

HALIFAX

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


Item No. 11.1

Halifax Regional Council

December 8, 2015

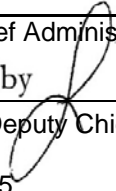
January 26, 2016

TO: Mayor Savage and Members of Halifax Regional Council

Original signed by 

SUBMITTED BY:

Richard Butts, Chief Administrative Officer

Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

DATE: November 25, 2015

SUBJECT: Case 01192 Revised Supplementary Report: Halifax Stanfield International Airport: Regulation of Adjacent Development

SUPPLEMENTARY REPORT

ORIGIN

On September 8, 2015, Regional Council held a public hearing and deferred the revised staff recommendation pending receipt of a supplementary report addressing the following:

- 1) No new roads for residential purposes be allowed, but only roads for commercial and industrial purposes; and
- 2) Grandfathering of existing residential applications on Laurie applications (Oakfield Estate Limited) in Oakfield."

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, clauses 229(1)(p) and 235(5)(q) granting the ability for the Municipality to regulate development in areas near airports.

Policies EC-10 and 11 of the 2014 Regional Municipal Planning Strategy

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Defeat the following motion on the floor from the Sept. 8, 2015 meeting:

MOVED by Councillor Dalrymple, seconded by Councillor Craig THAT Halifax Regional Council:

- A. Adopt the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, to amend the Transportation Map and Zoning Map as set out in Attachments A and B of the staff report dated May 11, 2015;
- B. Adopt the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, and the Regional Subdivision By-law to restrict the establishment

of new noise sensitive developments located in the NEF 30 (Noise Exposure Forecast) Contour around the Halifax Stanfield International Airport, Enfield as set out in Attachments C, D, and E of the staff report dated May 11, 2015 with the following amendments:

- i. Policy P-111D of Attachment C is amended by deleting the word “on” and adding the following words after the word “Policy”: “or the proposed subdivision is in accordance with section 288 of the HRM Charter.”
 - ii. Section 1 of Attachment E is amended by adding the following words after the word “to”: “or the proposed subdivision is in accordance with section 288 of the HRM Charter.”
- C. And further, that the proposed amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law include conditions which reduce minimum frontage requirements from 300 feet to 200 feet including in sections 2, 4, 6, 8, 11 and 14 of Attachment D of the staff report dated May 11, 2015.”
2. Give first reading to the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, to amend the Transportation Map and Zoning Map as set out in Attachments A-1 and B-1 of this report;
3. Give first reading to the amendments to the Planning Districts 14 and 17 Municipal Planning Strategy and Land Use By-law, and the Regional Subdivision By-law to restrict the establishment of new noise sensitive residential developments located in the NEF 30 (Noise Exposure Forecast) Contour around the Halifax Stanfield International Airport, Enfield as set out in Attachments C-1, D-1, and E-1 of this report; and
4. Schedule a public hearing for consideration of the amendments, as set out in Attachments A-1, B-1, C-1, D-1, and E-1 of this report.

BACKGROUND

At their meeting of September 8, 2015, Regional Council held a public hearing on proposed amendments to the Districts 14 and 17 Municipal Planning Strategy and Land Use By-law and the Regional Subdivision By-law. The intent of these amendments was to limit the amount of future noise sensitive residential developments located near the Halifax Stanfield International Airport.

Following closure of the public hearing, Council debate resulted in directing staff to prepare a supplementary staff report addressing two main issues:

1. Limiting the prohibition of “no new public roads” to residential land uses only.
2. Extending the grandfathering of subdivision applications.

In addition, Council requested staff provide examples of other Canadian airports subject to noise complaints and resulting in restricted airport operations.

DISCUSSION

Limiting the prohibition of “no new public roads” to residential land uses only

The intent of the amendments package contained in the dated staff report was to limit future noise sensitive **residential** land uses. The method selected to achieve this intent was to establish supporting policy in the Municipal Planning Strategy (“MPS”), and corresponding requirements in both the Land Use By-law (“LUB”) and Regional Subdivision By-law (“Subdivision By-law”). At its most basic, the Subdivision By-law allows the creation of new lots, so long as they are of a minimum size, and possess a minimum amount of road frontage. In the previous report, staff informed Council of a finite number of new

lots that could be created given the existing amount of road in place. In order to limit the amount of new residential development in the area as is the intent of these amendments, Subdivision Bylaw amendments were proposed to limit the number of new lots by restricting the creation of new roads. As the Subdivision By-law applies to all land uses (including residential) Regional Council expressed concern at its September 8, 2015 meeting regarding the unintentional limiting of potentially appropriate commercial and industrial uses.

To achieve Council's direction to continue to allow new public roads for commercial and industrial uses within the NEF 30 Contour, staff proposes to amend the MPS, LUB and Subdivision By-law to restrict **residential** uses on properties which only have frontage on public roads constructed after the date of intent of policy adoption (notification of the public hearing). Rather than eliminating the creation of new public roads entirely, these amendments would still allow new roads for **non-residential** land uses. This approach provides for residential development on existing roads within the NEF 30 contour, however, residential uses that have frontage exclusively on new roads would be prohibited. These changes are reflected in the Land Use By-law amendment proposed as Attachment D-1 of this report, as well as in the Municipal Planning Strategy amendment proposed as Attachment C-1.

Extending the grandfathering of subdivision applications

Approval of a tentative plan of subdivision provides an applicant with assurances regarding regulatory document compliance, lot access, water supply and sanitary sewerage disposal capability, and indicates the lot can be subdivided as proposed. A Final Plan of Subdivision approval confirms the plan of subdivision is in general compliance with the previous Tentative approval. Once approved by the development officer, the Final Plan of Subdivision is registered at the Provincial Land Registration Office.

