

ATTACHMENT D08

Proposed Amendments to the Dartmouth Land Use By-law

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

- 1 Section 1, subclauses 1(e) and 1(h) of the By-law are repealed.
- 2 Section 1, subclause 1(qc) is amended by adding “park, outdoor amenity space,” after “street” as shown below in **bold**:

(qc) **FACADE**, within the Main Street Designation, means any building wall facing a street, **park, outdoor amenity space**, front yard parking lot or side yard parking lot.
- 3 Section 1 is amended by adding the new subclause (saaa) after subclause (saa) as shown below in **bold**:

(saaa) GRADE-RELATED DWELLING UNIT USE means a dwelling unit within a multi-unit dwelling use that is accessible by pedestrians from a private entrance door that fronts and faces a streetline.
- 4 Section 1 of the By-law is amended by adding the new subclause (alaa) after subclause (al) and before clause (ala) as shown below in **bold**:

(alaa) URBAN SERVICE AREA means the Urban Service Area under Schedule B of the Regional Subdivision By-law.
- 5 Section 2, clause 14 of the By-law is amended by striking out “one” in subclause (a) and replacing it with “zero”, by striking out “1.25” in paragraph (b)(i) and replacing it with “0.33”, and by repealing paragraph (b)(iii) as shown below in **bold** and ~~strikeout~~:

(a) for single-family and two family dwellings, ~~one~~ **zero** parking space per unit shall be provided;
(b) for apartment buildings and row house projects:
 - (i) ~~1.25~~ **0.33** parking spaces shall be provided for each unit;
 - (iii) ~~Apartment buildings within the Main Street Designation (except for townhouses), and apartment buildings within the Kuhn Road Designation as shown on Schedule “A1” (except for townhouses), shall provide 0.5 parking space per bachelor unit, 0.5 parking space per 1-bedroom unit, 1 parking space per 2-bedroom or larger unit, and 1 visitor parking space per Building, plus one additional visitor parking space for every 15 Dwelling Units;~~
- 6 Section 2, subclause 15(b) of the By-law is amended by striking out “8 feet by 20 feet except in the case of curb parking parallel to a driveway, in which case the length of the parking stall shall be increased to 22 feet. Notwithstanding the foregoing, up to one third of the individual parking spaces may be reduced in size to 7 feet by 16 feet minimum except in the case of curb parking in which case the length of the stall shall be increased to 18 feet” and replacing it with “a minimum

of 2.4 metres (7.9 feet) in width and 5.5 metres (18 feet) in length except in the case of curb parking parallel to a driveway, in which case the length of the parking stall shall be increased to 6.1 metres (20 feet) in length. Notwithstanding the foregoing, up to one third of the individual parking spaces may be reduced in size to 2.1 metres (7 feet) by 4.9 metres (16 feet) minimum except in the case of curb parking in which case the length of the stall shall be increased to 5.5 metres (18 feet)” as shown below in **bold** and ~~strikeout~~:

(b) individual parking spaces shall be ~~8 feet by 20 feet~~ except in the case of curb parking parallel to a driveway, in which case the length of the parking stall shall be increased to ~~22 feet~~. Notwithstanding the foregoing, up to one third of the individual parking spaces may be reduced in size to ~~7 feet by 16 feet~~ minimum except in the case of curb parking in which case the length of the stall shall be increased to ~~18 feet~~ **a minimum of 2.4 metres (7.9 feet) in width and 5.5 metres (18 feet) in length** except in the case of curb parking parallel to a driveway, in which case the length of the parking stall shall be increased to **6.1 metres (20 feet) in length**. Notwithstanding the foregoing, up to **one third of the individual parking spaces may be reduced in size to 2.1 metres (7 feet) by 4.9 metres (16 feet) minimum** except in the case of curb parking in which case the length of the stall shall be increased to **5.5 metres (18 feet)**. All parking areas, including driveways and maneuvering areas, shall be hard surfaced.

7 Section 2, subclause 15(fa) of the By-law is amended by striking out “in the front yard” and replacing it with “between any street line and the main building” as shown below in **bold** and ~~strikeout~~:

(fa) within the Main Street Designation no apartment building parking or commercial parking or institutional parking shall be located ~~in the front yard~~ **between any street line and the main building**, nor shall any parking be located in any side yard except for one parallel parking lane on each side of a driveway;

8 Section 2, subclause 15(fb) of the By-law is amended by striking out “in the front yard” and replacing it with “between any street line and the main building” as shown below in **bold** and ~~strikeout~~:

(fb) within the Kuhn Road Designation as shown on Schedule A1, no apartment building parking or commercial parking or institutional parking shall be located ~~in the front yard~~ **between any street line and the main building**;

9 Section 2, clause 18B of the By-law is amended by striking out “shall be permitted only” and replacing it with “may also be permitted” as shown below in **bold** and ~~strikeout~~:

18B Notwithstanding any other provision of this By-law, and except within the Main Street Designation, apartment development in R-3, R-4, C-2, MF-1 and GC Zones ~~shall be permitted only~~ **may also be permitted** by Development Agreement.

