council that has jurisdiction over any portion of the Regional Centre.

### **Public Consultation: Public Meeting Facility Requirements**

- 21 The facility used to host the public meeting specified in Clause 17(a) shall be:
- (a) located within the boundary of the Regional Centre;
  - (b) accessible to the mobility challenged; and
  - (c) suitable for public assembly.

### **Public Consultation: Display Panel Component**

- 22 The public display panel component specified in Clause 17(b) must:
- (a) consist of three identical panels, each containing:
    - (i) information about the proposed project, including a description of any proposed relaxation of the requirements of this By-law,
    - (ii) a comment box, and
    - (iii) the website's internet address;
  - (b) be displayed at three public locations, as specified by the Development Officer, in which the Municipality will provide a suitable display area; and
  - (c) be displayed for a minimum of 10 clear calendar days before the public meeting and 10 clear calendar days after the public meeting.

### **Public Consultation: Website Component**

- 23 The website component specified in Clause 17(c) must:
- (a) be operational 24 hours a day, 7 days a week, for a minimum of 10 clear calendar days before the public meeting and 10 clear calendar days after the public meeting;
  - (b) contain information about the proposed project, including a description of any proposed relaxation of the requirements of this By-law; and
  - (c) contain contact information for a representative of the applicant or lot owner, including a telephone number and email address.

## **Public Consultation: Weather-Proof Sign Component**

- 24 The weather-proof sign specified in Clause 17(d) must:
- (a) be displayed on each street frontage of the development site;
  - (b) contain:
    - (i) a brief description of the project,
    - (ii) an architectural rendering of the project,
    - (iii) the website's internet address, and
    - (iv) contact information for a representative of the applicant or lot owner, including a telephone number and email address; and
  - (c) be displayed for a minimum of 10 clear calendar days before the public meeting and 10 clear calendar days after the public meeting.

## **Substantive Site Plan Approval**

- 25 (1) Any development not listed under Section 15 is considered a substantive site plan approval application.
- (2) [\(see Package B\)](#)

## **Relaxation of By-law Requirements**

- 26 (1) The following items may be considered for a relaxation of the requirements of this By-law through site plan approval, if the relaxation meets the requirements of the Design Manual:
- (a) the following built form requirements on lots designated as prominent sites on Schedule 5, if no additional gross floor area is created beyond what is permitted in Part V of this By-law:
    - (i) streetwall heights,
    - (ii) streetwall setbacks, and
    - (iii) maximum building heights, by up to an additional 10%;
  - (b) roof edge setbacks of height-exempted rooftop features;
  - (c) minimum ground floor heights;
  - (d) minimum and maximum streetline yards;
  - (e) streetwall widths; and
  - (f) interior lot line setbacks for portions of a building above the streetwall.
- (2) For items listed in Subsection 26(1), the Development Officer must consider an application for a relaxation of the provisions of this By-law through site plan approval.

## **Notification**

- 27 Where substantive site plan approval is granted, the Development Officer must notify, in writing, every assessed property owner within 100 metres of the applicant's lot.

## **Advisory Committee**

- 28 An advisory committee may be established by Council to provide recommendations to the Development Officer respecting items listed in Subsection 26(1), and to perform other duties set by Council.

## Appeal of Decision

- 29 A decision by the Development Officer to approve, approve with conditions, or refuse a substantive site plan approval application may be appealed to Council in accordance with the *Halifax Regional Municipality Charter*, as amended from time to time.

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## Chapter 4: Non-Conforming Structures and Uses

### Non-Conforming Structures

- 30 (1) In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, the restrictions in the *Halifax Regional Municipality Charter* respecting non-conforming structures are relaxed by allowing them to be extended, enlarged, or altered if the non-conformance is not made worse.
- (2) Non-conforming structures in all other zones are regulated by the *Halifax Regional Municipality Charter*, as amended from time to time.



## Chapter 5: Interpretation of this By-law

### Diagrams

- 31 (1) All diagrams in this By-law:
- (a) are for illustrative purposes only;
  - (b) are not to scale; and
  - (c) do not form part of this By-law.
- (2) If a conflict exists between a diagram and the text of this By-law, the text takes precedence.

### Defined Terms

- 32 All terms not defined in Part XIII or by the Nova Scotia *Interpretation Act* have their ordinary meaning.

### More Restrictive Requirement Applies

- 33 Where two or more requirements of this By-law conflict, the more restrictive requirement applies.

## Chapter 6: Schedules and Appendices

### List of Schedules and Appendices

34 The following schedules and appendices form part of this By-law:

Schedule 1: Regional Centre Land Use By-law Boundary

Schedule 2: Site Plan Approval Area

Schedule 3: Zone Boundaries

Schedule 4: Special Area Boundaries

Schedule 5: Prominent Sites

Schedule 6: Pedestrian-Oriented Commercial Streets

Schedule 7: Minimum Lot Area Requirements

Schedule 8: Minimum Lot Frontage Requirements

Schedule 9: Maximum Building Heights

Schedule 10: Maximum Pre-Bonus Building Heights

Schedule 11: Maximum Gross Floor Area Ratios

Schedule 12: Minimum Streetline Yards

Schedule 13: Maximum Streetline Yards

Schedule 14: Maximum Streetwall Heights

Schedule 15: Halifax Citadel View Planes

Schedule 16: Halifax Citadel Ramparts

Schedule 17: Dartmouth View Planes

Schedules 18–35: ([see Package B](#))

Schedule 36: Parker Street Waterfront View Corridor

Schedule 37: Bonus Rate Districts

Schedule 38: Wind Energy Overlay Zone Boundaries

Appendix 1: Design Manual

Appendix 2: Density Bonus Calculation and Public Benefits Proposal

Appendix 3: Report on Affordable Housing Units

Appendix 4: Report on Affordable Community or Cultural Indoor Space

Appendix 5: Wind Assessment Standards

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## **PART II: ZONES**

# Chapter 1: Establishment of Zones and Special Areas

## List of Zones and Special Areas

- 35 (1) This By-law establishes the following zones:
- (a) (see Package B);
  - (b) Centre 2 (CEN-2);
  - (c) Centre 1 (CEN-1);
  - (d) Corridor (COR);
  - (e) Higher-Order Residential 2 (HR-2);
  - (f) Higher-Order Residential 1 (HR-1);
  - (g)–(s) (see Package B)
  - (t) Comprehensive Development District (CDD); and
  - (u) Transportation Reserve (TR).
- (2) This By-law establishes the following special areas:
- (a)–(w) (see Package B).

## Interpretation of Zone and Special Area Boundaries

- 36 The location of a zone or special area boundary shown on a schedule of this By-law is determined as follows:
- (a) Where a boundary is shown following a street (Diagram 1), the boundary is the streetline unless otherwise indicated;
  - (b) Where a boundary is shown approximately following lot lines (Diagram 2), the boundary follows lot lines, and if those lot lines are modified by subdivision approval after the coming into force date of this By-law, the boundary remains as shown on the schedule;
  - (c) Subject to Clause 36(d), where a boundary follows a shoreline (Diagram 3) and where infill occurs, the boundary is interpreted to follow the new ordinary high water mark;
  - (d) In a WA zone, where a boundary follows a shoreline (Diagram 3) and where infill occurs, the boundary shall remain as shown on the schedule;
  - (e) Subject to Clause 36(f), where a portion of a watercourse is filled in beyond the limits of a boundary, or where a building is constructed over water beyond the limits of a boundary, the in-filled land or buildings shall be included in the abutting zone or special area;

- (f) In a WA zone, where a portion of a watercourse is filled in beyond the limits of a boundary, or where a building is constructed over water beyond the limits of a boundary, the boundary shall remain as shown on the schedule;
- (g) Where any portion of a street is closed for public use, the former street lands are assigned a zone or special area as follows:
  - (i) where the abutting lands are part of a single zone or special area, the former street lands are assigned the same zone or special area as the abutting lands, or
  - (ii) where the abutting lands are part of more than one zone or special area, the centreline of the former street becomes a boundary, and the lands on each side of the boundary are assigned the same zone or special area as the adjacent lands; and
- (h) Where Clauses 36(a) to 36(g) do not apply, the boundary is as shown on Schedules 3 and 4, as applicable.



**Diagrams 1, 2 and 3:** Zone and special boundary interpretations, per Clauses 36(a), 36(b), and 36(c)

## Chapter 2: Land Uses

### Interpretation of Permitted Uses

- 37 Subject to Sections 38 to 42, and except for the CDD and TR zones, which are addressed in Subsections 39(1) and 39(2), uses of land are regulated as follows:
- (a) The first column of Table 1 lists each use;
  - (b) The remaining columns of Table 1 correspond to each zone;
  - (c) Header cells shaded black with white text (e.g., "RESIDENTIAL", "COMMERCIAL") are for organizational purposes only;
  - (d) A black dot (●) indicates that the use in that row is permitted in the zone of that column; and
  - (e) If a use is not listed in Table 1 as being permitted in a zone, the use is prohibited in that zone.

### Additional Provisions Elsewhere in this By-law

- 38 No development permit shall be issued for a use permitted in Table 1 unless the use complies with all provisions of this By-law, including any additional restrictions or prohibitions.

### Permitted Uses in the CDD and TR Zones

- 39 (1) The only use permitted in the CDD zone is the expansion of existing commercial uses by up to 1,000 square metres of gross floor area, from the coming into force date of this By-law.
- (2) All uses are prohibited in the TR zone.

### Obnoxious Uses Prohibited

- 40 No owner or occupier of a lot shall undertake or conduct any obnoxious use.

### **Pedestrian-Oriented Commercial Streets**

- 41 Along a streetline that abuts a pedestrian-oriented commercial street identified on Schedule 6, only the following uses may be located on the ground floor of a building:
- (a) retail uses;
  - (b) restaurants;
  - (c) drinking establishments;
  - (d) financial institutions;
  - (e) medical clinics;
  - (f) personal services;
  - (g) cinemas;
  - (h) fitness centres;
  - (i) grocery stores;
  - (j) local commercial uses;
  - (k) hotels;
  - (l) micro-breweries or micro-distilleries;
  - (m) cultural uses;
  - (n) university or college; and
  - (o) pedestrian entrances and lobbies for any other use permitted in the zone.

### **Halifax Waterfront View Corridors: Abutting Uses**

- 42 [\(see Package B\)](#)

### **Development Consisting of More Than One Use**

- 43 Where a development includes more than one use, the requirements for each use shall apply to the portion of the structure used for each respective use.

**Table 1: Permitted uses by zone**

<b>RESIDENTIAL</b>	<b>CEN-2</b>	<b>CEN-1</b>	<b>COR</b>	<b>HR-2</b>	<b>HR-1</b>
Single-unit dwelling use	●	●	●		●
Semi-detached dwelling use		●	●		●
Townhouse dwelling use	●	●	●	●	●
Stacked townhouse use	●	●	●	●	●
Two-unit dwelling use	●	●	●		●
Three- and four- unit dwelling use	●	●	●	●	●
Multi-unit dwelling use (5 to 12 dwelling units)	●	●	●	●	●
Multi-unit dwelling use (more than 12 dwelling units)	●		●	●	
Secondary or backyard suite use	●	●	●	●	●
Mobile home use					
Supportive housing use	●	●	●	●	●
Bed and breakfast use	●	●	●	●	●
Single-room occupancy use	●	●	●	●	●
Halfway house use	●	●	●	●	●
Rooming house use	●	●	●	●	●
Home occupation use	●	●	●	●	●
Home office use	●	●	●	●	●
Work-live unit use	●	●	●	●	●
Grade-related unit use	●	●	●	●	●
Model suite use	●	●	●	●	
<b>COMMERCIAL</b>	<b>CEN-2</b>	<b>CEN-1</b>	<b>COR</b>	<b>HR-2</b>	<b>HR-1</b>
Broadcast use	●		●		
Crematorium use					
Day care use	●	●	●	●	●
Dealership use					
Drinking establishment use	●		●		
Local drinking establishment use (60 seats or fewer)	●	●	●	●	
Fabrication use	●	●	●	●	●
Financial institution use	●		●	●	
Fitness centre use	●		●	●	
Garden centre use	●				
Grocery store use	●		●	●	
Hotel use	●		●		
Kennel use					
Local commercial use	●	●	●	●	
Local commercial use on a corner lot	●	●	●	●	●
Micro-brewery or micro-distillery use	●		●	●	
Office use	●		●	●	
Pawn shop use			●		
Personal service use	●	●	●	●	●
Restaurant use	●	●	●	●	
Restaurant use on a corner lot	●	●	●	●	●
Retail use	●		●	●	
Self-storage facility use					
Service station use	●				
Service use	●	●	●	●	
Any other commercial use (if not prohibited above)	●				



<b>URBAN AGRICULTURE</b>	<b>CEN-2</b>	<b>CEN-1</b>	<b>COR</b>	<b>HR-2</b>	<b>HR-1</b>
Farmers' market use	●	●	●	●	●
Heritage farm use					
Keeping of bees as an accessory use	●	●	●	●	●
Keeping of chickens as an accessory use					
Urban farm use	●	●	●	●	●
<b>INSTITUTIONAL</b>	<b>CEN-2</b>	<b>CEN-1</b>	<b>COR</b>	<b>HR-2</b>	<b>HR-1</b>
Convention centre use	●				
Cultural use	●		●	●	●
Emergency services use	●	●	●	●	●
Emergency shelter use	●	●	●		
Hospital use					
Minor spectator venue use	●		●	●	
Major spectator venue use					
Medical clinic use	●	●	●	●	
Medical clinic use on a corner lot	●	●	●	●	●
Religious institution use	●	●	●	●	●
School use	●	●	●	●	●
University or college use	●		●	●	
<b>INDUSTRIAL</b>	<b>CEN-2</b>	<b>CEN-1</b>	<b>COR</b>	<b>HR-2</b>	<b>HR-1</b>
Assembly, construction, or light manufacturing use					
Cannabis production use					
Harbour-related industry use					
Harbour-related industry use existing on the coming into force date of this By-law					
Industrial training facility use					
Warehousing or storage yard use					
Wholesale and distribution use					
Wholesale food production use	●	●	●		
<b>PARK, OPEN SPACE, AND RECREATION</b>	<b>CEN-2</b>	<b>CEN-1</b>	<b>COR</b>	<b>HR-2</b>	<b>HR-1</b>
Cemetery use					
Club recreation use	●	●	●	●	●
Commercial recreation use					
Community recreation use	●	●	●	●	●
Conservation use					
<b>WATER ACCESS</b>	<b>CEN-2</b>	<b>CEN-1</b>	<b>COR</b>	<b>HR-2</b>	<b>HR-1</b>
Water access structure use					
<b>MILITARY</b>	<b>CEN-2</b>	<b>CEN-1</b>	<b>COR</b>	<b>HR-2</b>	<b>HR-1</b>
Military use					
<b>OTHER</b>	<b>CEN-2</b>	<b>CEN-1</b>	<b>COR</b>	<b>HR-2</b>	<b>HR-1</b>
Accessory structure or use	●	●	●	●	●
Utility use	●	●	●	●	●
Transportation use	●	●	●	●	●
Historic site or monument use	●	●	●	●	●
Temporary construction use	●	●	●	●	●
<b>PROHIBITED IN ALL ZONES</b>	<b>CEN-2</b>	<b>CEN-1</b>	<b>COR</b>	<b>HR-2</b>	<b>HR-1</b>
Adult entertainment use					
C&D transfer, processing, and disposal uses					
Salvage use					

# **PART III: LAND USE**

## Chapter 1: General Land Use Requirements

### Exterior Lighting

- 44 (1) Exterior lighting shall not be directed towards abutting lots or streets.
- (2) All exterior lighting shall be equipped with full cut-off light fixtures.

### Outdoor Storage and Dealerships

- 45 (1) Outdoor storage areas are prohibited within any required streetline yard, and shall meet the same minimum side and rear yard requirements as a main building on the lot.
- (2) Outdoor storage areas shall not exceed 30% of the lot area.
- (3) Dealership uses shall meet the same minimum yard requirements as a main building on the lot.

### Recreational Vehicles

- 46 Recreational vehicles shall not be used for business purposes or human habitation.

### Temporary Construction Uses Permitted

- 47 (1) Subject to Subsection 47(3), a development permit for a temporary construction use shall be valid for any specified period not longer than 60 days. The development permit may be renewed for a period of not longer than 30 days at a time, if the Development Officer determines that an extension is necessary.
- (2) A rock crusher shall only be used at:
- (a) the site of demolition of a structure or building;
  - (b) the site of construction of primary or secondary services pursuant to the HRM *Regional Subdivision By-Law*; or
  - (c) at the site of a development permitted by this By-law.
- (3) A development permit for the use of a rock crusher accessory to the construction of primary or secondary services pursuant to the HRM *Regional Subdivision By-Law* shall be valid for any period not exceeding the construction time schedule specified in the subdivision agreement.

- (4) A rock crusher shall not be located or used within 3.0 metres of any lot line.
- (5) A rock crusher shall not be located or used within 60 metres of any building used for residential or institutional purposes, except for fire stations, police stations, public infrastructure and utilities, cemeteries, historic sites or monuments, and recreational trails.
- (6) Subject to Subsection 47(7), a rock crusher shall not be used to process material for export to another site, or to process material imported to the site.
- (7) A rock crusher may be used to process demolished material for export to a disposal site, if the requirements of HRM By-law L-200, the *C&D Materials Recycling and Disposal License By-law*, are met.

### **Uses Near Railways**

- 48
- (1) Subject to Subsection 48(2), there shall be a separation distance of at least 15.0 metres between the centreline of any railway track and:
    - (a) any new high-density dwelling; or
    - (b) any building located on any lot in a CDD zone, excluding parking areas, storage areas, and outdoor recreational areas.
  - (2) If the separation distance required by Subsection 48(1) cannot be provided, a report by a qualified Professional Engineer shall be submitted to the Development Officer identifying measures that will be used to mitigate the crash risk, noise, and vibration of trains before a development permit may be issued.
  - (3) A development permit issued in accordance with Subsection 48(2) shall require the development to include the mitigation measures identified in Subsection 48(2).

### **Solid Waste Management Areas**

- 49 (1) For any building in a CEN-2, CEN-1, or COR zone higher than 11.0 metres, all solid waste management area shall be located entirely inside the building.
- (2) Where a building is located on a corner lot in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, and the lot fronts on a pedestrian-oriented commercial street shown on Schedule 6 and at least one non-pedestrian-oriented commercial street, all solid waste management areas shall be accessed from the non-pedestrian-oriented commercial street.

## **Chapter 2: Residential Requirements**

### **Combination of Non-Residential Uses in Residential Zones**

50 [\(see Package B\)](#)

### **Home Occupation and Home Office Uses**

51 [\(see Package B\)](#)

### **Bed and Breakfast Uses**

52 [\(see Package B\)](#)

### **Single-Room Occupancy Uses**

53 [\(see Package B\)](#)

### **Day Cares in ER-3, ER-2, and ER-1 Zones**

54 [\(see Package B\)](#)

### **Fabrication Uses**

55 (1) [\(see Package B\)](#)

(2) Signage for a fabrication use shall meet the requirements of Section 187.

### **Secondary Suites and Backyard Suites**

56 [\(see Package B\)](#)

### **Maximum Bedroom Counts in Low-Density Dwellings**

57 [\(see Package B\)](#)

## Dwelling Unit Mix

- 58 (1) (see Package B)
- (2) In all other zones:
- (a) 25% of all dwelling units in a multi-unit dwelling, rounded up to the nearest whole number of such units, shall contain at least two bedrooms; and
  - (b) 5% of all dwelling units in a multi-unit dwelling, rounded up to the nearest whole number of such units, shall contain at least three bedrooms.

## Amenity Space

- 59 (1) Any high-density dwelling shall provide amenity space, at a rate of 5.0 square metres per dwelling unit, for use by building residents.
- (2) A supportive housing use containing more than 12 bedrooms shall provide amenity space, at a rate of 2.5 square metres per bedroom, for building residents.
- (3) Except for amenity space attached to an individual dwelling unit, all amenity space required by Subsections 59(1) or 59(2) shall be:
- (a) provided in increments of at least 30 contiguous square metres; and
  - (b) fully accessible to all building residents.

## Work-Live Units

- 60 (1) Only the following commercial uses are permitted in a work-live unit:
- (a) artists' studios;
  - (b) offices;
  - (c) medical clinics;
  - (d) personal services; and
  - (e) the retail of products produced on the premises, or associated with a service provided on the premises.
- (2) A maximum of 50% of the total floor area of a work-live unit may be used for commercial purposes, up to a maximum of 140.0 square metres.
- (3) The commercial portion of a work-live unit shall be located and accessible at the ground floor, and shall have a separate exterior entrance.
- (4) The principal operator of a business within a work-live unit shall reside in the unit, and may have up to three non-resident employees.
- (5) Signage for a work-live unit shall meet the requirements of Section 185.
- (6) Parking for a work-live unit shall meet the requirements of Section 152.

## Mobile Homes

- 61 [\(see Package B\)](#)



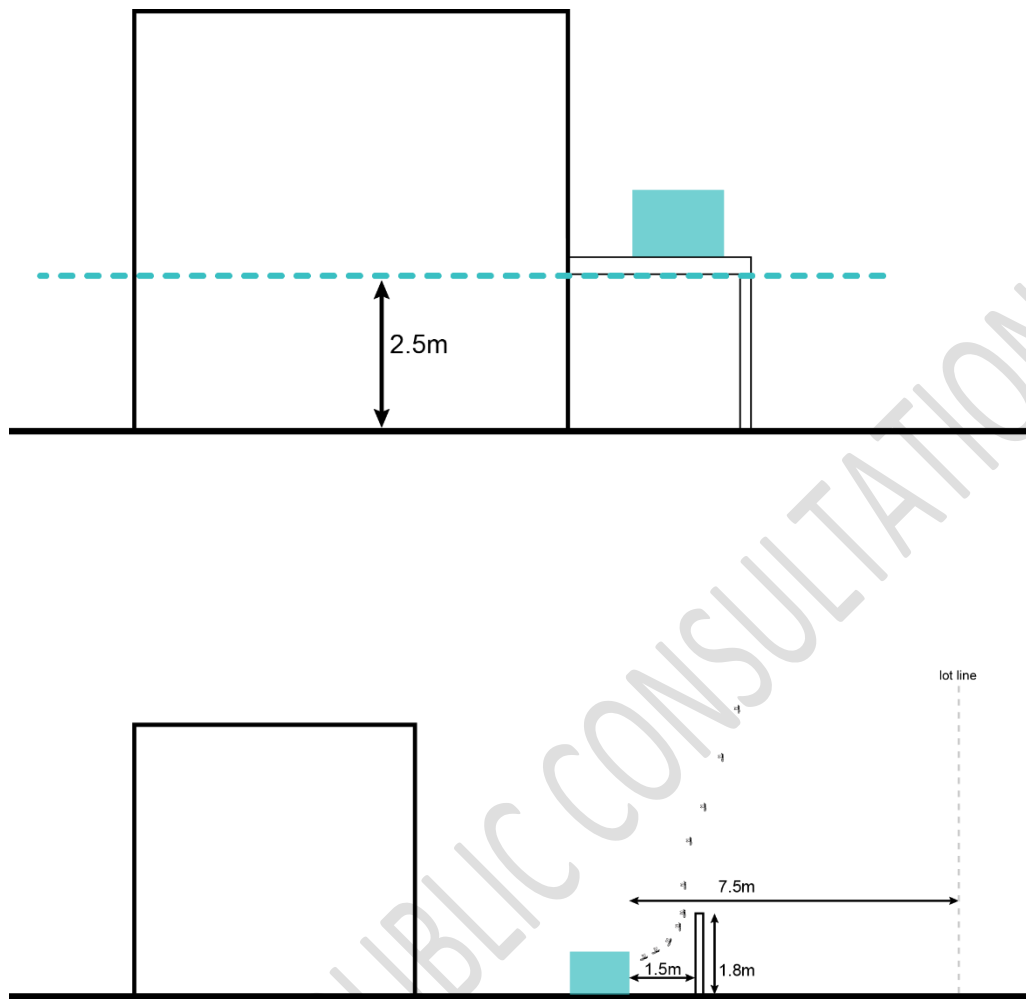
## Chapter 3: Urban Agriculture

### Urban Agriculture Requirements

- 62
- (1) The processing of urban agricultural products, such as chopping, packaging, pickling, or preserving, is permitted as an accessory use to a main urban agriculture use.
  - (2) Except for heritage farm uses, the keeping of horses, cattle, swine, roosters, and ruminants is prohibited.
  - (3) A rooftop greenhouse may be used to contain all or part of an urban farm.
  - (4) Signage for urban agriculture uses shall meet the requirements of Sections 187 and 189.

### Keeping of Bees as an Accessory Use

- 63
- (1) Where permitted in Table 1, the keeping of bees is limited to a maximum of:
    - (a) one hive on lots larger than 371.0 square metres; or
    - (b) two hives on lots larger than 2,000 square metres.
  - (2) Hives shall be located at least 7.5 metres from any lot line or dwelling, unless they are located on a rooftop, as shown in Diagram 5.
  - (3) A 1.8-metre-high barrier fence or a hedge shall be located within 1.5 metres of any hive entrance, unless the hive is located at least 2.5 metres above grade, as shown in Diagram 5.
  - (4) All hives shall be registered with the Nova Scotia Department of Agriculture or its designate.



**Diagram 5:** Requirements for the keeping of bees as an accessory use, per Subsections 63(2) and 63(3)

### Keeping of Chickens as an Accessory Use

64 [\(see Package B\)](#)

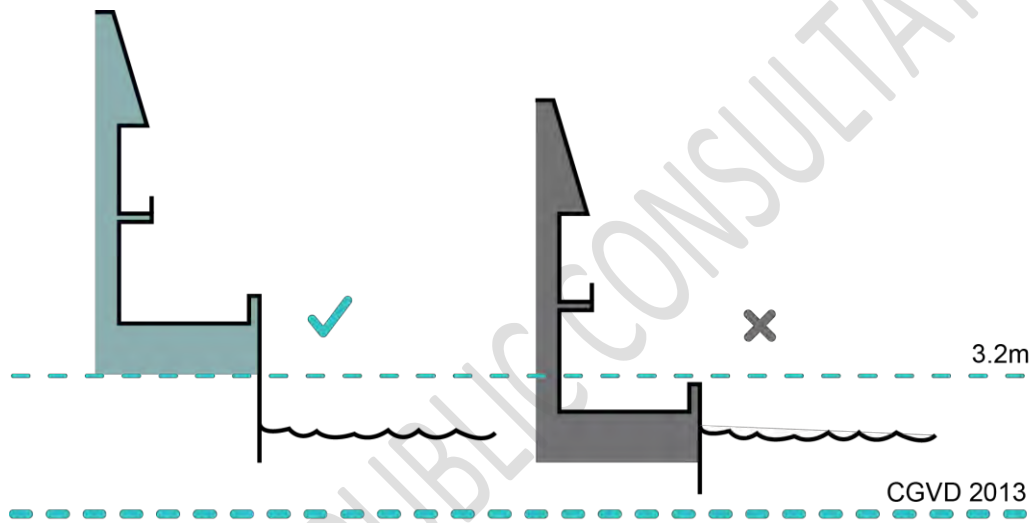
### Sale of Urban Agricultural Products as an Accessory Use

65 The sale of urban agricultural products grown or produced on-site, including processed urban agricultural products, is permitted as an accessory use in conjunction with an urban farm.

## Chapter 4: Environmental Requirements

### Coastal Areas

- 66 (1) Subject to Subsections 66(2) and 66(3), where a lot abuts the coast of the Atlantic Ocean, including its inlets, bays, and harbours, a development permit shall not be issued for any portion of a dwelling, including a basement, that is proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 metres above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard (Diagram 7).