Section 288 of the *Halifax Regional Municipality Charter* ("*Halifax Charter*") requires a tentative plan of subdivision to be approved in accordance with the Subdivision By-law, LUB, and MPS (collectively "planning documents") in effect at the time a complete application is received by the development officer. A tentative plan of subdivision approval expires after two years as per Section 295 of the *Halifax Charter*. Essentially, these provisions provide that where:

- a tentative plan has been approved before the change in planning documents is adopted and a completed application for **final** plan of subdivision is **not submitted** within the two year statutory period then the tentative plan approval expires; or
- an application for a tentative plan is received by the development officer before the change in the planning documents is adopted, the tentative plan is approved in accordance with the planning documents in force at the time the complete application is received by the development officer (after the planning document changes have been adopted), and a completed application for **final** plan of subdivision is **not submitted** within the two year statutory period, then the tentative plan approval expires.

Following the expiry of a tentative plan of subdivision, a new application for approval of a tentative plan of subdivision would need to be made, and this new application would be reviewed in accordance with the planning documents in place at the time of the **new** application.

As per Council's direction, the "grandfathering" of existing residential applications for lands owned by Oakfield Estate Limited from the proposed amendments includes two approved tentative plans of subdivision, for a total of 41 lots (Table 1 below, & Map 1 attached).

Table 1 Oakfield Estate Limited Approved Existing Tentative Plans of Subdivision

PID	Area (acres)	Tentative New Lots	Date Approved
41189085 and 41189093	110.76	32	June 13, 2014
41189077	25.3	9	June 25, 2014

It is important to note that while Council direction was to grandfather the existing development rights specifically for Oakfield Estate Limited, Staff did investigate as to whether or not other subdivision applications were in process within the NEF 30 contour area which would be impacted by the proposed changes to policy. It has since been confirmed that the applications referenced in the table above represent all 'complete', and 'tentative' subdivision applications within this area.

To achieve Council's direction to staff to grandfather approved tentative plans of subdivision a *Halifax Charter* amendment is required. *Halifax Charter* amendments are regulated by the Province of Nova Scotia, are discretionary and can take a significant amount of time for enactment into law.

As an alternative to amending the *Halifax Charter*, staff present two options detailed below for Council's consideration.

Option 1: Exemption

An exemption provision preserving existing development rights on the above PIDs to enable a desired future development by the land owner. This exemption would continue unless or until Council amended the subdivision by-law to remove it. If Council was to remove it, the same two year time period explained above would apply.

Precedent for exempting specific property from a by-law amendment has been established in planning documents. Exemptions can be supported with planning policy rationale from staff, or as directed by Council.

In this particular application, this approach defeats the purpose and intent of the amendments to restrict future residential noise sensitive developments as it preserves additional residential land uses in perpetuity, unless otherwise removed. As preferential treatment for a specific property owner is not equitable to all property owners within the NEF 30 contour, staff is not recommending this approach.

Option 2: Time Extension

As an alternative to the *Halifax Charter* amendment and property exemption mechanisms outlined above, Regional Council may consider a defined extension of time for Oakfield Estate Limited to bring their existing tentative plan of subdivision approvals to full final plan approval status. This can be accomplished within the planning document regime of Regional Council's jurisdiction and could be accomplished through the use of a coming in force date.

The existing tentative subdivision plans are set to expire in June 2016. This proposed amendment would allow for the submission of a completed application for final plan of subdivision under the existing rules for a further 5 years. Staff proposes amending the Subdivision By-law to grant a temporary exemption for the three Oakfield Estate Limited properties that are the subject of an existing approved tentative plan of subdivision for a maximum period of six (6) years to December 31, 2021. This amendment can be found in Attachment E-1 of this report.

Once the tentative completed application is approved by the development officer, the *HRM Charter's* two year time limitation period to file a complete application for final subdivision approval begins to run and, under the recommended amendment, the latest date a tentative plan could be filed with the development officer to be considered under the current rules would be December 31, 2019. Accordingly, the latest date the development officer could receive an application for final subdivision approval based on the approved tentative plan, due to the two year limitation in the *Halifax Charter*, would be December 31, 2021 or approximately six (6) years from today to bring their subdivision plans to fruition.

Additional Information Regarding Airport Noise Complaints

Council also requested staff to provide information regarding noise complaints and the resultant impacts on airport operations at HSIA and other national airports. HSIA confirms no noise complaints have been submitted to the airport or NavCanada in the past year. With this said, this is likely because of the low numbers of residential uses which currently exist in the immediate area. Airports within other Canadian cities which have residential uses in close proximity to them have been forced to restrict their operating

hours. As referenced at the previous public hearing, operating hour restrictions to HSIA could impact the competitive advantage they currently hold over other airports on the east coast.

Four major national airports, Montreal (Trudeau), Toronto (Pearson), Calgary, and Vancouver have noise mitigation programs and related restrictions on operations as a result of residential uses in close proximity and corresponding noise complaints.

Table 2 Airport Restricted Operations

Airport	Complaints	Restrictions
Montreal (Trudeau)	685 (2014 yr.)	0000 - 0700hrs. no take-offs 0100 - 0700hrs. no landings
Toronto (Pearson)	1989 (2012 yr.*)	Limited flights 0030 - 0629hrs.
Calgary	1500 (2014 yr.)	Preferential runway use (day and night) Departure procedures (day and night) Arrival procedures (day and night)
Vancouver	1700 (2014 yr.)	North runway closed 2200 - 0700hrs. Prior approval 0000 - 0700hrs.