10 The portion of Section 2, subclause 19(c) of the By-law before paragraph (i) is amended by striking out “the effective date of this By-law” and replacing it with “July 1, 2024” as shown below in **bold** and ~~strikeout~~:

(c) A building that has been erected on or before ~~the effective date of this By-law~~ **July 1, 2024** on a lot having less than the minimum required frontage or area, or both, as required by either this By-law or the Regional Subdivision By-law, or having less than the minimum front yard, side yard, rear yard, separation distance or watercourse setback or buffer required by this By-law, may be enlarged, reconstructed, repaired or renovated provided that:

11 Section 2, clause 27A of the By-law is amended by striking out “15” and replacing it with “25” and by striking out “650 square feet in area” and replacing it with “1000 square feet in floor area” as shown below in **bold** and ~~strikeout~~:

27A. No accessory building in any R-1, R-1M, R-1A, R-2, R-3, R-4, TH or T shall be greater than ~~45~~ **25** feet in height nor greater than ~~650 square feet in area~~ **1000 square feet in floor area**.

12 Section 2, clause 27B of the By-law is amended by striking out “the dwelling on the property” and replacing it with “the minimum distance required for the main building” as shown below in **bold** and ~~strikeout~~:

27B. No accessory building shall be located closer to the front lot line than ~~the dwelling on the property~~ **the minimum distance required for the main building** in any Residential Zone. (HECC-July 12/01;E-Aug 5/01)

13 Section 2 of the By-law is amended by adding the new subsections 27BC and 27BD after clause 27BB as shown below in **bold**:

27BC Notwithstanding anything else in this by-law, an enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum floor area requirements for accessory buildings or structures.

27BD An accessory structure may be located on a lot that directly abuts the lot containing the main building or use it is intended to serve.

14 Section 2, subclause 27D(a) of the By-law is amended by adding “or” and striking out “or backyard suite in paragraph (i), by repealing paragraph (iv), and by striking out “Where a residential use is a non-conforming use a secondary suite shall not be permitted” in paragraph (v) and replacing it with “A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone” as shown below in **bold** and ~~strikeout~~:

(i) No more than one total auxiliary dwelling, basement apartment, **or** secondary suite ~~or backyard suite~~ shall be permitted on a lot;

(iv) ~~Notwithstanding the parking requirements of Sections 14 and 15, additional off-street parking shall not be required; and~~

(v) ~~Where a residential use is a non-conforming use a secondary suite shall not be permitted~~ **A secondary suite shall be permitted accessory to a non-**

conforming structure for residential use, except where no residential uses are permitted in the zone.

- 15 Section 2, subclause 27D(b) of the By-law is amended by striking out “or” in the portion before paragraph (i) and replacing it with a comma, by adding “, or an apartment building containing only 3 dwelling units” after “a townhouse dwelling” in the portion before paragraph (i), by striking out “total auxiliary dwelling, basement apartment, secondary suite or” in paragraph (i), by repealing paragraph (iv), by striking out “Where a residential use is a non-conforming use a backyard suite shall not be permitted” in paragraph (vi) and replacing it with “A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone”, by striking out “Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.” in paragraph (viii) and replacing it with “A backyard suite shall have unobstructed access that (A) connects the backyard suite to a street or private roadway, (B) is located on the same lot on which the backyard suite is located, and (C) has a minimum width of 1.1 metres”, and by adding the new subclause (ix) after subclause (viii) as shown below in **bold** and ~~strikeout~~:

(b) **BACKYARD SUITES**

Backyard suites shall be permitted accessory to a single family dwelling, a two-family dwelling, a duplex dwelling, a semi-detached dwelling, ~~or a townhouse dwelling,~~ **or an apartment building containing only 3 dwelling units** subject to the following provisions:

- (i) ~~No more than one total auxiliary dwelling, basement apartment, secondary suite or~~ backyard suite shall be permitted on a lot;
- (iv) ~~The floor area of a backyard suite shall not exceed 90.0 square metres or the maximum floor area of an accessory building as set out in Section 27A, whichever is less;~~
- (vi) ~~Where a residential use is a non-conforming use a backyard suite shall not be permitted~~ **A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone.**
- (viii) ~~Where the main dwelling unit does not have a side yard on both sides, a backyard suite must have unobstructed access upon the same lot in which the backyard suite is located to a public street.~~
A backyard suite shall have unobstructed access that
 - (A) **connects the backyard suite to a street or private road,**
 - (B) **is located on the same lot on which the backyard suite is located,**
and
 - (C) **has a minimum width of 1.1 metres.**
- (ix) **A non-conforming accessory structure may be converted to a backyard suite if the floor area of the backyard suite does not exceed 1,000 square feet.**

