

**Bedford West 1 and 12 Development Agreements Approval Order
made by the Minister of Municipal Affairs and Housing
under Section 17 of Chapter 21 of the Acts of 2021,
the *Housing in the Halifax Regional Municipality Act***

Whereas the *Bedford West 1 and 12 Special Planning Order*, N.S. Reg 55/2022, was made on March 24, 2022, and designated the Bedford West 1 and 12 Special Planning Area;

And whereas, on the recommendation of the Executive Panel on Housing in the Halifax Regional Municipality, a Ministerial Order, N.S. Reg 115/2022, was made on June 16, 2022, amending the municipal planning strategy applicable to the Bedford West 1 and 12 Special Planning Area (respecting the Regional Municipal Planning Strategy);

Whereas, on the recommendation of the Executive Panel on Housing in the Halifax Regional Municipality, a Ministerial Order, N.S. Reg 126/2023 was made on July 5, 2023, to amend the land-use by-law applicable to the Bedford West 1 and 12 Special Planning Area (respecting the Bedford Land Use By-law);

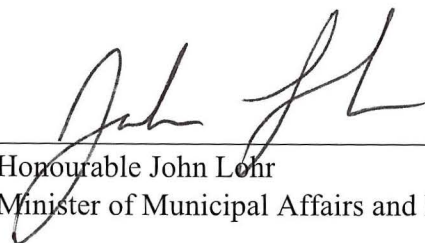
Whereas the Executive Panel on Housing in the Halifax Regional Municipality has recommended amendments to the municipal planning strategy applicable to the Bedford West 1 and 12 (respecting the Regional Municipal Planning Strategy) and the land-use by-law applicable to the Bedford West 1 and 12 Special Planning Area (respecting the Bedford Land Use By-law);

And whereas I am satisfied that the recommended amendments are necessary to advance the purpose of the *Housing in the Halifax Regional Municipality Act*;

Therefore, I order attachments as attached as Schedule "A" and Schedule "B" be approved.

This Order is effective on and after the date of this order.

Dated and made Nov 21, 2023 at Halifax, Halifax Regional Municipality,
Province of Nova Scotia.


Honourable John Lohr
Minister of Municipal Affairs and Housing

N.S. Reg. 204/2023
FILED
Date: November 24, 2023
Karen Kinley, K.C.
Registrar of Regulations
Province of Nova Scotia

Schedule "A"

Development Agreement

SCHEDULE A:
AMENDMENTS Municipal Planning Strategy for Bedford

Municipal Planning Strategy for Bedford is hereby amended as follows:

1. Add Schedule BW-9 – Bedford West Sub-Areas 1 and 12 Community Concept Plan, following Schedule BW-8, as set out in Appendix A-1.
2. Add Schedule BW-10 – Bedford West Sub-Areas 1 and 12 Local Improvement Charge Area, following Schedule BW-9, as set out in Appendix A-2.
3. Within the table of contents, add references to Schedule BW-9 – Bedford West Sub-Areas 1 and 12 Community Concept Plan, and Schedule BW-10 – Bedford West Sub-Areas 1 and 12 Local Improvement Charge Area, immediately following Schedule BW-8.
4. Amend the Land Use preamble section, immediately below Policy BW-21, as shown below in **bold** and ~~strikeout~~, by:
 - a. adding the word “is” after the words “This Sub-Area” and before the word “approximately”;
 - b. deleting the number “45” after the word approximately and before the word “approximately” and replacing it with the number “77”;
 - c. adding the words “developed and” after the words “acres of” and before the words “undeveloped land”;
 - d. deleting the words “on which an extension of the Peerless Subdivision is proposed.” after the words “undeveloped land.” and before the period;
 - e. adding the words “The northern portion of the Sub-Area includes the Peerless Subdivision, where” after the period and before the words “All lots are”;
 - f. deleting the uppercase “A” in the word “All” that is part of the sentence fragment “All lots are” and replacing it with a lowercase “a”;
 - g. deleting the words “to be” after the words “The extension is” and before the words “serviced with an extension”;
 - h. deleting the sentence “The local street system shall be designed so as to discourage traffic external to this Sub-Area and Peerless Subdivision traveling between Kearney Lake Road and Hammonds Plains Road.” after the words and period “Mill Cove treatment plant.”; and
 - i. adding the sentences “Early land use plans for Bedford West designated this area for low-density land use, consisting only of single-unit dwellings. A portion of the area continued to be developed as a residential subdivision, and the remaining part that is connected to Sub-Area 12 remained vacant. In order to ensure diverse land uses and housing options are provided, the remaining lands will be developed by using Comprehensive Development District (CDD) policies and zones and implementing master neighbourhood planning requirements. To develop the area, a master neighbourhood plan is established through CDD Development Agreement policies to guide the location and design of roads, parks, land uses, and densities.” after the deleted words and period “Hammonds Plains Road.”.

Land Use

The following development guidelines are based on Schedule BW-6: Development Phasing.

Sub-Area 1

This Sub-Area is approximately 45 ~~77~~ acres of **developed and undeveloped land**. ~~on which an extension of the Peerless Subdivision is proposed.~~ **The northern portion of the Sub-Area includes the Peerless Subdivision, where All lots are to be developed with single unit dwellings on central sewer and water services. The extension is to be serviced with an extension of the sanitary sewage collection system which discharges into the Mill Cove treatment plant. The local street system shall be designed so as to discourage traffic external to this Sub-Area and Peerless Subdivision traveling between Kearney Lake Road and Hammonds Plains Road. Early land use plans for Bedford West designated this area for low-density land use, consisting only of single-unit dwellings. A portion of the area continued to be developed as a residential subdivision, and the remaining part that is connected to Sub-Area 12 remained vacant. In order to ensure diverse land uses and housing options are provided, the remaining lands will be developed by using Comprehensive Development District (CDD) policies and zones and implementing master neighbourhood planning requirements. To develop the area, a master neighbourhood plan is established through CDD Development Agreement policies to guide the location and design of roads, parks, land uses, and densities.**

5. Amend the Policy BW-22, as shown below in **bold**, by:
 - a. adding the words "northern portion" after the word "The" and before the words and number "of Sub-Area 1 shall"; and
 - b. adding the sentence "**The southern portion fronting on Larry Uteck Boulevard shall be designated Bedford West Comprehensive Development District (BW-CDD), as shown on the Bedford Generalized Future Land Use Map, and zoned Bedford West Comprehensive Development District 1 (BW-CDD1), as shown on Schedule PG-2 of the Land Use By-law.**" immediately after the first sentence.

Policy BW-22:

The **northern portion** of Sub-Area 1 shall be designated Residential on the Generalized Future Land Use Map of this Municipal Planning Strategy and zoned Residential Single Unit (RSU) under the Land Use By-law. **The southern portion fronting on Larry Uteck Boulevard shall be designated Bedford West Comprehensive Development District (BW-CDD), as shown on the Bedford Generalized Future Land Use Map, and zoned Bedford West Comprehensive Development District 1 (BW-CDD1), as shown on Schedule PG-2 of the Land Use By-law.**

6. Amend the section title "Sub-Areas 10 and 12", as shown below in ~~strikeout~~, by:
 - a. deleting the letter "s" in the word "Sub-Areas"; and
 - b. deleting the word and number "and 12".

Sub-Areas 10 and 12

These current zoning provisions shall be maintained on these lands until such time as municipal services can be extended. When service extensions can be made, a comprehensive development district zone shall be applied to all undeveloped lands within the Sub-Area to be serviced. Any future residential development shall be guided by the criterion of policy BW-32 and any commercial development shall be guided by policy.

7. Amend Policy BW-41 to remove the reference to Sub-Area 12, as shown below in ~~strikeout~~, by:

- a. deleting the letter “s” in the word “Sub-Areas”; and
- b. deleting the word and number “and 12”, after the word and number “Sub-Area 10” and before the words “until consultations”.