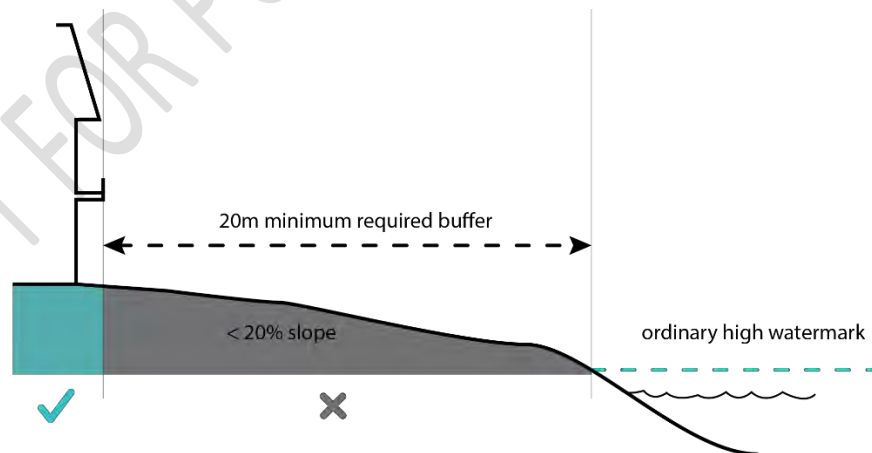
**Diagram 7:** Coastal area elevation requirements, per Subsection 66(1)

- (2) A development permit may be issued for a parking lot, parking structure, residential entrance or lobby in a mixed-use building, amenity space, storage space, or temporary use permitted in this By-law that is proposed to be erected, constructed, altered, reconstructed, or located at an elevation less than 3.2 metres above the Canadian Geodetic Vertical Datum 2013 (CGVD2013) standard.
- (3) Any portion of a dwelling, including a basement, located lower than the elevation required in Subsection 66(1) on the coming into force date of this By-law may be expanded if such expansion does not further reduce the dwelling's existing elevation.

- (4) Before issuing a development permit, to determine if a building proposed to be erected, constructed, altered, reconstructed, or located on a lot that abuts the coast of the Atlantic Ocean meets the requirements of this By-law, the Development Officer may require plans showing the following, drawn to scale:
  - (a) building elevations;
  - (b) the location of all proposed structures;
  - (c) land contours;
  - (d) lot grading information; and
  - (e) site plans and elevation drawings certified by a surveyor licensed in the Province of Nova Scotia.
- (5) In addition to items listed in Subsection 66(4), before issuing a development permit, the Development Officer may require any other information necessary to determine if the development meets the requirements of this By-law.

#### Watercourse Setbacks and Buffers

- 67 (1) This Section does not apply to any lands designated “Halifax Harbour” on Map 2 of the HRM *Regional Municipal Planning Strategy*, as amended from time to time.
- (2) A development permit shall not be issued for any development within 20 metres of the ordinary high water mark of any watercourse (Diagram 8).



**Diagram 8:** Minimum watercourse setback buffer, per Subsection 67(2)

- (3) Where the average slope of land within the 20-metre buffer exceeds 20%, the buffer width shall be increased by 1.0 metre for each additional 2% of slope above 20%, to a maximum of 60 metres.

- (4) Where a wetland and a watercourse overlap, the buffer shall be applied from the edge of the wetland.
- (5) Subject to Subsections 67(6) and 67(10), within the buffer required in Subsections 67(2) and 67(3), no excavation, infilling, or the removal of any tree, stump, or other vegetation, or any other change of any kind, is permitted.
- (6) Within the buffer required in Subsections 67(2) and 67(3), permitted activity is limited to:
- (a) one accessory structure and one attached, uncovered deck, with a maximum combined footprint of 20.0 square metres;
  - (b) boardwalks, walkways, trails, and driveways providing they are no wider than 3.0 metres;
  - (c) fences;
  - (d) water access structures, boat ramps, marine-related uses, parks on public land, historic sites, and monuments;
  - (e) streets; and
  - (f) wastewater, stormwater, and water infrastructure and control structures.
- (7) Where a main building that existed on the coming into force date of this By-law is located within a required watercourse buffer, accessory structures permitted in Clause 67(6)(a) shall:
- (a) meet the accessory structure built form requirements of Section 126; and
  - (b) not be located any closer to the watercourse than any main building that existed on the coming into force date of this By-law.
- (8) Subject to Subsection 67(9), the buffer distance required in Subsections 67(2) and 67(3) may be reduced in a manner that would provide the greatest possible separation from a watercourse, if other yard and setback requirements are met, where the configuration of a lot is such that no main building can be located on the lot, for lots that:
- (a) existed before August 26, 2006; or
  - (b) were approved as a result of a tentative or final subdivision application on file before August 26, 2006.
- (9) [\(see Package B\)](#)

- (10) Within a required watercourse buffer, the Development Officer may authorize the removal of windblown, diseased, or dead trees that are deemed to be hazardous or unsafe, or the selective removal of vegetation to maintain the overall health of the buffer, if a management plan is submitted by a qualified arborist, landscape architect, forester, or forestry technician.
- (11) Before issuing a development permit, to determine if a structure proposed to be erected, constructed, altered, reconstructed, or located on a lot containing a required watercourse buffer meets the requirements of this By-law, the Development Officer may require plans showing the following, drawn to scale:
- (a) the required watercourse buffer;
  - (b) existing vegetation limits;
  - (c) the location of all proposed structures;
  - (d) land contours;
  - (e) lot grading information; and
  - (f) site plans and elevation drawings certified by a surveyor licensed in the Province of Nova Scotia.
- (12) In addition to items listed in Subsection 67(11), before issuing a development permit, the Development Officer may require any other information necessary to determine if the development meets the requirements of this By-law.

#### **Northwest Arm (NWA) Special Area**

68 [\(see Package B\)](#)

#### **Lake Banook (LB) Special Area**

69 [\(see Package B\)](#)

#### **Wetlands**

- 70 (1) A development permit application shall include plans, drawn to scale, showing the location of all wetlands within and adjacent to the lot where a development is being proposed.
- (2) All development is prohibited within any wetland.

## **Chapter 5: Heritage Requirements**

### **Registered Heritage Properties and Lots within Heritage Conservation Districts**

- 71 Development on a registered heritage property, or within a heritage conservation district, shall meet the requirements of Part 4 of the Design Manual.

### **Development Abutting a Registered Heritage Property**

- 72 Development on a lot abutting a registered heritage property shall meet the requirements of Part 4 of the Design Manual.

# **PART IV: LOT REQUIREMENTS**



## Chapter 1: Lot Requirements

### Regional Subdivision By-law

73 In addition to the requirements of this Part, the subdivision of land is regulated by the HRM *Regional Subdivision By-Law*, as amended from time to time.

### Access to a Street

- 74 (1) Every new lot shall abut and have direct access to a street.
- (2) A lot without direct access to a street may be developed if:
- (a) it existed on the coming into force date of this By-law; and
  - (b) it is accessible through a registered easement at least 2.5 metres wide.

### Existing Undersized Lots

- 75 A lot with less than the minimum required area or frontage, as required in Sections 76 and 77, may be developed if:
- (a) it existed on the coming into force date of this By-law; and
  - (b) all other applicable requirements of this By-law are met.

### Minimum Lot Area

76 Unless otherwise specified on Schedule 7, the minimum lot area is as set out in Table 2:

**Table 2: Minimum lot area requirements**

<b>Zone</b>	<b>Minimum lot area</b>
HR-2, HR-1	558 square metres
Townhouses in any zone — interior units	185 square metres
Townhouses in any zone — end units	277 square metres
Any other zone	371 square metres

## Minimum Lot Frontage

- 77 (1) Unless otherwise specified on Schedule 8, and subject to Subsection 77(2), the minimum lot frontage is as set out in Table 3:

**Table 3: Minimum lot frontage requirements**

<b>Zone</b>	<b>Minimum lot frontage</b>
Townhouses in any zone — interior units	6.1 metres
Townhouses in any zone — end units	9.1 metres
Any other zone	12.2 metres

- (2) When a lot faces the outer side of a curve on a street, the minimum frontage requirements of Subsection 77(1) may be reduced by 30%.

**PART V:  
BUILT FORM**

## Chapter 1: General Built Form Requirements

### Number of Buildings on a Lot

- 78 (1) Every building shall be located on a lot.
- (2) A building shall not be located on more than one lot, except in any CEN-2 and D zone for abutting lots under common ownership that are developed concurrently over a continuous foundation, footing, or underground parking structure.
- (3) A maximum of one main building is permitted on a lot, except:
- (a)–(b) [\(see Package B\)](#)
  - (c) on registered heritage properties.

### Structures Located in Yards, Setbacks, Steppbacks, and Separation Distances

- 79 Yards, setbacks, steppbacks, and separation distances required in this Part shall be open and unobstructed except for the following:
- (a) Wheelchair ramps, uncovered decks and patios less than 0.6 metres high, walkways, lifting devices, steps, and clear glass guard and railing systems are permitted in any required yard, setback, steppback, or separation distance;
  - (b) Sills, eaves, gutters, downspouts, cornices, chimneys, and other similar features may project into any required yard, setback, steppback, or separation distance by up to 0.6 metres from any building face;
  - (c) Window bays and solar collectors may project into any required yard, setback, steppback, or separation distance by up to 1.0 metre from any building face; and
  - (d) Subject to Subsection 84(3), balconies, covered and enclosed porches, verandas, canopies, and awnings may project into any required yard, setback, steppback, or separation distance by up to 1.5 metres from any building face at the first storey, or by up to 2.0 metres from any building face at the second storey or above.

### Encroachments into Streets

- 80 Encroachments into streets must meet the requirements of HRM By-law E-200, the *Encroachment By-law*.

## **Viewing Triangles**

81 A structure shall not obstruct any viewing triangle above a height of 1.0 metre.

## **Development Abutting a TR Zone**

82 Development on a lot abutting any TR zone shall be set back from the TR zone boundary by at least the minimum streetline yard required for the lot.

## **Prohibited External Cladding Materials**

83 (1) Excluding low-density dwellings, and subject to Subsection 83(2), the following external cladding materials are prohibited in any CEN-2, CEN-1, COR, HR-2, and HR-1 zone:

- (a) vinyl;
- (b) plastic;
- (c) plywood;
- (d) concrete block;
- (e) exterior insulation and finish systems where stucco is applied to rigid insulation;
- (f) darkly tinted or mirrored glass, excepting spandrel glass panels; and
- (g) vinyl windows on registered heritage buildings or on lots within a heritage conservation district.

(2) Prohibited external cladding materials that are present on a structure on the coming into force date of this By-law may be replaced with similar materials.

## **Projections, Overhangs, and Cantilevers**

84 (1) A new building or an addition to an existing building shall not cantilever over a registered heritage building located on the same lot.

(2) Overhanging or cantilevered portions of any streetwall shall not exceed 25% of the width of the streetwall.

(3) Above any streetwall stepback, any portion of a building shall not project beyond the vertical plane of any building portions below the streetwall stepback.

### **Pedways**

85 (see Package B)

### **Drive-Throughs**

86 (see Package B)

### **Buildings in WA Zones**

87 (see Package B)

### **Streetwall Heights**

88 A building shall have separate streetwall heights determined for each streetwall segment that is greater than 8.0 metres wide.

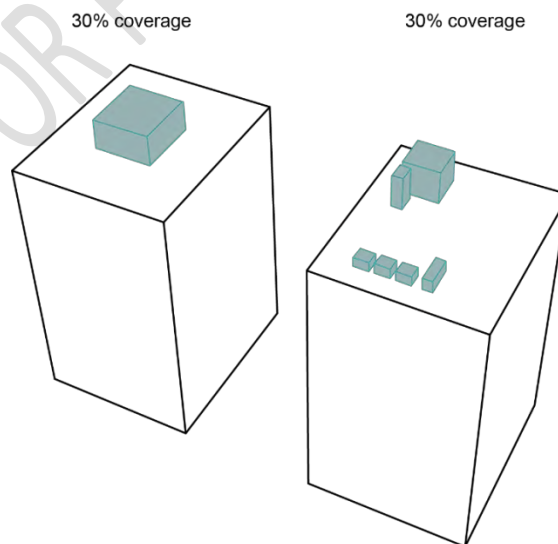
## Chapter 2: Maximum Height and Gross Floor Area Ratio

### Maximum Building Height

- 89 (1) Subject to Clause 26(1)(c) and Sections 90 and 92, a building's height shall not exceed the maximum building heights specified on Schedule 9. If a lot is marked with an asterisk (\*) on Schedule 9, maximum building heights for that lot are specified on Schedule \_\_\_ instead.
- (2) Where a building complies with Subsection 89(1), a development permit shall not be issued unless all other requirements of this By-law are met, including maximum gross floor area ratios (GFARs) specified in Section 91.

### Height Exemptions

- 90 (1) Excluding low-density dwellings which are addressed in Subsection 90(5), Table 4 lists the features that are exempted from the maximum height limits specified in Section 89. The requirements of Part VI still apply.
- (2) All features identified with a black dot (●) in the "30% restriction" column of Table 4 shall not, in total, occupy more than 30% of the rooftop area of a building on which they are located (Diagram 9).



**Diagram 9:** Rooftop area coverage limits, per Subsection 90(2)

- (3) All features with a “maximum height above roof” indicated in Table 4 shall not exceed that height above the rooftop of a building on which they are located.
- (4) All features with a “minimum setback from roof edge” indicated in Table 4 shall be located at least as far as indicated from the outermost edge of the roof.

**Table 4: Features exempt from maximum height requirements**

Feature	30% restriction	Maximum height above roof	Minimum setback from roof edge
Antennas	●		3.0 metres
Chimneys	●		
Clear, uncoloured glass guard and railing systems	●	2.0 metres	
Clock tower or bell tower	●		
Communication towers required to support uses and activities in the building	●		3.0 metres
Cooling towers	●		3.0 metres
Elevator enclosures	●	4.5 metres	3.0 metres
Flag poles	●		
Heating, ventilation and air conditioning equipment and enclosures	●	4.5 metres	3.0 metres
High-plume laboratory exhaust fans	●		3.0 metres
Landscaping		4.5 metres	
Lightning rods	●		3.0 metres
Mechanical penthouses	●	4.5 metres	3.0 metres
Parapets	●	2.0 metres	
Rooftop cupolas	●	4.5 metres	3.0 metres
Rooftop greenhouses		7.5 metres	3.0 metres
Skylights		4.5 metres	
Solar collectors		4.5 metres	
Spires, steeples, minarets, and similar features	●		
Staircases and staircase enclosures	●	4.5 metres	3.0 metres
Windscreens	●	4.5 metres	3.0 metres



- (5) On any low-density dwelling, the following features are permitted to exceed the maximum height limits specified in Section 89 by up to 3.0 metres:
- (a) chimneys and stovepipes;
  - (b) antennas;
  - (c) flag poles;
  - (d) solar collectors;
  - (e) rooftop greenhouses; and
  - (f) vents.

#### **Maximum Gross Floor Area Ratio (GFAR)**

- 91 (1) Excluding low-density dwellings, a building shall not be erected, constructed, altered, reconstructed, or located in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone so that it exceeds the maximum GFARs specified on Schedule 11.
- (2) Where a building complies with Subsection 91(1), a development permit shall not be issued unless all other requirements of this By-law are met, including maximum heights specified in Section 89.

#### **Height and GFAR Bonusing**

- 92 (1) Height and GFAR bonusing thresholds and requirements are contained in Part XI.
- (2) A development shall not exceed any maximum pre-bonus height limit or maximum pre-bonus GFAR, as specified in Part XI, if it includes the removal of more than 40% of a registered heritage building's façade, including exterior walls, roof, dormers, chimneys, and other character-defining elements.

## **Chapter 3: Built Form Requirements for D Zones**

### **Built Form Requirements for D Zones**

93 [\(see Package B\)](#)

### **Maximum Lot Coverage (D)**

94 [\(see Package B\)](#)

### **Ground Floor Requirements (D)**

95 [\(see Package B\)](#)

### **Streetline Setbacks (D)**

96 [\(see Package B\)](#)

### **Other Setbacks (D)**

97 [\(see Package B\)](#)

### **Streetwall Height (D)**

98 [\(see Package B\)](#)

### **Streetwall Width (D)**

99 [\(see Package B\)](#)

### **Streetwall Stepbacks (D)**

100 [\(see Package B\)](#)

### **Minimum Separation Distances (D)**

101 [\(see Package B\)](#)

**Maximum Building Dimensions (D)**

102 [\(see Package B\)](#)

**Balconies (D)**

103 [\(see Package B\)](#)

**Additional Special Area Requirements (D)**

104 [\(see Package B\)](#)

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## Chapter 4: Built Form Requirements in CEN-2, CEN-1, COR, HR-2, and HR-1

### Built Form Requirements for CEN-2, CEN-1, COR, HR-2, and HR-1 Zones

- 105 (1) Subject to Subsection 105(2), excluding low-density dwellings, a main building erected, constructed, altered, reconstructed, or located in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone shall meet the built form requirements of Sections 106 to 117.
- (2) In Sections 106 to 117, a building's type is determined by its overall height, excluding features exempted in Section 90, as follows:
- (a) Any main building less than 11.0 metres high is a low-rise building;
  - (b) Any main building between 11.0 metres and 20.0 metres high is a mid-rise building; and
  - (c) Any main building higher than 20.0 metres is a high-rise building.

### Maximum Lot Coverage (CEN-2, CEN-1, COR, HR-2, HR-1)

- 106 (1) Subject to Subsection 106(2) and any required setbacks, yards, and landscaping, the maximum permitted lot coverage is:
- (a) in CEN-2 and CEN-1 zones: no requirement;
  - (b) in COR zones: 80%;
  - (c) in HR-2 and HR-1 zones: 50%; and
  - (d) [\(see Package B\)](#).
- (2) Underground parking areas are permitted to cover up to 100% of a lot if they are entirely located below an elevation of 0.25 metres above the streetline grade.

### Ground Floor Requirements (CEN-2, CEN-1, COR, HR-2, HR-1)

- 107 (1) Including a parking structure, a main building shall have a ground floor height of at least 4.5 metres from floor to floor, measured from the streetline grade, for any building that has access:
- (a) at the streetline;
  - (b) along a Transportation Reserve; or
  - (c) onto a waterfront view corridor.

- (2) Where a lot abuts a pedestrian-oriented commercial street identified on Schedule 6, at least 60% of the building's total ground floor frontage along all streetlines shall consist of clear glass glazing.
- (3) In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, where a streetline does not abut a pedestrian-oriented commercial street identified on Schedule 6, the only ground floor residential uses that are permitted to occupy more than 50% of the streetwall are grade-related units or work-live units.
- (4) All grade-related units shall have:
  - (a) a separate exterior entrance;
  - (b) a porch or patio that connects to the sidewalk and is:
    - (i) at least 3.0 metres wide, and
    - (ii) at least 1.5 metres deep;
  - (c) a ground floor set at least 0.25 metres above the streetline grade; and
  - (d) a barrier at least 1.0 metre high and 1.5 metres long, such as a planter, wall, fence, railing, or vegetation, between the street and unit entrance.
- (5) Any pedestrian entrance along a streetline shall be set back at least 1.2 metres from the streetline.
- (6) Any vehicular entrance to the building along a streetline shall be set back at least 4.5 metres from the streetline.

#### **Streetline Setbacks (CEN-2, CEN-1, COR, HR-2, HR-1)**

- 108 (1) Subject to Subsections 108(2) and 108(3), a main building shall have:
- (a) a minimum streetline yard as specified on Schedule 12; and
  - (b) a maximum streetline yard, where one is specified on Schedule 13.
- (2) Up to 35% of any streetwall may exceed the maximum streetline yard requirement of Clause 108(1)(b).
- (3) On a registered heritage property, any addition to a registered heritage building shall not be located within the existing streetline yard of the registered heritage building, and no maximum streetline yard requirement applies.

### **Side Yards (CEN-2, CEN-1, COR, HR-2, HR-1)**

- 109 (1) Subject to Subsection 109(2), a main building in any CEN-2 or CEN-1 zone shall not exceed a maximum side yard of 2.5 metres.
- (2) Where a lot abuts an ER-3, ER-2, ER-1, MH, P, or RPK zone, the lot shall provide a side yard of at least 3.0 metres along any abutting side lot line.

### **Rear Yard (CEN-2, CEN-1, COR, HR-2, HR-1)**

- 110 (1) Subject to Subsection 110(2), a main building shall have a minimum rear yard of at least:
- (a) 4.5 metres; or
  - (b) in a CEN-2 or CEN-1 zone, 0.0 metres if the rear yard abuts another CEN-2- or CEN-1-zoned lot.
- (2) Where a lot abuts a controlled access highway or an ER-3, ER-2, ER-1, MH, P, or RPK zone, any main building shall be set back at least 6.0 metres from any abutting rear lot line.

### **Streetwall Height (CEN-2, CEN-1, COR, HR-2, HR-1)**

- 111 (1) A main building's maximum streetwall height is specified on Schedule 14.
- (2) For all main buildings, the minimum streetwall height is 8.0 metres, or in the case of an addition to a main building, the height of the existing building if its height is less than 8.0 metres.
- (3) On a registered heritage property, the maximum streetwall height is the existing streetwall height of the registered heritage building at the time of the coming into force of this By-law.

### **Streetwall Width (CEN-2, CEN-1, COR, HR-2, HR-1)**

- 112 In any CEN-2 zone, excluding any permitted side yard, a building's streetwall shall extend the full width of any abutting streetline.

### **Streetwall Stepbacks (CEN-2, CEN-1, COR, HR-2, HR-1)**

- 113 (1) Subject to Subsection 113(2), a main building shall have a stepback above any streetwall by at least:
- (a) 1.5 metres for low-rise buildings;
  - (b) 2.5 metres for mid-rise buildings; or
  - (c) 3.5 metres for high-rise buildings.
- (2) No stepback is required for up to 20% of the width of a building along a streetline.

### **Side and Rear Setbacks and Stepbacks (CEN-2, CEN-1, COR, HR-2, HR-1)**

- 114 (1) For low-rise buildings, no side or rear setbacks or stepbacks are required.
- (2) Subject to Subsection 114(4), for mid-rise buildings, no side stepbacks are required, and any portion of a building above the height of the streetwall shall have a setback of at least 6.0 metres from the rear lot line.
- (3) For high-rise buildings, any portion of a building above the height of the streetwall shall have a setback of at least 12.5 metres from any interior lot line.
- (4) Where a lot abuts an ER-3, ER-2, ER-1, MH, P, or RPK zone, the lot shall provide side and rear stepbacks, above a height of 11.0 metres, of at least:
- (a) 2.5 metres for mid-rise buildings; or
  - (b) 3.5 metres for high-rise buildings.

### **Minimum Separation Distances (CEN-2, CEN-1, COR, HR-2, HR-1)**

- 115 For high-rise buildings, above the streetwall height, any portions of the same or any other main building on the same lot shall be separated by at least 25.0 metres.

### **Maximum Building Dimensions (CEN-2, CEN-1, COR, HR-2, HR-1)**

- 116 (1) Below the streetwall height, any portion of a main building shall not exceed a building depth or building width of:
- (a) in CEN-2, CEN-1, and COR zones: 64.0 metres; and
  - (b) in HR-2 and HR-1 zones: 40.0 metres.
- (2) Above the streetwall height, the building depth of any contiguous portion of a high-rise building shall not exceed 35.0 metres.
- (3) Above the streetwall height, any contiguous portion of a high-rise building shall not exceed an area of 750 square metres.

### **Building Articulation (CEN-2, CEN-1, COR, HR-2, HR-1)**

- 117 If a main building's streetwall width exceeds 6.0 metres, the streetwall shall meet the requirements of the Design Manual.



## Chapter 5: Built Form Requirements for Other Zones and Buildings

### Built Form Requirements for All Other Zones and Buildings

118 A low-density dwelling erected, constructed, altered, reconstructed, or located in any CEN-2, CEN-1, COR, HR-2, HR-1, or CDD zone, and any main building erected, constructed, altered, reconstructed, or located in any CDD zone, shall meet the built form requirements of Sections 119 to 125.

### Maximum Lot Coverage (Other Zones)

- 119 (1) Subject to any required setbacks, yards, and landscaping, the maximum lot coverage is:
- (a) for low-density dwellings in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone: 40%;
  - (b) [\(see Package B\)](#);
  - (c) in any CDD zone: 20%; and
  - (d) [\(see Package B\)](#).
- (2) In any H zone, underground parking areas are permitted to cover up to 100% of a lot if they are entirely located below an elevation of 0.25 metres above the streetline grade.

### Minimum Streetline Setback (Other Zones)

- 120 (1) A main building shall have a minimum streetline yard:
- (a) for low-density dwellings in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, as specified on Schedule 12; or
  - (b) [\(see Package B\)](#).
- (2) On a registered heritage property, any addition to a registered heritage building is prohibited within the existing streetline yard of the registered heritage building.

### **Minimum Side Yard (Other Zones)**

121 A main building shall have a minimum side yard:

- (a) for low-density dwellings in any CEN-2, CEN-1, COR, HR-2, HR-1, or CDD zone, of:
  - (i) 1.25 metres,
  - (ii) 6.0 metres if the side yard abuts a controlled access highway or arterial street, or
  - (iii) 3.0 metres at each end of a townhouse block;
- (b) [\(see Package B\)](#); and
- (c) [\(see Package B\)](#).

### **Minimum Rear Yard (Other Zones)**

122 A main building shall have a minimum rear yard:

- (a) for low-density dwellings in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, of:
  - (i) 6.0 metres, or
  - (ii) 9.0 metres if the rear yard abuts a controlled access highway or arterial street;
- (b) [\(see Package B\)](#).

### **Minimum Separation Distances (Other Zones)**

123 (1) At least 6.0 metres of separation is required between any two main buildings located on the same lot, where permitted.

- (2) [\(see Package B\)](#)

### **Attached Garages (Other Zones)**

124 [\(see Package B\)](#)

### **Townhouses (Other Zones)**

125 A maximum of eight townhouse dwellings are permitted per townhouse block.

## Chapter 6: Accessory Structures and Shipping Containers

### Built Form Requirements for Accessory Structures

- 126 (1) Any accessory structure shall be:
- (a) located in the same zone as the main structure or use that it is intended to serve, or in an abutting zone in which the main structure or use is permitted;
  - (b) located on the same lot as the main structure or use, or on a lot that directly abuts or is directly across a street from the lot that contains the main structure or use; and
  - (c) under common ownership with the main structure or use that it is intended to serve.
- (2) Except in LI and HRI zones, Quonset huts are not permitted as accessory structures.
- (3) An accessory structure's height shall not exceed:
- (a) 5.0 metres; or
  - (b) [\(see Package B\)](#).
- (4) An accessory structure's footprint shall not exceed:
- (a) 23.5 square metres in CEN-2, CEN-1, and COR zones;
  - (b) 60.0 square metres in HR-2 and HR-1 zones;
  - (c) [\(see Package B\)](#); or
  - (d) unlimited, in other zones.
- (5) Subject to Subsection 121(6), accessory structures shall meet the minimum and maximum streetline yard requirements for a main building in the same zone.
- (6) [\(see Package B\)](#).
- (7) Subject to Subsection 126(8), accessory structures shall be located at least 0.65 metres from any side or rear lot line.

- (8) In any zone other than HR-2 or HR-1 zone, an accessory structure shall be located at least 3.1 metres from any side or rear lot line that abuts an HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone.
- (9) [\(see Package B\)](#).

### Shipping Containers

- 127
- (1) Subject to Subsections 127(2), 127(3) and 127(4), a shipping container shall not be used as an office or dwelling unit.
  - (2) [\(see Package B\)](#)
  - (3) [\(see Package B\)](#)
  - (4) A shipping container shall not:
    - (a) be located within any required streetline yard, and shall not be located between any main building and any street; and
    - (b) if used for a non-recreational purpose, be located on a lot abutting an ER-3, ER-2, ER-1, MH, HR-2, HR-1, P, RPK, INS, UC, or H zone.

**PART VI:  
VIEW PLANES AND  
WATERFRONT VIEW  
CORRIDORS**

## **Chapter 1: General View Plane and Waterfront View Corridor Requirements**

### **General View Plane and View Corridor Requirements**

- 128 (1) A development permit application for a development that, in the opinion of the Development Officer, will protrude into, abut, or be subject to a view plane, shall include plans, and any other information the Development Officer requires, to demonstrate that the development will not protrude into a view plane.
- (2) A development permit application for a development that, in the opinion of the Development Officer, will protrude into, abut, or be subject to a waterfront view corridor, shall include plans, and any other information the Development Officer requires, to demonstrate that the development will not protrude into the waterfront view corridor.
- (3) A development permit issued by the Development Officer may be revoked if, in the opinion of the Development Officer, the permit allows a development to protrude into a view plane or waterfront view corridor.

## Chapter 2: Halifax Citadel View Planes and Rampart View Planes

### Halifax Citadel View Planes

- 129 (1) The Halifax Citadel view planes are as defined and shown on Schedule 15.
- (2) Subject to Subsection 129(3), a structure shall not be erected, constructed, altered, reconstructed, or located so that it protrudes into a Halifax Citadel view plane.
- (3) Where a structure that existed on the coming into force date of this By-law protrudes into a view plane, a new structure may be erected, constructed, altered, reconstructed, or located so that it protrudes into the view plane if the new structure does not enlarge upon the existing protrusion through the view plane when viewed as follows:
- (a) view planes 1, 3, and 5 from viewing position A;
  - (b) view plane 6 from viewing position B;
  - (c) view planes 2, 4, 7, 8, and 10 from viewing position C; and
  - (d) view plane 9 from viewing position D.