*most recent data available

Conclusion

Should Regional Council wish to implement the proposed amendments contained in this report a new public hearing is required as the proposed amendments are substantively different from those considered at the previously held September 8, 2015 public hearing. Specifically, the new public street restriction would now only apply to new residential development, and grandfathering provisions for Oakfield Estate Limited lands have been provided as per Regional Council's direction.

For additional clarity, due to revisions to the amendments as initially proposed in the original May 11, 2015 staff report considered by North West Community Council (NWCC) at their June 15, 2015 meeting, all attachments have been revised to reflect both NWCC and Regional Council motions, as well as, incorporate clarification regarding minimum lot frontage requirements for lands subject any proposed exemption, following correspondence received on November 9, 2015 from the legal representative of the owner of Oakfield Estate Limited holdings.

FINANCIAL IMPLICATIONS

The costs to process this planning application can be accommodated within the approved 2015/16 operating budget for C310 Planning & Development.

ATTACHMENTS

- Map 1 Tentative Subdivision Approvals within Airport Noise Contour
- Attachment A-1 Amendments to the Planning Districts 14 and 17 MPS - MPS Map
- Attachment B-1 Amendments to the Planning Districts 14 and 17 LUB - Zoning Map
- Attachment C-1 Amendments to the Planning Districts 14 and 17 MPS - Airport Noise
- Attachment D-1 Amendments to the Planning Districts 14 and 17 LUB - Airport Noise
- Attachment E-1 Amendment to the Regional Subdivision By-law

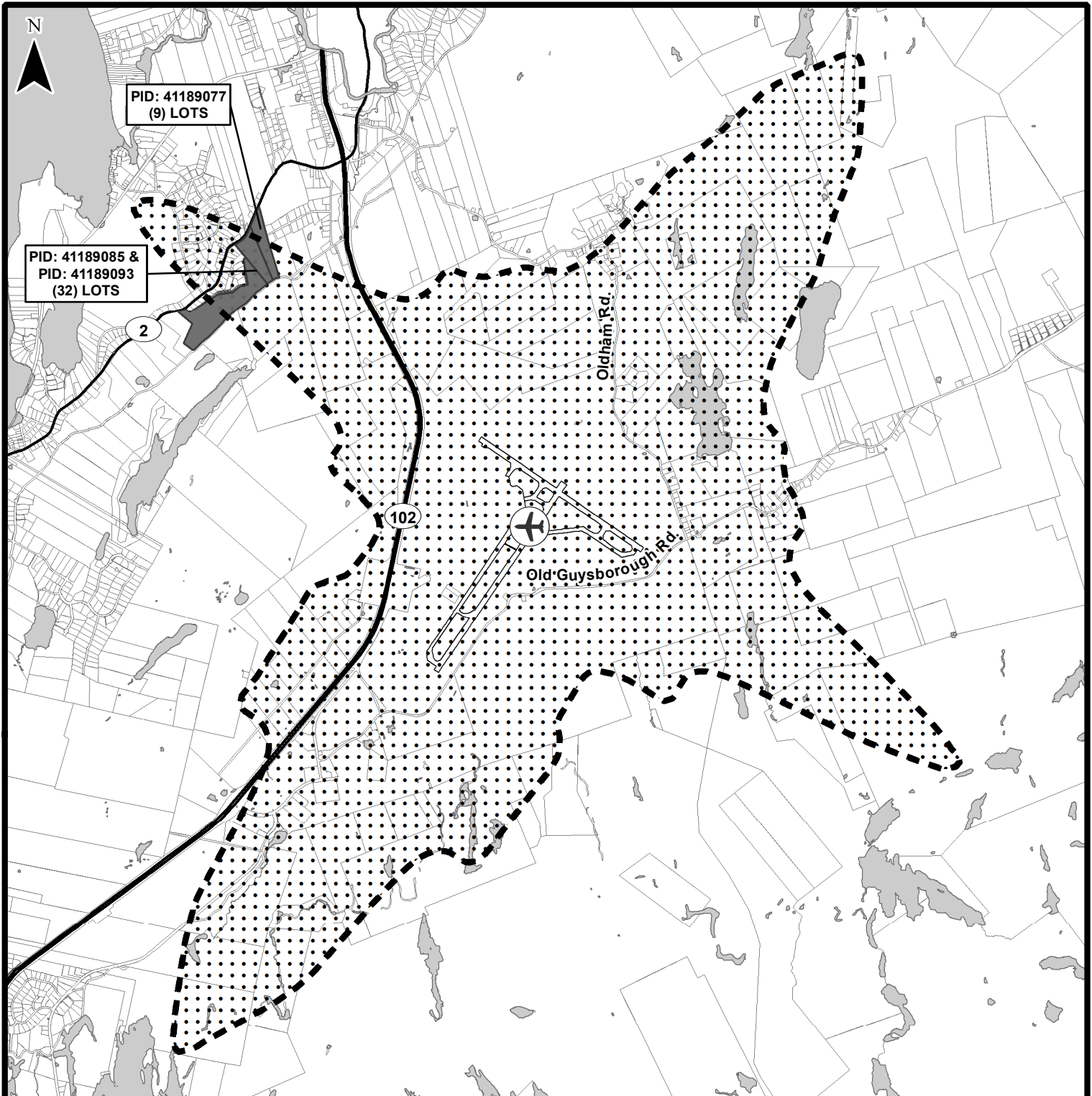
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: David Lane, Senior Planner, 902.490.5593

Report Approved by: _____
Carl Purvis, Acting Supervisor, Community Planning, 902.490.4797

Report Approved by: _____
Bob Bjerke, Director, Planning & Development, 902.490.1627

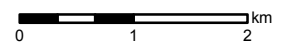
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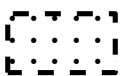
**MAP 1 - TENTATIVE SUBDIVISION APPROVALS
WITHIN AIRPORT NOISE CONTOUR**