Policy BW-41:

No municipal services shall be extended to existing developments within Sub-Areas 10 ~~and 12~~ until consultations have been held with affected property owners to determine:

- a) the need for amendments to existing policies under the Municipal Planning Strategy and zoning regulations under the Land Use By-law;
- b) the need for municipal services and a means of finance.

8. Amend Policy BW-42, as shown below in ~~strikeout~~ by:

- a. deleting the letter “s” in the word “Sub-Areas”; and
- b. deleting the word and number “or 12” after the words “available for Sub-Area 10” and before the comma and words “, a comprehensive development district zone”.

Policy BW-42:

When municipal services are available for Sub-Areas 10 ~~or 12~~, a comprehensive development district zone may be applied to undeveloped properties within the Sub-Area to be serviced. No development agreement application shall be considered for approval unless a public participation program has been undertaken to identify development opportunities and constraints and to facilitate collaboration in the preparation of a conceptual concept design for the entire Sub-Area. Any future residential development shall be guided by policy BW-32 and any commercial development shall be guided by policy BW-33.

9. Insert the following text in the Secondary Municipal Planning Strategy for Bedford West following Policy BW-42, and before Schedule BW-1, as shown below in **bold**:

BEDFORD WEST SUB-AREAS 1 AND 12

In 2023, the Minister of Municipal Affairs and Housing approved land use planning policies to guide the future development for the Bedford West Sub-Areas 1 and 12 Special Planning Area, in accordance with the *Housing in the Halifax Regional Municipality Act*.

This section establishes a land use policy framework that supports the development of complete communities with diverse housing types, employment opportunities, transit services, mobility links, parks, and recreation opportunities within walking distance. The framework also enables residents to participate in planning a portion of their community through public engagement opportunities. These policies strive to protect sensitive environmental features, support transit use, and ensure new developments are integrated with the surrounding community.

1. OBJECTIVES

The Bedford West Sub-Areas 1 and 12 land use policy framework is intended to:

- support the development of a mixed-use community with a range of housing opportunities, places of employment, and services where daily needs of residents can be met;
- identify population density allocations for the area;
- provide transportation options for pedestrians, cyclists, and transit users to support active transportation and transit options;
- supports human scale building designs and pedestrian movements and access;
- add public parkland to the existing parkland network to support accessible recreation and leisure opportunities for new and existing residents;
- ensure new development is integrated with the surrounding community; and
- identify and protect significant environmental features and wildlife corridors.

2. GENERALIZED LAND USE

BW-43

The objectives and policies established in this section apply to the southern portion of Sub-Area 1 and all Sub-Area 12 in Bedford West, as shown on Schedule BW-9.

BW-44

Land use designations provide the overall guidance for zoning within the Bedford West Sub-Areas 1 and 12, as shown on Schedule BW-9, as follows:

- (a) Bedford West Higher-Order Residential (BW-HR) - applied to lands along or near roads where multi-unit buildings with limited commercial opportunities are supported and served by transit and active transportation routes;
- (b) Bedford West Centre (BW-CEN) – applied to concentrated nodes of commercial and mixed-use developments located along one or more transit corridors, where new low-rise, mid-rise, and tall mid-rise buildings are supported, with transitions to existing low-density residential areas; and
- (c) Bedford West Comprehensive Development District (BW-CDD) – applied to large vacant or otherwise underutilized lands that are intended to accommodate significant residential and mixed-use growth based on master neighbourhood plans.

BW-45

Institutional, Park and Community Facilities land uses are suitable in all of Bedford West Sub-Areas 1 and 12.

3. LAND USE BY-LAW

The Bedford West Sub-Areas 1 and 12 policies establish development agreement mechanisms, new zones, and zoning provisions to provide effective land use administration during development, and upon completion of development when the development agreement may be discharged. The zones contained within the Planned Growth Schedule (Schedule PG) of the Land Use By-law will be applied to different properties in Sub-Areas 1 and 12, as well as through references in the development agreements enabled under Policy BW-60, BW-61 and BW-62. Any future development through the as-of-right zoning process shall only proceed when municipal services are available. For lands developed by

development agreement, the referenced zones are intended to be applied to the zoning map upon the completion of the development and discharge of the development agreement.

The Land Use By-law will also establish built form controls that encourage a compact and pedestrian oriented design that promotes a wide range of mobility choices, access to parkland and other open spaces, and supports the efficient use of municipal infrastructure. This built form framework supports human-scaled development with buildings that face public streets and provide transition between larger scale buildings and low-density areas and public parks.

BW-46

The Planned Growth Schedule (Schedule PG) of the Land Use By-law shall establish the BW-LDR (Bedford West Low Density Residential) Zone to support the development of low-density dwellings on individual lots. The BW-LDR Zone shall:

- a) permit single unit dwellings, semi-detached dwellings, townhouses, three-unit dwellings, four-unit dwellings, backyard suites and secondary suites, and accessory uses; and
- b) be applied to areas intended for low-density dwellings through BW-CDD development agreements.

BW-47

The Planned Growth Schedule (Schedule PG) of the Land Use By-law shall establish the BW-CH (Bedford West Cluster Housing) Zone to support the development of low-density dwellings located on a single lot. The BW-CH Zone shall:

- a) permit a maximum of 48 dwelling units on a single lot, arranged in buildings containing up to 12 units each;
- b) be applied to areas intended for low-density dwellings through BW-CDD development agreements;
- c) allow the development of shared facilities and infrastructure, such as, but not limited to, a common shared driveway, storage, parking, utility and amenity space; and
- d) provide adequate buffering to adjacent properties and require sufficient green space and landscaping.

BW-48

The Planned Growth Schedule (Schedule PG) of the Land Use By-law shall establish two (2) zones to support a range of low-rise to tall mid-rise multi-unit residential uses as follows:

- a) The BW-HR2 (Bedford West Higher-Order Residential 2) Zone shall permit mid-rise and tall mid-rise buildings, and a range of commercial and institutional uses that are compatible with residential neighbourhoods; and
- b) The BW-HR1 (Bedford West Higher-Order Residential 1) Zone shall permit all residential uses in low to mid-rise buildings, with tall mid-rise buildings only permitted in limited locations. This zone shall also permit a limited range of commercial and institutional uses.

BW-49

The BW-HR2 and BW-HR1 zones shall be applied to:

- a) the Bedford West Higher-Order Residential (BW-HR) designation, shown on Schedule BW-9; and

- b) areas intended for higher density developments through BW-CDD development agreements.

BW-50

The Planned Growth Schedule (Schedule PG) of the Land Use By-law shall establish the BW-CEN (Bedford West Centre) Zone to support a mix of residential and commercial development. The BW-CEN Zone shall:

- a) support a mixed-use environment, including multiple unit dwellings and shared housing uses;
- b) support the development of low-rise and mid-rise buildings, up to the maximum building height as identified in the Land Use By-law;
- c) allow a range of commercial and institutional uses that serve the community, such as offices, restaurants, retail, community facility uses, and personal service uses; and
- d) be applied to the BW-CEN Designation, shown on Schedule BW-9, and areas identified through BW-CDD development agreements.

BW-51

The Planned Growth Schedule (Schedule PG) of the Land Use By-law shall establish the BW-PCF (Bedford West Park and Community Facility) Zone to allow a variety of institutional and recreation uses. The BW-PCF Zone may be applied:

- a) to any designation shown on schedule BW-9; and
- b) areas identified through BW-CDD development agreements.

BW-52

The Planned Growth Schedule (Schedule PG) of the Land Use By-law shall establish the BW-CON (Bedford West Conservation) Zone to protect wetlands, steep slopes, and other hazardous lands from development. The BW-CON Zone shall:

- a) limit development to open space and conservation uses, utility infrastructure, and transportation crossings; and
- b) be applied to areas identified for protection through BW-CDD development agreements.