### Halifax Citadel Rampart View Planes

- 130 (1) The Halifax Citadel rampart view planes, originating in the Parade Square of the Halifax Citadel, are as defined and shown on Schedule 16.
- (2) A structure shall not be erected, constructed, altered, reconstructed, or located so that it protrudes into any Halifax Citadel Rampart view plane, as seen from any of the 10 viewing positions in the Parade Square of the Halifax Citadel.

## Chapter 3: Dartmouth View Planes

### Dartmouth View Planes

131 [\(see Package B\)](#)

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## Chapter 4: Halifax Waterfront View Corridors

### Halifax Waterfront View Corridors

132 [\(see Package B\)](#)

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## Chapter 5: Dartmouth Waterfront View Corridors

### Dartmouth Waterfront View Corridors

- 133 (1) The Dartmouth waterfront view corridors are as defined and shown on the following schedules:
- (a)–(l) [\(see Package B\)](#); and
  - (m) Schedule 36: Parker Street Waterfront View Corridor.
- (2) A structure shall not be erected, constructed, altered, reconstructed, or located so that it protrudes into a Dartmouth waterfront view corridor, except:
- (a) public art;
  - (b) fountains and other landscaping elements; and
  - (c) sidewalk cafes
- (3) Vehicular access is permitted within a Dartmouth waterfront view corridor.

**PART VII:**  
**WIND ENERGY FACILITIES**

# Chapter 1: Wind Energy Facility Requirements

## General Wind Energy Facility Requirements

- 134 (1) Wind energy facilities are not permitted in any RPK zone.
- (2) Wind energy facilities shall meet the watercourse setback and buffer requirements of Section 67.

## Wind Energy Overlay Zones

135 For the purposes of this Part, this By-law establishes the following wind energy overlay zones, with boundaries as shown on Schedule 38:

- (a) Urban Wind (UW-1) Zone; and
- (b) Restricted (R) Zone.

### Urban Wind Zone (UW-1)

- 136 (1) All wind energy facilities, except large wind energy facilities, are permitted in the UW-1 zone.
- (2) All wind turbine towers in the UW-1 zone shall be separated from each other by a minimum distance equal to the tallest tower height.
- (3) All wind turbine towers in the UW-1 zone shall have a minimum setback from any adjacent lot line of 1.0 times the tower height.
- (4) Micro wind energy facility towers in the UW-1 zone shall be separated from any habitable building on an adjacent lot by at least 3.0 times the tower height.
- (5) Micro wind energy facility towers are permitted on buildings.
- (6) Small wind energy facility towers in the UW-1 zone shall be separated from any habitable building on an adjacent lot by at least 180 metres.
- (7) Medium wind energy facility towers in the UW-1 zone shall be separated from any habitable building on an adjacent lot by at least 250 metres.

### Restricted Zone (R)

137 Wind energy facilities are not permitted in the R zone.

## **Setback Exceptions**

- 138 A wind energy facility's required setback from any lot line is reduced to 0.0 metres where the abutting lot is part of the same wind energy facility.

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## Chapter 2: Wind Energy Facility Permits

### Permit Application Requirements

- 139 A wind energy facility development permit application shall include the following:
- (a) a description of the proposed wind energy facility, including an overview of the project and the total rated capacity of the proposed wind energy facility;
  - (b) the proposed number, representative types, and height or range of heights of wind turbine towers to be constructed, including their generating capacity, dimensions, manufacturers, and a description of accessory facilities;
  - (c) identification and location of the lots on which the proposed wind energy facility will be located;
  - (d) if required by the Development Officer, a survey prepared by a surveyor licensed in the Province of Nova Scotia, a surveyor's certificate, or a site plan showing the planned location of all wind turbine towers, lot lines, required setbacks and separation distances, existing and proposed structures, access roads, turn-around locations, substations, electrical cabling from the wind energy facility to substations, ancillary equipment, and transmission and distribution lines;
  - (e) if required by the Development Officer, proof that the following agencies have been notified of potential radio, telecommunications, radar, and seismoacoustic interference, as required by Transport Canada and the *Aeronautics Act*:
    - (i) Department of National Defense,
    - (ii) Nav Canada,
    - (iii) Natural Resources Canada, and
    - (iv) other applicable agencies; and
  - (f) any other information the Development Officer requires to determine if the wind energy facility complies with this By-law.

## Additional Permit Requirements

- 140 (1) A wind energy facility development permit application shall be reviewed to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy-wired anchors required to maintain the structural stability of a wind turbine tower are sufficient for a wind turbine that is:
- (a) not attached to a building and not connected to the power grid; or
  - (b) attached to an accessory structure larger than 20.0 square metres and not connected to the power grid.
- (2) At least 60 calendar days before submitting a development permit application, an applicant shall notify all assessed property owners within a corresponding distance from the lot on which any micro, small, medium, or large wind energy facility is proposed:

**Table 5: Wind energy facility notification requirements**

Wind energy facility size	Must notify all assessed property owners within:
Micro	140 metres
Small	360 metres
Medium	500 metres
Large	2,000 metres

- (3) The notice required in Subsection 140(2) shall include the following information:
- (a) a site plan that includes lot lines and the location of the proposed wind energy facility;
  - (b) a description of the type of wind energy facility being proposed; and
  - (c) the applicant's contact information, including postal and email addresses.
- (4) A wind energy development permit application shall include confirmation that the requirements of Subsection 140(2) have been met.

## Installation and Design

- 141 (1) All electrical wires associated with a wind energy facility shall, to the maximum extent possible, be located underground.
- (2) The wind energy facility shall, at minimum:
- (a) be of a visually non-obtrusive colour, such as white, off-white, or gray;
  - (b) not be artificially lit, except to the extent required by the *Aeronautics Act* or by any other applicable authority that regulates air safety; and
  - (c) not display advertising, including flags, streamers, or decorative items, except to identify the wind turbine manufacturer, facility owner, and operator.



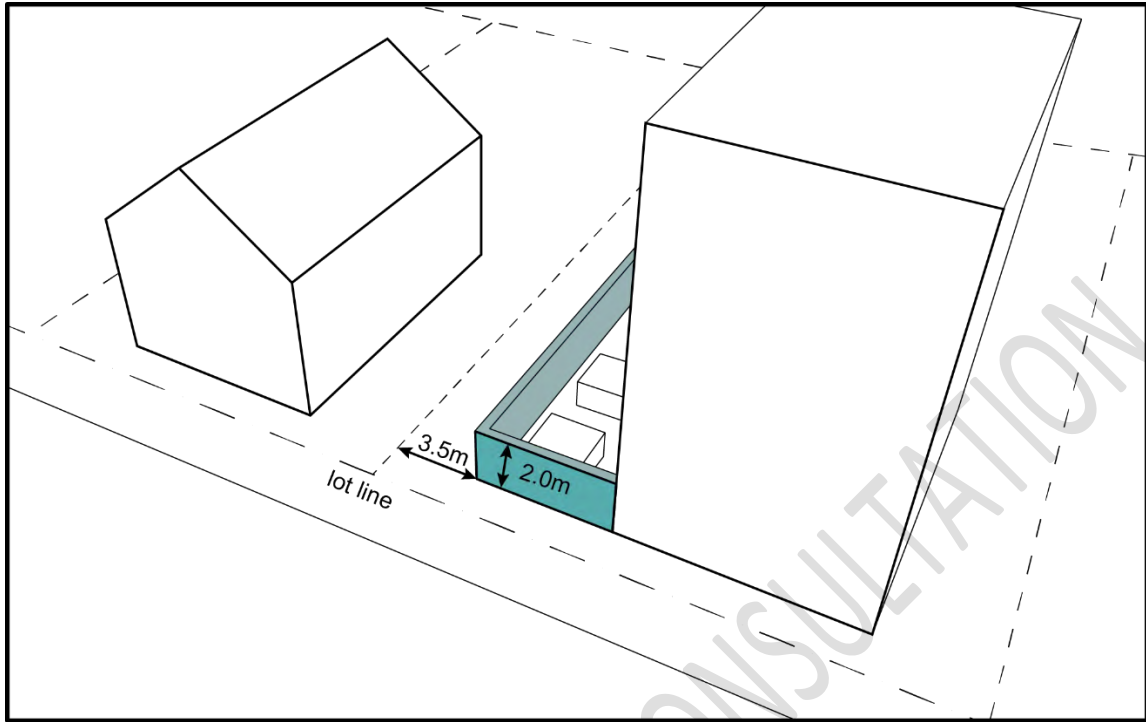
# **PART VIII: LANDSCAPING**

# Chapter 1: General Landscaping Requirements

## General Landscaping Requirements

- 142 (1) Existing landscaping, such as trees and shrubs, may be counted toward the calculation of any landscaping requirements in this Part. To be counted, existing landscaping must:
- (a) be adequately protected from damage during development; and
  - (b) remain intact following the completion of a development project.
- (2) All required soft landscaping must be maintained in healthy condition. Any required soft landscaping that dies must be replaced within one year or at the beginning of the next growing season, whichever is sooner.
- (3) A minimum number of unique plant species is required, as follows:
- (a) If this Part requires the planting of at least 10 trees or shrubs, at least three different tree or shrub species are required; and
  - (b) If this Part requires the planting of at least 20 trees or shrubs, at least four different tree or shrub species are required.
- (4) All required landscaped areas, including buffers and the landscaped portions of any yard, must not be used for storage, loading, unloading, or the movement or parking of motor vehicles.
- (5) Landscaping, including any required fence or wall, must not obstruct any viewing triangle above a height of 1.0 metre.
- (6) Where a surface parking lot abuts a lot line, the following must be provided:
- (a) a 2.5-metre-wide strip of soft landscaping that includes at least 50% salt-tolerant groundcover plants;
  - (b) at least one shrub (at least 1.0 metre high) for every 2.0 linear metres of parking lot edge, or at least one tree (with a minimum base caliper of 50 millimetres) for every 4.5 linear metres of parking lot edge, or a combination thereof, which may be grouped;
  - (c) a decorative fence or wall, at least 0.5 metres high, along each parking lot edge that does not abut an HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone;

- (d) evergreen shrubs that form a continuous visual barrier or an opaque wood fence or masonry wall, at least 1.8 metres high, along each parking lot edge that abuts any HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone; and
  - (e) openings in any required fence or wall as required to allow access to the parking lot.
- (7) Any area of a surface parking lot not used for parking or maneuvering must be landscaped. Within a surface parking lot, each row of at least 10 parking spaces must be capped with a raised, landscaped island at each end. Each island must be delineated with curbs and must contain at least two salt-tolerant trees (with a minimum base caliper of 50 millimetres). At least 50% of each island's ground area must be covered with soft landscaping consisting of salt-tolerant groundcover plants.
- (8) Excluding any hard-landscaped areas required in Section 143, at least 50% of the remaining required landscaping on a lot, including landscaping on building rooftops, must be soft landscaping. Soft-landscaped amenity areas may be counted toward this requirement.
- (9) Where a main building is removed, except to create a parking lot or to erect a new main building, the resulting vacant lot must be maintained with soft landscaping until the lot is redeveloped.
- (10) Where an outdoor storage area or dealership abuts a lot in an HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone, a 1.8-metre-high opaque barrier, consisting either of continuous evergreen shrubs, wood fencing, or a masonry wall, must be provided between the storage or display area and the abutting HR-2, HR-1, ER-3, ER-2, ER-1, or MH lot.
- (11) [\(see Package B\)](#)
- (12) Excluding low-density dwellings, any outdoor solid waste management areas must be located in a side or rear yard and must be fully enclosed by an opaque fence or wall at least 2.0 metres high, except for an opening or gate required for access. Any such area must not be located within 3.5 metres of any lot line abutting a residential use (Diagram 12).



**Diagram 12:** Screening requirements for solid waste management areas, per Subsection 142(12).

- (13) Where a yard containing off-street loading space abuts an HR-2, HR-1, ER-3, ER-2, ER-1, MH, INS, UC, H, P, or RPK zone, a 1.8-metre-high opaque barrier, consisting either of continuous evergreen shrubs, wood fencing, or a masonry wall, must be provided between the off-street loading space and the abutting HR-2-, HR-1-, ER-3-, ER-2-, ER-1-, MH-, INS-, UC-, H-, P-, or RPK-zoned lot.

## Chapter 2: Specific Landscaping Requirements

### Specific Landscaping Requirements

- 143 (1) In any COR, HR-2, or HR-1 zone, landscaping must be provided as follows:
- (a) At least 60% of any streetline yard must be soft-landscaped;
  - (b) Side yards must be hard- or soft-landscaped, except for permitted driveways, parking and loading areas, walkways, wheelchair ramps, stairs, or accessory structures; and
  - (c) At least 50% of any rear yards, except for permitted accessory structures, must be hard- or soft-landscaped.
- (2) In any CEN-2 or CEN-1 zone, the following areas must be hard- or soft-landscaped:
- (a) 100% of any streetline yard, excluding permitted driveways, parking, walkways, wheelchair ramps, stairs, or accessory structures;
  - (b) Any side yards, except for permitted driveways, parking and loading areas, walkways, wheelchair ramps, stairs, or accessory structures; and
  - (c) At least 50% of any rear yards, except for permitted accessory structures.
- (3) In any CEN-2 or CEN-1 zone, streetline yards along any pedestrian-oriented commercial street must be hard-landscaped in the same style, and with similar or higher-quality materials, as the adjacent street.
- (4) Excluding low-density dwellings, a new building with a flat roof, or a flat-roofed addition to an existing building, must provide soft landscaping on 100% of any area of the flat roof that:
- (a) exceeds 40.0 contiguous square metres;
  - (b) has at least one linear dimension exceeding 3.0 metres; and
  - (c) is not required or used for amenity space, architectural features, mechanical equipment, or solar collectors.
- (5) Excluding low-density dwellings, rooftop landscaping does not need to be accessible to building occupants unless it is being provided to meet the requirements of Section 59.

- (6) In any CEN-2, CEN-1, or COR zone, fences and masonry walls are prohibited along any streetline, excluding low-density dwellings, surface parking lots, grade-related units, and any registered heritage property.

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## Chapter 3: Landscaped Buffers

### General Landscaped Buffer Requirements

- 144 (1) A landscaped buffer, where required in Table 6, must be provided when a development lot abuts a different zone. A buffer of the type indicated in Table 6 (“L1” or “L2”) must be provided along each lot line that separates the development lot from a different zone.

**Table 6: Landscape buffer requirement**

		Abutting zone			
		COR	HR-2, HR-1	ER-3, ER-2, ER-1, MH	P, RPK
Zone of development lot	D	L1	L1	L2	L1
	CEN-2	L1	L1	L2	L1
	CEN-1	L1	L1	L2	L1
	COR			L2	L1
	HR-2			L1	
	HR-1			L1	

- (2) No structures or parking areas are permitted within any required landscaped buffer.

### L1 General Landscaped Buffer

- 145 (1) Any L1 landscaped buffer must contain:
- (a) at least one shrub (at least 1.0 metre high) for every 2.0 linear metres of buffer;
  - (b) at least one tree (with a minimum base caliper of 50 millimetres) for every 4.5 linear metres of buffer; or
  - (c) a combination of trees and shrubs, if the minimum requirements of either 145(1)(a) or 145(1)(b) are met.
- (2) Trees and shrubs in an L1 landscaped buffer may be grouped.
- (3) At least 50% of the L1 buffer ground area must be covered with salt-tolerant groundcover plants.

## **L2 Screen Landscaped Buffer**

- 146 (1) Any L2 landscaped buffer must contain:
- (a) evergreen shrubs (at least 1.0 metre high) that form an opaque and continuous visual barrier; and
  - (b) at least one tree (with a minimum base caliper of 50 millimetres) for every 4.5 linear metres of buffer.
- (2) Where an L2 landscaped buffer abuts an HR-2, HR-1, ER-3, ER-2, ER-1, or MH zone, an opaque wood fence or masonry wall at least 1.8 metres high must also be provided.
- (3) Trees in an L2 landscaped buffer may be grouped.
- (4) An L2 buffer's remaining ground area must be covered with salt-tolerant groundcover plants.



## Chapter 4: Landscaping Plan Requirements

### Requirement to Submit a Landscape Plan

- 147 (1) When required in Section 16 or Appendix 5 (Wind Assessment Standards), a development permit application shall include a landscape plan prepared by a registered landscape architect.
- (2) The landscape plan must depict the design of all hard and soft landscaping in the development, and must contain:
- (a) the current and proposed site topography, including the location of any significant gradients;
  - (b) planting areas and details for all new vegetation and groundcover, including location, quantity, size, and names (common and botanical, including species and variety if known);
  - (c) the location and identification of existing vegetation that will be used to meet the requirements of Subsection 119(1);
  - (d) protection measures, such as hoardings, for any existing landscaping that is to be maintained;
  - (e) construction details for all hard-landscaped areas, including design specifications, dimensions, paving materials, and locations;
  - (f) manufacturers' specifications (such as model and colour) for all seating, light standards and fixtures, waste receptacles, bicycle racks, tree grates/guards, bollards, planter seating walls, wood arbours, outdoor furniture, solid waste management area enclosures, railings, and fencing; and
  - (g) boundaries and access points for all publicly accessible space.
- (3) All soft landscaping specified in a landscape plan must comply with the latest edition of the *Canadian Landscape Standard*.

### Landscaping Required Before Occupancy

- 148 (1) Subject to Subsection 148(2), before being issued an occupancy permit, the applicant must submit to the Development Officer a letter from a landscape architect certifying that all landscaping has been completed according to the approved landscape plan.

- (2) If landscaping has not been completed, an occupancy permit may be issued if the applicant provides the Municipality with a security deposit in the amount of 110% of the estimated cost of completing the landscaping. This deposit must be in the form of a certified cheque or an automatically renewing, irrevocable letter of credit issued by a chartered bank.
- (3) If the applicant does not complete the landscaping and landscape architect certification within one year of an occupancy permit being issued, the Municipality may use the security deposit to complete the landscaping according to the approved landscape plan. The applicant is responsible for all landscaping costs exceeding the value of the deposit. Upon completing the landscaping work and having it certified by a landscape architect, the Municipality will return any unused portion of the landscaping security deposit to the applicant.

**PART IX:  
PARKING AND  
OFF-STREET LOADING**

# Chapter 1: Motor Vehicle Parking

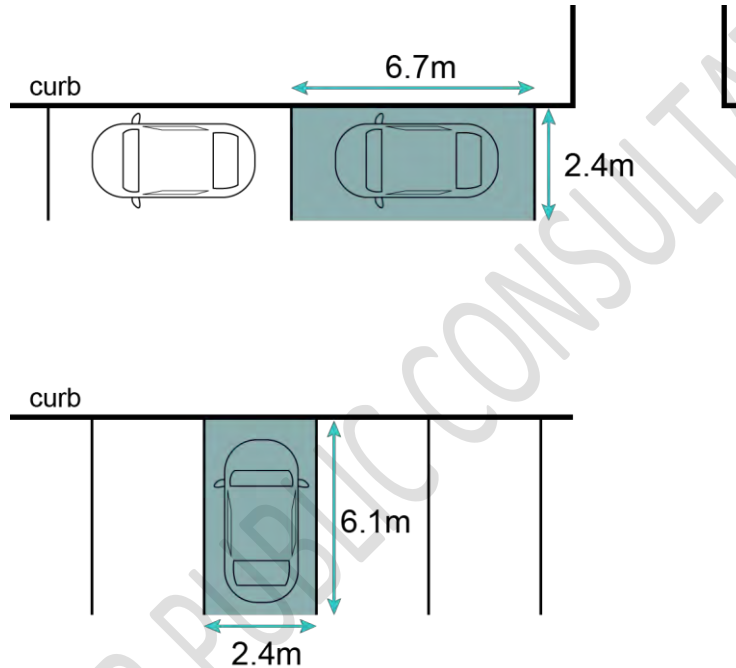
## General Motor Vehicle Parking Requirements

- 149 (1) Except where associated with a low-density dwelling or home occupation, all parking lots must be:
- (a) surfaced with a hard material such as asphalt, concrete, or pavers; and
  - (b) delineated by concrete curbs, with all parking spaces and driving aisles delineated by painted lines.
- (2) Subject to Section 164, driveways and driving aisles between rows of parking spaces must be 6.0 metres wide for two-way traffic, and 3.0 metres wide for one-way traffic.
- (3) The landscaping and screening requirements for all parking areas are provided in Part VIII.
- (4) Except where associated with a low-density dwelling or home occupation, the parking or storage of motor vehicles is prohibited in any driveway.
- (5) The parking or storage of motor vehicles is prohibited in driving aisles.
- (6) Parking spaces must not be located directly in front of any building entrance.
- (7) Pedestrian routes through a parking area must be delineated with concrete walkways and painted crosswalks across every driveway and driving aisle. Pedestrian routes must provide as direct a connection as possible between parking areas, building entrances, and the nearest street. Where a pedestrian route changes elevation, a curb cut or ramp must be provided.
- (8) All unroofed parking areas must provide areas for snow storage.
- (9) The design of parking lots must meet the requirements of the Design Manual.

## Parking Space Dimensions

150 Subject to Section 164, for any lot containing more than four parking spaces:

- (a) any required or provided parking space must be at least 2.4 metres wide and 6.1 metres long (Diagram 13); and
- (b) in the case of parking parallel to an internal driveway in a parking lot, any required or provided parking space must be at least 6.7 metres long (Diagram 13).



**Diagram 13:** Parking space dimensions, per Clauses 150(a) and 150(b)

## Rounding Regulation

151 Where the calculation of any motor vehicle parking requirement results in a portion of a parking space, the fraction must be rounded down to the nearest whole number.

## Required Number of Motor Vehicle Parking Spaces

- 152 (1) A minimum number of parking spaces is required for each use listed in Table 7. Where a use is not listed in Table 7, no minimum parking requirement applies.
- (2) [\(see Package B\)](#)

- (3) In any CEN-2 or CEN-1 zone, any required or provided parking spaces must be located internal to a building and/or underground, except for accessory surface parking lots as permitted in Section 160.
- (4) Excluding low-density and medium-density dwellings, 4 bicycle parking spaces (Class A and/or Class B), where provided in addition to the number of bicycle parking spaces required in Section 168, may be substituted for one required motor vehicle parking space, up to a maximum of three required motor vehicle parking spaces.
- (5) Excluding low-density and medium-density dwellings, enhanced bicycle parking may be substituted for one required motor vehicle parking space.

**Table 7: Required number of motor vehicle parking spaces, by zone and use**

Use	CEN-2, CEN-1	COR	HR-2, HR-1	CDD
Single-unit dwelling; Semi-detached dwelling; Townhouse; Mobile home	Not req'd.	1 space	1 space	1 space
Two-unit dwelling; Three-unit dwelling	Not req'd.	2 spaces	2 spaces	2 spaces
Four-unit dwelling	Not req'd.	3 spaces	3 spaces	3 spaces
Multi-unit dwelling; Stacked townhouse; Grade-related unit	Not req'd.	Not req'd.	1 space for every 3 units	1 space for every 3 units
Secondary or backyard suite	Not req'd.	Not req'd.	Not req'd.	Not req'd.
Rooming house	Not req'd.	1 space	1 space	1 space
Supportive housing	Not req'd.	1 to 6 bdrms.: 1 space; 7 to 11 bdrms.: 2 spaces; More than 11 bdrms.: 1 space for every 2 bdrms.	1 to 6 bdrms.: 1 space; 7 to 11 bdrms.: 2 spaces; More than 11 bdrms.: 1 space for every 2 bdrms.	N/A
Emergency shelter	Not req'd.	1 space	1 space	1 space
Day care	Not req'd.	1 space	1 space	Not req'd.
Bed and breakfast	Not req'd.	1 space for the first two guestrooms, 1 space for the third guestroom	1 space for the first two guestrooms, 1 space for the third guestroom	1 space for the first two guestrooms, 1 space for the third guestroom

<b>Use</b>	<b>CEN-2, CEN-1</b>	<b>COR</b>	<b>HR-2, HR-1</b>	<b>CDD</b>
Home office	Not req'd.	Not req'd.	Not req'd.	Not req'd.
Home occupation	Not req'd.	Not req'd.	1 space	Not req'd.
Work-live unit	Not req'd.	Not req'd.	2 spaces for each work-live unit	2 spaces for each work-live unit
Drinking establishment	Not req'd.	Not req'd.	1 space for every 35 sq. m GFA	1 space for every 35 sq. m GFA
Fitness centre	Not req'd.	Not req'd.	1 space for every 15 sq. m GFA	1 space for every 15 sq. m GFA
Hotel	Not req'd.	1 space for every 3 guestrooms	N/A	N/A
Local commercial uses	Not req'd.	Not req'd.	Not req'd.	Not req'd.
Office; Financial institution	Not req'd.	Not req'd.	1 space for every 75 sq. m GFA	1 space for every 75 sq. m GFA
Restaurant	Not req'd.	Not req'd.	1 space for every 35 sq. m GFA	1 space for every 35 sq. m GFA
All other commercial uses	Not req'd.	Not req'd.	1 space for every 35 sq. m GFA	1 space for every 35 sq. m GFA
Minor spectator venue; Cultural uses	Not req'd.	1 space for every 10 seats or 1 space for every 100 sq. m GFA, whichever is less	1 space for every 10 seats or 1 space for every 100 sq. m GFA, whichever is less	1 space for every 10 seats or 1 space for every 100 sq. m GFA, whichever is less
Hospital; Medical clinic	Not req'd.	Not req'd.	1 space for every 100 sq. m GFA	1 space for every 100 sq. m GFA
Religious institution	Not req'd.	1 space for every 100 sq. m GFA	1 space for every 100 sq. m GFA	1 space for every 100 sq. m GFA
School	Not req'd.	1 space for every classroom	1 space for every classroom	1 space for every classroom
Stadium	Not req'd.	1 space for every 10 seats	N/A	1 space for every 10 seats
University or college	Not req'd.	3 spaces for every classroom	3 spaces for every classroom	3 spaces for every classroom
Industrial uses	N/A	N/A	N/A	N/A
Community recreation	Not req'd.	Not req'd.	Not req'd.	Not req'd.
All other recreation uses	Not req'd.	1 space for every 400 sq. m lot area	1 space for every 400 sq. m lot area	1 space for every 400 sq. m lot area

### **Required Parking to be Provided On-Site**

153 Required parking must be located on the same lot as the use it is intended to serve.

### **Parking in Streetline Setbacks**

154 For low-density dwellings, a maximum of 40% of the width of any streetline yard may be used for the parking and maneuvering of motor vehicles.

### **Large Commercial Vehicles**

155 (see [Package B](#))

### **Car Sharing**

156 Any required or provided parking space may be used as a car sharing space.

### **Parking Structures**

- 157
- (1) As an accessory use or main use, parking structures are permitted in all zones.
  - (2) All parking spaces associated with a parking structure must be located inside or on the roof of the parking structure.
  - (3) Except where associated with a hotel use, the provision of a parking structure and an accessory surface parking lot on the same lot is prohibited.
  - (4) Any mechanical equipment, meters, and similar utilities associated with a parking structure must be located within the parking structure.
  - (5) Parking structure exhaust vents must be directed away from streets and any adjacent residential and restaurant uses.
  - (6) Where any portion of a parking structure roof is not used for parking, it must be landscaped if required in Section 143.