Section 2, subsection 28 of the By-law is amended by repealing clauses (1) and (2), by striking out “Where no building line exists on a street and there are no existing buildings on the street, the” in clause (3) and replacing it with “The”, by striking out “or ranges of minimum setbacks” in clause (3), by striking out “15-30 feet” after “R-1” and “R-2” in clause (3) and replacing it with “15 feet”, by striking out “, provided that in no case shall a building for R-3 use be located with respect to any street so that the height of the part exceeds the setback plus two-thirds the width of the street on which it fronts.” in clause (3), by striking out “, provided that in no case shall a building for R-4 uses be located with respect to any street so that the height of the part exceeds the setback plus one-half of the width of the street on which it fronts.” in clause (3), by striking out “front yard setback” in the portion before subclause (3A)(a) and replacing it with “building setback from each street line”, by striking out “front yard” in subclause (3A)(d) and replacing it with “street line”, by striking out “front lot line” in subclause (3A)(d) and replacing it with “street line”, by adding the new clause (3B) as shown in **bold**, and by repealing clause (4) as shown in ~~strikeout~~:

- (1) ~~Every building shall be located at a distance from the street line as specified by the building line applicable to the subdivision in which the proposed building is to be located.~~
 - (2) ~~Where no building line exists on a street where there are existing buildings, the building line shall be taken as the mean distance of the setback of the existing buildings from the street line in the block in which the proposed building is located.~~
 - (3) ~~Where no building line exists on a street and there are no existing buildings on the street,~~ **The** following minimum setbacks ~~or ranges of minimum setbacks~~ shall apply, unless otherwise provided in this or any other by-law of the City of Dartmouth.

R-1	15-30 feet 15 feet minimum
R-1A	15 feet minimum
R-2	15-30 feet 15 feet minimum
R-3	15 feet minimum, provided that in no case shall a building for R-3 use be located with respect to any street so that the height of the part exceeds the setback plus two-thirds the width of the street on which it fronts.
R-4	15 feet minimum, provided that in no case shall a building for R-4 uses be located with respect to any street so that the height of the part exceeds the setback plus one-half of the width of the street on which it fronts.
- (3A) Notwithstanding Clause (3) of Subsection 28, within the Main Street Designation the ~~front yard setback~~ **building setback from each street line** shall be:
- (a) for Gordon Avenue, Major Street and Hartlen Street a minimum setback of 1 metre (3.3 feet) and a maximum setback of 6.1 metres (20 feet)
 - (b) for Lakecrest Drive and Valleyfield Road a minimum setback of 6.1 metres (20 feet)
 - (c) for all other streets a minimum setback of 2 metres (6.6 feet) and a maximum setback of 9.1 metres (30 feet)
 - (d) unenclosed balconies, unenclosed porches and bay windows may project into the required ~~front yard~~ **street line** setback provided they are no less than 1.0 metre (3.3feet) from the ~~front lot line~~ **street line**.

(3B) New development on properties abutting PID 00191668 or PID 00191783 shall have in relation to the nearest side lot line of such PIDs:

- (a) a minimum setback of 1 metre (3.3 feet);**
- (b) a façade with equivalent features to a streetwall;**
- (c) a maximum façade height of 13.8 m (45 feet) below a stepback; and**
- (d) a minimum stepback of 1.8 m (6 feet).**

~~(4) Where a range of minimum setbacks is stated, the minimum setback shall be determined by considering the following factors:~~

- ~~(a) existing or projected traffic volumes,~~
- ~~(b) function of the street,~~
- ~~(c) pedestrian movements in the area,~~
- ~~(d) site conditions or natural constraints,~~
- ~~(e) avoiding monotonous streetscapes,~~
- ~~(f) ensuring proper functioning of driveways.~~

17 The portion of section 2, subclause 32H.4(a) before paragraph (i) is amended by striking out “80 ft” and replacing it with “50 feet” as shown below in **bold** and ~~strikeout~~:

- (a) At least one of the following architectural elements shall be incorporated at intervals of at least every 12.2 m (40 ft) on every Facade within an R-3 Zone or Neighbourhood Live-Work (NLW) Zone, and at least every 15.2 m (~~80 ft~~ **50 feet**) on every facade within the C-2 Zone:

18 The portion of section 2, subclause 32H.6(b) before paragraph (i) is amended by striking out “80 ft” and replacing it with “50 feet” as shown below in **bold** and ~~strikeout~~:

- (b) At least one of the following architectural roof elements shall be incorporated at intervals of at least every 12.2 m (40 ft) within an R-3 Zone or NLW Zone, or at least every 15.2 m (~~80 ft~~ **50 feet**) within a C-2 Zone:

19 Section 3, part 1, clause 32(1) of the By-law is amended by adding the new clauses (a.1) and (a.2) after clause 32(1)(a) as shown below in **bold**:

32(1) The following uses only shall be permitted in an R-1 Zone:

- (a) Single family dwellings;
- (a.1) Two-family dwellings within the Urban Service Area;**
- (a.2) Apartment building containing 3 or 4 dwelling units within the Urban Service Area;**
- (aa) Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit; (RC-Aug 9/22;E-Sep 15/22)
- (b) places of worship and associated halls;
- (c) schools, colleges, universities, libraries, art galleries, and museums;
- (d) public parks and playgrounds;
- (e) tennis clubs, quoit clubs, lawn bowling clubs, archery clubs, golf clubs;
- (f) yacht and boating clubs located within 200 feet of the shore of a lake or Halifax Harbour;
- (g) uses accessory to any of the foregoing uses;

- (h) within the Waverley Road designation, expanded home occupations are permitted subject to site plan approval, in accordance with the requirements of Section 23A of the General Provisions. (RC-Sep 8/09;E-Nov 14/09)

20 Section 3, part 1, clause 32(2) of the By-law is amended by adding the new paragraphs (e) and (f) after paragraph (d) as shown below in **bold**:

- 32(2) Buildings used for R-1 uses in an R-1 Zone shall comply with the following requirements:
- (a) Lot area minimum - 5,000 square feet
 - (b) Lot coverage maximum - 35 %
 - (c) Side and rear yards shall be provided on each side and at the rear of buildings as provided by the Building By-laws of the City.
 - (d) Repealed
 - (e) **Lot frontage minimum - 15.24 metres. If a lot has the front lot line as a curved line, the lot frontage shall be measured along a horizontal line between the side lot lines at twenty (20) feet (6.1 m) from the front lot line.**
 - (f) **Notwithstanding Paragraph (e), lot frontage minimum for a semi-detached dwelling - 7.62 metres. If a lot has the front lot line as a curved line, the lot frontage shall be measured along a horizontal line between the side lot lines at twenty (20) feet (6.1 m) from the front lot line.**

21 Section 3, part 3, subclause 33(1)(d) of this By-law is repealed.

22 Section 3, part 3, clause 33(3) of this By-law is amended by adding the new paragraphs (f) and (g) after paragraph (e) as shown below in **bold**:

- 33(3) Buildings used for R-2 uses in an R-2 Zone shall comply with the following requirements:
- (a) Lot area minimum - 5,000 sq. ft.
 - (b) Lot coverage maximum - 35%
 - (c) Side and rear yards shall be provided on each side and at the rear of a building as specified in the Building By-laws of the City.
 - (d) notwithstanding anything contained in this section, a lot in an R-2 Zone created by the subdivision of a lot containing two semi-detached dwellings shall be permitted, provided that each lot resulting from the subdivision and each individual dwelling unit complies with the following requirements:
 - (i) Lot area minimum - 2,500 square feet
 - (ii) Lot frontage minimum - 25 feet
 - (iii) Lot coverage maximum - 35%
 - (iv) compliance with the building by-laws of the City.
 - (e) Height Maximum -35 feet on all parcels of land situated within the (RC – Oct 26/21; E – Nov 27/21) Main Street Designation as identified on Schedule AF (RC-Sep 10/13;E-Nov 30/13).
 - (f) **Lot frontage minimum - 15.24 metres. If a lot has the front lot line as a curved line, the lot frontage shall be measured along a horizontal line between the side lot lines at twenty (20) feet (6.1 m) from the front lot line.**
 - (g) **Notwithstanding Paragraph (f), lot frontage minimum for a semi-detached dwelling - 7.62 metres. If a lot has the front lot line as a curved line, the lot**

frontage shall be measured along a horizontal line between the side lot lines at twenty (20) feet (6.1 m) from the front lot line.

- 23 Section 3, part 3, clause 33(6) of this By-law is repealed.
- 24 Section 3, part 4, clause 34(3) of this By-law is amended by striking out “25%” in clause (a) and replacing it with “50%”, by repealing paragraph (b), and by adding the new paragraphs (f), (g), (h), (i), and (j) after paragraph (e) as shown below in **bold** and ~~strikeout~~:

- (a) Lot coverage, maximum - ~~25%~~ **50%**
- ...
- (f) **Maximum height of a main building shall be 12.2 metres (40 feet).**
- (g) **Lot frontage minimum - 15.24 metres. If a lot has the front lot line as a curved line, the lot frontage shall be measured along a horizontal line between the side lot lines at twenty (20) feet (6.1 m) from the front lot line.**
- (h) **Notwithstanding Paragraph (g), lot frontage minimum for a semi-detached dwelling - 7.62 metres. If a lot has the front lot line as a curved line, the lot frontage shall be measured along a horizontal line between the side lot lines at twenty (20) feet (6.1 m) from the front lot line.**
- (i) **Lot area minimum - 464.5 square metres (5,000 square feet).**
- (j) **Unit mix minimum - 25% of the total number of dwelling units must have 2 bedrooms or more in a dwelling unit.**