HALIFAX

Community Development
Planning Services



Halifax Stanfield
International Airport



Noise Exposure
Forecast 30



Approved Tentative
Subdivision

Attachment A-1
Amendments to the Planning Districts 14 and 17 (Shubenacadie Lakes) MPS – Maps

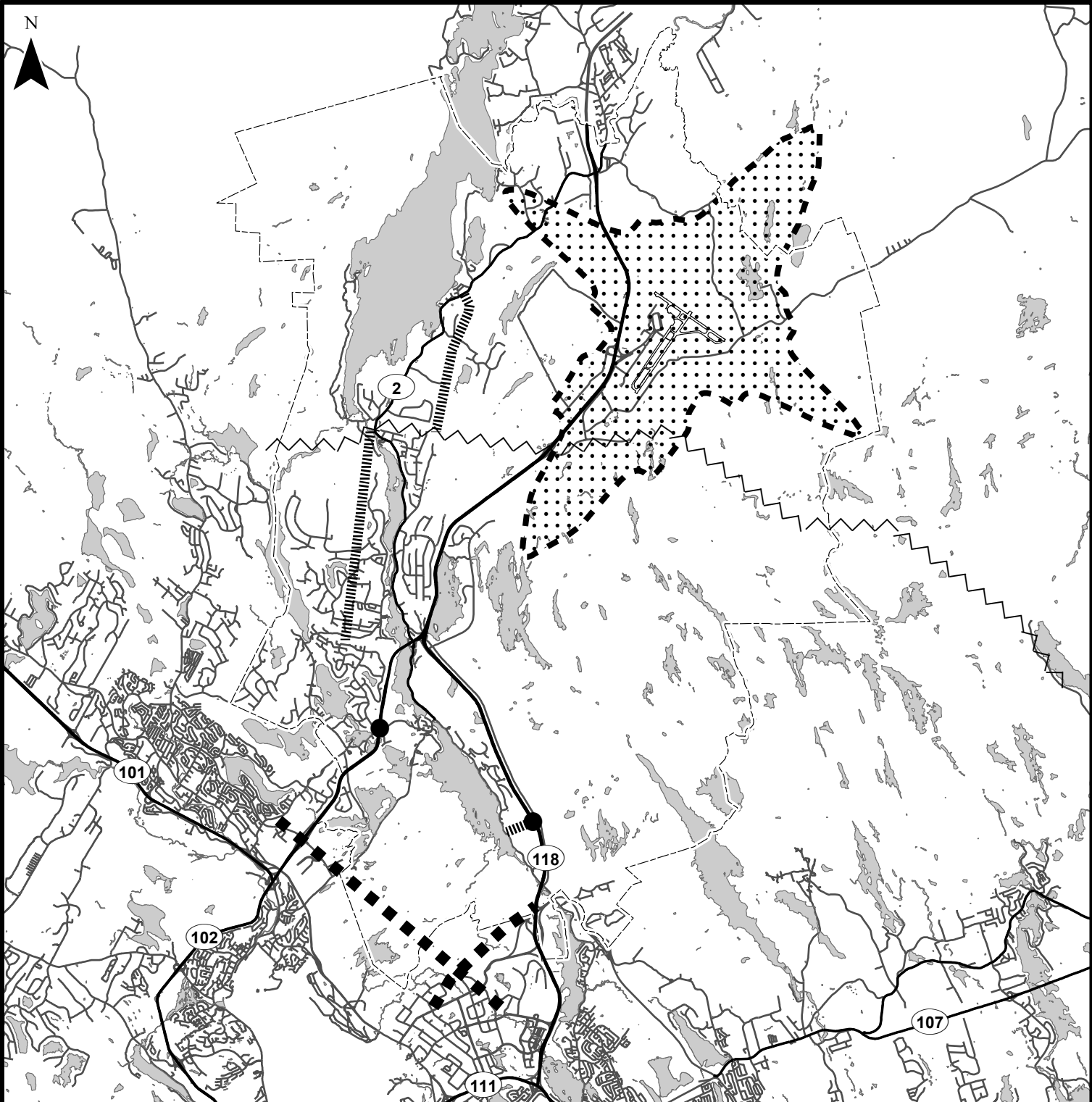
BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy of Planning Districts 14 and 17 (Shubenacadie Lakes) as enacted by the Halifax Regional Municipality on the 2nd day of May, 1989 and approved by the Minister of Municipal Affairs on the 19th day of July, 1989, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 18th day of October, 2014, is hereby further amended as follows:

1. The Planning Districts 14 and 17 (Shubenacadie Lakes) Municipal Planning Strategy shall be amended by deleting Map 3 Transportation Map, and replaced with Map 3 Transportation Map, attached as Schedule A.

I HEREBY CERTIFY that the amendments to the Planning Districts 14 and 17 (Shubenacadie Lakes) Municipal Planning Strategy Maps as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the day of , 2016

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this day of , 2016

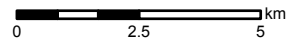
Municipal Clerk



**SCHEDULE A
MAP 3 TRANSPORTATION
PLANNING DISTRICTS 14 & 17**

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Planning and Development



- Interchange - Proposed
- ▤ Proposed Collector
- Proposed Road
- ⚡ Ring Road
- ⋯ Planning Districts 14 and 17
MPS Boundary
- (102)— Highway
- Road
- Waterbody
- ⋯ Noise Exposure
Forecast 30

Attachment B-1
Amendments to the Planning Districts 14 and 17 (Shubenacadie Lakes) Land Use By-law – Zoning Map