### **Standalone Surface Parking Lots**

158 Standalone surface parking lots are prohibited in all zones.



## Commercial Surface Parking Lots

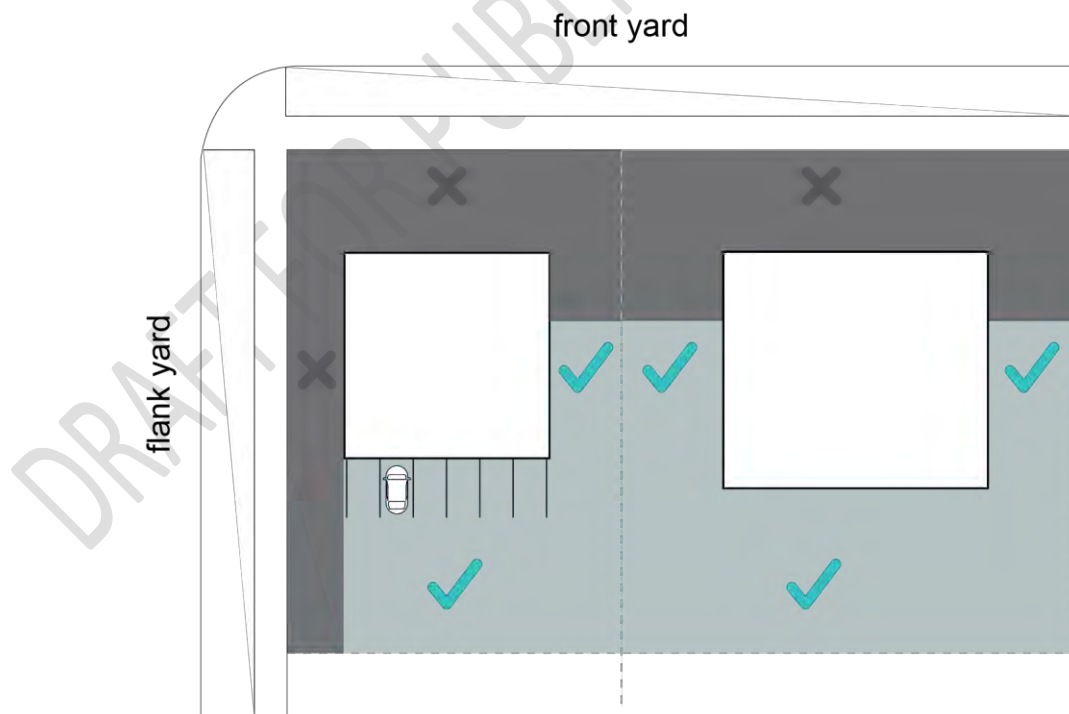
159 Commercial surface parking lots are prohibited in all zones.

## Accessory Surface Parking Lots: D Zones

160 (see Package B)

## Accessory Surface Parking Lots: CEN-2 and CEN-1 Zones

- 161 (1) Accessory surface parking lots are permitted in any CEN-2 or CEN-1 zone.
- (2) In addition to any area required for driveways and driving aisles, accessory surface parking lots in any CEN-2 or CEN-1 zone must not exceed:
- (a) 80 parking spaces for a grocery store; or
  - (b) 8 parking spaces for all other uses.
- (3) Accessory surface parking lots in any CEN-2 or CEN-1 zone must not be located within any streetline yard, and must not be located closer to any streetline than 33% of the lot depth (Diagram 14), unless located in an internal courtyard.



**Diagram 14:** Location for an accessory surface parking lot in any CEN-2 or CEN-1 zone, per Subsection 161(3)

### **Accessory Surface Parking Lots: All Other Zones**

- 162 (1) Accessory surface parking lots are permitted in any COR, HR-2, HR-1, and CDD zone, within side and rear yards and internal courtyards only.
- (2) [\(see Package B\)](#)

### **Electric Vehicle Charging Stations**

- 163 (1) Electric vehicle charging stations are permitted in all parking areas.
- (2) Where more than 25 parking spaces are provided in association with any parking structure, multi-unit dwelling, office, hotel, or mixed-use building, all parking areas must include wiring conduits to allow the future installation of electric vehicle charging infrastructure.
- (3) Where more than 100 parking spaces are provided on a lot, at least 2 electric vehicle charging stations must be provided.

### **Automated and Autonomous Vehicle Parking**

- 164 (1) Parking space, driveway, and driving aisle dimension requirements do not apply where an automated vehicle parking system is used, or in any parking area reserved for use by autonomous vehicles.
- (2) An automated vehicle parking system must be located internal to a building or in a parking structure.

## Chapter 2: Bicycle Parking

### Bicycle Parking Exemptions

165 Bicycle parking is not required for any of the following uses:

- (a) low-density dwelling;
- (b)–(f) (see Package B);
- (g) work-live unit;
- (h) car wash;
- (i) (see Package B);
- (j) urban agriculture use;
- (k)–(l) (see Package B); and
- (m) accessory structure or accessory use.

### General Bicycle Parking Requirements

- 166
- (1) If required bicycle parking is not visible from the street, wayfinding signage must be posted, in a location visible from the building's front entrance, to indicate where the bicycle parking is located.
  - (2) Where a lot abuts a designated cycling thoroughfare such as a bicycle lane, bicycle route, or bikeway, access to all required bicycle parking must be provided from a streetline that abuts the cycling thoroughfare.
  - (3) All required or provided bicycle parking must be designed to be tamper-resistant. All bicycle racks and bicycle lockers must be firmly secured to the ground, floor, or wall with security nuts, or embedded in concrete.
  - (4) All required or provided bicycle parking must be located on a hard surface and in a well-lit area.
  - (5) All required or provided bicycle parking must be:
    - (a) located at ground level;
    - (b) accessible from ground level with ramps, at least 2.5 metres wide, that do not exceed a slope of 7%; or
    - (c) accessible by elevator.

- (6) All required or provided bicycle parking must provide two points of contact between each bicycle and rack, and be designed so that each bicycle is individually supported and lockable.

### **Rounding Regulation**

- 167 Where the calculation of any bicycle parking requirement results in a portion of a bicycle parking space, the fraction must be rounded down to the nearest whole number.

### **Required Number of Bicycle Parking Spaces**

- 168 Bicycle parking spaces are required for each use listed in Table 8. The “Type” column specifies which types of bicycle parking must be provided, as described in Sections 169 and 170. Where a conflict exists, any minimum or maximum requirement takes precedence over a general requirement.

**Table 8: Required number of bicycle parking spaces, by zone and use**

Use	General Requirement	Type	Minimum requirement	Maximum requirement
Multi-unit dwelling; Stacked townhouse; Grade-related unit	1 space for every 2 units	80% Class A 20% Class B	4 spaces (Class B)	N/A
Hotel	1 space for every 20 guestrooms	80% Class A 20% Class B	2 spaces (Class B)	N/A
Retail uses; Service uses; Grocery store; Restaurant	1 space for every 300 sq. m GFA	20% Class A 80% Class B	2 spaces (Class B)	N/A
Financial institution; Office; Hospital; Medical clinic; Religious institution	1 space for every 500 sq. m GFA	50% Class A 50% Class B	2 spaces (Class B)	N/A
Cultural use; Minor spectator venue; Stadium	1 space for every 20 seats or 1 space for every 250 sq. m GFA, whichever is less	20% Class A 80% Class B	2 spaces (Class B)	50 spaces
School; University or college	1 space for every 150 sq. m GFA	20% Class A 80% Class B	10 spaces (Class B)	N/A
Club recreation; Community recreation (indoor facilities)	10 spaces if less than 500 sq. m GFA; 20 spaces for larger facilities	20% Class A 80% Class B	N/A	N/A
Community recreation (outdoor facilities)	1 space for every 1,250 sq. m lot area	100% Class B	10 spaces (Class B)	N/A
Commercial parking structure	1 space for every 20 motor vehicle parking spaces	100% Class B	2 spaces (Class B)	50 spaces
Any other use not specified above or exempted in Section 165	1 space for every 500 sq. m GFA	50% Class A 50% Class B	2 spaces (Class B)	N/A

### **Class A Bicycle Parking Requirements**

- 169 (1) Permitted Class A bicycle parking types are:
- (a) within a bicycle room, a roofed bicycle cage, or a covered parking structure area reserved for bicycles:
    - (i) inverted U (at least 0.90 m high),
    - (ii) post-and-ring,
    - (iii) vertical (wall-mounted), and
    - (iv) two-tier (with lift-assist); and
  - (b) standalone: bicycle lockers.
- (2) Any bicycle room, bicycle cage, or parking structure area reserved for bicycles must be access-controlled.
- (3) The walking distance from a primary building entrance to any Class A bicycle parking must not exceed 200 metres.
- (4) Where more than 20 Class A bicycle parking spaces are required for an office, financial institution, medical clinic, or hospital, the following must be provided:
- (a) shower facilities, at the rate of one shower for every ten Class A bicycle spaces;
  - (b) clothes lockers, at the rate of one locker per Class A bicycle space; and
  - (c) one bicycle repair stand with tire pump and tools.

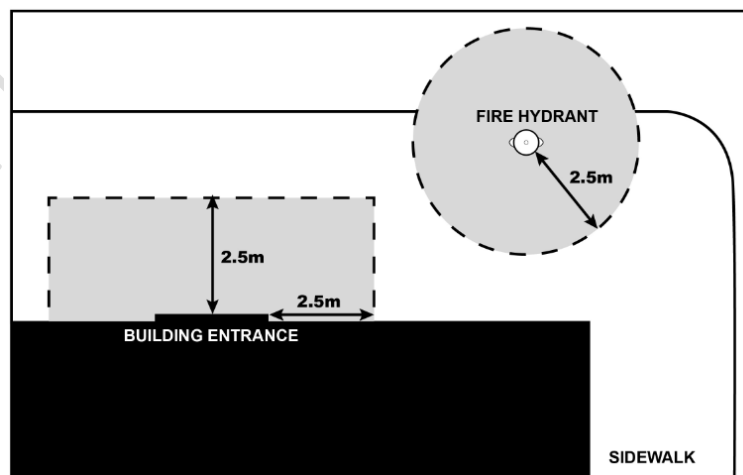
### **Class B Bicycle Parking Requirements**

- 170 (1) Permitted Class B bicycle parking types are:
- (a) inverted U (at least 0.90 m high); and
  - (b) post-and-ring.
- (2) Class B bicycle parking must be accessible to building visitors and the public, and visible from the street.

- (3) The walking distance from a primary building entrance to any Class B bicycle parking must not exceed:
  - (a) 15 metres for unsheltered bicycle parking; and
  - (b) 30 metres for sheltered bicycle parking.
  
- (4) Subject to Subsection 170(5), on lots where lot coverage exceeds 90%, or where it is otherwise impractical to provide Class B bicycle parking spaces on-site, bicycle parking may be installed within the street right-of-way in accordance with the regulations of HRM By-law S-300, the *Streets By-law*. If provided, right-of-way bicycle parking must be located within 50 metres of the building that the parking is intended to serve, and on the same side of the street.
  
- (5) Where Subsection 170(4) applies and the Municipality has refused to approve the installation of Class B bicycle parking in the street right-of-way, a cash-in-lieu contribution equivalent to the value of the required Class B bicycle parking is required, per the *Halifax Regional Municipality Charter*, as amended from time to time.

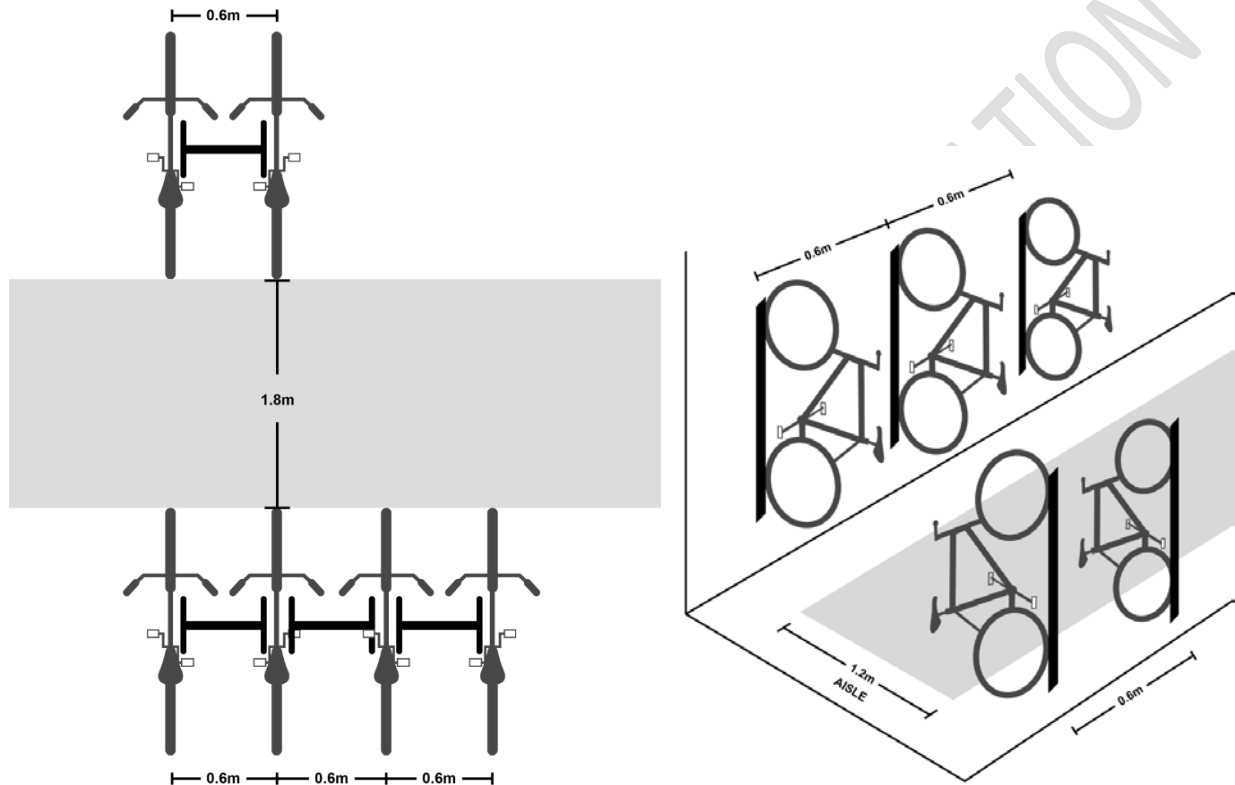
### Bicycle Parking Geometric Requirements

- 171 (1) Subsections 171(2) to 171(5) describe the minimum geometric requirements for all bicycle parking spaces.
  
- (2) On-site bicycle parking is prohibited within 2.5 metres of any building entrance or loading area (Diagram 15).



**Diagram 15:** Relationship of on-site bicycle parking to any building entrance or loading area, per Subsection 171(2)

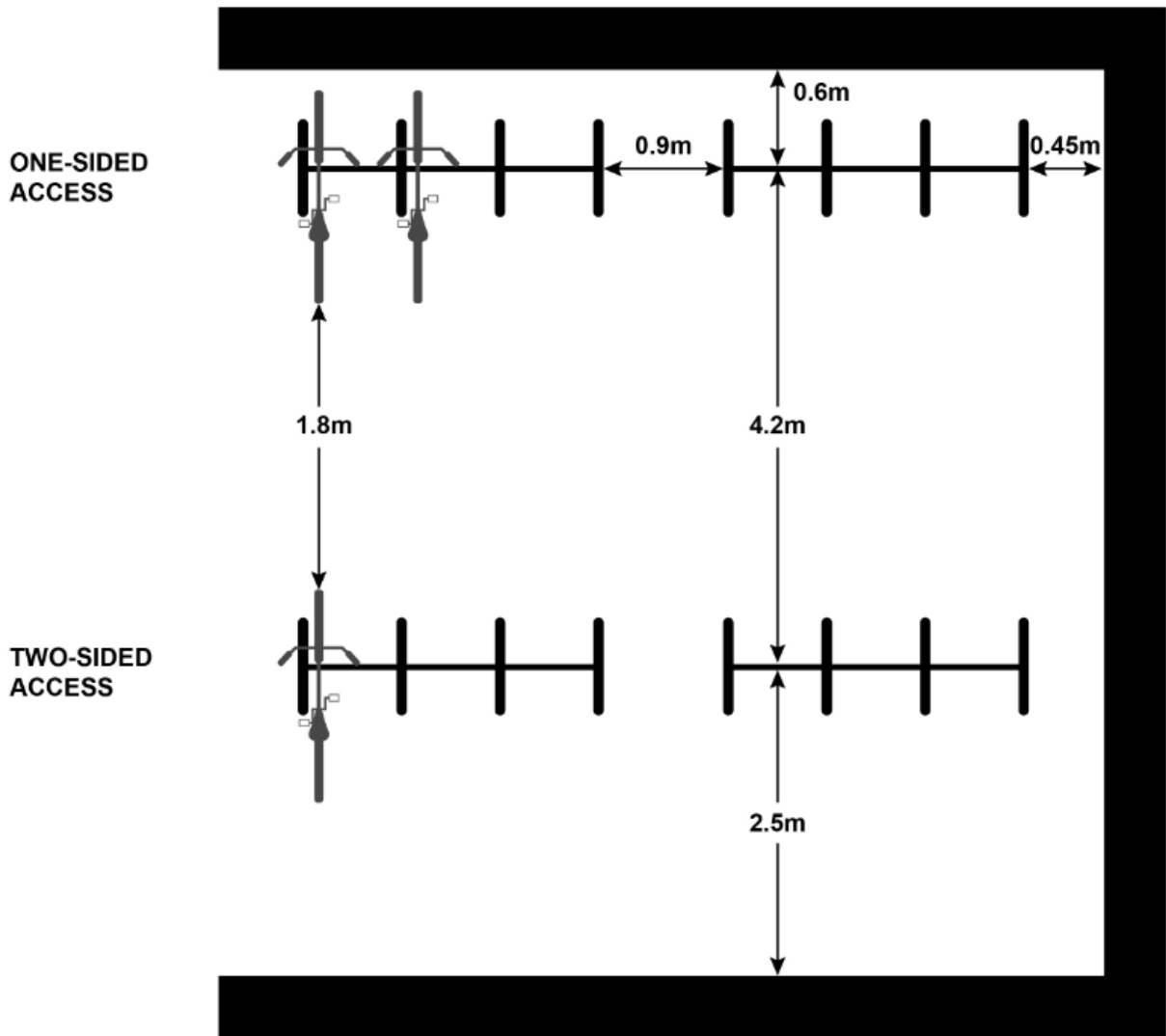
- (3) Racks that accommodate more than two bicycles must be designed with 0.6-metre spacing between rack elements. Where bicycles are parked horizontally, a 1.8-metre-wide aisle must be provided between rows of bicycles, based on a typical bicycle length of 1.8 metres. Where bicycles are parked vertically, a 1.2-metre-wide aisle must be provided between rows of bicycles (Diagram 16).



**Diagram 16:** Bicycle parking space dimensions and rack spacing (1 of 3), per Subsection 171(3)

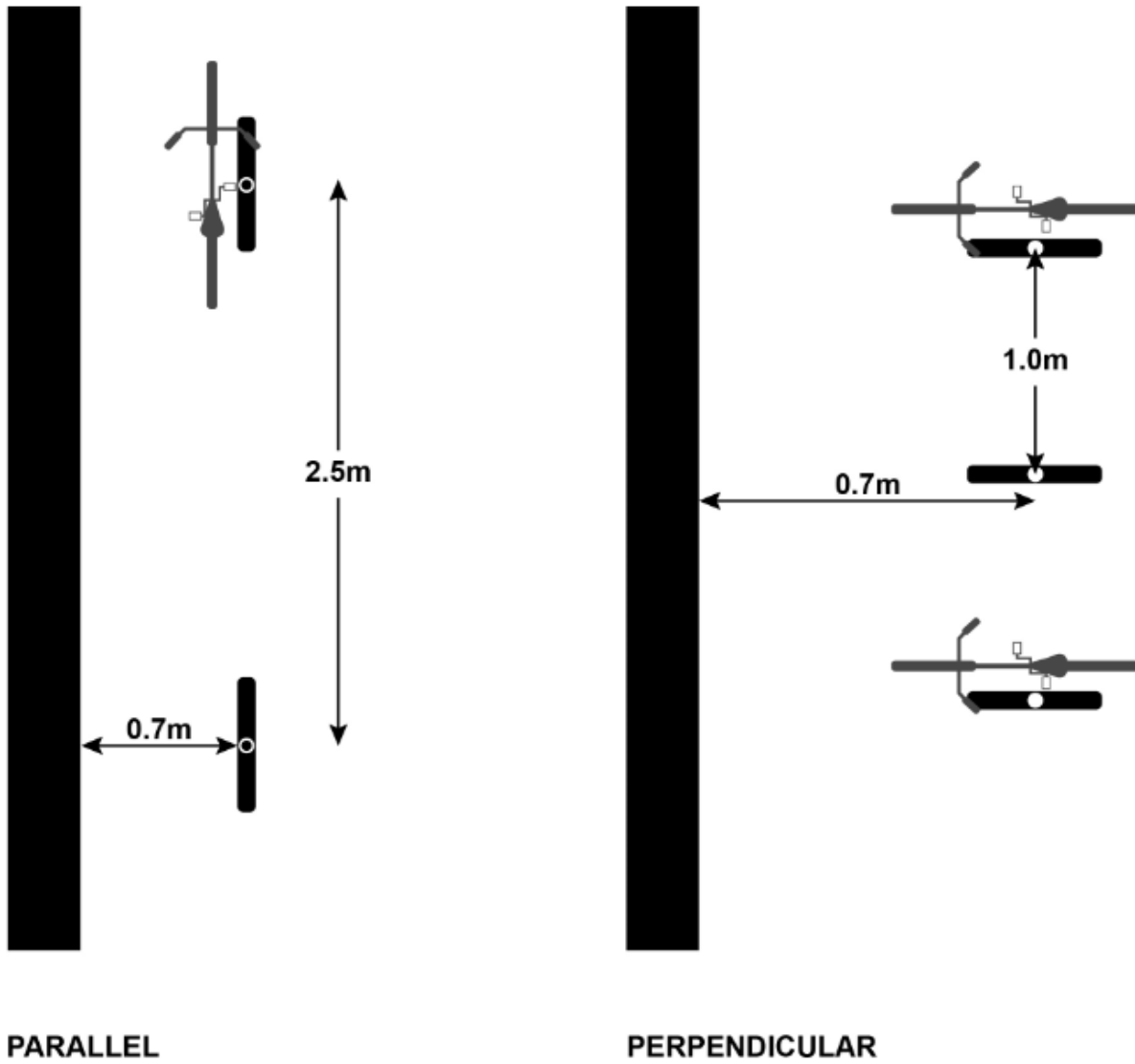
- (4) Racks that accommodate more than two bicycles must be spaced at least 0.9 metres between rack-ends and at least 4.2 metres between each row of bicycles, based on a typical bicycle length of 1.8 metres. A space of 0.45 metres must be provided between each rack-end and any obstruction. Where one-sided access is provided, the rack must be located at least 0.6 metres from any obstruction. Where two-sided access is provided, the rack must be located at least 2.5 metres from any obstruction (Diagram 17).





**Diagram 17:** Bicycle parking space dimensions and rack spacing (2 of 3), per Subsection 171(4)

- (5) Where individual two-space bicycle racks are located parallel to an obstruction or curb, they must be spaced at least 2.5 metres apart (centre-to-centre) and located at least 0.7 metres from the obstruction or curb. Where individual two-space bicycle racks are located perpendicular to an obstruction or curb, they must be spaced at least 1.0 metres apart and located at least 1.5 metres (centre-to-centre) from the obstruction or curb (Diagram 18).



**Diagram 18:** Bicycle parking space dimensions and rack spacing (3 of 3), per Subsection 171(5)

## Chapter 3: Off-Street Loading

### Off-Street Loading Space

- 172 (1) In any CEN-2, CEN-1, or COR zone, an off-street loading space is required for specific uses as follows, in addition to any required parking spaces:

**Table 9: Off-street loading space requirements**

Use	Minimum area for off-street loading space
Residential, more than 40 units	30 sq. m
Commercial, 1,000 to 2,500 sq. m GFA	30 sq. m
Commercial, more than 2,500 sq. m GFA	60 sq. m

- (2) Any required or provided off-street loading space must be located on the same lot as the use it is intended to serve.
- (3) Any required off-street loading space must not be shared between uses.
- (4) Any required or provided off-street loading space must be surfaced with a hard material such as asphalt, concrete, or pavers, and delineated by concrete curbs and/or painted lines.
- (5) Any required or provided off-street loading space must be located:
- (a) internal to a building;
  - (a) in a parking structure; or
  - (b) in any area of a lot where an accessory surface parking lot is permitted (see Sections 160 to 162).
- (6) Where required or provided off-street loading space is located internal to a building, a maximum of one primary access is permitted.
- (7) The landscaping and screening requirements for required and provided off-street loading spaces are provided in Part VIII.

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# **PART X: SIGNS**

## Chapter 1: General Signage Requirements

### Requirement for a Sign Permit

- 173 (1) Subject to Section 174, a person must not erect any sign without first obtaining a development permit.
- (2) Except for signs exempted in Section 174, a sign owner must have a valid development permit for every sign.

### Sign Permit Exemptions

- 174 The following signs are permitted and do not require a development permit, but must still meet the requirements of this By-law:
- (a) signs giving the name and civic address of a building;
  - (b) signs regulating the use of a lot, such as “No Trespassing” signs, not exceeding 0.2 square metres in area;
  - (c) signs that pertain to the sale, rental, or lease of a lot on which the sign is displayed, and which:
    - (i) are non-illuminated,
    - (ii) do not exceed 2.0 square metres in area,
    - (iii) must be removed within 14 days following the advertised sale, rental, or lease, and
    - (iv) are limited to a maximum of one sign per street frontage;
  - (d) signs regulating traffic on a lot, not exceeding 0.5 square metres in area;
  - (e) directional and wayfinding signage, not exceeding 0.5 square metres in area;
  - (f) signs identifying the function of any portion of a building, not exceeding 0.5 square metres in area;
  - (g) signs erected by a governmental body or public authority;
  - (h) interior signage;
  - (i) commemorative signs;
  - (j) drive-through signage;

- (k) signs that are incidental to a construction in progress, and which:
  - (i) are non-illuminated,
  - (ii) are located on the same lot as the construction in progress,
  - (iii) do not exceed 5.0 square metres in area, and
  - (iv) must be removed within 14 days following the conclusion of construction;
  
- (l) one internally illuminated menu-box sign per restaurant, if the sign:
  - (i) is located within 2 metres of the entrance of the restaurant,
  - (ii) does not exceed 0.4 square metres in area (measured from the outside of the box), and
  - (iii) does not project more than 0.1 metre from the wall on which it is affixed.
  
- (m) signs for any of the following uses:
  - (i) home occupations,
  - (ii) [\(see Package B\)](#),
  - (iii) sale of urban agricultural products as an accessory use,
  - (iv) fabrication uses, and
  - (v) urban farms;
  
- (n) temporary signs associated with an election, referendum, or census;
- (o) the replacement of a sign face in the exact same size and location; and
- (p) the repainting or refinishing of a sign using the same colour and finish.

### **Temporary Sign By-law**

175 This By-law does not apply to any sign regulated by HRM By-law S-801, *A By-law Respecting Licensing Temporary Signs*.

## Prohibited Signs

176 The following signs are prohibited in all zones:

- (a) signs that create a hazard to public safety;
- (b) signs located within a viewing triangle;
- (c) signs that obstruct or interfere with the vision of road users because of their location, appearance, or illumination;
- (d) signs that obscure or interfere with any traffic control sign or device;
- (e) signs that obscure or interfere with any warning or instructional sign;
- (f) signs that obstruct or interfere with any ventilation device, emergency exit, required exit, window, door opening, or any wall opening intended as a means of ingress or egress;
- (g) signs that obstruct access to any fire hydrant or firefighting hose connection;
- (h) signs that resemble the traffic control signs of any public authority, in shape, colour, message, symbol, or location;
- (i) signs that advertise a product or service that is no longer available on the premises, or a business that is no longer in operation, except for signs deemed to have heritage value;
- (j) “third party” signs unrelated to a product, service, or business available or operating on the same lot;
- (k) signs on public property, unless erected by a public authority or specifically permitted by the Municipality;
- (l) signs located on the roof of any structure;
- (m) signs that project above a roof edge or streetwall setback;
- (n) billboards;
- (o) signs affixed to or painted on natural objects such as trees or boulders;
- (p) signs that use fluorescent colours, except for neon gas tubing;
- (q) internally-illuminated fascia signs, except for:
  - (i) neon gas tubing,
  - (ii) open or exposed neon gas tubing channel letters and characters,
  - (iii) back-lit, individually raised profile letters and characters with LED illumination,
  - (iv) back-lit, standard channel letters and characters with LED illumination, or
  - (v) reverse channel (halo-lit) letters and characters with either neon gas tubing or LED illumination;
- (r) internally-illuminated awning signs;

- (s) signs that incorporate a strobe light or flashing light;
- (t) signs that interfere with any utility, conduit, or line used for water, sewage, gas, electricity, or communication;
- (u) canopy or awning signs made of stretch skin plastics; and
- (v) banner signs, with or without frames.

### **Encroachment License**

- 177 If a sign will project over any portion of a street, a development permit for the sign must not be issued until the applicant obtains approval to encroach on the street under HRM By-law E-200, the *Encroachment By-law*.

### **Illuminated Signs**

- 178 Illuminated signs must not shine on adjoining lots or adjacent streets, or cause a glare or hazard to road users.

### **Signs on Registered Heritage Properties and Lots in a Heritage Conservation District**

- 179 Signs on a registered heritage property, or on a lot in a heritage conservation district, must meet the requirements of the Design Manual.