- 25 Section 3, part 4, clause 34(3A) of this By-law is amended by striking out “6.1 metres [20 ft]” in Row “Minimum Front or Flankage Yard” and replacing it with “3.0 metres [10 ft]”, by striking out “12.2 metres [40 ft]” in Row “Minimum Rear Yard” and replacing it with “6.1 metres [20 ft]”, and by striking out “12.2 metres [40 ft]” in Row “Minimum Side Yard” and replacing it with “6.1 metres [20 ft]” as shown below in **bold** and ~~strikeout~~:

Minimum Front or Flankage Yard	6.1 metres [20 ft] 3.0 metres [10 ft]
Minimum Rear Yard	12.2 metres [40 ft] 6.1 metres [20 ft] for any portion of the Rear Yard abutting an R-1, R-1A or R-2 Zone
Minimum Side Yard	12.2 metres [40 ft] 6.1 metres [20 ft] for any portion of the Side Yard abutting an R-1, R-1A or R-2 Zone

- 26 Section 3, part 4, clause 34(3B) of this By-law is amended by adding “, the ground floor of the façade of” after “Main Street Designation” and striking out “have the appearance of Townhouse Dwellings” and replacing it with “comprise Grade-Related Dwelling Unit Uses and the main pedestrian entrance to the building” as shown below in **bold** and ~~strikeout~~:

34(3B) Within the Main Street Designation, **the ground floor of the façade of** an apartment building along the south side of Lakecrest Drive or the west side of Valleyfield Road shall ~~have the appearance of Townhouse Dwellings~~ **comprise Grade-Related Dwelling Unit Uses and the main pedestrian entrance to the building.**

- 27 Section 3, part 4, subclause 34(7)(b) of the By-law is amended by adding “or” after “new duplex dwelling unit,” and by striking out “, new auxiliary apartment” as shown below in **bold** and ~~strikeout~~:

- (b) Notwithstanding subsections 34(3), 34(4) and 34(7)(a), within Schedule AI-1 of the Kuhn Road Designation as shown on Schedule AI, no development permit shall be issued for an apartment building, townhouse dwelling, new duplex dwelling unit, **or** new semi-detached dwelling unit, ~~new auxiliary apartment~~ in the R-3 (Multiple Family Residential) Zone except where a piped sanitary sewer connection has been established to the satisfaction of the Municipal Engineer.

- 28** The portion of section 3, part 4 of this By-law after clause 34(7) is amended by striking out “are permitted only” in the note at the end and replacing it with “may also be permitted” as shown below in **bold** and ~~strikeout~~:

NOTE: Effective December 4, 1991, Multiple family residential developments in the City of Dartmouth ~~are permitted only~~ **may also be permitted** by development agreement, except within the Main Street Designation (RC-Sep 10/13;E-Nov 30/13).

- 29** Section 3, part 5, clause 35(3) of this By-law is amended by repealing paragraph (b) and by adding the new paragraphs (f), (g), (h), and (i) after paragraph (e) as shown below in **bold** and ~~strikeout~~:

(b) ~~Area (in square feet) of site required by type of dwelling unit:~~

Number of Storeys	TYPE OF DWELLING UNIT			
	Bed Sitting Room	One Bedroom	Two Bedrooms	Three or more Bedrooms
1	440 sq. ft.	550 sq. ft.	890 sq. ft.	1230 sq. ft.
2	410	510	820	1130
3	380	470	760	1050
4	350	440	700	970
5	330	410	650	890
6	320	380	610	820
7	310	360	570	770
8	310	350	540	720
9	300	340	510	690
10	300	330	480	660
11 & over	300	330	460	640

- (f) **Lot frontage minimum - 15.24 metres. If a lot has the front lot line as a curved line, the lot frontage shall be measured along a horizontal line between the side lot lines at twenty (20) feet (6.1 m) from the front lot line.**
- (g) **Notwithstanding Paragraph (f), lot frontage minimum for a semi-detached dwelling - 7.62 metres. If a lot has the front lot line as a curved line, the lot frontage shall be measured along a horizontal line between the side lot lines at twenty (20) feet (6.1 m) from the front lot line.**
- (h) **Lot area minimum - 464.5 square metres (5,000 square feet).**
- (i) **Unit mix minimum - 25% of the total number of dwelling units must have 2 bedrooms or more in a dwelling unit.**

- 30 The portion of section 3, part 5 of this By-law after clause 35(5) is amended by striking out “are permitted only” in the note at the end and replacing it with “may also be permitted” as shown below in **bold** and ~~strikeout~~:

NOTE: Effective December 4, 1991, Multiple family residential developments in the City of Dartmouth ~~are permitted only~~ **may also be permitted** by development agreement.