BW-53

The Planned Growth Schedule (Schedule PG) of the Land Use By-law shall establish site design requirements that support human-scaled and pedestrian-oriented environments by establishing controls concerning:

- a) the minimum separation distances for buildings located on the same lot;
- b) the minimum front and flanking yard setback requirements that support pedestrian traffic, access and landscaping;
- c) the minimum side and rear yard setback requirements that transition from higher density zones to lower density zones and public parkland;
- d) the maximum lot coverage, minimum lot area, and minimum lot frontage requirements that support a compact development form with sufficient open space and landscaping, and support site accessibility for people of all ages and abilities;
- e) the minimum setback requirement of 30-metres to apply to watercourses and natural corridors;
- f) outdoor lighting and signage to mitigate impacts on residential areas;

- g) landscaping and buffering requirements to support transitions between land uses, built forms, parking areas and outdoor storage areas;
- h) the location, number and configuration of parking spaces, off-street loading, landscaping, accesses, and pedestrian pathways; and
- i) setback requirements for accessory structures.

BW-54

The Planned Growth Schedule (Schedule PG) of the Land Use By-law shall establish building design requirements that support human-scale design and pedestrian-oriented streetscapes by establishing controls concerning:

- a) the maximum building dimensions for low-rise, mid-rise and tall mid-rise buildings;
- b) maximum building height;
- c) the maximum floorplate and maximum dimensions of mid-rise and tall mid-rise buildings;
- d) streetwalls, including minimum streetwall stepbacks for mid-rise buildings and tall mid-rise buildings to mitigate impacts of wind and shadow on streets and public parks;
- e) standards for streetwall articulation, pedestrian entrances, ground floor transparency, site accessibility and weather protection;
- f) the siting and screening of rooftop features;
- g) building accessibility for people of all ages and abilities; and
- h) massing requirements for accessory structures.

BW-55

Utility uses and park uses shall be permitted in all zones, under the Planned Growth Schedule (Schedule PG) of the Land Use By-law.

4. POPULATION DENSITY

Prior to the adoption of the Bedford West Secondary Plan, the Municipality conducted a number of infrastructure studies to determine the capacity of the transportation, water and sanitary sewer systems, and the infrastructure investments needed to support the development of the area. As part of the 2008 adoption process, Regional Council and the Utility and Review Board approved a Capital Cost Contribution (CCC) mechanism to fund the oversizing of infrastructure and distribute costs between various landowners and the Municipality in a fair and predictable manner.

In 2008, the development of Sub-Area 1 was identified for residential uses, and Sub-Area 12 as a mix of 75% residential uses and 25% commercial and institutional uses. The CCC program also identified a base population density as 20 ppa (persons per acre) for Sub-Area 1, and a blended density of 27.5 ppa for Sub-Area 12.

Now that the Bedford West Secondary Plan area is well developed, there are a number of properties within different Sub-Areas that include unused population density where the associated CCCs have already been paid for by landowners. The transfer of unused density from other Sub-Areas into Sub-Areas 1 and 12 is supported and future transfer may be considered by Council through an amendment to the Land Use By-law if the originating density is coming from an area that have been accounted for in the CCC program. In 2023,

the maximum population density for Sub-Areas 1 and 12 is estimated to be 8,415 persons, including transfers of unrealized population density reallocated from other Sub-Areas.

BW-56

The baseline population density for all Lands in Sub Area 1 shall be 20 persons per acre, and the baseline population density for all Lands in Sub Area 12 shall be 27.5 persons per acre.

BW-57

The Planned Growth Schedule (Schedule PG) of the Land Use By-law shall establish density controls for Sub-Area 1 and Sub-Area 12, consistent with the baseline population density identified in BW-56 plus any transfers of unrealized population density reallocated from other Sub-Areas.

BW-58

Council shall consider amendments to the Land Use By-law to enable population density transfers from other Sub-Areas to lands beyond the baseline density within Sub-Areas 1 and 12 provided that:

- a) the density is confirmed by up-to-date density tables for receiving and originating properties or relevant portions; and
- b) Halifax Water confirms that its infrastructure can accommodate the density transfer.

5. COMPREHENSIVE DEVELOPMENT DISTRICT

Areas designated as BW-CDD on Schedule BW-9 require comprehensive planning through a development agreement process. Policies require the preparation of a development agreement to control phasing and the location and design of roads, parks and other infrastructure. The development agreement will also control land uses and built form by referencing zones established in the Land Use By-law.

Once all the terms and conditions of each of the development agreements are complete, Council may discharge the development agreements and make the necessary amendments to the applicable planning strategy and land use by-law to apply appropriate designations, zones, and built form controls.

BW-59

The Land Use By-law shall establish two zones that permit new large-scale mixed-use developments only by development agreement, in accordance with Policy BW-60. The zones shall permit limited land uses and development opportunities without a development agreement and through the as-of-right process, as follows:

- a) The Bedford West Comprehensive Development District 2 (BW-CDD2) Zone shall be applied to lands that are intended to be developed into large-scale mixed-use communities, including significant commercial development. In this zone, the only developments permitted without a development agreement shall be limited to commercial uses and institutional uses, as detailed in the Planned Growth Schedule

(Schedule PG) of the Land Use By-law, and any new building or an addition to an existing building shall be:

- i) limited to a building height as identified in the Land Use By-law, and
 - ii) located on a lot in existence at the time of the adoption of the Bedford West Sub-Areas 1 and 12 policies and Land Use By-law provisions.
- b) The Bedford West Comprehensive Development District 1 (BW-CDD1) Zone shall be applied to sites intended to accommodate large-scale mixed use communities. In this zone, the only developments permitted without the requirement of a development agreement shall be limited to existing uses and single unit dwellings permitted in the BW-LDR Zone, and any new building or an addition to an existing building shall be:
- i) limited to a maximum floor area of 100 square metres and a building height as identified in the Land Use By-law, and
 - ii) located on a lot in existence at the time of the adoption of the Bedford West Sub-Areas 1 and 12 policies and Land Use By-law provisions.

BW-60

When considering a development agreement for one or more properties designated BW-CDD, as shown on Schedule BW-9, Council shall consider the following:

- a) the proposal meets the policies and objectives of the Bedford West Sub-Areas 1 and 12, and is reasonably consistent with any other relevant policies contained within the Regional Municipal Planning Strategy;
- b) site and building design support a compact, mixed-use neighbourhood containing a mix of housing forms with pedestrian-oriented building facades and designs;
- c) the distribution of overall densities between different development blocks, phases and land owners;
- d) the built form and land use requirements are implemented through references to the Land Use By-law;
- e) provisions to account for any population density transfers;
- f) the subdivision of land;
- g) the phasing of development;
- h) parks and open spaces that provide the full range of recreation and open spaces needed to serve the community;
 - i) transportation connection that prioritizes walking, the use of mobility devices, cycling, and transit use;
 - j) development coordinated with adjacent lands and neighbourhoods including roads, parks, open spaces, servicing, trails and building scale transitions;
- k) protection of sensitive environmental features and any natural wildlife corridors located within the site;
- l) provisions to enable discharging the agreement when all terms and obligations are fulfilled; and
- m) the general development agreement criteria outlined in Policy BW-76.

BW-61

Development agreements for lands designated BW-CDD considered under policy BW-60 may include abutting lands located within another designation to support comprehensive planning and improved coordination between developments.

BW-62

Under Policy BW-60, Council may consider the development of a religious campus development involving limited or no new public roads or subdivision on lands identified as PID 00645853, provided:

- a) the development consists of a mix of residential housing forms integrated with religious institutions and other institutional or commercial uses; and
- b) impacts related to limited or no new public roads or subdivision are mitigated through the provision of private amenity space, shared private driveways and walkways, and where feasible, transportation easements to support pedestrian connectivity to surrounding lands;

BW-63

Upon the completion of subdivision and other terms of the development agreement enabled under Policies BW-60, BW-61, and BW-62, Council may discharge the development agreement and amend the applicable municipal planning strategy and the applicable land use by-law to continue to regulate land use and built-form in the Bedford West Sub-Areas 1 and 12 Area over the long-term. These amendments are intended to apply land use designations, density controls, zoning, and built form controls that are consistent with the approved development agreement(s).