## Chapter 2: Signage Requirements for CEN-2, CEN-1, COR, HR-2, and HR-1 zones

### Fascia Signs

- 180 (1) In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, a fascia sign must not extend beyond the edges of any wall to which it is affixed.
- (2) The combined area of all fascia signs on a building wall must not exceed 10% of the total wall area.

### Window and Door Signs

- 181 In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, the combined area of all window or door signs must not exceed 25% of the total glass area of any window or door to which they are affixed.

### Ground Signs

- 182 In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, the maximum height of a ground sign, from the streetline grade to the highest part of the sign structure, is 4.6 metres.

### Projecting Signs

- 183 (1) In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, projecting signs must:
- (a) be separated from other projecting signs on the same lot by at least 2.5 metres;
  - (b) be set back at least 1.25 metres from any interior lot line; and
  - (c) not exceed 2.0 square metres in area, per sign.
- (2) Subject to Subsection 183(3), only one projecting sign is permitted per business.
- (3) Where a business has frontage on more than one street, one additional projecting sign is permitted per additional business frontage that has access to a streetline. Each projecting sign must be located on a separate street frontage.

### **Abutting Zone Requirements**

184 Where a lot zoned CEN-2, CEN-1, COR, HR-2, or HR-1 abuts a lot zoned ER-3, ER-2, ER-1, MH, P, or RPK, the following requirements apply:

- (a) subject to Clause 184(b), all signs must be set back at least 3.0 metres from the abutting lot line; and
- (b) all illuminated signs must be set back at least 10.0 metres from the abutting lot line.

### **Signs for Work-Live Units**

185 In any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, one non-illuminated fascia sign, not exceeding 3.0 square metres in area, is permitted in association with the commercial component of a work-live unit.

## **Chapter 3: Signage Requirements for ER-3, ER-2, ER-1, and MH zones**

### **Signs for Bed and Breakfasts**

186 [\(see Package B\)](#)

### **Signs for Home Occupations, Day Cares, Sale of Urban Agricultural Products as an Accessory Use, and Fabrication Uses**

187 [\(see Package B\)](#)

### **Signs for Local Commercial Uses and Medical Clinics**

188 [\(see Package B\)](#)

### **Signs for Urban Farm Uses**

189 [\(see Package B\)](#)

### **Signs for Cultural, School, and Community Recreation Uses**

190 [\(see Package B\)](#)

**PART XI:  
INCENTIVE OR  
BONUS ZONING**

## Chapter 1: Incentive or Bonus Zoning Regulations

### Requirement to Provide a Public Benefit

- 191 (1) The applicant must provide a public benefit if, where permitted by Subsection 92(2):
- (a) (see Package B); or
  - (b) a development in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, excluding a low-density dwelling, exceeds a pre-bonus GFAR of 3.5.
- (2) Where required in Subsection 191(1) to provide a public benefit, the applicant must enter into an incentive or bonus zoning agreement before the Development Officer may issue a development permit.

### Requirements for a Development Exceeding a Pre-Bonus Height Limit or GFAR

- 192 (1) Where required in Section 191, the applicant must provide a public benefit worth at least the product of Factor #1 and Factor #2, where:
- (a) Factor #1 is:
    - (i) (see Package B), or
    - (ii) for a development in any CEN-2, CEN-1, COR, HR-2, or HR-1 zone, the gross floor area (in square metres) that exceeds the maximum pre-bonus GFAR, excluding unoccupied architectural features and any feature listed in Table 4; and
  - (b) Factor #2 is a density bonus rate, in dollars per square metre, as specified in Section 193.
- (2) Any required public benefit must be confirmed to be complete, by the applicant, by the earlier of:
- (a) the date an occupancy permit is issued; or
  - (b) the deadline specified under the incentive or bonus zoning agreement.

### Density Bonus Rates

- 193 (1) Subject to Subsections 193(2) and 193(3), before being used to calculate a required public benefit, the density bonus rates specified in Table 10 must be adjusted proportional to changes in the *Halifax All-Items Consumer Price Index* (Statistics Canada CANSIM Table 326-0021). Rates must be adjusted using the methodology specified in Statistics Canada publication no. 62-557-XPB, *Your Guide to the Consumer Price Index*, under “Using the CPI to Adjust Payments”.
- (2) Density bonus rates must be adjusted to the latest year available.
- (3) If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there must be no change or increase in the density bonus rates for that year.
- (4) Table 10 contains density bonus rates, as of October 2015, for each bonus rate district identified on Schedule 37.

**Table 10: Density bonus rates and districts**

<b>Bonus rate district #</b>	<b>Name of bonus rate district</b>	<b>Average market land value, 2015 (\$/square metre)</b>	<b>Density bonus rate, 2015 (\$/square metre)</b>
1	South End Halifax (including Downtown Halifax)	\$400	\$268
2	Cogswell Redevelopment Lands	\$400	\$268
3	North End Halifax	\$260	\$174
4	Shannon Park	\$220	\$147
5	North Dartmouth	\$80	\$54
6	Downtown Dartmouth + Mic Mac/Penhorn	\$240	\$161
7	Woodside	\$80	\$54

### **Review of Density Bonus Rates**

- 194 (1) The density bonus rates in Table 10, and/or the boundaries of bonus rate districts identified on Schedule 37, may be reviewed and updated periodically, such as when market conditions have changed significantly.
- (2) A review of the density bonus rates in Table 10 must include a report from a professional accredited by the Appraisal Institute of Canada. The report must evaluate the average market land values, for the previous year, in each bonus rate district identified on Schedule 37. The density bonus rates in Table 10 are then calculated by multiplying the average market land values by a factor of 0.67.

### **Proposal and Calculation of Required Public Benefits**

- 195 (1) An applicant who is required to provide a public benefit must submit a Density Bonus Calculation and Public Benefits Proposal, included Appendix 2, to the Development Officer.
- (2) The Development Officer may accept or reject the applicant's proposal for any required public benefit.
- (3) For all public benefits except affordable housing units and affordable community or cultural indoor space, a maximum of 20% of the public benefit value may be spent on design costs.

### **Minimum Affordability Period**

- 196 Where provided as a public benefit, affordable housing units and leased affordable community or cultural indoor space must meet the requirements of this Part for an affordability period of at least 180 months, beginning on the later of:
- (a) the date an affordable housing unit or an affordable community or cultural indoor space is available for occupancy; or
- (b) the initial occupancy date indicated in a signed lease for an affordable housing unit or an affordable community or cultural indoor space.

## Public Benefit Categories

197 Subject to Subsection 198(1), an applicant who is required to provide a public benefit must provide one or a combination of the following:

- (a) affordable housing units;
- (b) conservation of a registered heritage building;
- (c) publicly accessible space;
- (d) affordable community or cultural indoor space;
- (e) public art; or
- (f) cash-in-lieu, where:
  - (i) permitted in Clause 198(2), or the Development Officer is satisfied that a public benefit identified in Clauses 197(1)(a) to 197(1)(e) would be inappropriate, unacceptable, or impossible to provide, and
  - (ii) the Municipality allocates the cash-in-lieu to one or more public benefits identified in Clauses 197(1)(a) to 197(1)(e) within the lands shown on Schedule 1.

## Public Benefit Requirements: Affordable Housing Units

- 198 (1) At least 75% of the total value of a required public benefit must be allocated to affordable housing units in the development. Cash-in-lieu will be accepted if:
- (a) the development does not include a residential component; or
  - (b) the value of the contribution required in Subsection 198(1) is less than one affordable housing unit for duration of the affordability period required in Section 196.
- (2) Cash-in-lieu for affordable housing units, where permitted in Subsection 198(1), must be allocated within the lands shown on Schedule 1, and must be allocated:
- (a) to the rehabilitation of existing affordable housing units provided by a not-for-profit organization, or to the construction of new affordable housing units; or
  - (b) in accordance with a housing agreement permitted in Section 73(b) of the *Halifax Regional Municipality Charter*.



- (3) Where required or provided as a public benefit, affordable housing units must:
- (a) be located on the site of the development;
  - (b) be dispersed throughout the development;
  - (c) be similar in design, size, and appearance to other units within the development;
  - (d) contain one or more bedrooms; and
  - (e) be provided by an entity acceptable to the Municipality that is either:
    - (i) the applicant, or
    - (ii) in a condominium corporation development, a not-for-profit organization.
- (4) The number of affordable housing units to be provided, for each unit type, is calculated by:
- (a) Dividing the public benefit value allocated to each type of affordable housing unit by the minimum affordability period (in months) specified in Section 196;
  - (b) Dividing the result of Clause 198(4)(a) by the average market monthly rent for that unit type; and
  - (c) Dividing the result of Clause 198(4)(b) by 0.40.
- (5) Where affordable housing units are provided as a public benefit, a Report on Affordable Housing Units, included in Appendix 3, must be submitted to the Development Officer within 180 days of an occupancy permit being issued, and then annually on October 1 until the incentive or bonus zoning agreement expires.
- (6) The applicant must:
- (a) only lease affordable housing units to tenants whose household income is less than the initial household income limit when a lease is signed;
  - (b) inform affordable housing unit tenants of any requirements relating to income;
  - (c) not impose on affordable housing unit tenants any mandatory fees other than rent; and
  - (d) not increase affordable housing unit rent by more than the change in the *Halifax All-Items Consumer Price Index* each year.

- (7) An affordable housing unit tenant who no longer meets the requirements of the initial household income limit must be permitted to remain in the unit until their lease expires.

**Public Benefit Requirements: Conservation of a Registered Heritage Building**

- 199 (1) Where provided as a public benefit, conservation of a registered heritage building must occur on the site of the development.
- (2) Conservation of a registered heritage building must be completed in accordance with the Parks Canada *Standards and Guidelines for the Conservation of Historic Places in Canada*.

**Public Benefit Requirements: Publicly Accessible Space**

- 200 Where provided as a public benefit, publicly accessible space must:
  - (a) be located on the site of the development;
  - (b) be provided in response to a demonstrated deficiency in such spaces;
  - (c) be provided in addition to any amenity space or landscaping required in this By-law; and
  - (d) include one or more ungated through-block pedestrian connections.

**Public Benefit Requirements: Affordable Community or Cultural Indoor Space**

- 201 (1) Where provided as a public benefit, affordable community or cultural indoor space must be located on the site of the development.
- (2) If affordable community or cultural indoor space will be leased to tenants, the amount of affordable community or cultural indoor space to be provided is calculated by:
  - (a) Dividing the public benefit value allocated to affordable community or cultural indoor space by the minimum affordability period (in months) specified in Section 196;
  - (b) Dividing the result of Clause 198(4)(a) by the average monthly rent per square metre for equivalent commercial space; and
  - (c) Dividing the result of Clause 198(4)(b) by 0.40.

- (3) If, at the Municipality's sole discretion, affordable community or cultural indoor space will be sold to the Municipality, the market value sale price must be discounted by the public benefit value allocated to affordable community or cultural indoor space. The market value sale price must be determined by a professional accredited by the Appraisal Institute of Canada.
- (4) Where affordable community or cultural indoor space is leased to tenants, a Report on Affordable Community or Cultural Indoor Space, included in Appendix 4, must be submitted to the Development Officer within 180 days of an occupancy permit being issued, and then annually on October 1 until the incentive or bonus zoning agreement expires.
- (5) The applicant must:
  - (a) only lease affordable community or cultural indoor space to eligible tenants;
  - (b) inform tenants of any requirements relating to rent levels;
  - (c) not impose on tenants any mandatory fees other than rent; and
  - (d) not increase rent by more than the change in the *Halifax All-Items Consumer Price Index* each year.

#### **Public Benefit Requirements: Public Art**

- 202 Where provided as a public benefit, public art must:
- (a) be located on the site of the development, and allow direct public access or viewing of the public art;
  - (b) meet the requirements of HRM's *Public Art Policy* and an approved public art plan; and
  - (c) have a minimum value of \$50,000, subject to Subsection 195(2).

#### **Incentive or Bonus Zoning Agreement**

- 203 (1) An incentive or bonus zoning agreement must contain:
- (a) identification of the development site;
  - (b) design drawings, provided by the applicant, for any required or provided public benefit;
  - (c) where necessary, detailed construction drawings, site plans, specifications, and cost estimates for any required or provided public benefit;

- (d) identification of any required process or conditions for the supervision and acceptance of any required or proposed public benefit, before it is accepted by the Municipality;
  - (e) where appropriate or required, provisions for the auditing and annual reporting of public benefits;
  - (f) where permitted, provisions for the acceptance of cash-in-lieu; and
  - (g) any other terms or conditions the Municipality requires.
- (2) Subject to Subsections 203(3) and 203(4), the Development Officer is authorized to enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of Council.
- (3) Where an incentive or bonus zoning agreement signed by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.
- (4) An incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, entered into by the Development Officer must be signed by the Mayor and the Municipal Clerk, on behalf of the Municipality.

**PART XII:**  
**DEVELOPMENT AGREEMENTS**

### **Uses Permitted by Development Agreement on a Registered Heritage Property**

204 Uses other than those permitted in Table 1 may be permitted on registered heritage properties by development agreement only.

### **Development in the TR Zone**

205 [\(see Package B\)](#)

### **Development on Lots Larger than One Hectare in CEN-2**

206 Development on lots larger than 1.0 hectare in a CEN-2, CEN-1, HR-2, or HR-1 zone shall be considered by development agreement only.

# **PART XIII: DEFINITIONS**

## Chapter 1: Definitions

207 This By-law uses the following definitions:

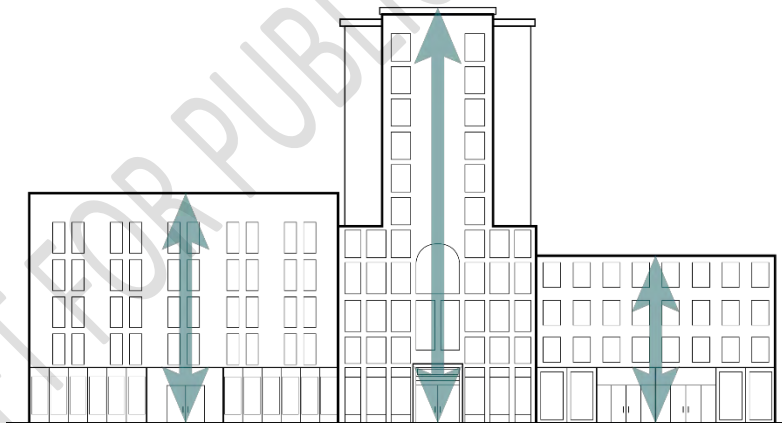
- (1) **Accessory Structure** means a structure that is:
  - (a) subordinate, incidental, and devoted to a main use or structure;
  - (b) not attached to any main structure; and
  - (c) not used for human habitation, except if used as a backyard suite.
- (2) **Accessory Surface Parking Lot** means a parking lot, not contained within a structure, that supports the main use of a lot.
- (3) **Accessory Use** means a use that is subordinate, incidental, and devoted to a main use on a lot. For example, coffee roasting is an accessory use to the permitted retail sale of coffee beans.
- (4) **Adult Cabaret** means premises where a person feels, handles, touches, paints, dances, is in the presence of, or is entertained by another person's nude body, or observes, views, or photographs any such activity. This definition excludes plays, dramas, ballets, and classes in any theatre, concert hall, fine arts academy, school, institution of higher education, or other similar establishment, where nudity is used as a form of expression of opinion or in the communication of ideas or information.
- (5) **Adult Entertainment** means premises providing services or entertainment primarily intended to appeal to sexual appetites, such as adult cabarets, adult theatres, and massage parlours.
- (6) **Adult Theatre** means premises where the main activity is the showing of motion pictures depicting explicit sexual activity, graphic nudity, or graphic violence, which are either unrated or have been classified as A (Adult) by the provincial film rating agency or its designate.
- (7) **Affordable Community or Cultural Indoor Space** means premises provided for registered not-for-profit cultural organizations and services, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural presentation spaces, day cares, and other social services. Where leased to tenants, monthly occupancy costs (defined to include rent, heat, and hot water) must be at or below 60% of average market rents for equivalent commercial space.



- (8) **Affordable Housing** means rental housing where housing costs (defined to include rent, heat, and hot water) are at or below 60% of average market rents for similar units, and are leased to low- and moderate-income households that meet the initial household income limit.
- (9) **Affordability Period** means the minimum period for which affordable housing or affordable community or cultural indoor space will have a rent reduction as required by Part XI.
- (10) **Alter** means to make any change in the shape or materials of a structure, or the size of any use or structure.
- (11) **Amenity Space** means indoor or outdoor space designed for private or shared use by a building's occupants, such as private balconies, private grade-related unit patios, private courtyards, planters and plots for gardening, barbeque areas, swimming pools, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, workshops, greenhouses, saunas, meeting rooms, and outdoor landscaped areas for use by building occupants.
- (12) **Animal Hospital** means any premises designed or used for the care, observation, treatment, or shelter of ill, injured, stray, or abandoned animals.
- (13) **Applicant** means any person or entity applying for a permit, variance, or site plan approval.
- (14) **Archives** means premises where historical documents, records, and artifacts are stored.
- (15) **Assembly** means, as an industrial use, the fitting or joining together of parts of an item by means of fasteners, nuts, bolts, screws, glue, welding, or other similar techniques.
- (16) **Attached Building** means a building, otherwise self-contained, that depends for structural support or complete enclosure upon one or more division walls shared with an adjacent building.
- (17) **Automated Vehicle Parking System** means a mechanical parking system that transports motor vehicles to and from parking spaces, either automatically or semi-automatically.

- (18) **Average Commercial Market Rent** means the average monthly rent, per square metre, for comparable Class A, B, or C commercial space as determined in an annual HRM-wide survey of commercial rents in the previous calendar year.
- (19) **Average Residential Market Rent** means the average monthly rent, per square metre, for the most recently constructed residential units, by unit type, as determined in an annual HRM-wide fall survey of residential rents in the previous calendar year, as published by the Canadian Mortgage and Housing Corporation (CMHC) or as determined by the Municipality.
- (20) **Awning** means a textile hood or cover that projects from the wall of a building.
- (21) **Awning Sign** means a sign incorporated into an awning (Diagram 28).
- (22) [\(see Package B\)](#)
- (23) **Banner Sign** means a non-rigid sign made of cloth, canvas, plastic, or other lightweight, non-rigid material.
- (24) **Bed and Breakfast** means temporary overnight accommodations provided by a dwelling owner to the traveling public, and which includes the provision of meals.
- (25) **Bicycle Parking, Class A** means bicycle parking that secures the entire bicycle and protects it from inclement weather.
- (26) **Bicycle Parking, Class B** means bicycle parking that permits the locking of a bicycle by its frame and front wheel, and which supports the bicycle in a stable position with at least two points of contact.
- (27) **Bicycle Parking, Enhanced** means the provision of bicycle parking that accommodates bike trailers and cargo bikes.
- (28) **Billboard** means any freestanding sign and supporting structure, maintained or used for the display of advertising. A billboard does not relate to the lot or use of the lot on which the billboard is located.

- (29) **Boathouse** means a structure that:
- (a) is roofed;
  - (b) does not contain a toilet, bathroom, kitchen, or sleeping facilities; and
  - (c) is used for the shelter or storage of boats, watercraft, or marine accessories and equipment, but not for the shelter, storage, or accommodation of persons, animals, or motor vehicles.
- (30) **Broadcast Use** means commercial and public communication uses such as radio and television broadcasting, receiving stations, and recording and production studios.
- (31) **Building Depth** means \_\_\_\_\_.
- (32) **Building Face** means any portion of a structure's façade that is separated from other portions of the same façade by recesses or offsets at least 0.5 metres deep.
- (33) **Building Height** means the vertical distance between the average finished grade around the perimeter of a structure, and the structure's highest point (Diagram 19).



**Diagram 19:** Building height, per Subsection (33)

- (34) **Building Width** means the total horizontal distance between the outermost edges of a building's walls that face a street (Diagram 20).

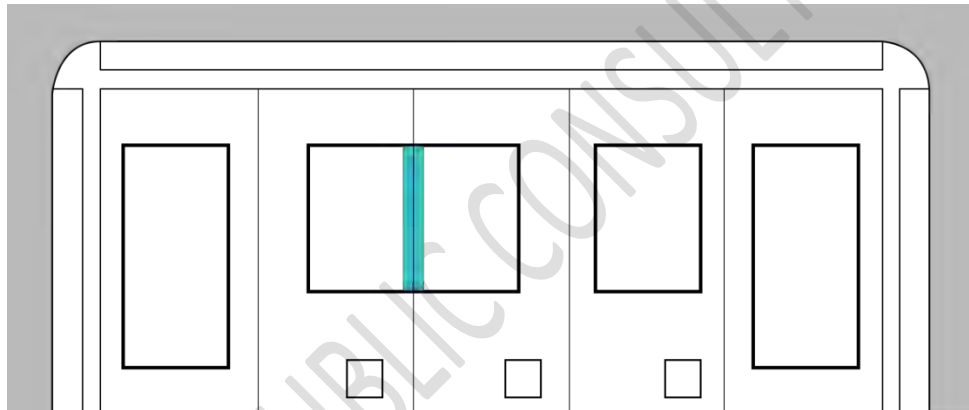


**Diagram 20:** Building width, per Subsection (34)

- (35) **Butcher Shop** means retail premises that sell meat and poultry products, where the processing of meat is limited to making cuts from pre-processed carcasses.
- (36) **C&D Materials Disposal Site** means premises where C&D materials, or residue from C&D processing facilities, are disposed of by land application or burying, excluding the use of inert C&D materials, where approved by Provincial Department of the Environment and Labour, for site rehabilitation within gravel pits and quarry operations licensed by the Province of Nova Scotia.
- (37) **C&D Materials Processing Facility** means premises used to sort, alter, grind, or otherwise process C&D materials for reuse or recycling into new products, excluding:
- (a) the retail of used building materials;
  - (b) the processing of inert C&D materials on the site of generation, where the processed material does not leave the site except for inert C&D materials described in subsection 9(3) of HRM *C&D License By-law* (L-200 and L-201);
  - (c) the de-construction of a building on site;
  - (d) a municipal processing facility for used asphalt and concrete;
  - (e) facilities associated with the reclamation of a gravel pit or quarry operations licensed by the Province of Nova Scotia; or
  - (f) forestry manufacturing processes.

- (38) **C&D Materials Transfer Station** means premises at which C&D materials are received and sorted for subsequent transport to a C&D disposal site or a C&D processing facility.
- (39) **Canadian Geodetic Vertical Datum 2013 (CGVD2013)** means the vertical datum for Canada officially released by Natural Resources Canada (NRCan) in November 2013, or any later edition that may be released or adopted, which is a gravimetric datum defined by the equipotential surface  $W_0 = 62,636,856.0 \text{ m}^2\text{s}^{-2}$ , representing by convention the coastal mean sea level for North America.
- (40) **Cannabis Production Use** means premises where cannabis, or any of its derivatives, is grown, processed, packaged, labelled, tested, destroyed, stored, or shipped.
- (41) **Canopy** means a rigid roofed structure supported by a building, or by a support that extends to the ground, that projects outward from the building to provide a protective shield for doors, windows, and other openings.
- (42) **Canopy Sign** means a sign incorporated into a canopy (Diagram 28).
- (43) **Car Sharing Space** means a parking space for motor vehicles that is marked and registered for use by a car sharing company.
- (44) **Car Wash** means premises where motor vehicles are washed within a permanent structure.
- (45) **Cemetery** means land used for the burial of the dead and related purposes, such as columbaria, crematoriums, mausoleums, and funeral establishments operated in conjunction with a cemetery on the same lot.
- (46) **Change of Use** means a change in the use of any land, building, or structure, or any combination thereof, to a different use permitted in the zone where the land, building, or structure is located.
- (47) **Club Recreation** means golf courses, country clubs, curling clubs, tennis clubs, swimming clubs, lawn bowling clubs, yacht or boating clubs, marinas, and equine facilities.
- (48) **Commemorative Sign** means a sign, tablet, or plaque commemorating or memorializing a person, event, structure, or site.
- (49) **Commercial Parking Structure** means a parking structure used by the general public for a fee.

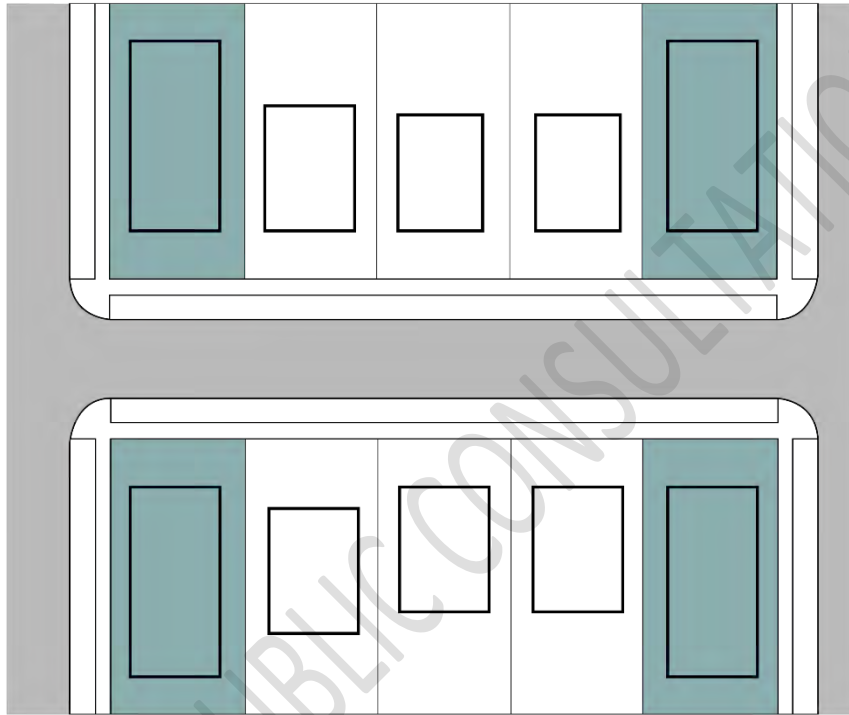
- (50) **Commercial Recreation** means a recreational facility operated for commercial purposes, such as go-kart tracks, paintball facilities, shooting ranges, racetracks, and miniature golf courses, excluding club recreation and community recreation uses.
- (51) **Commercial Surface Parking Lot** means a parking lot used by the general public for a fee.
- (52) **Commercial Use** means the use of a building for office uses, retail uses, or service uses.
- (53) **Common Wall** means a wall along a lot line that provides common support to structures on both sides of the lot line (Diagram 21).



**Diagram 21:** Common wall, per Subsection (53)

- (54) **Community Recreation Use** means a publicly owned or operated recreation facility, such as a recreation centre, pool, skating rink, park, picnic area, dog park, playground, splash pad, skateboard park, boating facility and ramps, sports court, field, and trail, excluding a convention centre use, cultural use, minor spectator venue use, and major spectator venue use.
- (55) **Conservation Use** means an activity carried out for the purposes of conserving soils, water, flora, or fauna, such as a wildlife sanctuary.
- (56) **Construction and Demolition (C&D) Materials** means materials that are normally used in the construction of structures, roadways, walls, and landscaping features, such as soil, asphalt, brick, concrete, ceramics, porcelain, window glass, mortar, drywall, plaster, cellulose, fiberglass fibres, lumber, wood, asphalt shingles, and metals.

- (57) **Convention Centre Use** means indoor premises that are used for hosting conventions, exhibitions, and other events, including banquet facilities.
- (58) **Corner Lot** means a lot with frontage on two or more streets, with all frontages contiguous (Diagram 22).



**Diagram 22:** Corner lot, per Subsection (58)

- (59) **Council** means the Council of the Municipality, including Regional Council and any Community Council.
- (60) **Cultural Use** means premises used for the collection and presentation of art, films, musical and artistic performances, lectures, materials, and exhibits, including libraries, archives, museums, art galleries, cultural centres, and small performance venues containing 500 seats or fewer, excluding minor spectator venue uses, major spectator venue uses, convention centre uses, and recreation uses.
- (61) **Day Care** means premises in which supervision is provided for individuals during the day. This definition excludes schools, hospitals, supportive housing, and recreational facilities.