- 31 Section 3, part 7A, clause 37A(1) of this By-law is amended by striking out “Townhouse style residential developments” and replacing it with “Grade-Related Dwelling Unit Uses” as shown below in **bold** and ~~strikeout~~:

37A(1) NLW USES PERMITTED

No development permit shall be issued in any NLW Zone except for:

Craftshops

Spas

Studios

Offices

~~Townhouse style residential developments~~ **Grade-Related Dwelling Unit Uses** where each unit has access to an internal private driveway which services the development R-1, R-1A, and S uses as hereinbefore set out

- 32 Section 3, part 7A, subclause 37A(3)(a) of this By-law is amended by striking out “townhouse block” and replacing it with “block of Grade-Related Dwelling Unit Uses” and striking out “4.5 m [15 ft]” after “Minimum Side or Flanking Yard” and replacing it with “2 m [6.6 ft]” as shown below in **bold** and ~~strikeout~~:

37A(3) REQUIREMENTS: OTHER USES

- (a) No development permit shall be issued for a ~~townhouse block~~ **block of Grade-Related Dwelling Unit Uses**, craftshop, spa, studio or office except in conformity with the following:

Minimum Lot Area 371.6 sq. m [4000 sq. ft]

Minimum Frontage 15 m [50 ft]

Minimum Front Yard 6 m [20 ft]

Minimum Side or Flanking Yard ~~4.5 m [15 ft]~~ **2 m [6.6 ft]**

Minimum Rear Yard 6 m [20 ft]

Maximum Lot Coverage 45 %

Maximum Height of Main Building 10.7 m [35 ft]

Maximum Total Floor Area 930 sq. m (10,000 sq. feet)

- 33 Section 3, part 9, subclause 39(1)(ba) of this By-law is amended by striking out “, R-2 and TH” and replacing it with “and R-2” as shown below in **bold** and ~~strikeout~~:

(ba) Within the Main Street Designation, R-1, ~~R-2 and TH~~ **and R-2** uses are not permitted;

34 Section 3, part 9, clause 39(2) of this By-law is amended by striking out “Building” and replacing it with “Except within the Main Street Designation, buildings” as shown below in **bold** and ~~strikeout~~:

39(2) **Buildings Except within the Main Street Designation, buildings** used for R-1, R-2, R-3, C-1 and TH uses in a C-2 Zone shall comply with the requirements of an R-1, R-2, R-3, C-1 or TH Zone respectively.

35 Section 3, part 9, subclause 39(3)(ba) of this By-law is amended striking out “except for those lots abutting Lakecrest Drive” and replacing it with “permissible”, striking out “are not permitted on” and replacing it with “along”, striking out “façades” after “the ground floor”, and striking out “, except for” and replacing it with “shall be grade-related dwelling unit uses,” as shown below in **bold** and ~~strikeout~~:

(ba) Within the Main Street Designation, ~~except for those lots abutting Lakecrest Drive,~~ **permissible** residential uses ~~are not permitted on~~ **along** the ground floor **façades** of a building, ~~except for~~ **shall be grade-related dwelling unit uses**, entrance lobbies, common areas and accessory uses.

36 Section 3, part 9, subclause 39(3)(c) of this By-law is amended by adding “Except within the Main Street Designation” after “Maximum Lot coverage –” as shown below in **bold** and ~~strikeout~~:

(c) Maximum Lot coverage – **Except within the Main Street Designation**, 100% if the requirements for 100% lot coverage in the Building Bylaws of the City of Dartmouth are met, except that a motel building or buildings shall occupy surface area of not more than one-third of the total area of the building lot.

37 Section 3, part 24, subclause 48(2)(b) of this By-law is amended by striking out the entire subclause and replacing it with “Minimum Front Yard – 15 ft” as shown below in **bold**:

(b) ~~Every building shall be located at a distance from the street line as specified by the building line applicable to the street on which the proposed building is to be located. Where no building line exists and no building line is established by the Development Officer, the building line shall be taken as the mean distance of the set-back of the existing buildings from the street line in the block in which the proposed building is to be located, provided that in no case shall a building for MF-1 uses other than residential use be located with respect to any street so that the height of the building exceeds the set-back plus one-half of the width of the street on which it fronts.~~

Minimum Front Yard – 15 ft

38 Section 4, Schedule AF “Main Street Building Heights” is amended by increasing the maximum building height of certain lands between Main Street and Lakecrest Drive, Dartmouth from 21.4 metres to 45.0 metres as shown in Attachment-D08-Schedule AF-1.