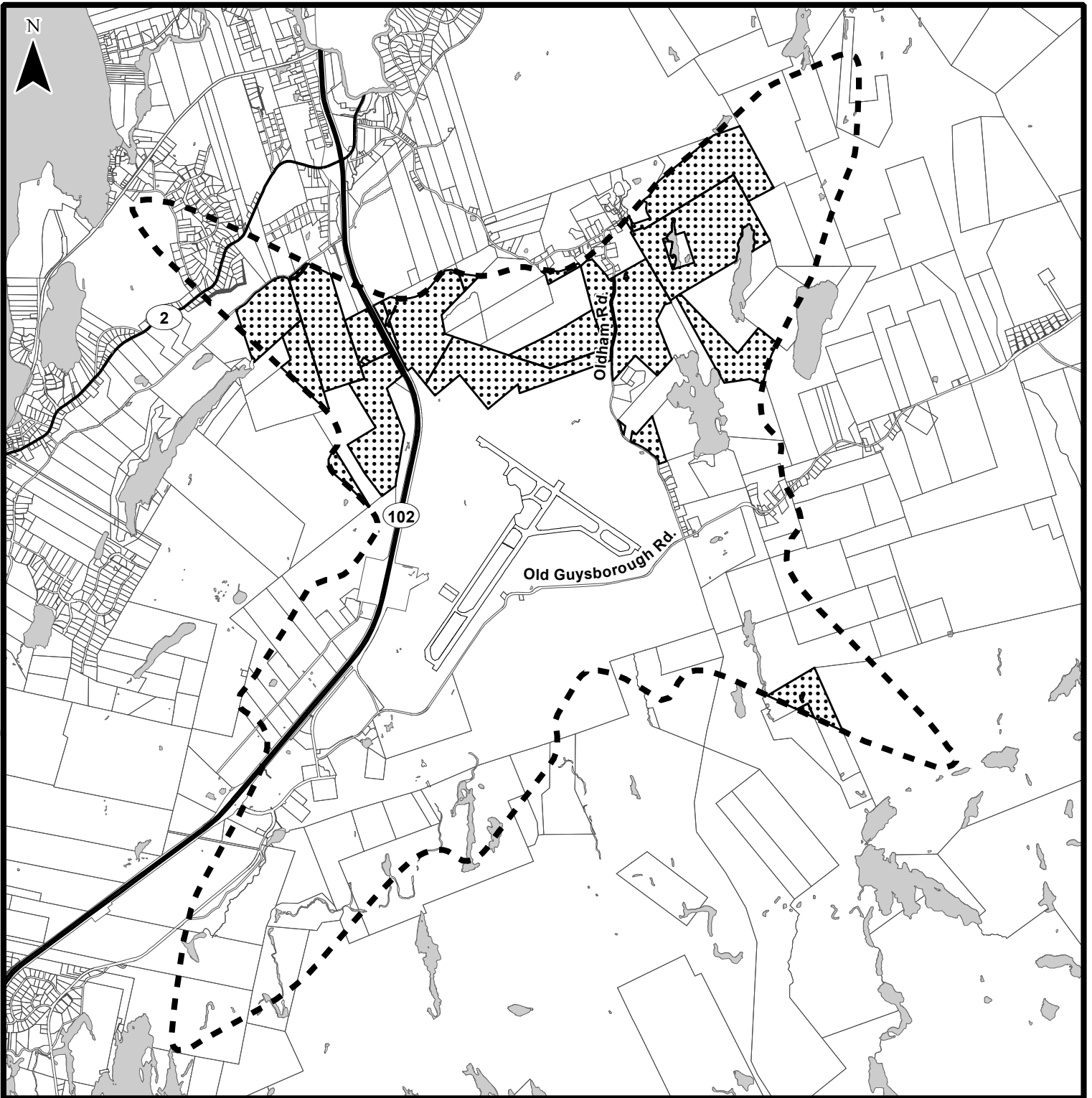
BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality the Land Use By-law of Planning Districts 14 and 17 (Shubenacadie Lakes) as enacted by the Halifax Regional Municipality on the 2nd day of May, 1989 and approved by the Minister of Municipal Affairs on the 19th day of July, 1989, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 18th day of October, 2014, is hereby further amended as follows:

1. The Planning Districts 14 and 17 (Shubenacadie Lakes) Land Use By-law shall be amended by amending Schedule B Zoning Map, as per the attached Schedule A.

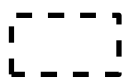
I HEREBY CERTIFY that the amendment to the Planning Districts 14 and 17 (Shubenacadie Lakes) Land Use By-law Zoning Map as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the day of , 2016


GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this day of , 2016

Municipal Clerk



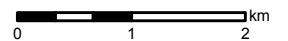
SCHEDULE A

 Noise Exposure Forecast 30

 Area to be Rezoned from various Residential Zones to P-3 (Park Zone)

HALIFAX

Planning and Development



Attachment C-1

Amendments to the Planning Districts 14 and 17 (Shubenacadie Lakes) MPS – Airport Noise

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy of Planning Districts 14 and 17 (Shubenacadie Lakes) as enacted by the Halifax Regional Municipality on the 2nd day of May, 1989 and approved by the Minister of Municipal Affairs on the 19th day of July, 1989, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 18th day of October, 2014, is hereby further amended as follows:

1. Section III, Halifax International Airport Designation of the Municipal Planning Strategy shall be amended by adding the following after Policy P-111 and before the paragraph starting “In order to maintain...