6. NON-CONFORMING STRUCTURES AND USES

Existing uses and structures that were lawfully permitted under former planning documents but do not meet current Land Use By-law requirements are considered non-conforming uses and structures and are subject to the protections and restrictions set out in the *HRM Charter*. Such uses and structures are permitted to continue to exist and may be repaired, maintained, rebuilt, expanded or altered, subject to the conditions set out in the *HRM Charter*.

A number of buildings in Bedford West Sub-Areas 1 and 12 were constructed either before any land use regulations or in accordance with former Land Use By-law provisions and may not conform to the provisions contained in the Planned Growth Schedule (Schedule PG) of the Land Use By-law. Therefore, provisions are made to relax the restrictions set out in the *HRM Charter* regarding the extension, enlargement, reconstruction, and alteration of non-conforming structures.

With the adoption of the Bedford West Sub-Areas 1 and 12 policies and the associated Planned Growth Schedule (Schedule PG) of the Land Use By-Law, some existing uses will become non-conforming. To support the affected uses, the policies relax the *HRM Charter* restrictions regarding non-conforming uses by enabling Council to consider the expansion of non-conforming uses or the change to another less intensive non-conforming use through the development agreement process.

BW-64

Council may, by development agreement, allow non-residential non-conforming uses located on a lot that is existing on the coming into force of this policy to:

- a) expand the structure containing the non-conforming use; or
- b) change to another less intensive non-conforming use.

BW-65

In considering a development agreement under Policy BW-64, Council shall consider the following:

- a) that controls are placed on the development to reduce conflict with and impacts on adjacent residential and other land uses;
- b) the adequacy of the siting, height, bulk and scale of the development with respect to its compatibility with the existing neighbourhood;
- c) facilities for parking, loading, vehicular access, outdoor display and outdoor storage are designed to avoid significant adverse effects on adjacent properties;
- d) the layout and number of parking spaces and loading areas;
- e) the location of the use on the site;
- f) the surface treatment and storm drainage;
- g) that adequate landscaping, screening and buffering is required to reduce impacts on adjacent residential uses;
- h) the controls on signage;
- i) the hours of operation; and
- j) the general development agreement criteria set out in Policy BW-76.

BW-66

The Planned Growth Section of the Land Use By-law shall relax the restrictions in the *HRM Charter* relating to:

- a) non-conforming structures in all zones, and allow them to be extended, enlarged, or altered, if the extension, enlargement, or alteration does not further worsen any non-conformity with the By-law;
- b) the extension, enlargement or alteration of structures containing a non-conforming low-density dwelling use in that structure, and permitting the expansion of the non-conforming low-density dwelling use into the addition of that structure; and
- c) non-conforming residential uses in a structure located in a Low Density Residential zone, and allow structures containing them to be rebuilt, replaced or repaired if destroyed or damaged by fire or otherwise up to 100 percent of the market value of the building.

7. PARKLAND

As the Bedford West Sub-Areas 1 and 12 Area is planned to accommodate a significant population, the establishment of new public parkland is essential to ensure a wide range of recreational opportunities are provided that foster healthy lifestyles. A development of this scale requires the provision of one or more centralized community parks that will serve as vibrant community gathering space. Lands reserved for park purposes must be suitable to adapt to the long-term needs of area residents.

BW-67

BW-CDD development agreements shall prioritize the development of one or more large community parks intended to accommodate active and passive recreation uses, and a number of park features.

BW-68

BW-CDD development agreements may establish parkland dedication requirements that are more rigorous than those contained in the Regional Subdivision By-law to support the dedication of sufficient parkland for developments involving limited subdivision.

8. TRANSPORTATION

Ensuring active transportation and travel by transit are viable transportation options for future residents is an essential component of development intended for Sub-Areas 1 and 12. The new road network will be designed to facilitate walking/rolling and bicycling via both mode-specific infrastructure, such as sidewalks and bike lanes, as well as a road network that allows efficient and comfortable connections both within the area and to the surrounding community. In limited areas, private shared driveways may be developed to access development to support efficient servicing and support environmental protection.

BW-69

Active transportation infrastructure shall be constructed along the length of local roads located within the development.

BW-70

Additional active transportation infrastructure comprising a series of walkways and trails for pedestrians and cyclists shall be established within Bedford West Sub-Areas 1 and 12 that link residents to commercial areas, public transit facilities, parks, and community facilities. Connections shall include walkways between local roads as needed to establish a general pedestrian grid, where local roads are unable to provide connections due to environmental constraints.

BW-71

The Municipality may include active transportation facilities within all new transportation infrastructure in the area to facilitate pedestrian and cycling transportation options.

BW-72

The Planned Growth Section of the Land Use By-law shall establish a Transportation Reserve over lands fronting on the intersection of Larry Uteck Boulevard and Hammonds Plains Road, as shown on Schedule PG-6 of the Bedford Land Use By-law, to accommodate for future road upgrades to that intersection.

9. INFRASTRUCTURE CHARGES AND PHASING

To support the development of Bedford West Sub-Areas 1 and 12, the extension of municipal water and sewer services and several off-site upgrades to transportation infrastructure will

be required and jointly paid for by the developers and the Municipality through the use of infrastructure charges. A Capital Cost Contribution (CCC) mechanism has been established for all of Bedford West in 2008, which typically applies to lands that require a form of subdivision to be developed. To enable single-lot properties that can be developed without requiring a subdivision process and support the extension of services along a portion of Larry Uteck Boulevard, a Local Improvement Charge (LIC) mechanism will also be established for a portion Sub-Area 12. Many of the upgrades are planned to take place in early phases of the development, with some required before later phases of the development can proceed.

BW-73

For purposes of collecting infrastructure charges for the extension of municipal services to Bedford West Sub-Areas 1 and 12, any future development on lands identified on Schedule BW-10 shall only proceed after establishing a Local Improvement Charge and when municipal services are available.

10. ENVIRONMENTAL PROTECTION

The Bedford West Sub-Areas 1 and 12 contains several environmental features such as watercourses, wetlands, and forested areas that can be affected by development. A high level of care needs to be taken to preserve sensitive features and minimize the impact of development on the environment. The Green Network Plan identifies a waterbody located in Sub-Area 12 as a natural corridor, which is considered a sensitive natural feature that requires preservation when planning for the development of new neighbourhoods.

Stormwater management controls are essential to protect the local watercourses and wetlands from negative impacts that can result from the development of the surrounding lands. The Regional Subdivision By-law provides for the implementation of stormwater management measures at the initial stages of land development in the serviced areas of the Municipality. The implementation of stormwater management controls is important to minimizing the impact of development on surrounding waterbodies.

BW-74

A buffer of 30-metres shall apply to all watercourses located within Bedford West Sub-Areas 1 and 12, shown on Schedule BW-9, and additional lands may be zoned BW-CON to further protect the chemical, physical and biological functions of marine and freshwater resources.

BW-75

Tree retention, landscaping and tree planting requirements shall be incorporated into the regulations for the Bedford West Sub-Areas 1 and 12.

11. IMPLEMENTATION

Development within Bedford West Sub-Areas 1 and 12 shall be enabled through the use of as-of-right zoning and development agreements. Future amendments to the related LUB provisions may also be considered to support density transfers and other updates to regulations. The Municipality and Halifax Water will also continue to develop regional infrastructure associated with the established capital cost contribution programs.