39 Section 4, Schedule AJ “Lands Subject To Interim Bonus Zoning Requirements” is amended by adding the following rows in Table 1 as shown below in **bold**:

Ref. #	Case #	PIDs
SS021 (Case 24660)	2023-01065 (HAF)	40612228, 40612236
SS033	2023-01065 (HAF)	00602474
SS040	2023-01065 (HAF)	40271488, 00191676, 40271504, 40271496
SS157	2023-01065 (HAF)	00191726

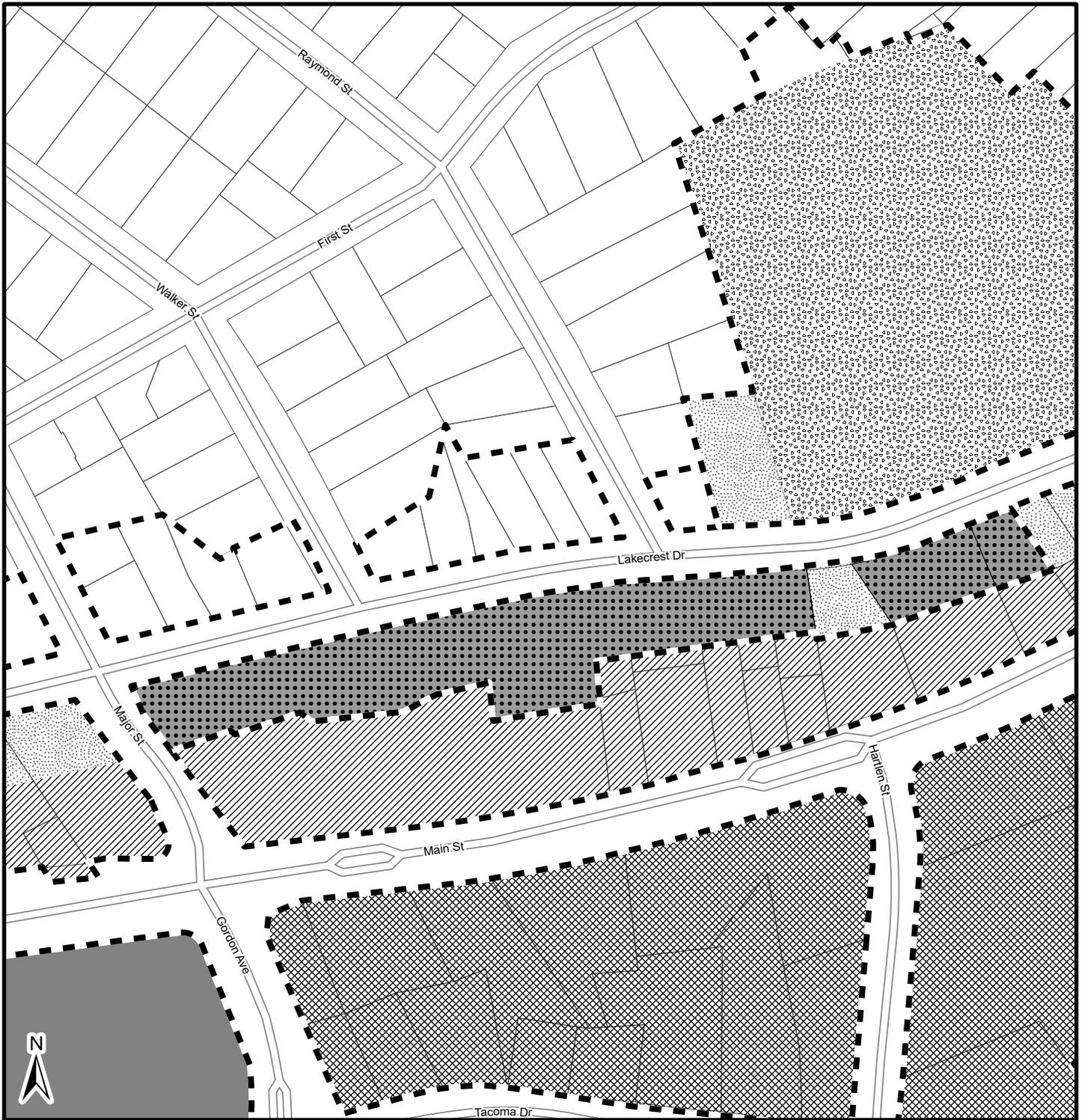
SS160	2023-01065 (HAF)	00261917, 41053281
SS201	2023-01065 (HAF)	00191775

40 Schedule 1 "Zoning Map for Dartmouth" is amended by rezoning PID 40271504, 40271496, 00191643, and 40699258 on Lakecrest Drive from the Multiple Family Residential (Medium Density) (R-3) Zone to the General Business (C-2) Zone as shown in Attachment-D08-Schedule 1-1, and by rezoning 119A Woodlawn Road from the General Business (C-3) Zone to the General Business (C-2) Zone as shown in Attachment-D08-Schedule 1-2.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Council of Halifax Regional Municipality held on the ____ day of _____, A.D., 20_____.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the said Municipality this ____ day of _____, A.D., 20_____.