“Noise Contours

Noise and land use conflicts associated with airports have emerged where residential land uses are permitted near airports. The proliferation of suburban growth, increased air traffic, larger and faster aircraft have created a land use conflict where one had not previously existed. Noise sensitive development such as residential land uses establishing near airports can result in complaints from residents. Such complaints can lead to limitations on hours of use and expansion possibilities for the airport. Such problems can be avoided with advance planning and consideration, based on use of Noise Exposure Forecast (NEF) Mapping. Further, promotion of development around Halifax Stanfield International Airport is not required as other areas of the Municipality are more appropriate and cost effective for the Municipality to serve. Residential growth shall be directed to other areas and residential development immediately proximate to the airport is deemed premature.

P-111A Notwithstanding any other policies in this Plan, Council shall limit residential development in close proximity to the Halifax Stanfield International Airport (HSIA) as this development is incompatible with airport operations. It is Council’s intent to manage encroachment of future residential or other developments that are noise sensitive, which may lead to conflicts and the potential for demands to restrict aircraft operations. This shall be achieved by identifying the Airport Zoning Overlay in the Land Use By-law which identifies the NEF 30 Noise Contour, and by establishing regulations within the Airport Zoning Overlay. These regulations may include controls on new residential and other sensitive land uses. In considering such amendments to the Land Use By-law, Council shall have regard to the following:

- (a) the lands being considered for amendment are within NEF 30 contour prepared by a qualified person;
- (b) the restrictions proposed are to mitigate possible land use impacts on the operation of the Halifax Stanfield International Airport; and
- (c) the provisions of Policy P-155.

P-111B It shall be the intention of Council, through the land use by-law, to prohibit new Conservation Design Developments or other forms of large scale residential development inclusive of those listed in Policy P-154, within the NEF 30 contour (Map 3).

P-111C Notwithstanding Policy 111B, through the Regional Subdivision By-law and within the NEF 30 Contour (Map 3), it shall be the intention of Council to provide for the continued development of phases 1, 2A and 2B of the Lands of Oakfield Estate Limited in accordance with the tentative plans of subdivision as approved on June 13, 2014 and June 25, 2014, and subsequent complete tentative subdivision applications received by the development officer no later than December 31, 2019.

2. Section III, Residential Designation of the Municipal Planning Strategy shall be amended by adding the following after Policy P-78 and before the header “The Village of Waverley” and paragraph starting “In the spring of 1985”:

“Residential / Noise Sensitive Development near Halifax Stanfield International Airport

Transport Canada recommends that new residential development near airports be restricted within specified noise contours. Council has determined that controls around the Halifax Stanfield International Airport are appropriate.

P-78A It shall be the intention of Council to regulate new residential development in the Residential Designation subject to policies P-111A through and including P-111C.”

3. Section III, Mixed Residential Designation of the Municipal Planning Strategy shall be amended by adding the following after Policy P-93 and before the Community Centre Designation:

“Residential / Noise Sensitive Development near Halifax Stanfield International Airport

Transport Canada recommends that new residential development near airports be restricted within specified noise contours. Council has determined that controls around the Halifax Stanfield International Airport are appropriate.

P-93A It shall be the intention of Council to regulate new residential development in the Mixed Residential Designation subject to policies P-111A through and including P-111C.”

4. Section III, Special Area Designation of the Municipal Planning Strategy shall be amended by adding the following after Policy P-127 and before the Resource Designation:

“Residential Development near Halifax Stanfield International Airport

Transport Canada recommends that new residential and noise sensitive developments near airports be restricted within specified noise contours. Council has determined that controls around the Halifax Stanfield International Airport are appropriate.

P-127A It shall be the intention of Council to regulate new residential and noise sensitive development in the Special Area Designation subject to policies P-111A through and including P-111C.”

5. Section III, Resource Designation of the Municipal Planning Strategy shall be amended by adding the following after Policy P-132 and before the header “Aggregates” and the paragraph beginning “Pits and Quarries”:

“Residential Development near Halifax Stanfield International Airport

Transport Canada recommends that new residential and noise sensitive developments near airports be restricted within specified noise contours. Council has determined that controls around the Halifax Stanfield International Airport are appropriate.

P-132A It shall be the intention of Council to regulate new residential and noise sensitive development in the Resource Designation subject to policies P-111A through P-111C.”

6. Section III, Watershed Designation of the Municipal Planning Strategy shall be amended by adding the following after Policy P-145 and before the header "Interim Growth Management":

"Residential Development near Halifax Stanfield International Airport

Transport Canada recommends that new residential and noise sensitive developments near airports be restricted within specified noise contours. Council has determined that controls around the Halifax Stanfield International Airport are appropriate.

P-145A It shall be the intention of Council to regulate new residential and noise sensitive development in the Watershed Designation subject to policies P-111A through and including P-111C."

I HEREBY CERTIFY that the amendment to the Planning Districts 14 and 17 (Shubenacadie Lakes) Municipal Planning Strategy as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the day of , 2016

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this day of , 2016

Municipal Clerk

Attachment D-1

Amendments to the Planning Districts 14 and 17 (Shubenacadie Lakes) LUB – Airport Noise

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law of Planning Districts 14 and 17 (Shubenacadie Lakes) as enacted by the Halifax Regional Municipality on the 2nd day of May, 1989 and approved by the Minister of Municipal Affairs on the 19th day of July, 1989, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 18th day of October, 2014, is hereby further amended as follows:

1. Section 3.6, Other Uses Considered by Development Agreement, is amended by deleting text as shown in strikeout and inserting text shown as bold, as follows:
 - 3.6 **(ca)** As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter, **except within the NEF 30 Contour (Map 3) of the Planning Districts 14 & 17 MPS:** (RC-Jun 25/14;E-Oct 18/14)
 - (i) Conservation Design Developments in accordance with policies S-14, S-15, S-16 and S-17 of the Regional Municipal Planning Strategy, as applicable. (RC-Jun 25/14;E-Oct 18/14)
 - (cab)** As provided for in the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement on lands designated Rural Commuter: (RC-Jun 25/14;E-Oct 18/14)
 - (i) a mix of residential, associated community facilities, home-based offices, day cares, small-scale bed and breakfasts, forestry and agricultural on new roads up to a maximum density of one unit per hectare, as per policy S-15 of the Regional Municipal Planning Strategy; and (RC-Jun 25/14;E-Oct 18/14)
 - (ii) a mix of residential, associated community facilities, home-based offices, day cares, small-scale bed and breakfasts, forestry and agricultural on new roads up to a maximum density of one unit per 4000 square metres, as per policy S-16 of the Regional Municipal Planning Strategy. (RC-Jun 25/14;E-Oct 18/14)
2. The Table of Contents of the Land Use By-law is amended by adding the following text after “Schedule M: Prominent Site for Increased Commercial Floorspace in the Canal Court Zone: 11 Falls Run”

“Schedule N: Airport Noise Contour Overlay...142”
3. Part 6, section 6.2 of the Land Use By-law shall be amended by adding the following before the words “Minimum Front or Flankage Yard”:

“Within Schedule N, Airport Noise Contour Overlay 200 feet (60.9m)”
4. Part 7, section 7.1 of the Land Use By-law shall be amended by deleting the words “Nursing homes” and “Residential care facilities” and replacing them with the following:

“Nursing homes except where located within Schedule N, Airport Noise Contour Overlay
Residential care facilities except where located within Schedule N, Airport Noise Contour Overlay”

5. Part 7, section 7.2 of the Land Use By-law shall be amended by adding the following before the words "Minimum Front or Flankage Yard":

"Within Schedule N, Airport Noise Contour Overlay 200 feet (60.9m)"

6. Part 9, section 9.1 of the Land Use By-law shall be amended by deleting the words "Nursing homes" and "Residential care facilities" and replacing them with the following:

"Nursing homes except where located within Schedule N, Airport Noise Contour Overlay

Residential care facilities except where located within Schedule N, Airport Noise Contour Overlay"

7. Part 9, section 9.2 of the Land Use By-law shall be amended by adding the following before the words "Minimum Front or Flankage Yard":

"Within Schedule N, Airport Noise Contour Overlay 200 feet (60.9m)"

8. Part 9A, section 9.1A of the Land Use By-law shall be amended by deleting the words "Nursing homes" and "Residential care facilities" and replacing them with the following:

"Nursing homes except where located within Schedule N, Airport Noise Contour Overlay

Residential care facilities except where located within Schedule N, Airport Noise Contour Overlay"

9. Part 9A, section 9.2A of the Land Use By-law shall be amended by adding the following before the words "Minimum Front or Flankage Yard":

"Within Schedule N, Airport Noise Contour Overlay 200 feet (60.9m)"

10. Part 9A, section 9.2B of the Land Use By-law shall be added after section 9.2A and before section 9.2B:

(1) Notwithstanding the "Minimum Front or Flankage Yard" 200 feet (60.9m) for the zone and subject to subsection 2, for the lands of Oakfield Estate Limited shown as PIDs 41189077, 41189085, and 41189093 on the approved tentative plans of subdivision dated June 13, 2014 and June 25, 2014, on file with the Municipality as File #18634 and #19193, the Minimum Front or Flankage Yard shall be 100 feet.

(2) Subsection 1 of this section shall come into force on December 31, 2021.

11. Part 10, section 10.1 of the Land Use By-law shall be amended by adding the follow after "CSA approved mobile dwellings":

"except where located within Schedule N, Airport Noise Contour Overlay"

12. Part 10, section 10.1 of the Land Use By-law shall be amended by deleting the words "Nursing homes" and "Residential care facilities" and replacing them with the following:

"Nursing homes except where located within Schedule N, Airport Noise Contour Overlay

Residential care facilities except where located within Schedule N, Airport Noise Contour Overlay"

13. Part 10, section 10.2 of the Land Use By-law shall be amended by adding the following before the words "Minimum Front or Flankage Yard":

"Within Schedule N, Airport Noise Contour Overlay 200 feet (60.9m)"

14 Part 10, section 10.2A is added after section 10.2 and before section 10.3:

(1) Notwithstanding the "Minimum Front or Flankage Yard" 200 feet (60.9m) for the zone and subject to subsection 2, for the lands of Oakfield Estate Limited shown as PIDs 41189077, 41189085, and 41189093 on the approved tentative plans of subdivision dated June 13, 2014 and June 25, 2014, on file with the Municipality as File #18634 and #19193, the Minimum Front or Flankage Yard shall be 100 feet.

(2) Subsection 1 of this section shall come into force on December 31, 2021.

15. Part 11, clause 11.1 of the Land Use By-law shall be amended by adding the follow after "CSA approved mobile dwellings":

"except where located within Schedule N, Airport Noise Contour Overlay"

16. Part 11, clause 11.1 of the Land Use By-law shall be amended by deleting the words "Nursing homes" and "Residential care facilities" and replacing them with the following:

"Nursing homes except where located within Schedule N, Airport Noise Contour Overlay

Residential care facilities except where located within Schedule N, Airport Noise Contour Overlay"

17. Part 11, clause 11.2 of the Land Use By-law shall be amended by adding the following before the words "Minimum Front or Flankage Yard":

"Within Schedule N, Airport Noise Contour Overlay 200 feet (60.9m)"

18. Schedule B, Zoning Map of the Land Use By-law is amended by rezoning the lands identified in the attached Schedule A to P-3 (Park) Zone.

19. The Schedules section of the Land Use By-law is amended by adding Schedule N, "Airport Noise Contour Overlay" attached as Schedule A, after Schedule M.