- (62) **Dealership** means premises used for the display and sale of products on an outdoor lot, and may include the servicing and repair of the products sold or displayed, such as motor vehicles, recreational vehicles, marine craft, trailers, snowmobiles, snowblowers, all-terrain vehicles, heavy equipment, swimming pools, headstones, decorative fountains, and prefabricated cottages and homes, but excluding a garden centre use.
- (63) **Development** means as defined in the *Halifax Regional Municipality Charter*.
- (64) **Development Officer** means a person appointed by Council to administer a land-use or subdivision by-law.
- (65) **Drinking Establishment** means premises whose primary purpose is serving liquor to the public, and which is licensed under the *Liquor Control Act, S.N.S., 1989, c. 260*, as amended.
- (66) **Drive-Through** means premises that include a designated stacking aisle for motor vehicles, which provide or dispense products or services using an attendant, window, or automated machine, to customers in motor vehicles.
- (67) **Dwelling Unit** means living quarters that:
- (a) are accessible from a private entrance, either outside the building or in a common area inside the building;
  - (b) are occupied or, if unoccupied, are reasonably fit for occupancy;
  - (c) contain kitchen facilities within the unit; and
  - (d) have toilet facilities that are not shared with occupants of other dwellings.
- (68) **Electric Vehicle Charging Station** means infrastructure that supplies energy for the charging of electric vehicles such as plug-in electric, neighbourhood electric, and hybrid vehicles.
- (69) **Emergency Services** means fire stations, police stations, and emergency medical and ambulance stations.
- (70) **Emergency Shelter** means premises providing a person with short-term overnight sleeping accommodations, free of charge.
- (71) **Erect** means to assemble, build, construct, or relocate a building or structure, including any associated activity.

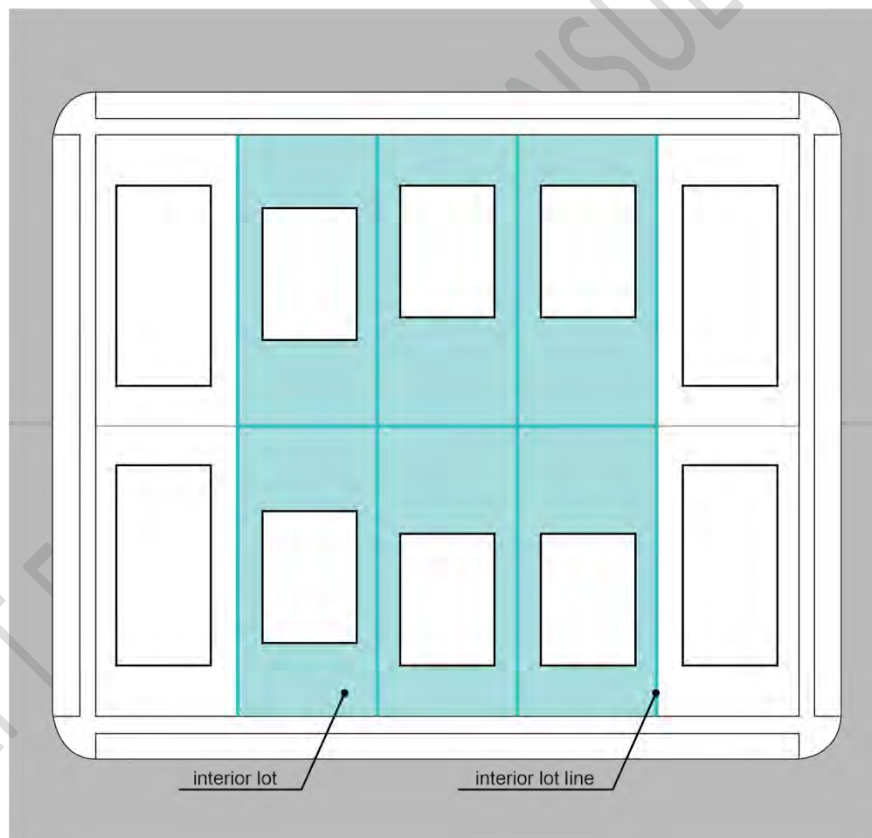


- (72) **Fabrication Uses** means workspaces where equipment may be used or borrowed by artists or hobbyists for the purposes of designing, repairing, prototyping, and constructing objects and products, such as artists' studios, makerspaces, tool libraries, and neighbourhood-scale manufacturing uses.
- (73) **Façade** means any building wall facing a street.
- (74) **Farmers' Market** means an indoor or outdoor market where individual sellers offer for sale to the public items such as fresh produce, seasonal fruits, fresh flowers, arts and craft items, and food and beverages, from booths or tables. Farmers' markets exclude the sale of second-hand goods.
- (75) **Fascia Sign** means a sign attached directly to or painted on a building wall, and which does not extend beyond the edges of the wall or above the roof edge (Diagram 28).
- (76) **Financial Institution** means premises providing financial and banking services to customers and clients, including banks, trust companies, savings banks, credit unions, and lending establishments.
- (77) **Fitness Centre** means indoor premises where people use equipment or space for the purposes of physical exercise, such as health clubs and yoga studios.
- (78) **Flat Roof** means a roof with a slope of 1:10 (rise to run) or less.
- (79) **Footprint** means \_\_\_\_\_.
- (80) **Four-Unit Dwelling** means a building containing four dwelling units on the same lot.
- (81) **Full Cut-Off Light Fixture** means a luminaire that does not emit any light above the horizontal plane.
- (82) **Garden Centre** means premises where retail and wholesale gardening products are sold, which may include a nursery and greenhouses.
- (83) **Gazebo** means a freestanding, roofed accessory structure, which is not enclosed, and which does not contain toilet, bathroom, kitchen, or sleeping facilities.
- (84) **Grade-Related Unit** means a dwelling unit that is part of a multi-unit dwelling, is accessible from a private entrance, and fronts and faces a streetline.

- (85) **Greenhouse** means a permanent structure constructed primarily of transparent materials, which is devoted to the protection and cultivation of food-producing plants (e.g., vegetables, fruits, herbs and sprouts) or ornamental plants (e.g., flowers).
- (86) **Grocery Store** means a retail establishment with at least 200 square metres of gross floor area that primarily sells food, including food prepared on-site and food intended for take-out, and that may also sell other convenience and household goods.
- (87) **Gross Floor Area (GFA)** means the gross horizontal area of all floors in all buildings (including accessory structures) on a lot, measured from the exterior faces of the exterior walls, or from the centreline of a common wall separating two buildings, but excluding unenclosed balconies and any floor area below the ground floor that is not used for residential purposes.
- (88) **Gross Floor Area Ratio (GFAR)** means the gross floor area divided by the area of the lot.
- (89) **Ground Floor** means the first floor, or floor level, of any structure that begins at or above the same plane as the surface of the sidewalk.
- (90) **Ground Sign** means a sign permanently attached to the ground and supported by one or more posts or other similar means (Diagram 28).
- (91) **Habitable Building** means a dwelling, hospital, hotel, nursing home, or other similar building where a person lives or may be accommodated overnight.
- (92) **Halfway House** means \_\_\_\_\_.
- (93) **Harbour Edge** means the seaward edge of any wharf, pier, or seawall that abuts the Halifax Harbour or, in the absence of any such structure, the ordinary high water mark.
- (94) **Harbour-Related Industry Use** means a business or activity that depends on access to or use of the Halifax Harbour, such as manufacturing, fabrication, assembly, research and development, processing, warehousing, or storage.
- (95) **Heavy Equipment Sales** means the selling of movable or transportable vehicles or other apparatus that are used in commercial, industrial, or construction enterprises, such as trucks, trailers, bulldozers, cranes, backhoes, rollers, loaders, and lifts.

- (96) **Heritage Farm** means a working farm that is used as an educational facility for preserving and interpreting the agricultural past, and which may include the keeping of livestock, but which excludes the slaughtering of animals.
- (97) **High-Density Dwelling** means a building containing 13 or more independent dwelling units.
- (98) **Historic Site or Monument** means a place or structure that commemorates an event, individual, or group.
- (100) **Home Occupation** means the use of a portion of a dwelling unit for gainful employment, excluding a bed and breakfast use or day care use.
- (101) **Home Office** means an office-related activity operated within a dwelling that does not regularly require direct contact with clients on the premises.
- (102) **Hospital** means an institution providing human inpatient health services, including related facilities such as laboratories, outpatient departments, training facilities, and staff offices.
- (103) **Hotel** means premises licensed as a roofed accommodation in accordance with the *Tourist Accommodation Act*, S.N.S., 1994–1995, c.9, as amended, and may include a motel use or banquet facility use.
- (104) **Household Income** means the gross annual income from all persons who reside or will reside in a dwelling unit, over 18 years old, excluding full-time students at a secondary or post-secondary educational institution, as reported on the Canada Revenue Agency Proof of Income Statement for the previous calendar year, including:
- (a) investment income;
  - (b) government transfer payments;
  - (c) retirement pensions, superannuation, and annuities; and
  - (d) other money income.
- (105) **Household Income Limit** means the maximum gross household income that is at or below four times the set annual rent for an affordable housing unit.
- (106) **Incentive or Bonus Zoning** means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements or undertakes other action, in the public interest, as specified in the requirements.

- (107) **Incentive or Bonus Zoning Agreement** means a contract between an applicant and the Municipality that describes the benefit to be provided by the applicant in exchange for bonus density.
- (108) **Industrial Training Facility Use** means a commercial facility that provides educational instruction and safety certification relating to industrial activities.
- (109) **Institutional Use** means any minor spectator venue, cultural use, emergency services, hospital, medical clinic, religious institution, school, stadium, university, or college.
- (110) **Interior Lot** means a lot with frontage on one street only (Diagram 23).
- (111) **Interior Lot Line** means any lot line that is not a streetline (Diagram 23).

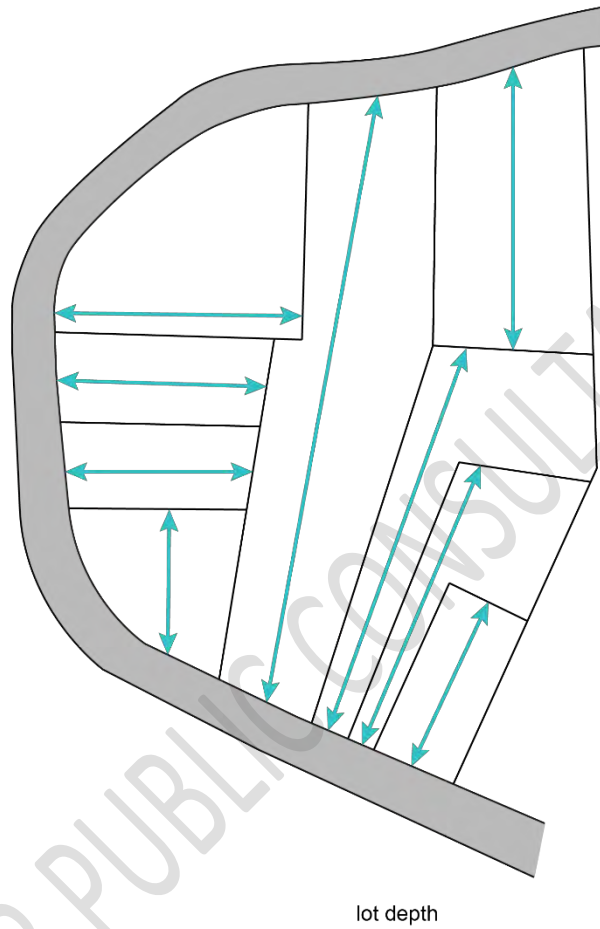


**Diagram 23:** Interior lot and interior lot line, per Subsections (110) and (111)

- (112) **Kennel** means premises used for:
- (a) the keeping of more than two dogs for the purposes of commercial breeding;
  - (b) the keeping of one or more dogs that are not owned by the occupant, for the purposes of training or caring, such as a doggy day care; or
  - (c) the commercial boarding overnight of more than 12 dogs, with or without veterinary care.
- (113) **Kitchen Facilities** means a room or part of a room used for food storage, food preparation, and the cooking of food, and may include but is not limited to a fridge, stove, microwave oven, sink, and other food cooking or food preparation appliances and devices.
- (114) **Landscape Architect** means a professional and full member in good standing with the Atlantic Provinces Association of Landscape Architects.
- (115) **Landscaping** means covered by soft (i.e., water-permeable) material and vegetation such as trees, hedges, shrubs, flowers, grass, fruit and vegetable plants, sod, or other vegetative ground cover, and/or hard (i.e., impermeable) material such as outdoor furniture, planters, decorative concrete, stonework, bricks, tiles, pavers, boardwalks, or wood decking.
- (116) **Large Wind Energy Facility** means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand-alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres high.
- (117) **Library** means a facility for the use of literary, musical, artistic, or reference materials, but are not for sale.
- (118) **Light Manufacturing Use** means the processing, fabrication, assembly, treatment, and packaging of products from previously prepared materials, finished products or parts, excluding animal processing, that is confined entirely within a building. Research and development, incidental storage, sales, and wholesale and distribution of manufactured products are considered light manufacturing uses.

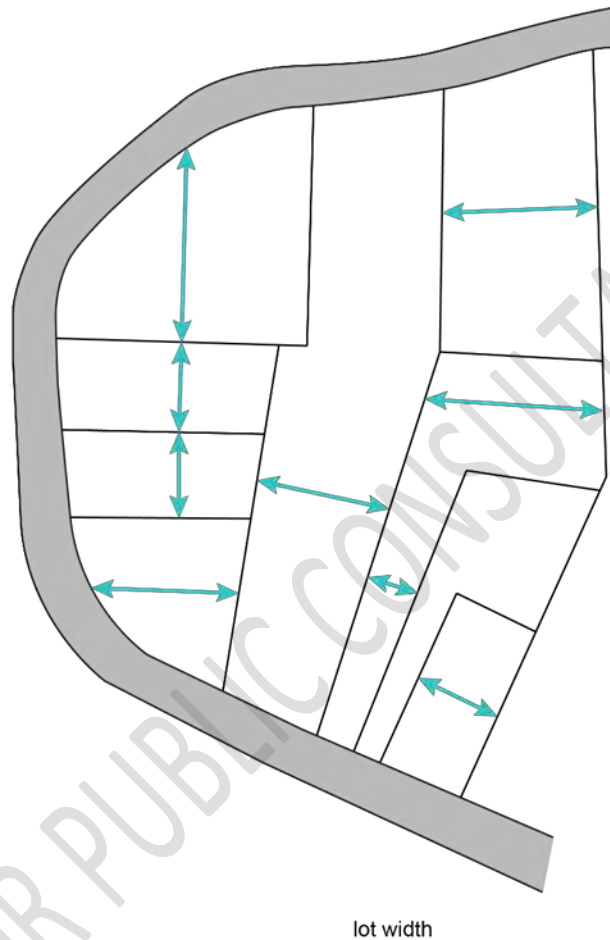
- (119) **Local Commercial Use** means commercial premises occupying less than 200 total square metres of gross floor area per lot that:
- (a) offer goods or products for sale, including the sale of meat and fish, baked goods, dry goods, household articles, and other groceries;
  - (b) offer equipment or merchandise for rent; or
  - (c) offer personal services.
- (120) **Local Drinking Establishment** means a drinking establishment with a capacity of 60 seats or fewer, and which is licensed under the *Nova Scotia Liquor Control Act*.
- (121) **Local Street** means as defined in Table 4.1 of the HRM *Municipal Design Guidelines 2013*, as amended from time to time.
- (122) **Lot** means any area of land described in a deed filed in the Office of the Registrar of Deeds for Halifax County on or before the 15th day of April 1987, or is described in a plan and deed pursuant to the *Land Titles Clarification Act* or is approved on a plan of subdivision endorsed and filed in the Provincial Land Registration Office, or a lot created pursuant to Section 278 (2) of the *Halifax Regional Municipality Charter*.
- (123) **Lot Coverage** means the percentage of an area of a lot that is covered by a roofed structure, including any area over which a roofed structure projects, but excluding the area below any eaves of a roof which project by no more than 0.65 metres.

(124) **Lot Depth** means the distance from the streetline to the rear lot line, or between both streetlines on a through lot (Diagram 24).



**Diagram 24:** Lot depth, per Subsection (124)

- (125) **Lot Width** means the horizontal distance between the side lot lines, or side lot line and the streetline most parallel to the side lot line, measured at right angles to the lot depth between the streetline and rear lot line (Diagram 25).



**Diagram 25:** Lot width, per Subsection (125)

- (126) **Low-Density Dwelling** means a building containing 1 to 4 independent dwelling units, including semi-detached and townhouse dwellings.
- (127) **Main Structure** means a structure containing the primary use of a lot.
- (128) **Major Spectator Venue Use** means premises, with 3,000 or more seats, where people gather for sports and other major events.
- (129) **Marine-Related Use** means a use that is dependent upon access to the Atlantic Ocean, such as marinas, tugboat facilities, boatbuilding and boat repair facilities, and other activities where the primary purpose is to facilitate maritime trade.



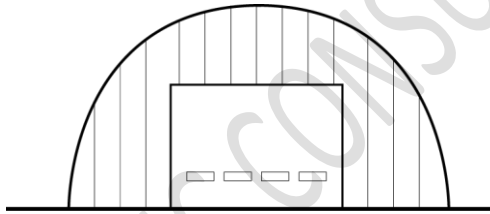
- (130) **Massage Parlour** includes premises where a massage, body rub, alcohol rub, or similar activity is performed, offered, advertised, or solicited. This definition excludes premises where medical or therapeutic treatment is routinely offered or performed by a registered physician, licensed naturopath, chiropractor, osteopath, massage therapist, physiotherapist, or nurse.
- (131) **Medical Clinics** means premises used for the medical examination and treatment of patients on an outpatient basis, for purposes such as family medicine, primary health care, walk-in clinics, dentistry, optometry, nutritional counselling, psychiatry, psychological counselling, crisis intervention, physiotherapy, chiropractic, osteopathy, harm reduction, massage therapy, and other similar uses.
- (132) **Medium-Density Dwelling** means a building containing 5 to 12 independent dwelling units.
- (133) **Medium Wind Energy Facility** means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand-alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres high.
- (134) **Menu-Box Sign** means a sign or sign box that displays or contains a restaurant menu.
- (135) **Mezzanine Space** means an intermediate floor between the floor and ceiling of any room or storey and includes an interior balcony.
- (136) **Micro-Brewery** means a craft brewery primarily engaged in the production and packaging of less than 15,000 hectolitres per year of specialty or craft beer, ale, or other malt beverages. The facility may include accessory uses such as retail sale, wholesale, tours and events or hospitality room, where beverages produced at the facility can be sampled.
- (137) **Micro-Distillery** means a craft distillery primarily engaged in the production and packaging of less than 75,000 litres per year of liquor and spirits, other than wine and beer. The facility may include accessory uses such as retail sale, wholesale, tours and events or hospitality room, where beverages produced at the facility can be sampled.

- (138) **Micro Wind Energy Facility** means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres high.
- (139) **Minor Building Features** means \_\_\_\_\_.
- (140) **Minor Spectator Venue Use** means indoor premises where people gather, with a capacity of more than 500 seats and fewer than 3,000 seats, such as cinemas, theatres, auditoriums, and social and cultural gathering places, but excluding convention centre uses, cultural uses, major spectator venue uses, and recreation uses.
- (141) **Mobile Home** means a dwelling unit designed to be transportable, whether or not it is equipped with wheels, but excluding a travel trailer, bus, or recreational vehicle.
- (142) **Model Suite** means premises used to display a sample dwelling unit that is available for sale or rental in a residential development approved by the Municipality. Model suites may incorporate sales or rental offices.
- (143) **Multi-Unit Dwelling** means a building containing five or more dwelling units.
- (144) **Municipal Heritage Property** means a building, public building interior, streetscape, cultural landscape or area registered in the Registry of Heritage Property for the Halifax Regional Municipality.
- (145) **Nacelle** means the frame and housing at the top of the wind turbine tower that encloses the gearbox and generator.
- (146) **Neighbourhood Identification Sign** means a ground sign that identifies a residential neighbourhood or subdivision.
- (147) **Neighbourhood-Scale Manufacturing** means indoor premises that accommodate five or fewer employees who work in light manufacturing, and which may include an accessory retail component, but which excludes a service station use.
- (148) **Neighbourhood Sign** means a sign that identifies a neighbourhood and is intended to reinforce that neighbourhood's sense of identity.

- (151) **Not-for-Profit Organization** includes:
- (a) a society incorporated pursuant to the *Societies Act, R.S.N.S.1989 c.435*, as amended;
  - (b) a non-profit association incorporated pursuant to the *Co-operative Associations Act, R.S.N.S.1989 c. 98*, as amended;
  - (c) a non-profit association to which the *Co-operative Associations Act* applies;
  - (d) a not-for-profit corporation incorporated pursuant to the *Canada Not-for-profit Corporations Act, S.C. 2009, c. 23*; and
  - (e) a non-profit organization otherwise incorporated pursuant to an Act of the Nova Scotia Legislature.
- (152) **Nude** means the showing of human genitals, pubic areas, or buttocks with less than a full opaque covering.
- (153) **Obnoxious Use** includes any use that creates a nuisance or is offensive through the creation of noise, vibration, glare, electrical interference, fire, or explosion hazard, or the emission of gas, fumes, dust, smoke, oil, runoff, or objectionable smell, or the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste, or other material.
- (154) **Office** means premises in which a person transacts the affairs of a business, profession, service, industry, or government, excluding a home office or a home occupation. Business incubators are considered an office use.
- (155) **Off-Street Loading Space** means an area, located outside the public right-of-way, that is designed for loading and unloading goods from motor vehicles.
- (156) **Open Space Use** means the use of open space for public and private parks and playgrounds, athletic fields, tennis courts, lawn bowling greens, outdoor skating rinks, picnic areas, cemeteries, day camps, historic sites or monuments, and similar uses to the foregoing, together with the necessary accessory structures. This definition excludes commercial camping grounds, golf courses, and tracks for the racing of animals or motor vehicles.
- (157) **Ordinary High Water Mark** means as defined in the Nova Scotia *Land Surveyors Act*.
- (158) **Outdoor Storage** means the storage of merchandise, inventory, materials, or equipment outside a main building on a lot, for longer than 24 hours.

- (159) **Outer Built Limit** means the most easterly edge of any permanent built structure, wharf or land extending into the Halifax Harbour.
- (160) **Owner** means the owner of lot, which may include:
- (a) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building;
  - (b) in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building;
  - (c) a person who occupies shores, beaches or shoals; and
  - (d) in the absence of proof to the contrary, the person assessed for the lot.
- (161) **Parking Lot** means a surface parking area for five or more motor vehicles.
- (162) **Parking Structure** means an aboveground, underground, or attached structure that encloses motor vehicle parking spaces on one or more levels. This definition excludes any garage associated with a low-density dwelling.
- (163) **Pawn Shop** means premises where a person may give, pledge, or deposit goods as security for the payment of a debt or return of a loan, excluding financial institution uses.
- (164) **Pedway** means a walkway in an elevated structure used exclusively for pedestrian traffic that passes over a street or private land.
- (165) **Personal Service** means services for the needs of individuals or pets, such as grooming and haircutting, tailoring and shoe repair, tattooing, depots for collecting dry cleaning and laundry, laundromats, warming and cooling centres, food banks, soup kitchens, drop-in centres, and the retail sale of products accessory to any service provided. Animal hospitals and funeral homes, excluding crematoriums, are considered personal service uses.
- (166) **Playground** means an area landscaped with hard and soft materials that includes dedicated play equipment such as swings, slides, sandboxes, and jungle gyms.
- (167) **Premises** means a specific property, and may include all buildings and necessary structures thereon, separate businesses, or an individual business, within a multi-tenant building or business site.

- (168) **Projecting Sign** means a sign that (Diagram 28):
- (a) projects from a supporting wall;
  - (b) extends beyond a wall of a building; or
  - (c) is attached to the underside of the building or canopy.
- (169) **Provincial Heritage Property** means a municipal heritage property or a provincial heritage property pursuant to the *Heritage Property Act of Nova Scotia*.
- (170) **Public Art** means a permanent work of art created or managed by a professional artist in any medium, material, media, or combination thereof, but excluding any corporate insignia.
- (171) **Quonset Hut** means a building with a wall that is not vertical, where the roof meets the foundation (Diagram 26).



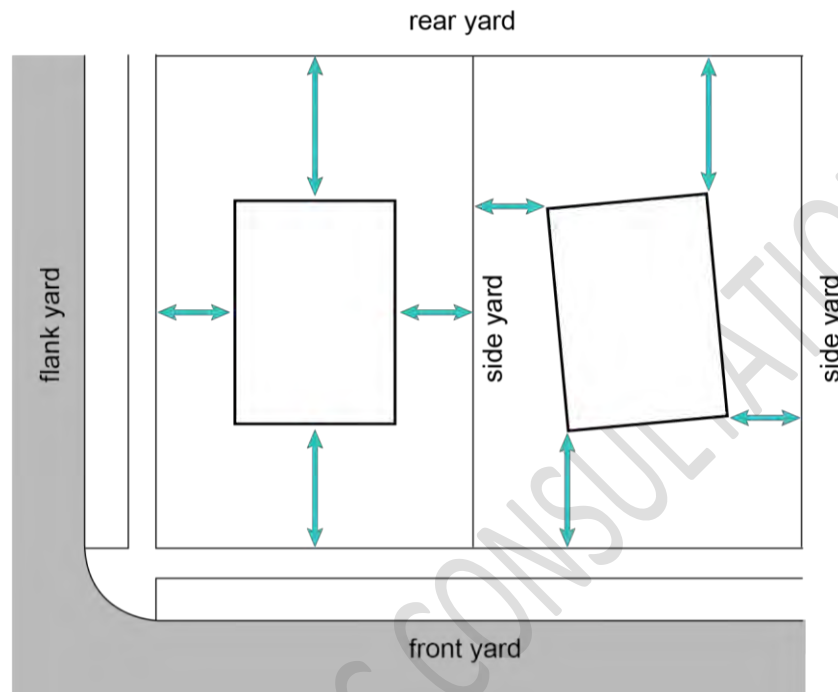
**Diagram 26:** Quonset Hut, per Subsection (171)

- (172) **Ramparts** means the Citadel Ramparts pursuant to Sections 134 and 135 as depicted on Schedule 16 and 17 of this By-law.
- (173) **Rear Lot Line** means a lot line that is furthest from and opposite a front yard.
- (174) **Rear Yard** means a yard extending across the full width of the lot between the rear wall of a building and the rear lot line. Its depth is the distance or the mean of the distance between the rear wall of the building and the rear lot line (Diagram 35). In the Westmount Subdivision (WS) Special Area, the rear yard is the yard farthest from the streetline.
- (175) **Recreational Vehicle** means a motor vehicle or travel trailer designed, constructed or reconstructed, equipped and used or intended to be used primarily for sleeping, eating and living quarters, such as a motorized home or a bus converted for such purposes.
- (176) **Registered Canadian Charitable Organization** means a charitable organization registered pursuant to the *Income Tax Act (Canada)* and the regulations made pursuant to that Act.

- (177) **Registered Heritage Building** means a building on a registered heritage property pursuant to the *Heritage Property Act of Nova Scotia*.
- (178) **Relaxation of Requirements** means an acceptable range in a specified criterion of the Design Manual, as approved the Development Officer.
- (179) **Religious Institution** means a place of worship or of religious assembly, including accessory uses that are on-site or on an abutting lot, such as a rectory, convent, private school, meeting hall, offices for administration of the institution, an accessory day care, playground, or cemetery.
- (180) **Required Front Yard** means the minimum depth required by this By-law of a front yard on a lot between the front lot line and the nearest main wall of any building or structure on the lot (Diagram 35)
- (181) **Residential Use** means the use of a building or a portion of a building for human habitation.
- (182) **Restaurant** means premises whose primary purpose is to prepare, serve, and sell food, non-alcoholic beverages, or both, for consumption on or off the premises. Restaurants may be licensed to serve alcoholic beverages, but this must be incidental to the primary business. Restaurants may include cafes, table service, dine-in, take-out, and home delivery services, excluding a standalone catering use.
- (183) **Retail Use** means premises used for the selling or renting of merchandise, including second-hand goods, directly to the walk-in public. Retail uses may also include the servicing and repair of items like those being sold. Shopping centres, post offices, and car or truck rental offices are considered retail uses.
- (184) **Roof Edge** means the lowest point along the outer edge of a roof.
- (185) **Rooftop Greenhouse** means a permanent structure located on a roof and constructed primarily of transparent materials, which is devoted to the protection and cultivation of medicinal, food producing, and ornamental plants such as vegetables, fruits, herbs, sprouts, and flowers.
- (186) **Rooming House** means a residential use in which four or more rooms that provide occupancy are rented for remuneration as separate or independent accommodations. This definition excludes multi-unit dwellings, hotels, and supportive housing uses.