Municipal Clerk



Attachment D08 - Schedule AF-1

Dartmouth

HALIFAX

- | | | |
|--|--|---|
|  Maximum height to be amended from 21.4 metres to 45.0 metres |  10.7m (35ft) |  21.4m (70ft) |
| |  13.7m (45ft) |  24.4m (80ft) |
|  Main Street Designation |  18.3m (60ft) |  36.6m (120ft) |





Attachment D08 - Schedule 1-1

Dartmouth

HALIFAX

Zone

 Area to be rezoned from R-3 to C-2

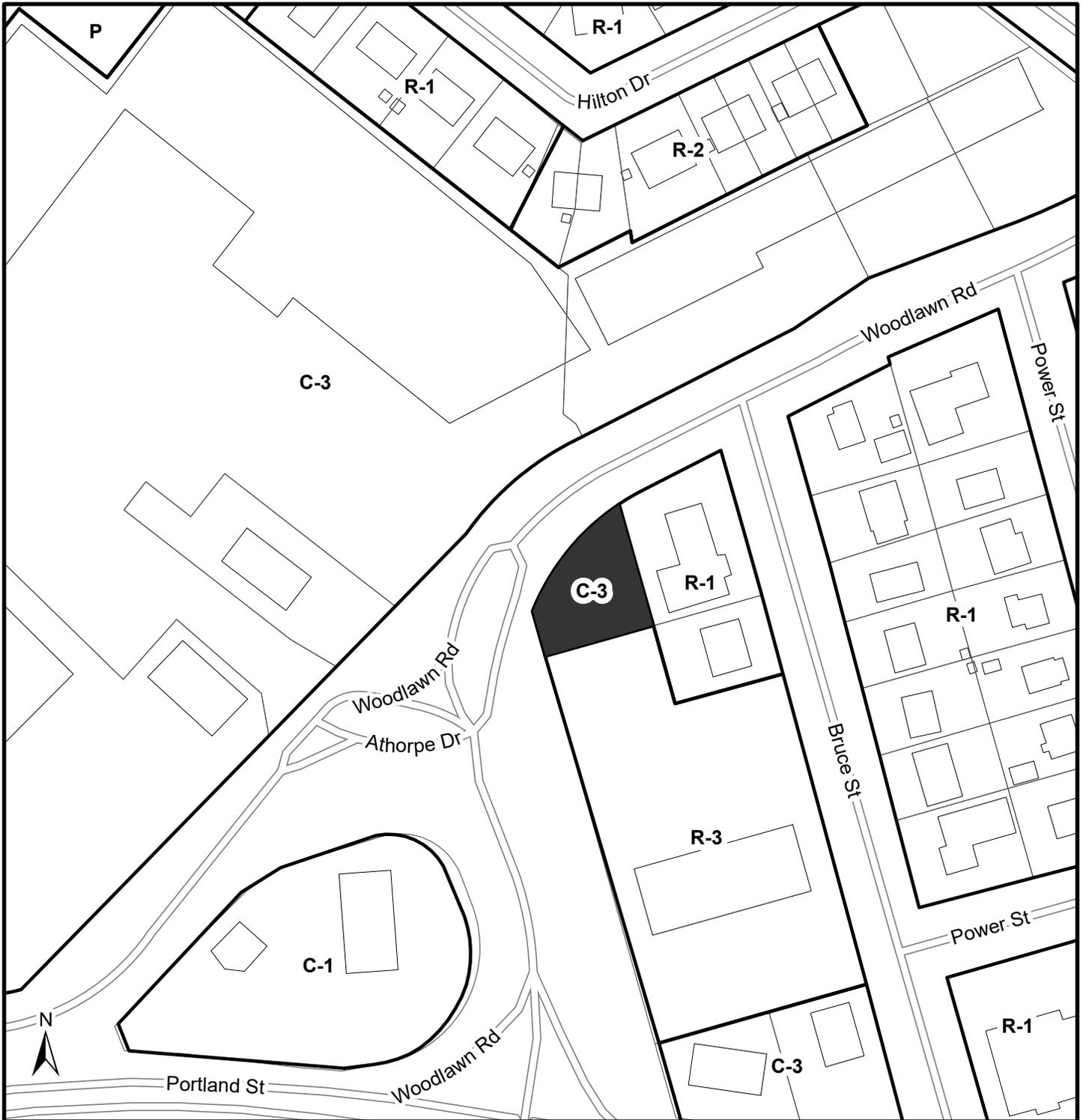
- C-2 General Business
- R-1 Single Family Residential
- R-1A Auxiliary Dwelling Unit
- R-3 Multiple Family Residential (Medium Density)



Dartmouth
Land Use By-Law

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.



Attachment D08 - Schedule 1-2

Dartmouth

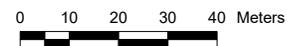
Zone

HALIFAX



Area to be rezoned from C-3 to C-2

- C-1 Local Business
- C-3 General Business
- P Park
- R-1 Single Family Residential
- R-2 Two Family Residential
- R-3 Multiple Family Residential (Medium Density)



Dartmouth
Land Use By-Law

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