BW-76

When considering land use by-law amendments and development agreements for lands located within Bedford West Sub-Areas 1 and 12, shown on schedule BW-9, Council shall consider the following general criteria, instead of the general criteria set out in Policy Z-3:

- a) all applicable policies of the Regional Plan and of this Plan;
- b) provisions for incentive or bonus zoning, consistent with the Interim Bonus Zoning policies in the Regional Municipal Planning Strategy, and the method for calculating bonus zoning values set out in the Land Use By-law;
- c) impacts to Municipal infrastructure and the need, if any, to concurrently approve by-laws to pay for growth related municipal infrastructure;
- d) the proposal is appropriate and not premature by reason of:
 - i) the financial capacity of the Municipality to absorb any costs relating to the development,
 - ii) the adequacy of municipal wastewater facilities, stormwater systems or water distribution systems,
 - iii) the proximity of the proposed development to schools, parks, and community facilities, and the capability of these services to absorb any additional demands, and
 - iv) the adequacy of transportation infrastructure for pedestrians, cyclists, public transit and vehicles for travel to and within the development;
- e) the subject lands are suitable for development in terms of the steepness of grades, locations of watercourses, wetlands, and susceptibility to flooding; and
- f) that development regulations in the proposed development agreement will adequately mitigate potential conflict between the proposed development and nearby land uses, by reason of:
 - i) type of use(s),
 - ii) built form of the proposed building(s),
 - iii) impacts on adjacent uses, including compatibility with adjacent residential neighbourhoods, parks, community facilities, and railway operations,
 - iv) traffic generation, safe access to and egress from the site, and parking,
 - v) open storage and signage, and
 - vi) impacts of lighting, noise, fumes and other emissions.

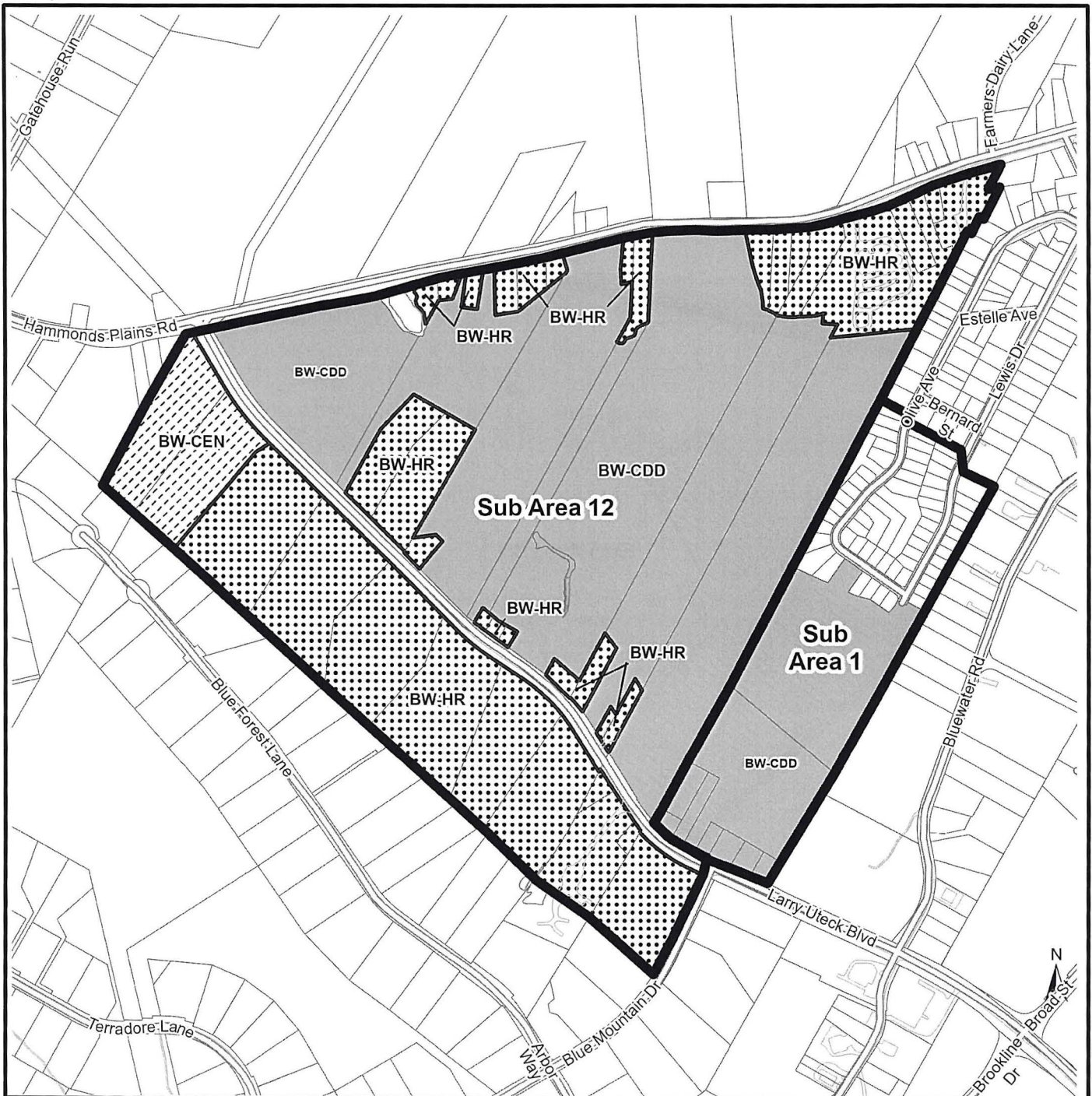
10. Amend Policy Z-3 to exclude proposals with Bedford West Sub-Areas 1 and 1,2 as shown below in **bold**, by:

- a. Inserting the words 'and Bedford West Sub-Areas 1 and 12 shown on schedule BW-9' following the words 'WFCDD area' and before the closed bracket symbol ']'.

Policy Z-3:

It shall be the policy of Town Council when considering zoning amendments and development agreements [excluding the WFCDD area **and Bedford West Sub-Area 1 and 12 shown on schedule BW-9**] with the advice of the Planning Department, to have regard for all other relevant criteria as set out in various policies of this plan as well as the following matters:

APPENDIX A-1



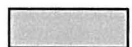
Schedule BW-9: Bedford West Sub-Area 1 and 12 Community Concept Plan