I HEREBY CERTIFY that the amendment to the Land Use By-law of Planning Districts 14 and 17 (Shubenacadie Lakes) as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the day of , 2016

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this day of , 2016

Municipal Clerk

Attachment E-1

Amendments to the Regional Subdivision By-law – Airport Noise

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Regional Subdivision By-law as enacted by the Halifax Regional Municipality on the 25th day of June, 2014, and approved by the Minister of Municipal Affairs on, 18th day of October, 2014, including all amendments thereto, is further amended as follows:

1. By adding Schedule “O” Noise Exposure Forecast 30 Contour, attached as Schedule A.
2. By adding sections 12A and 12B after section 12 and before section 13 as follows:

12A (1) Notwithstanding section 12 and subject to subsection 2 of this section, new streets serving residential uses are not permitted within the Noise Exposure Forecast 30 Contour, as shown on Schedule “O”.

(2) Subsection 1 of this section shall not apply to the lands of Oakfield Estate Limited shown as PIDs 41189077, 41189085, and 41189093 on the approved tentative plans of subdivision dated June 13, 2014 and June 25, 2014, on file with the Municipality as File #18634 and #19193.

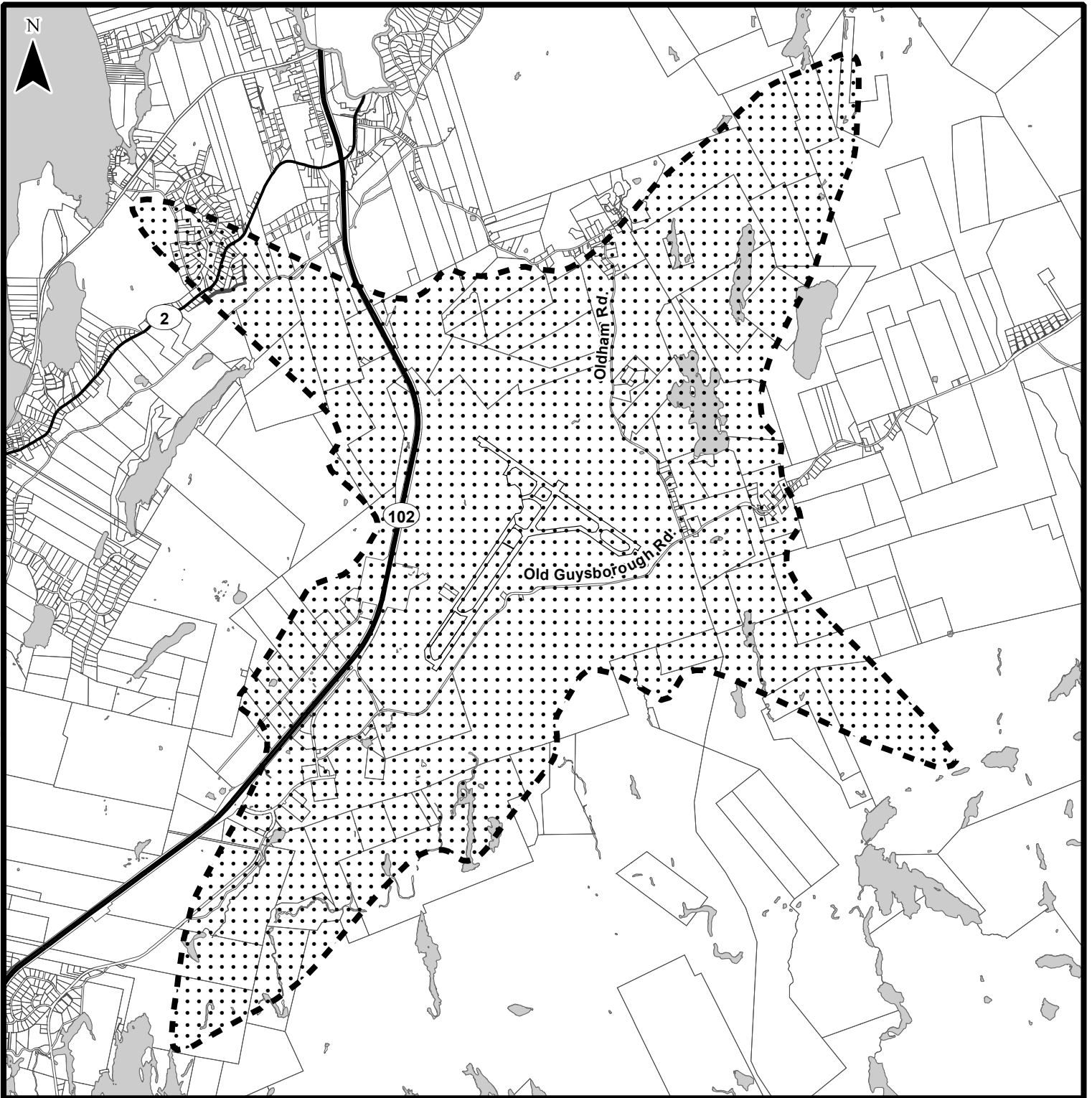
12B (1) Notwithstanding section 12, for the lands of Oakfield Estate Limited shown as PIDs 41189077, 41189085, and 41189093 on the approved tentative plans of subdivision dated June 13, 2014 and June 25, 2014, on file with the Municipality as File #18634 and #19193, new streets serving residential uses are not permitted.

(2) Subsection 1 of this section shall come into force on December 31, 2019.

I HEREBY CERTIFY that the amendment to the Regional Subdivision By-law for Halifax Regional Municipality as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the day of , 2016

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this day of , 2016



Municipal Clerk



SCHEDULE A

HALIFAX

Planning and Development

 Noise Exposure
 Forecast 30