- (187) **Salvage** means the collection, storage, and sale of waste materials or for the collecting, dismantling, storage, salvaging, or sale of parts associated with motor vehicles not in running condition.
- (188) **School** means a public or private institution of learning for grades primary to twelve.
- (189) **Secondary Business Frontage** means frontage other than the frontage on which the main or only entrance to the business premise is located.
- (190) [\(see Package B\)](#)
- (191) **Self-Storage Facility** means a building or group of buildings containing individual storage units that are rented for the storage of property.
- (192) **Semi-Detached Dwelling** means two dwelling units where each is located on and individual lot but joined along a single lot line. Each unit is totally separated from the other by an unpierced wall extending from ground to roof.
- (193) **Service Station** means premises used for:
- (a) the retailing of motor vehicle fuels, lubricants, and accessories;
  - (b) the repair and servicing of motor vehicles indoors;
  - (c) motor vehicle inspections; or
  - (d) car wash facilities.
- (194) **Service Use** means a business whose primary work is call-out or dispatch, such as exterminators, plumbers, carpet cleaners, locksmiths, electricians, tow trucks, taxis, and standalone catering.

- (195) **Setback** means the distance that any structure or use must be separated from a street, lot line, or watercourse (Diagram 27).

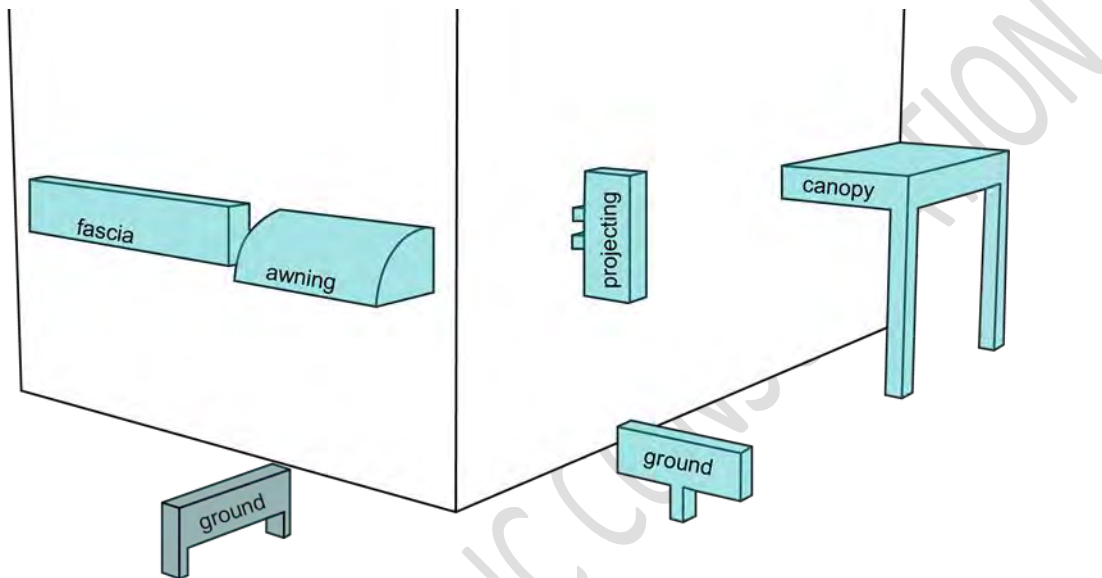


**Diagram 27:** Setbacks, per Subsection (195)

- (196) **Shipping Container** means a container originally designed for the use of storing and transporting cargo via ship, rail, air, or truck. A shipping container includes unlicensed or unregistered truck trailers.
- (197) **Side Yard** means a yard extending from the front yard to the rear yard of a lot between the side lot line and the nearest wall of any building (Diagram 35).



- (198) **Sign** means any structure, medium, or device designed or intended to convey information using words, images, symbols, pictures, logos or any combination thereof for the purpose of providing direction, information, identification, advertisement, business promotion, or the promotion of a product, activity, service, or idea, excluding any sign regulated under HRM By-law S-801 for Temporary Signs.



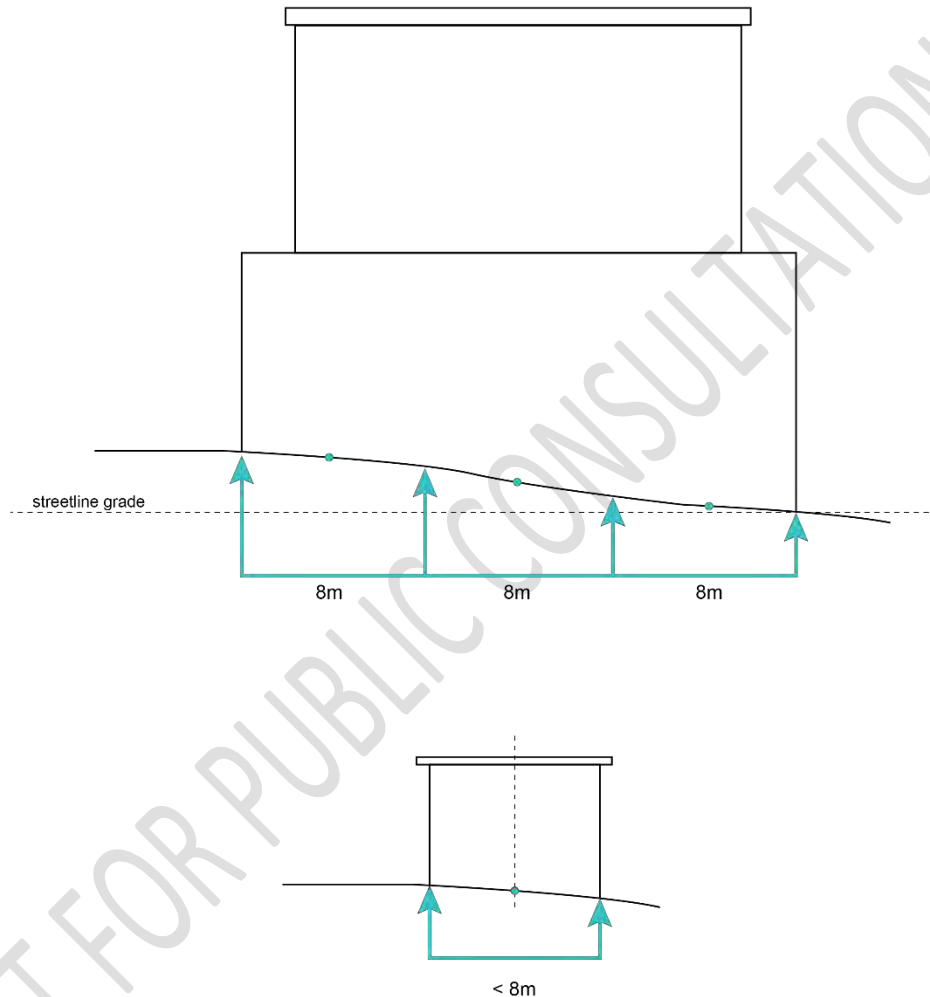
**Diagram 28:** Sign types, per Subsections (21), (42), (75), (90), and (168)

- (199) **Sign Area** means the area of the smallest rectangle, triangle, or circle that can totally circumscribe the entire face of the sign, including the sign surface and any framing, trim, or molding, but excluding the supporting structure.
- (200) **Sign Height** means the vertical distance of a sign between the lowest point of grade adjacent or below the sign and the highest point of the sign.
- (201) **Sign Owner** means any person:
- (a) who placed or installed a sign;
  - (b) who is in lawful control of the sign;
  - (c) who is described in the sign;
  - (d) whose name or telephone number appears on the sign;
  - (e) who is the subject of or otherwise benefits from the message on a sign;
  - or
  - (f) who owns the lot on which the sign is located;

and for the purpose of this By-law, there may be more than one owner of a sign.

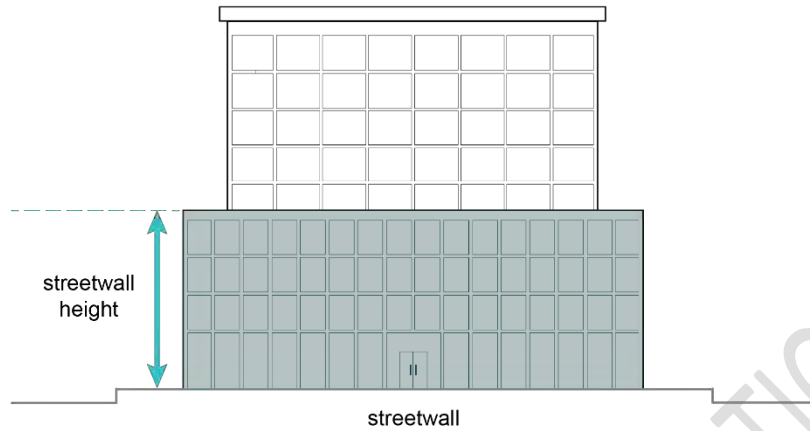
- (202) **Single-Room Occupancy** means premises where sleeping accommodations are provided in exchange for remuneration, but excluding a bed and breakfast, hotel, or an institution licensed under the *Homes for Special Care Act*.
- (203) **Single-Unit Dwelling** means a detached building containing one dwelling unit.
- (204) **Small Wind Energy Facility** means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a standalone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the tower of which is not more than 35 metres high.
- (205) **Solar Collector** means a system designed to collect solar radiation and convert it to useable forms of energy, such as photovoltaic and solar thermal systems. This definition excludes windows unless the windows are treated with a photovoltaic film.
- (206) **Solid Waste Management Area** means an area of a building or a lot used for the separation and storage of waste streams.
- (207) **Stacked Townhouse** means a building containing three or more dwelling units on a lot attached side by side, where each unit has an independent entrance to the unit from the outside.
- (208) **Standalone Surface Parking Lot** means any parking lot that is neither an accessory surface parking lot nor a commercial surface parking lot.
- (209) **Storage Yard** means the storage and maintenance of equipment, products, and materials outside an enclosed building, excluding dealership uses and salvage uses.
- (210) **Storey** means a portion of building between any floor and floor, or any floor and ceiling. Any portion of a building partly below the streetline grade will not be deemed to be a storey unless its ceiling is at least 2.0 metres above the streetline grade.
- (211) **Street** means any public right-of-way, highway, road, laneway, bridge, square, and associated curbs, sidewalks, gutters, culverts, and retaining walls.
- (212) **Streetline** means the lot line between the street and an abutting lot.

- (213) **Streetline Grade** means the elevation of a streetline at a midpoint of a streetwall. Separate streetline grades are determined for each streetwall segment that is greater than 8.0 metres wide, or a part thereof (Diagram 29).



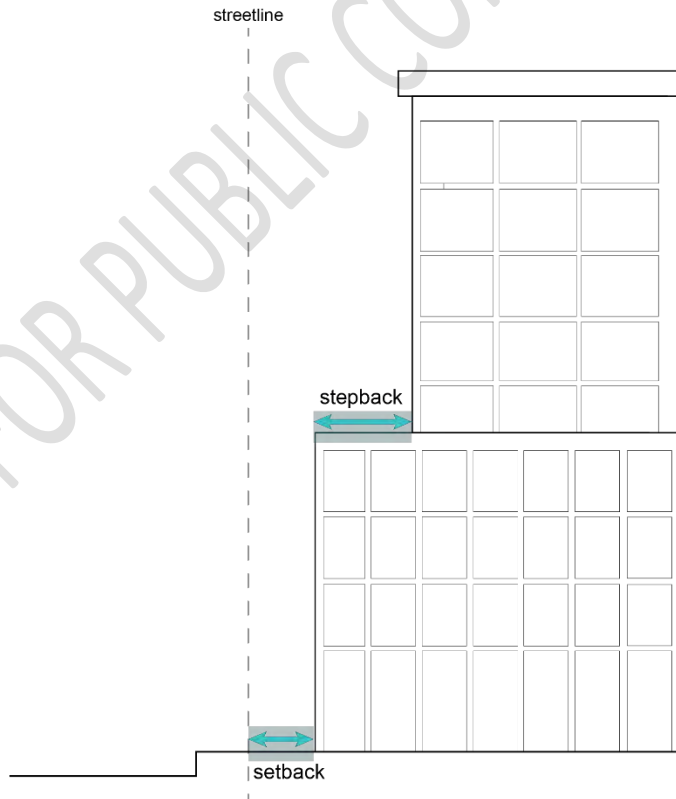
**Diagram 29:** Streetline grade, per Subsection (213)

- (214) **Streetline Yard** means a yard extending across the full width of a lot between the streetline and the nearest wall of any main building on the lot (Diagram 35).
- (215) **Streetwall** means the wall of a building or portion of a wall of a building facing a streetline below the height of a specified setback.
- (216) **Streetwall Height** means the vertical distance between the streetline grade and the top of the streetwall, extending across the width of the streetwall (Diagram 30).



**Diagram 30:** Streetwall height, per Subsection (216)

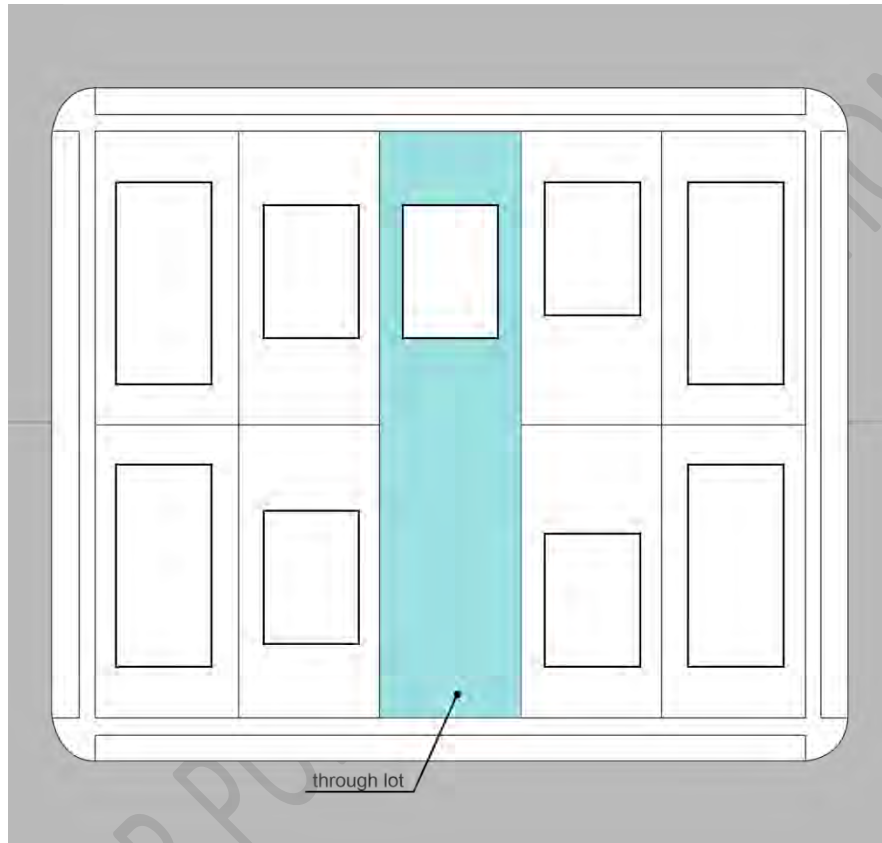
- (217) **Streetwall Stepback** means the required setback of a building above a streetwall, measured from the face of the streetwall (Diagram 31).



**Diagram 31:** Streetwall stepback, per Subsection (217)

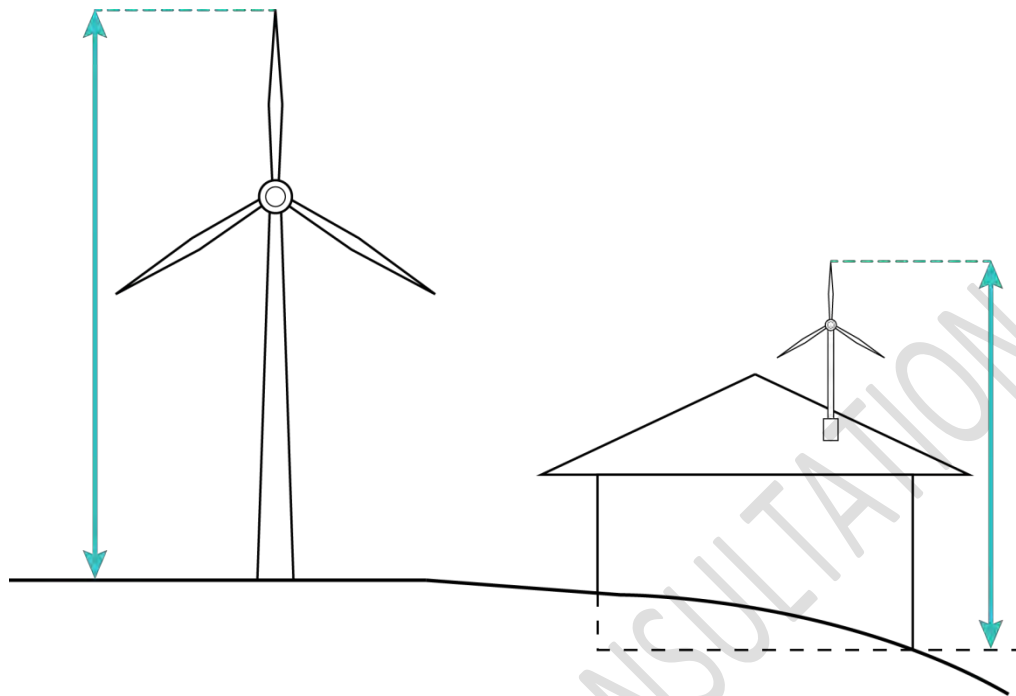
- (218) **Structure** means anything erected, constructed, altered, reconstructed, or located that requires location on the ground, or that is attached to something having location on the ground, and includes a building.
- (219) **Supportive Housing** means a building that has a permitted residential use and is licensed by the Province of Nova Scotia in accordance with the *Homes for Special Care Act*, and which provides care in accordance with the license.
- (220) **Temporary Construction Use** means a use, in the opinion of the Development Officer, which is of limited duration to facilitate the construction of a future permanent land use or building permitted under this By-law, such as:
- (a) work camps;
  - (b) construction camps;
  - (c) rock crusher;
  - (d) mobile homes;
  - (e) sales or rental offices;
  - (f) tool or maintenance sheds; or
  - (g) a shipping container that serves as one of the foregoing.
- (221) **Temporary Use** means a use:
- (a) that is:
    - (i) associated with a holiday or special event, or
    - (ii) accessory to a permitted main use, excluding the construction or alteration of any permanent structure;
  - (b) and is:
    - (i) 180 cumulative days or less in duration within any one calendar year for those lands within the Halifax Waterfront (HW) and Dartmouth Waterfront (DW) Special Areas, or
    - (ii) in all other cases, is 90 cumulative days or less within any one calendar year.
- (222) **Third-Party Sign** means a sign that directs attention to a business, profession, activity, commodity, service, or entertainment that is conducted, sold, promoted, or offered elsewhere than on the premises where the sign is located or within the building to which the sign is affixed, but excluding sign manufacturer identification plates.

- (223) **Three-Unit Dwelling** means a building containing three dwelling units on the same lot.
- (224) **Through Lot** means a lot with frontage on two or more streets, with not all frontages contiguous (Diagram 32).



**Diagram 32:** Through lot, per Subsection (224)

- (225) **Total Rated Capacity** means the maximum rated output of all the electrical generators found in the nacelles of the wind turbines used to form a wind energy facility.
- (226) **Tower Height** means the distance measured from grade at the established grade of a wind turbine tower to the highest point of the wind turbine rotor or tip of the wind turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building's foundation to the highest point of the wind turbine rotor or tip of the wind turbine blade when it reaches its highest elevation (Diagram 33).



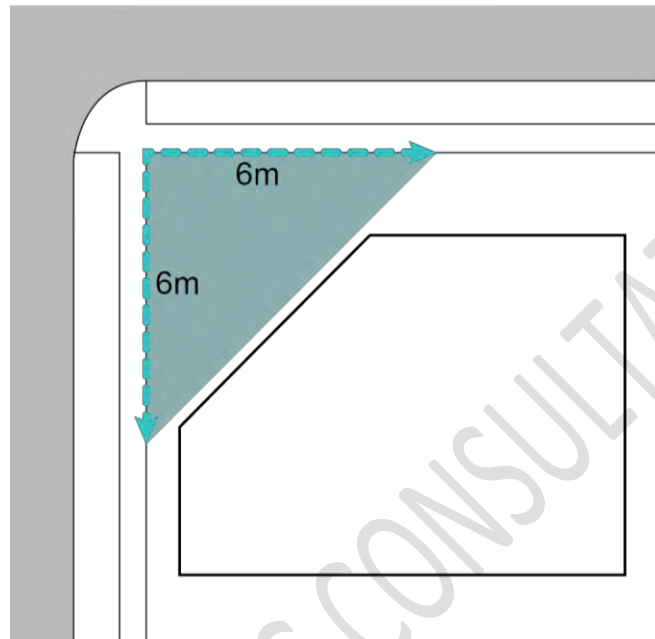
**Diagram 33:** Tower height, per Subsection (226)

- (227) **Townhouse Dwelling** means a building that is divided vertically into three or more dwelling units, where each unit is located on a separate lot, and each unit has independent entrances from the front and rear walls of the unit.
- (228) **Transportation Facility Use** means public or private transit facilities and train stations, excluding storage yards and maintenance facilities.
- (229) **Truck Trailer** means a vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle and includes self-contained commercial units, such as compressors, generators, welders or other equipment or farm machinery, designed to be pulled by a motor vehicle.
- (230) **Two-Unit Dwelling** means a building containing two dwelling units on the same lot.
- (231) **University or College** means a post-secondary institution that awards individuals with academic degrees, diplomas, or certificates in various disciplines, such as community colleges, trade schools, career colleges, language schools, and cooking schools, along with accessory uses such as athletic facilities, dormitories, dining halls, research facilities, fraternities, sororities and school uses.

- (232) **Urban Agriculture** means the use of a structure or land for the breeding, planting, cultivation, or harvesting of plants, excluding cannabis, such as vegetables, fruits, herbs, sprouts, and ornamental plants and flowers.
- (233) **Urban Farm** means an urban agriculture use undertaken by members of the public or a commercial operator, including a community garden.
- (234) **Use** means the conduct of an activity, or the performance of a function or operation, on a site or in a building or facility. "Used" includes "arranged to be used", "designed to be used", and "intended to be used".
- (235) **Used Building Material Retail Outlet** means a building or part of a building where C&D materials are sorted and available for resale inside the building, with incidental and minimal alteration of the materials.
- (236) **Utility** means structures, equipment, and materials used by a corporation, municipality, or other entity authorized to install and maintain energy, gas, water, or communication systems for public use. District energy systems, whether standalone or integrated into another building, are also considered a utility use.
- (237) **Variance** means as regulated via Sections 250 to 252 of the *Halifax Regional Municipality Charter*.
- (238) **Veterinary Clinic** means any premises designed or used for the care, observation, or treatment of domestic animals.



- (239) **Viewing Triangle** means the triangular area on a corner lot which is formed by two streetlines and a straight line that intersects with each streetline 6.0 metres from the corner where they meet (Diagram 34).

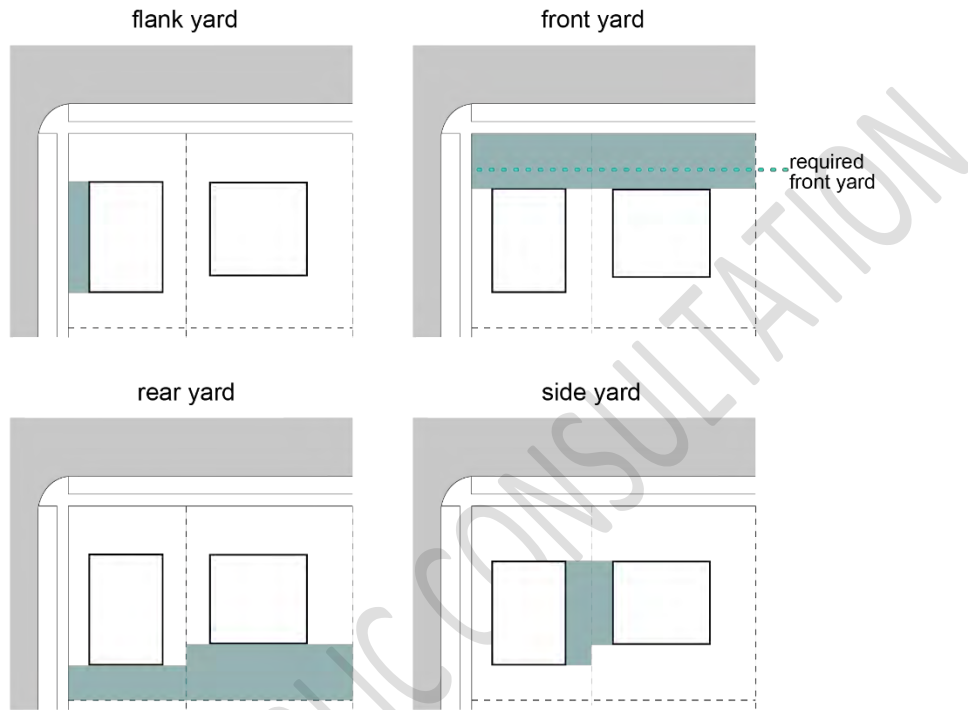


**Diagram 34:** Viewing triangle, per Subsection (239)

- (240) **Volume** means the space enclosed by the exterior dimensions of a structure. For the purposes of this By-law, volume excludes bay windows, porches or stairways enclosed or otherwise.
- (241) **Warehousing Use** means a building or part of a building for storage, the wholesale and distribution of manufactured products, supplies, and equipment, excluding a wholesale food production use, and the storage of materials that are flammable, explosive, or that present hazards.
- (242) **Water Access Structure** means any structure connected with the shore that provides berthing for water-based vessels, including a boathouse, dock, and wharf.
- (243) **Water Control Structure** means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams.

- (244) **Water Lot** means any lot or portion of a lot located on the water side of a shoreline.
- (245) **Watercourse** means a lake, river, stream, ocean or other natural body of water.
- (246) **Wholesale and Distribution** means premises where merchandise is sold or distributed to retailers, industrial, commercial, institutional, or professional users, or other wholesalers.
- (247) **Wholesale Food Production Use** means a facility where baking, preparation, distribution, and wholesaling of food products is permitted, but where over-the-counter or other retail dispensing of food products is limited to an accessory retail outlet, but excludes the processing of animals or a butcher shop.
- (248) **Wind Energy Facility** means a wind energy conversion system, to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure, and transmission lines.
- (249) **Wind Turbine** means a wind energy conversion system that produces electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- (250) **Work-Live Unit** means a residential use where a commercial use is permitted in the same dwelling unit, up to a maximum proportion of gross floor area.

(251) **Yard** means an open area, at ground level, that is uncovered by any main building, except for permitted encroachments.



**Diagram 35:** Flanking, front, required front, rear, and side yards, per Subsections (174), (180), (197), and (214).

(252) **Zone** means a specifically delineated area or district within which uniform development standards govern the use, placement, spacing, and size of land and structures.

# **SCHEDULES**

DRAFT FOR PUBLIC CONSULTATION

# **APPENDICES**

## Appendix 1: Design Manual

DRAFT FOR PUBLIC CONSULTATION



<b>Proposed public benefits</b>	
<input type="checkbox"/> Affordable housing units <sup>4</sup> <input type="checkbox"/> Conservation of a registered heritage building <input type="checkbox"/> Publicly accessible space <input type="checkbox"/> Affordable community or cultural indoor space <input type="checkbox"/> Public art <input type="checkbox"/> Cash-in-lieu <sup>5</sup>	
<sup>4</sup> Must account for 75% of total required public benefit value <sup>5</sup> Where permitted in Clause 192(1)(f) of this By-law	
<b>Attach a public benefits proposal letter outlining the following:</b> <ul style="list-style-type: none"> <li>• Size, cost, and description of each proposed public benefit</li> <li>• Potential sites or locations within the development for each proposed public benefit</li> <li>• Detailed construction costs for each proposed public benefit</li> <li>• Objectives for each proposed public benefit, and any other considerations</li> </ul>	
<b>Calculation: number of affordable housing units</b>	
<b>A</b> = Portion of total required public benefit dedicated to affordable housing units	\$
<b>B</b> = Minimum affordability period, as specified in Section 191 of this By-law	months
<b>C</b> = $A \div B$	
<b>D</b> = Average market monthly rent	\$ /month
<b>E</b> = $C \div D$	
<b>F</b> = $E \div 0.40$ = total number of affordable housing units to be provided <sup>6</sup> <sup>6</sup> "0.40" derived from definition of Affordable Housing in Part XIII	
Number of two-bedroom units to be provided <sup>7</sup> :	
Number of larger units to be provided <sup>7</sup> :	
<sup>7</sup> Total must equal F.	