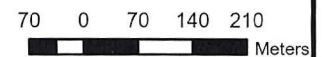
(BW-CEN) Bedford West - Centre



(BW-HR) Bedford West - Higher-Order Residential Designation



(BW-CDD) Bedford West - Comprehensive Development District



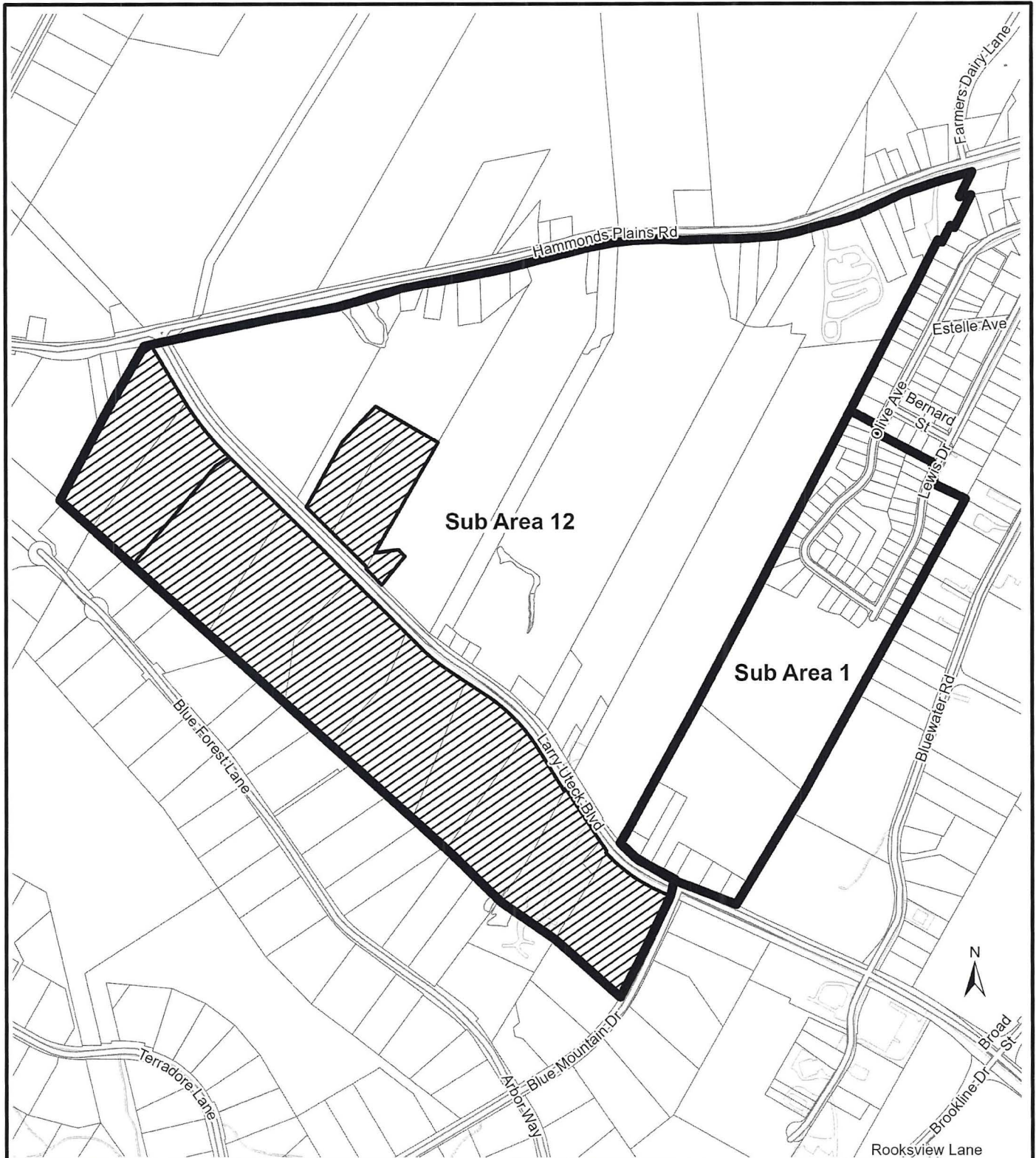
HALIFAX

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

Effective:

Case 23307

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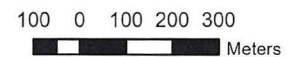


Schedule BW-10: Bedford West Local Improvement Charge Area

HALIFAX



Local Improvement Charge Area



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

Effective:

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SCHEDULE B:
Amendments to the Bedford Land Use By-law

Bedford Land Use By-law is hereby amended as follows:

1. By amending the "Table of Contents" by adding the words, numbers, and colon "PART 1.5: BEDFORD WEST SUB-AREAS 1 AND 12 LANDS", as shown below in **bold**, immediately below the words, number, and colon "PART 1: TITLE" and immediately above the words, number, and colon "PART 2: DEFINITIONS".

PART 1: TITLE
PART 1.5: BEDFORD WEST SUB-AREAS 1 AND 12 LANDS
PART 2: DEFINITIONS
PART 3: ZONES AND ZONING MAP

2. By amending the "Table of Contents", as shown below in **bold**, by adding the following items immediately below the last item "Schedule A: Bedford Zoning Map":

Schedule A: Bedford Zoning Map
Schedule PG: Planned Growth Schedule
Appendix PG-1: Pedestrian Wind Impact Assessment Protocol
Appendix PG-2: Invasive or Highly Toxic Plant Species
Schedule PG-1: Bedford West Sub-Areas 1 and 12 Boundary
Schedule PG-2: Zone Boundaries
Schedule PG-3: Maximum Building Height Precincts
Schedule PG-4: Maximum Population Density
Schedule PG-5: Wind Energy Overlay Zone Boundaries
Schedule PG-6: Larry Uteck Boulevard & Hammonds Plains Road Transportation Reserve

3. By adding a new PART 1.5, as shown below in bold, immediately below PART 1: TITLE and immediately above PART 2: DEFINITIONS:

PART 1.5: BEDFORD WEST SUB-AREAS 1 AND 12 LANDS

For the Bedford West Sub-Areas 1 and 12 Lands, as shown on Schedule PG-1, only Schedule PG: Planned Growth Schedule and the following schedules and appendices of the Land Use By-law for Bedford apply:

- (a) **Appendix PG-1: Pedestrian Wind Impact Assessment Protocol;**
- (b) **Appendix PG-2: Invasive or Highly Toxic Plant Species;**
- (c) **Schedule PG-1: Bedford West Sub-Areas 1 and 12 Boundary;**
- (d) **Schedule PG-2: Zone Boundaries;**
- (e) **Schedule PG-3: Maximum Building Height Precincts;**
- (f) **Schedule PG-4: Maximum Population Density;**
- (g) **Schedule PG-5: Wind Energy Overlay Zone Boundaries;**

- (h) **Schedule PG-6: Larry Uteck Boulevard & Hammonds Plains Road Transportation Reserve;**
 - (i) **Schedule C: Lands Subject to Interim Bonus Zoning Public Benefits;**
 - (j) **Appendix C: Areas of Elevated Archaeological Potential;**
 - (k) **Appendix D: Wetlands; and**
 - (l) **Appendix G: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications**
4. By adding the following new schedule and two appendices immediately following Schedule A, as contained in Attachment B-1:
- Schedule PG: Planned Growth Schedule;
Appendix PG-1: Pedestrian Wind Impact Assessment Protocol; and
Appendix PG-2: Invasive or Highly Toxic Plant Species.
5. By adding the following six new schedules immediately following Appendix PG-2, as contained in Attachment B-2:
- Schedule PG-1: Bedford West Sub-Areas 1 and 12 Boundary;
Schedule PG-2: Zone Boundaries;
Schedule PG-3: Maximum Building Height Precincts;
Schedule PG-4: Maximum Population Density;
Schedule PG-5: Wind Energy Overlay Zone Boundaries; and
Schedule PG-6: Larry Uteck Boulevard & Hammonds Plains Road Transportation Reserve.
6. By amending "Schedule C: Lands Subject to Interim Bonus Zoning Public Benefits" to include the lands identified on Attachment B-3.
7. Amend Schedule C, Table 1: Lands Subject to Interim Bonus Zoning, as shown below in **bold**, by:
- (a) adding the number "1" in the table cell placed in the second row and first column of Table 1;
 - (b) adding the words, numbers, and colon "Case 20337: Bedford West Sub-Areas 1 and 12 Special Planning Area" in the table cell placed in the second row and second column of Table 1; and
 - (c) adding numbers and commas in the table cell placed in the second row and third column of Table 1.

Ref#:	Case#	PIDs
1	Case 23307: Bedford West Sub- Areas 1 and 12 Special Planning Area	40648362, 00645390, 00645408, 00646042, 41141037, 41141029, 41141011, 41141003, 41140997, 41140989, 41140971, 41140963, 00645226, 00645846, 41398363, 41326364, 00645770, 00645853, 00645788, 00645804, 00645796, 00645838, 00645820, 00645812, 00645754, 00645762, 41313842, 00645861, 00645879, 00645887, 00645960, 00645895, 00645903, 00645929, 00645937, 00645747, 00645739, 00646059, 00646067, 00488270, 00488262, 00488155, 40593782, 00416909, 00645309, 00645317, 00645325, 00645341, 00645358, 00645366, 00645374, 40301368, 00645945, 00645911, 00645960, 41313842

SCHEDULE PG: PLANNED GROWTH SCHEDULE

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PART I: ADMINISTRATION

Part I, Chapter 1: General Administration

Introduction

PG-1 The Planned Growth Schedule enables:

- (a) as-of-right development; and
- (b) specific developments by development agreement.

Title

PG-2 This Schedule PG shall be cited as the Planned Growth Schedule of the *Bedford Land Use By-law*.

