



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

**OFFICE OF THE MUNICIPAL CLERK**

---

**For Regional Council Consideration on January 26, 2016**  
**Case 01192 – Halifax Stanfield International Airport – Regulation of Adjacent Development**  
**(Supplementary Staff Report)**

<b>Item 11.1</b>	Staff Supplementary report dated November 25, 2015	First Reading given August 4, 2015  Public hearing held September 8, 2015 and recommendation deferred pending supplementary staff report.  Supplementary Staff report received and First Reading given at December 8, 2015
------------------	----------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Regional Council Action Required:**

**Motion:** That Halifax Regional Council:

1. 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-1 and B-1 of the supplementary staff report dated November 25, 2015;
2. 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 residential developments located in the NEF 30 (Noise Exposure Forecast) Contour around the Halifax Stanfield International Airport, Enfield and to reflect the direction of Regional Council at First Reading on December 8, 2015 to replace the words “front or flankage yard” with the words “lot frontage” in sections 10(1) and 14(1) of Revised Attachment D-1 attached to this motion memo and to reflect a 10 year time frame for grandfathering of development rights in Revised Attachments C-1, D-1 and E-1 attached to this motion memo.

## Attachment C-1 REVISED

### 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 2<sup>nd</sup> day of May, 1989 and approved by the Minister of Municipal Affairs on the 19<sup>th</sup> day of July, 1989, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 18<sup>th</sup> 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, 2024.

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 REVISED**

**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 2<sup>nd</sup> day of May, 1989 and approved by the Minister of Municipal Affairs on the 19<sup>th</sup> day of July, 1989, which includes all amendments thereto which have been approved by the Municipality and are in effect as of the 18<sup>th</sup> 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 lot frontage" 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 lot frontage shall be 100 feet.

(2) Subsection 1 of this section shall come into force on December 31, 2026.

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 lot frontage” 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 lot frontage shall be 100 feet.

(2) Subsection 1 of this section shall come into force on December 31, 2026.

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 REVISED**

**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, 2024.

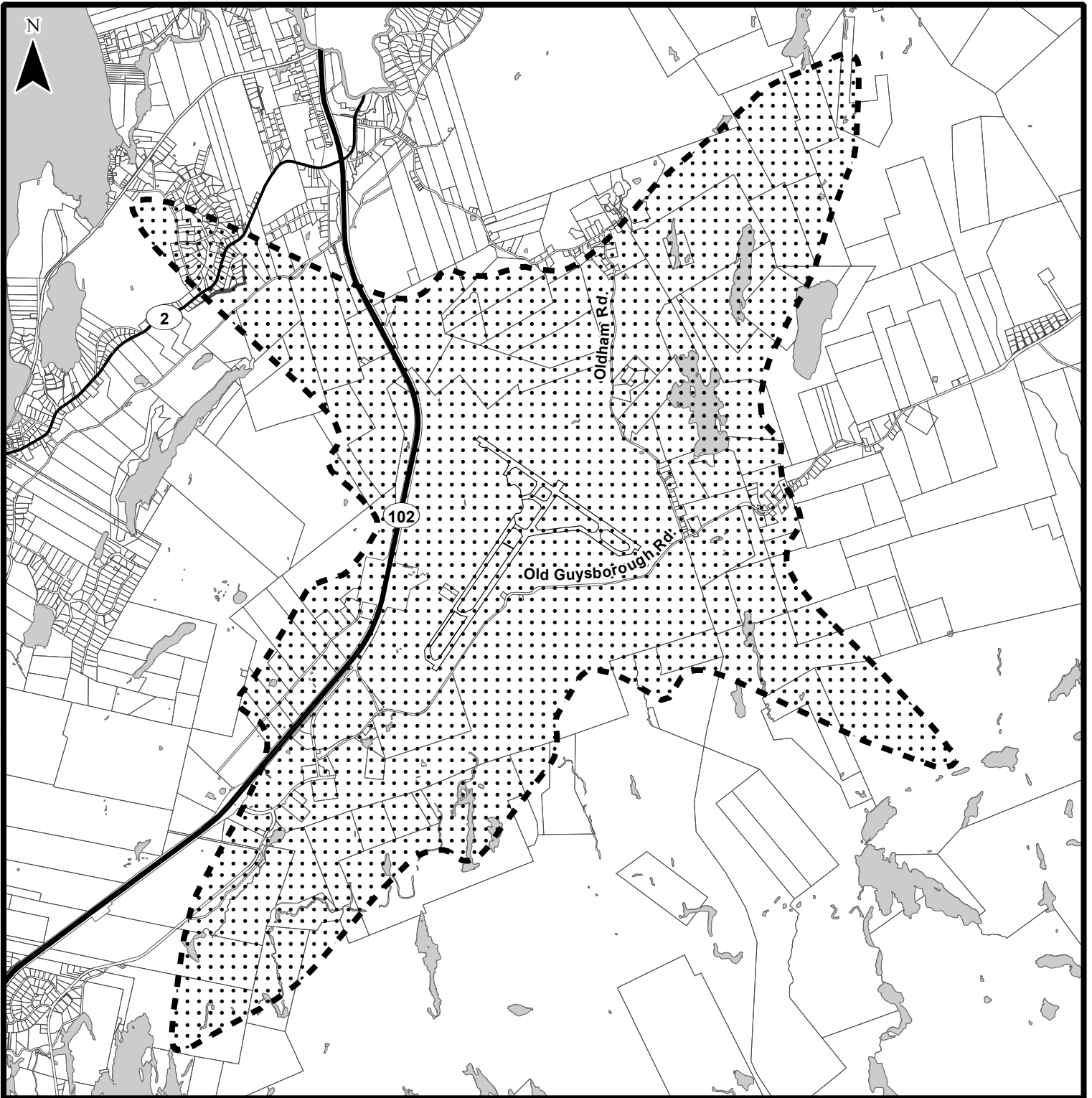
I HEREBY CERTIFY that the amendment to the Regional Subdivision By-law for Halifax Regional Municipality as set out above, was passed by a majority vote of the whole Council of the Halifax Regional Municipality at a meeting held on the      day of      , 2016

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