Calculation: initial household income limit		
Initial household income limit <sup>8</sup>  = $D \times 0.60 \times 12 \times 4$	Initial household income limit for two-bedroom units	\$
<sup>8</sup> Shelter costs are limited to 25% of gross annual income.	Initial household income limit for larger units	\$
Calculation: affordable community or cultural indoor space (leased)		
<b>G</b> = Portion of total required public benefit dedicated to affordable community or cultural indoor space	\$	
<b>H</b> = Minimum affordability period, as specified in Section 191 of this By-law	months	
<b>I</b> = $G \div H$		
<b>J</b> = Average monthly rent per square metre for equivalent commercial space	\$/month	
<b>K</b> = $I \div J$		
<b>L</b> = $K \div 0.40$ = total amount of affordable community or cultural indoor space to be provided <sup>6</sup>  <sup>6</sup> "0.40" derived from definition of Affordable Community or Cultural Indoor Space in Part XIII	sq. m	
Calculation: other public benefits		
Public benefit type	Design costs	+ Construction and installation costs = Total cost
Conservation of a registered heritage building	\$	\$
Publicly accessible space	\$	\$
Public art	\$	\$
Cash-in-lieu		\$

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Applicant

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Consulting Architect

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Approved by the Development Officer

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Date

DRAFT FOR PUBLIC CONSULTATION





## Appendix 4: Report on Affordable Community or Cultural Indoor Space

<b>Incentive or Bonus Zoning Agreement number:</b>				
<b>Date of Incentive or Bonus Zoning Agreement:</b>				
<b>Date of report:</b>				
<b><u>Development address:</u></b>				
<b><u>Property Identification Number (P.I.D. no.):</u></b>				
<b><u>Type of development:</u></b>				
<input type="checkbox"/> Residential <input type="checkbox"/> Non-residential <input type="checkbox"/> Mixed, including: _____				
<b>Lot owner name:</b>				
<b>Address:</b>				
<b>Phone:</b>				
<b>Email:</b>				
<b>Part 1: Designated Affordable Community or Cultural Indoor Space</b>				
<b>Location of space</b>	<b>Initial rent (\$/month)</b>	<b>Current rent (\$/month)</b>	<b>Unit occupied? (Y/N)</b>	<b>Name of registered not-for-profit tenant</b>

<sup>1</sup> Attach a copy of the lease for each affordable community or cultural indoor space.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Consulting Certified Accountant

\_\_\_\_\_  
Approved by the Development Officer

\_\_\_\_\_  
Date

## Appendix 5: Wind Assessment Standards

### General Wind Assessment Standards

- 1 (1) Any required wind impact assessment must be prepared and sealed by a qualified Professional Engineer.
- (2) Any required wind impact assessment must address:
  - (a) existing wind conditions, including the effects of buildings and physical features on the lot and surrounding lots;
  - (b) the impact of the development on wind conditions in the following areas:
    - (i) the public realm, including parks, plazas, other open spaces, sidewalks, other pedestrian areas, and building entrances,
    - (ii) outdoor amenity space, and
    - (iii) surrounding properties;
  - (c) the expected level of comfort for activities such as sitting, standing, strolling, and walking;
  - (d) pedestrian safety, where wind gusts might adversely affect a pedestrian's balance; and
  - (e) the methodology and standards used in the assessment.
- (3) Any wind impacts identified by the wind impact assessment must be mitigated through building and site design.
- (4) If the wind impact assessment determines that adverse wind conditions are expected on the development site, the applicant must submit a landscape plan that meets the requirements of Section 147 to demonstrate how anticipated wind conditions will be mitigated using landscaping.

### Qualitative Assessment

- 2 (1) For development that is minor in scope, such as a penthouse addition or a development where wind impacts are not expected to be harmful or may be improved upon in the opinion of the qualified professional, a required wind impact assessment may consist of a qualitative assessment only.

- (2) A qualitative wind impact assessment must include an analysis and description of expected wind impacts, but is not required to include quantitative scale-model simulations or analyses.
- (3) A qualitative wind impact assessment must be in the form of a report acceptable to the Development Officer.

### **Quantitative Assessment**



- 3 (1) For any building or addition between 22.0 and 33.5 metres high, the Development Officer may require a wind impact assessment to include a quantitative assessment.
- (2) For any building or addition higher than 33.5 metres high, a required wind impact assessment must include a quantitative assessment.
- (3) A quantitative wind impact assessment must include quantitative scale-model simulations or analyses.

### **Requirement to Mitigate Wind Impacts**

- 4 The Development Officer may approve a site plan, where the impacts identified in the wind impact assessment can be mitigated and such mitigations comply with the requirements of the Design Manual (Appendix 1).

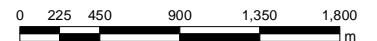


**Schedule 1: Regional Centre Land Use By-law Boundary**

-  Regional Centre Boundary
-  Package A Boundary

**HALIFAX**

Regional Centre Land Use By-Law



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Last Updated January ??, 2018



# HALIFAX

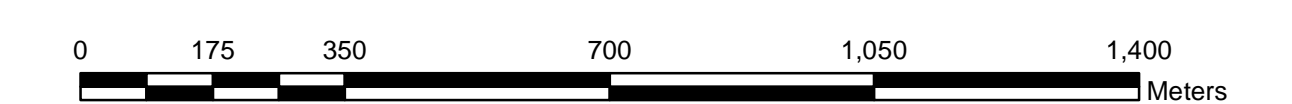
## Regional Centre Land Use By-Law

### SCHEDULE 2 SITE PLAN APPROVAL AREAS

- CEN-1 Centre 1
- CEN-2 Centre 2
- COR Corridor
- HR-1 Higher-Order Residential 1
- HR-2 Higher-Order Residential 2

**PACKAGE A**

Last Updated February 22, 2018



Scale 1:10,000

Prepared By:  
Halifax Regional Municipality

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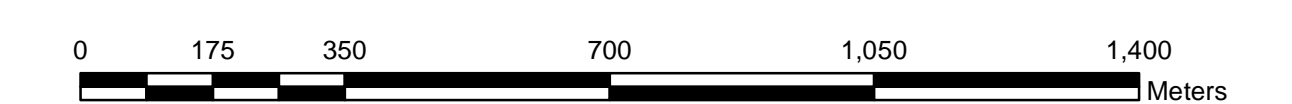
## Regional Centre Land Use By-Law

### SCHEDULE 4 SPECIAL AREA BOUNDARIES

 Lake Banook

## PACKAGE A

Last Updated February 22, 2018



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Halifax Regional Municipality

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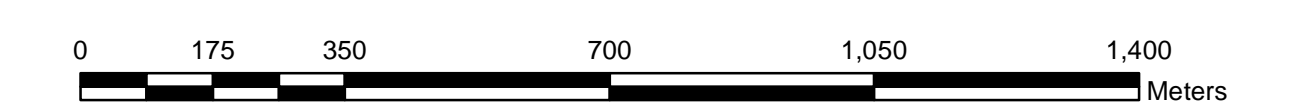
## Regional Centre Land Use By-Law

### SCHEDULE 5 PROMINENT SITES

- \* Prominent Sites
- View Lines and Direction

**PACKAGE A**

Last Updated February 22, 2018



Scale 1:10,000

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Halifax Regional Municipality

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# HALIFAX

## Regional Centre Land Use By-Law

### SCHEDULE 6 PEDESTRIAN-ORIENTED COMMERCIAL STREETS

..... Pedestrian Oriented Commercial Streets

**PACKAGE A**

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# HALIFAX

## Regional Centre Land Use By-Law

### SCHEDULE 7 MINIMUM LOT AREA REQUIREMENTS

Minimum lots area units: Square Metres

Note: Where this Schedule does not show a min lot area for a property consult Table 3

**PACKAGE A**

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# HALIFAX

## Regional Centre Land Use By-Law

### SCHEDULE 8 MINIMUM LOT FRONTAGE REQUIREMENTS

Minimum lots frontage units: Metres

Note: Where this Schedule does not show a minimum lot frontage for a property consult Table 4

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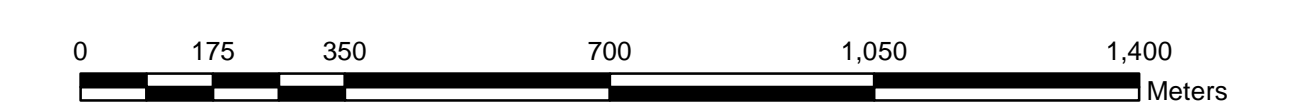
## Regional Centre Land Use By-Law

### SCHEDULE 9 MAXIMUM BUILDING HEIGHTS

-  Maximum Heights (metres)
-  Maximum heights shown on separate individual height schedule
-  Maximum Height Regulated by Section 129

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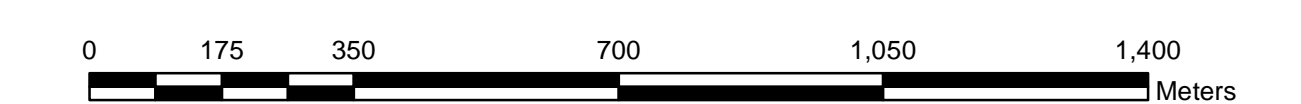
## Regional Centre Land Use By-Law

### SCHEDULE 11 MAXIMUM GROSS FLOOR AREA RATIOS

- Maximum Gross Floor Area Ratios (GFARs)
- To be Determined

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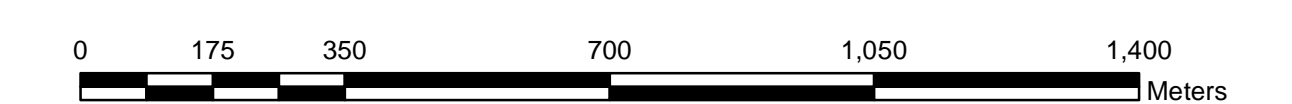
## Regional Centre Land Use By-Law

### SCHEDULE 12 MINIMUM STREETLINE YARDS

—|— Minimum front & flanking yard (metres)

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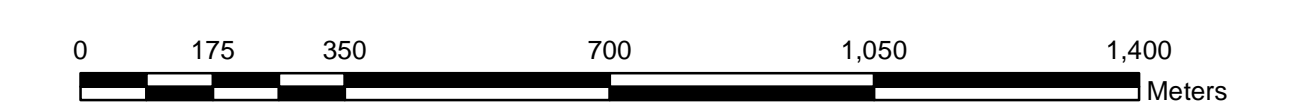
## Regional Centre Land Use By-Law

### SCHEDULE 14 MAXIMUM STREETWALL HEIGHTS

—#— Streetwall Height (Metres)

**PACKAGE A**

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NOTE: THIS MAP IS A GRAPHIC REPRESENTATION OF SURVEY DATA, ENTERED BELOW. SUCH DATA DESCRIBES THE VIEW PLANES. THE EFFECT OF THIS BY-LAW ON ANY PROPERTY MUST BE SPECIFICALLY ASCERTAINED.

TABLE A VIEWING POSITIONS

VIEWING POSITION	NORTH COORDINATE	EAST COORDINATE	ELEVATION
A	4,945,697.066m	25,573,074.966m	62.980m
B	4,945,637.751m	25,573,076.973m	72.551m
C	4,945,523.329m	25,573,117.316m	65.327m
D	4,945,505.597m	25,573,012.488m	67.369m

TABLE B VIEW PLANES

VIEW PLANES	BOUNDARY BEARING	BOUNDARY BEARING	ZENITH ANGLE
1	N24°36'50"W	N12°41'50"W	91°58'30"
2	N28°03'50"E	N36°56'20"E	92°47'30"
3	N51°05'00"E	N59°49'30"E	92°57'40"
4	N52°58'40"E	N68°07'00"E	92°56'30"
5	N74°42'00"E	S86°36'30"E	92°53'40"
6	S73°32'10"E	S63°20'30"E	93°51'00"
7	S63°25'30"E	S59°23'20"E	91°26'40"
8	S59°23'20"E	S34°39'50"E	91°25'20"
9	S38°11'20"E	S22°40'50"E	90°46'50"
10	S28°55'40"E	S16°09'50"E	90°42'00"

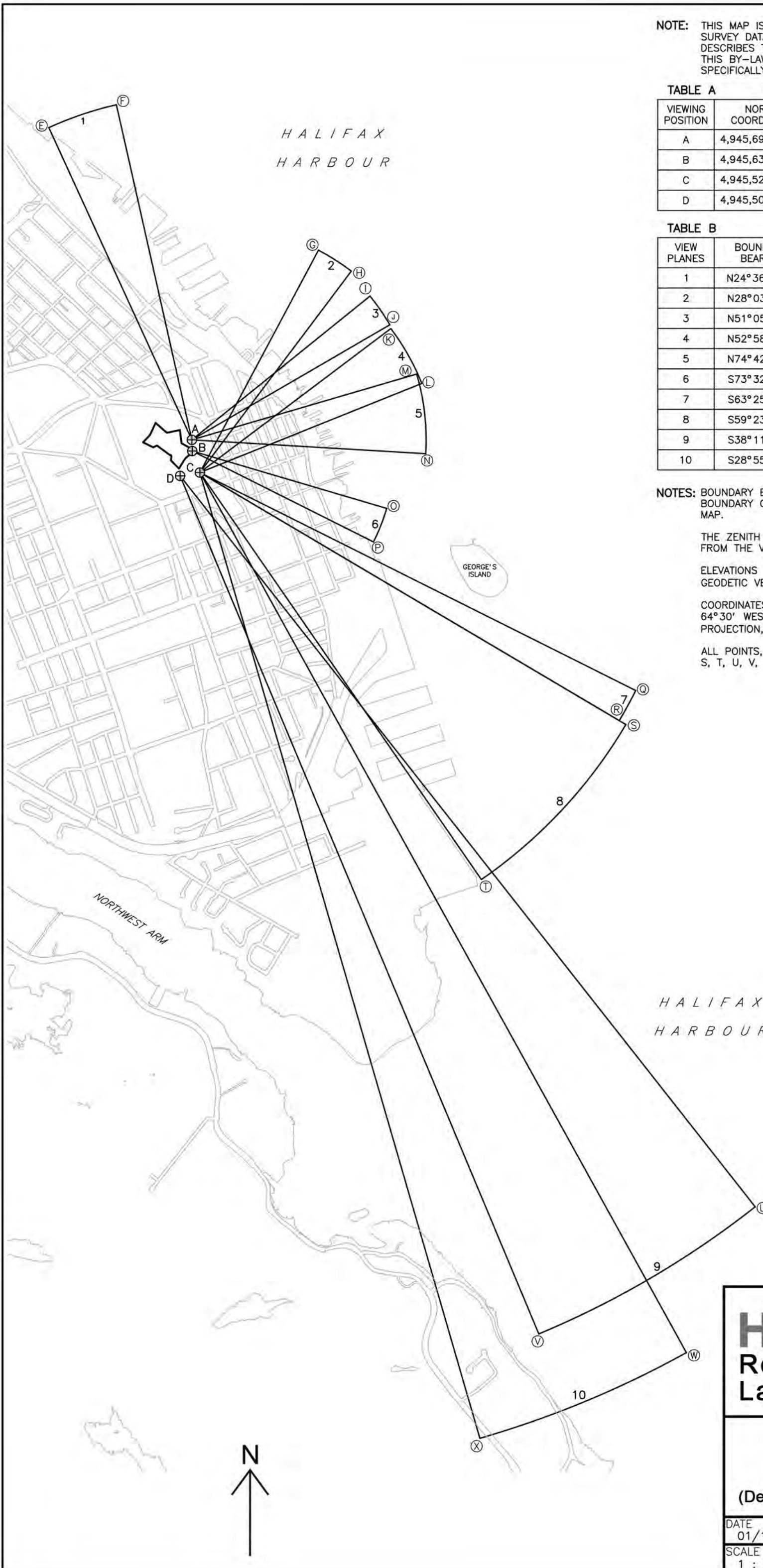
NOTES: BOUNDARY BEARING IS THE BEARING OF EACH BOUNDARY OF ALL VIEW PLANES SHOWN ON THIS MAP.

THE ZENITH ANGLE IS THE ANGULAR MEASUREMENT FROM THE VERTICAL AXIS TO THE VIEW PLANE.

ELEVATIONS ARE REFERENCED TO CANADIAN GEODETIC VERTICAL DATUM 2013 (CGVD2013).

COORDINATES REFER TO ZONE 5, CENTRAL MERIDIAN 64°30' WEST, OF THE NOVA SCOTIA 3° MTM PROJECTION, NAD83 CSRS (2010) DATUM.

ALL POINTS, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X HAVE AN ELEVATION OF 0.00m

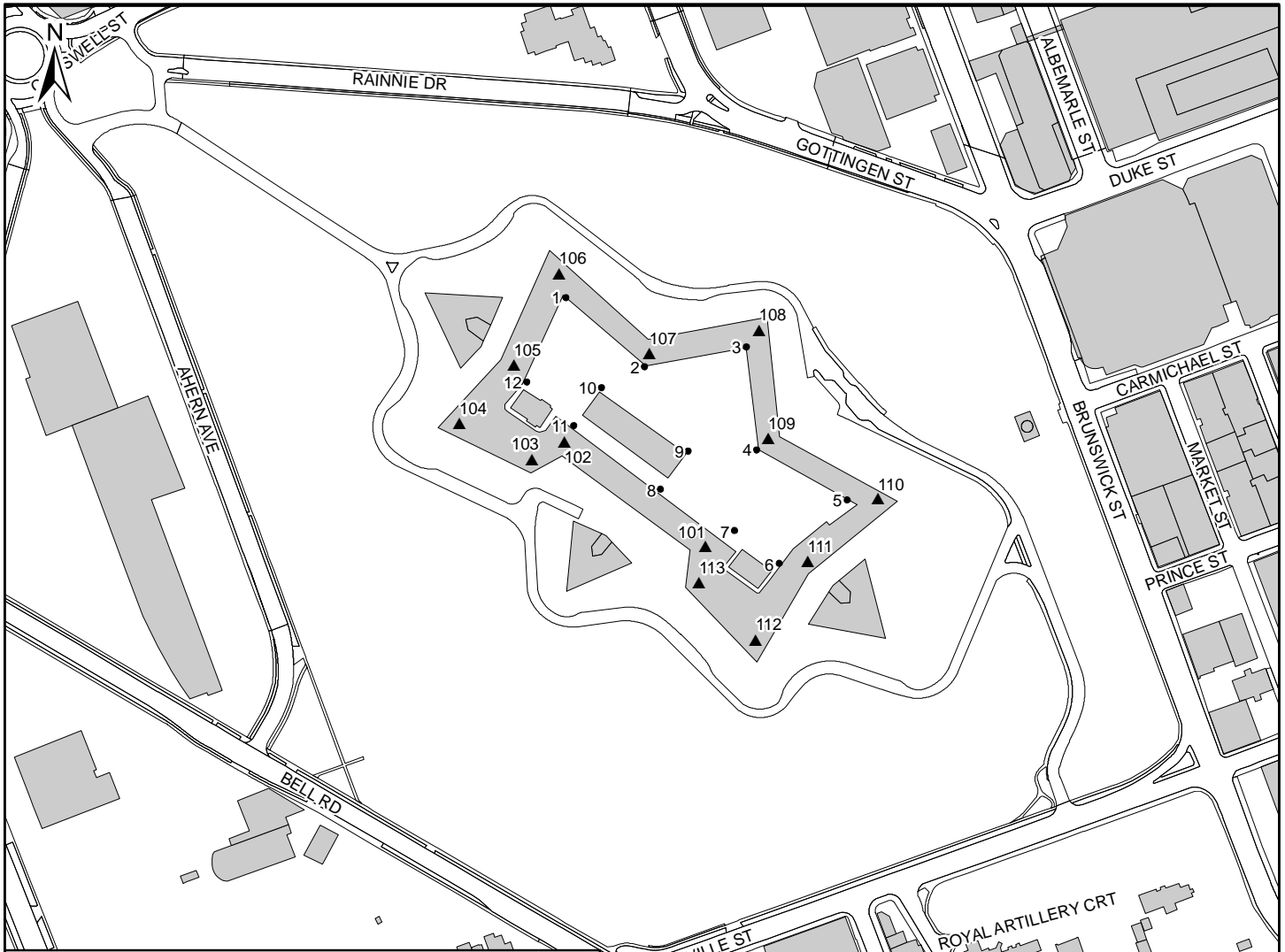


# HALIFAX

## Regional Centre Land Use By-Law

### Halifax Citadel View Planes (Detailed View Plane Geometry)

DATE 01/12/2017	SCHEDULE <b>15</b>	APPROVED
SCALE 1 : 20,000		FIG. NO.



Coordinate System: NAD83 CSRS(2010)  
 Vertical Datum: CGVD2013

Viewing Position	Northing	Easting	Elevation (m)
1	4,945,759.99	25,572,889.86	63.26
2	4,945,718.46	25,572,936.99	64.93
3	4,945,730.54	25,572,997.95	63.50
4	4,945,668.88	25,573,004.22	64.93
5	4,945,638.94	25,573,058.29	65.08
6	4,945,601.02	25,573,017.57	66.46
7	4,945,620.63	25,572,990.99	66.46
8	4,945,645.41	25,572,946.71	66.46
9	4,945,667.99	25,572,963.22	65.85
10	4,945,706.15	25,572,911.18	65.85
11	4,945,683.40	25,572,894.66	65.85
12	4,945,709.36	25,572,866.61	63.86

Rampart Point Elevation	Northing	Easting	Elevation (m)
101	4,945,611.81	25,572,973.31	74.68
102	4,945,673.77	25,572,888.61	74.68
103	4,945,663.87	25,572,869.32	74.84
104	4,945,685.14	25,572,826.05	74.84
105	4,945,720.06	25,572,858.49	74.53
106	4,945,774.87	25,572,885.67	73.71
107	4,945,727.16	25,572,939.45	73.07
108	4,945,741.03	25,573,005.60	71.94
109	4,945,676.17	25,573,010.87	73.31
110	4,945,640.22	25,573,076.67	73.77
111	4,945,602.94	25,573,034.56	74.99
112	4,945,555.99	25,573,003.61	74.99
113	4,945,590.07	25,572,969.54	74.99

### Schedule 16: Halifax Citadel Ramparts

- ▲ Rampart Point Elevations
- Viewing Positions

**HALIFAX**  
 Regional Centre  
 Land Use By-Law



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Last Updated January ??, 2018



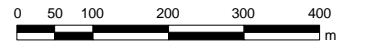
Coordinate System: NAD83 CSRS(2010)  
 Vertical Datum: CGVD2013  
 Points 1 to 8 have an elevation of 0.00 m.  
 Points 9 & 10 have an elevation of 41.5 m.

Viewing Position	Description	Northing Coordinate	Easting Coordinate	Elevation
A	Viewing Platform	4,947,881.53	25,573,396.93	22.40
B	Old Museum Site	4,947,940.78	25,573,436.00	24.88
C	Dillman Park Trail	4,948,007.02	25,573,504.40	31.36
D	Dillman Park Gazebo	4,948,017.39	25,573,576.12	35.48

View Planes	Boundary Bearing	Boundary Bearing	Angle of Depression
1	S43° 29' 28"E	S13° 59' 49"W	0° 50' 11"
2	S28° 53' 60"E	S18° 50' 38"W	0° 56' 9"
3	S8° 48' 43"E	S25° 37' 59"W	1° 33' 33"
4	S7° 30' 40"W	S34° 2' 56"W	1° 47' 17"
5	S53° 13' 48"W	S67° 13' 23"W	0° 12' 59"

The Angle of Depression is the angular measure from the horizontal to the View Plane. The extent of View Planes 1; 2; 3; 4 from the viewing positions is the intersection of the angle of depression for each View Plane with elevation 0.00 m. The extent of View Plane 5 from the viewing positions is the intersection of the angle of depression for the View Plane with elevation 41.5 m.

**Schedule 17: Dartmouth View Planes**

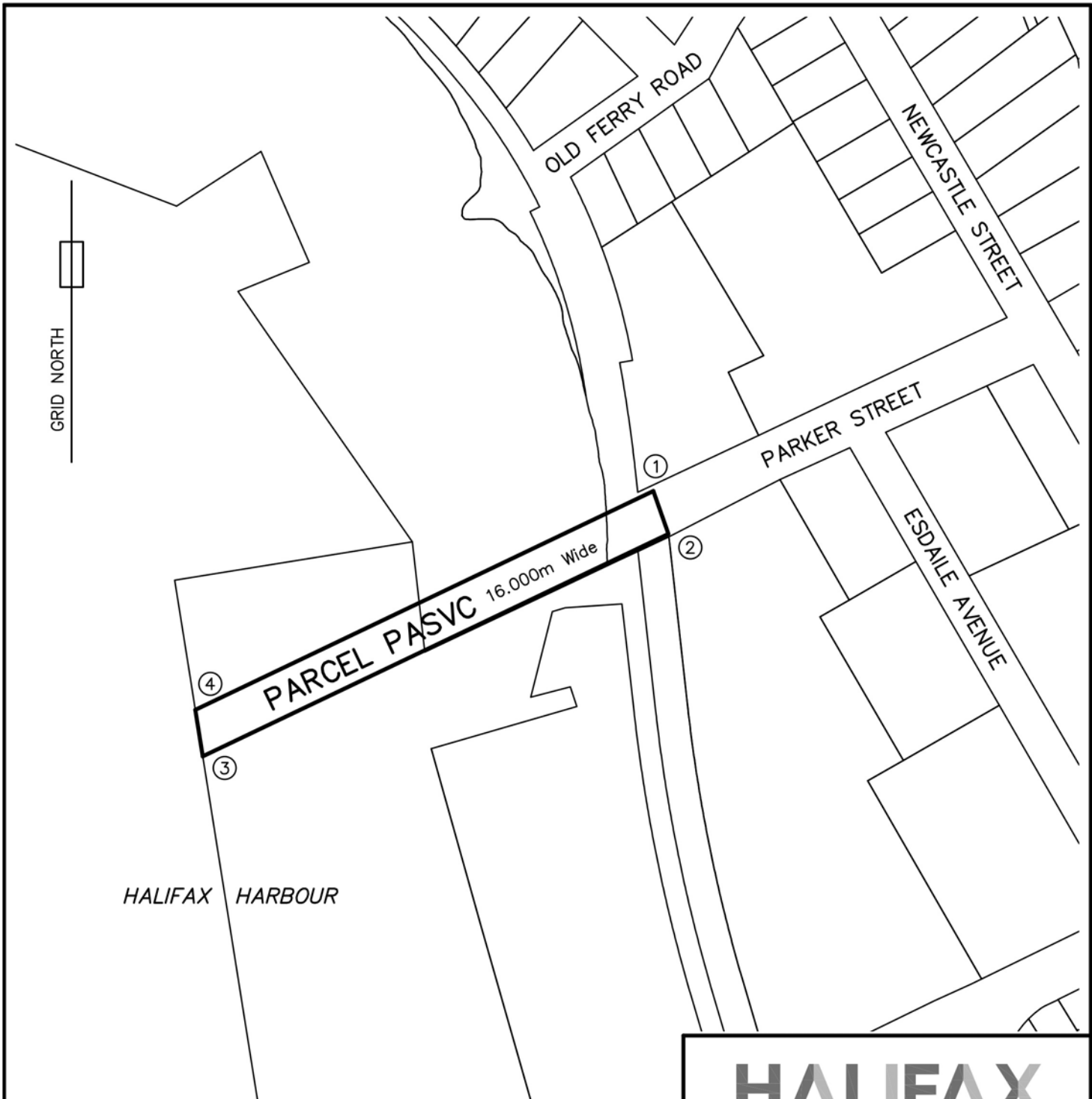


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**NOTES:**

1. COORDINATES REFER TO ZONE 5, CENTRAL MERIDIAN 64°30' WEST, OF THE NOVA SCOTIA 3' MTM PROJECTION, NAD83 DATUM.
2. PARCEL PASVC RELATES TO HRM PLAN NO. HRMDDWVC13 DATED SEPTEMBER 29, 2017.

**COORDINATE LIST:**

NSCM 5427	N	4,947,940.881	E	25,573,419.437
	1	N 4,947,459.598	E	25,574,808.386
	2	N 4,947,444.401	E	25,574,813.694
	3	N 4,947,365.844	E	25,574,649.300
	4	N 4,947,382.321	E	25,574,646.672

<b>HALIFAX</b>		
<b>Regional Centre Land Use By-Law</b>		
PLAN SHOWING <b>PARCEL PASVC</b> PARKER STREET WATERFRONT VIEW CORRIDOR		
DATE 09/29/2017	SCHEDULE <b>36</b>	APPROVED
SCALE 1 : 2000		FIG. NO.