Lands Governed by the Planned Growth Schedule

PG-3 The Planned Growth Schedule applies to the properties shown on Schedule PG-1.

Compliance with the Planned Growth Schedule

- PG-4
- (1) The provisions of the Planned Growth Schedule shall apply to all properties and all developments located within the boundaries shown on Schedule PG-1.
 - (2) A person shall comply with the Planned Growth Schedule, even if a development is exempt from the requirement for a development permit contained in Section PG-10.
 - (3) Any person who violates a provision of the Planned Growth Schedule shall be subject to prosecution as provided for by Section 369 of the *Charter*.
 - (4) All developments shall be completed in accordance with the development permit.
 - (5) In the Planned Growth Schedule, any use not permitted in a particular zone, as shown in Table PG-1, is prohibited.

Requirement for a Development Permit

PG-5 Subject to Section PG-10, no person shall undertake any development without first obtaining a development permit.

Compliance with Other Legislation and By-laws

- PG-6 (1) The Planned Growth Schedule 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.

Administration by the Development Officer

- PG-7 The Planned Growth Schedule shall be administered by the Development Officer.

Applicability of the Planned Growth Schedule with a Development Agreement for the Bedford West Sub-Areas 1 and 12 Lands

- PG-8 For the Bedford West Sub-Areas 1 and 12 Lands, as shown on Schedule PG-1, the following zones shall apply together with their respective zone-specific requirements:
- (a) In the absence of a development agreement, the Bedford West Sub-Areas 1 and 12 Lands shall:
- (i) be zoned as shown on Schedule PG-2, and
 - (ii) the zone-specific requirements for those zones shall be those contained within the Planned Growth Schedule; or
- (b) In the presence of a development agreement that is applied to the Bedford West Sub-Areas 1 and 12 Lands, in whole or in part:
- (i) the zones that are shown on the land use schedule that is attached to the said development agreement shall be deemed to replace the underlying zoning as shown on Schedule PG-2 for the purpose of specifying zone-specific requirements, so long as the development agreement continues to be in effect, and
 - (ii) the zone-specific requirements for these zones shall be those contained within the Planned Growth Schedule.

Comprehensive Development District Agreement

PG-9 Subject to Table PG-1 and Part VI, Chapters 2 and 3, any development within the BW-CDD2 or BW-CDD1 zone shall require a development agreement.

Part I, Chapter 2: Development Permit

Development Permit Exemptions

- PG-10 (1) Subject to Subsection PG-10(2), the following developments are exempt from the requirement to obtain a development permit:
- (a) accessory structures that are 20.0 square metres of floor area or less, unless used as a backyard suite use;
 - (b) uncovered structures less than 0.6 metre in height, such as decks and patios;
 - (c) home office uses;
 - (d) temporary uses;
 - (e) temporary construction uses, excluding temporary rock crushers;
 - (f) fences;
 - (g) the construction, replacement, or repair of infrastructure by utilities or municipal, provincial, or federal governments;
 - (h) public transit shelters;
 - (i) any sign exempted under Section PG-220;
 - (j) monument uses on municipally, provincially, or federally owned land;
 - (k) the painting and re-siding of buildings;
 - (l) the replacement of windows and doors within existing openings;
 - (m) urban farm uses;
 - (n) the keeping of egg-laying hens as an accessory use;
 - (o) the keeping of bees as an accessory use;
 - (p) a rental of 3 or fewer bedrooms in a dwelling unit, provided that the rental is not a short-term bedroom rental use; and
 - (q) short-term rental use of an entire dwelling unit in an operator's primary residence.
- (2) Even where a development permit is not required, a development shall meet all applicable requirements contained in the Planned Growth Schedule.

Development Permit Applications

- PG-11 A development permit application shall include documents and plans, drawn to scale, that include the following, where applicable:
- (a) floor plans with dimensions shown and all rooms labelled with their intended use;
 - (b) elevation drawings with:
 - (i) height measurements and dimensions shown for all sides of proposed structures,

- (ii) external cladding material type and detail labelled, and
 - (iii) any architectural details where required;
- (c) roof plans;
- (d) a site plan showing:
 - (i) lot dimensions and lot lines,
 - (ii) the location of all existing and proposed structures and uses,
 - (iii) setbacks,
 - (iv) the location and dimensions of all parking lots, parking spaces, driveways, driving aisles, off-street loading spaces, and parking lot entrances and exits,
 - (v) the location and dimensions of all pedestrian walks and walkways,
 - (vi) the location of hard landscaping and soft landscaping, and
 - (vii) the location of solid waste management areas;
- (e) where a watercourse, or a wetland that is contiguous to a watercourse, exists and is located on the lot where a development is being proposed or within 60.0 metres of the lot where a development is being proposed, a site plan which shows the following:
 - (i) the location of any watercourse,
 - (ii) the location of any wetland that is contiguous to a watercourse,
 - (iii) the required watercourse buffer,
 - (iv) existing vegetation limits, and
 - (v) where required by the Development Officer, land contours with lot grading information, certified by a surveyor or professional engineer;
- (f) the location of all wetlands within or adjacent to the lot where a development is being proposed;
- (g) the location of bicycle parking areas;
- (h) the location of building utilities;
- (i) the location of all exterior lighting;
- (j) excluding height-exempted building rooftop features under Section PG-70 or any building that is located at a distance greater than 40.0 metres from a streetline, for a new building or an addition to an existing building that results in a building greater than 20.0 metres in height:
 - (i) a pedestrian wind impact assessment report that meets the protocol contained in Appendix PG-1, and is prepared by a professional engineer, and
 - (ii) if the pedestrian wind impact assessment report recommends on-site wind mitigation measures, then the measures that are recommended must be implemented in the design and construction of the building;

- (k) a landscape plan that meets the requirements of Section PG-193, for:
 - (i) a new building equal to or greater than 2,000 square metres, or
 - (ii) an addition equal to or greater than 1,000 square metres; and
- (l) any other information that the Development Officer requires to determine if the development complies with the Planned Growth Schedule.

Requirement for Connection to Municipal Water and Wastewater Systems

PG-12 A development permit shall not be issued for any of the following developments within the Bedford West Sub-Areas 1 and 12 Boundary, as shown on Schedule PG-1, unless the development is to be connected to municipal water and wastewater systems:

- (a) new main buildings;
- (b) additions to existing main buildings that result in a change of use or an increase in the number of dwelling units; and
- (c) new backyard suite uses.

Approval

PG-13 The Development Officer shall issue a development permit where the development meets:

- (a) the requirements of the Planned Growth Schedule; or
- (b) the terms of an approved development agreement.

Expiry

PG-14 A development permit shall expire 24 months from the date it is issued.

Revocation

PG-15 The Development Officer may revoke a development permit if:

- (a) the development is not in accordance with:
 - (i) the Planned Growth Schedule,
 - (ii) the plans associated with the approved development permit, or

- (iii) an approved development agreement;
- (b) the permit was issued based on incorrect information provided by the applicant when applying for a development permit; or
- (c) the permit was issued in error.

Fees

PG-16 The fees for applications under the Planned Growth Schedule shall be set out by Administrative Order.

Part I, Chapter 3: Non-Conforming Structures and Uses

Non-Conforming Structures

- PG-17 (1) In any zone, the restrictions in the *Charter* respecting non-conforming structures that are not primarily used for residential purposes are relaxed by allowing them to be extended, enlarged, or altered if the extension, enlargement, or alteration does not further increase a non-conformity with a requirement of the Planned Growth Schedule.
- (2) In any zone, on a lot that contains a structure that is primarily used for residential purposes, the restrictions in the *Charter* respecting non-conforming structures are relaxed by allowing them to be extended, enlarged, altered, or reconstructed if the extension, enlargement, alteration, or reconstruction does not further increase a non-conformity with a requirement of the Planned Growth Schedule.

Non-Conforming Uses

- PG-18 (1) This Section relaxes certain non-conforming uses in accordance with Section 257 of the *Charter*.
- (2) The change of a non-residential non-conforming use of land or a non-conforming use in a structure may be considered by development agreement, in accordance with Section PG-234.
- (3) Where a non-conforming use in a structure exists, the volume of the structure containing that non-conforming use may be extended, enlarged, or altered, providing:
- (a) the structure is located in a BW-CDD1 or a BW-LDR zone;
 - (b) the extension, enlargement, or alteration to the volume of the structure is used as a non-conforming low-density dwelling use; and
 - (c) all other applicable requirements of the Planned Growth Schedule are met.
- (4) Where a non-conforming use in a structure exists, the structure may be rebuilt, replaced, or repaired if destroyed or damaged by fire or otherwise, up to one hundred percent of the market value of the building including its foundation, providing:
- (a) the structure is located in a BW-CDD1 or a BW-LDR zone;
 - (b) the non-conforming use is a low-density dwelling use and that use will occupy the rebuilt, replaced, or repaired structure; and

- (c) all other applicable requirements of the Planned Growth Schedule are met.
- (5) Where a non-conforming use in a structure exists, the structure may be rebuilt, replaced, or repaired if destroyed or damaged by fire or otherwise, up to one hundred percent of the market value of the building including its foundation, providing:
 - (a) the structure is located in a BW-CDD1 or a BW-LDR zone;
 - (b) the rebuilt, replaced, or repaired structure is substantially the same as it was before the destruction or damage; and
 - (c) the non-conforming use is a multi-unit dwelling use and that use will occupy the rebuilt, replaced, or repaired structure.
- (6) In accordance with Section PG-235, where a non-residential non-conforming use in a structure exists, Council may, by development agreement, allow the volume of the structure containing that non-conforming use to be extended, enlarged, or altered.
- (7) The non-conforming use in a structure is permitted to expand into an extension, enlargement, or alteration that complies with Subsection PG-18(6) and Section PG-235.

Part I, Chapter 4: Variances

Variances

PG-19 A variance may be considered under Subsection 250(1) of the *Charter*.

Part I, Chapter 5: Interpretation of the Planned Growth Schedule

Diagrams

PG-20 All diagrams in the Planned Growth Schedule:

- (a) are for explanatory purposes only;
- (b) do not form a part of this By-law; and
- (c) are not to scale.

Defined Terms

PG-21 All terms not defined in Part XIV of the Planned Growth Schedule, in the *Charter*, or by the *Nova Scotia Interpretation Act* shall have their ordinary and grammatical meaning.

More Restrictive Requirement Applies

PG-22 Where two or more requirements of the Planned Growth Schedule conflict, the more restrictive requirement applies.

Part I, Chapter 6: Schedules and Appendices

List of Schedules and Appendices

- PG-23 (1) The following schedules form part of the Planned Growth Schedule:
- (a) Schedule PG-1: Bedford West Sub-Areas 1 and 12 Boundary;
 - (b) Schedule PG-2: Zone Boundaries;
 - (c) Schedule PG-3: Maximum Building Height Precincts;
 - (d) Schedule PG-4: Maximum Population Density;
 - (e) Schedule PG-5: Wind Energy Overlay Zone Boundaries; and
 - (f) Schedule PG-6: Larry Uteck Boulevard & Hammonds Plains Road Transportation Reserve.
- (2) The following appendices form part of the Planned Growth Schedule:
- (a) Appendix PG-1: Pedestrian Wind Impact Assessment Protocol; and
 - (b) Appendix PG-2: Invasive or Highly Toxic Plant Species.

PART II: ZONES

Part II, Chapter 1: Establishment of Zones

List of Zones

PG-24 The Planned Growth Schedule establishes the following zones as assigned on Schedule PG-2 or which are assigned within a development agreement for lands within the Bedford West Sub-Areas 1 and 12:

- (a) Bedford West Comprehensive Development District 2 (BW-CDD2) Zone;
- (b) Bedford West Comprehensive Development District 1 (BW-CDD1) Zone;
- (c) Bedford West Centre (BW-CEN) Zone;
- (d) Bedford West Higher-Order Residential 2 (BW-HR2) Zone;
- (e) Bedford West Higher-Order Residential 1 (BW-HR1) Zone;
- (f) Bedford West Low-Density Residential (BW-LDR) Zone;
- (g) Bedford West Cluster Housing (BW-CH) Zone;
- (h) Bedford West Park and Community Facility (BW-PCF) Zone; and
- (i) Bedford West Conservation (BW-CON) Zone.

Interpretation of Zone and Precinct Boundaries

PG-25 The location of a zone or height precinct boundary shown on a schedule of the Planned Growth Schedule is determined as follows:

- (a) Where a zone or height precinct boundary is indicated as following a street, the boundary shall be the streetline;
- (b) Subject to Clause PG-25(c), where a zone or height precinct boundary is indicated as following a street, the boundary shall follow any change made by the Municipality or the Province to the streetline;
- (c) Where any portion of a street is closed to public use, the former street lands shall be assigned a zone or height precinct as follows:
 - (i) where the abutting lands are part of a single zone or height precinct, the former street lands are assigned the same zone or height precinct as the abutting lands, or
 - (ii) where the abutting lands are part of more than one zone or height precinct, the centreline of the former street becomes a boundary, and the lands on each side of the boundary are assigned the same zone or height precinct as the abutting lands;
- (d) Where a zone or height precinct boundary is shown following lot lines, the boundary follows lot lines, and if those lot lines are modified by subdivision after the coming into

- force date of the Planned Growth Schedule, the boundary shall remain unchanged and as shown on the appropriate schedule;
- (e) Where a zone or height precinct boundary is shown not following lot lines, the boundary is as shown on the appropriate schedule, and if the lot lines are modified by subdivision after the coming into force date of the Planned Growth Schedule, the boundary shall remain unchanged and as shown on the schedule;
 - (f) Where a zone or height precinct boundary follows a shoreline and where infill occurs, the boundary shall follow the new ordinary high water mark;
 - (g) Where a building is constructed over water beyond the limits of the shoreline, any portion of a building constructed over water shall be included in the same zone or height precinct as the on-shore portion of the same lot;
 - (h) Where Clauses PG-25(a) to PG-25(g) do not apply, the boundary is as shown on the appropriate schedule referenced within the Planned Growth Schedule; and
 - (i) Where a transportation reserve is applied to an area of land, Section 239 of the *Charter* applies.

Part II, Chapter 2: Zones and Permitted Uses

Interpretation of Permitted Uses

PG-26 Subject to Sections PG-27 and PG-29, and except for transportation reserves, which are addressed in Section PG-28, the use of land is regulated as follows:

- (a) The first column of Table PG-1 list each use;
- (b) The remaining columns of Table PG-1 correspond to each zone;
- (c) Header cells shaded black with white text within Table PG-1 (e.g., **"RESIDENTIAL"**, **"COMMERCIAL"**) are for organizational purposes only;
- (d) Each use listed in Table PG-1 is defined in Part XIV;
- (e) A black dot (●) within Table PG-1 indicates that the use in that row is permitted in the zone of that column, and subject to all other applicable provisions of the Planned Growth Schedule;
- (f) A white circle containing a number in black text (e.g., ①) within Table PG-1 indicates that the use in that row is permitted in the zone of that column, subject to additional conditions in a corresponding footnote below Table PG-1, and subject to all other applicable provisions of the Planned Growth Schedule;
- (g) The absence of a black dot (●), or a white circle containing a number in black text (e.g., ①), indicates that the use in that row is prohibited in the zone of that column; and
- (h) Where a use is defined in Part XIV, the definition may be deemed to include any similar use, except where expressly excluded.

Additional Provisions Elsewhere in the Planned Growth Schedule

PG-27 No development permit shall be issued for a use permitted in Table PG-1, unless the use meets all applicable requirements of the Planned Growth Schedule.

Uses in a Transportation Reserve

PG-28 All development is prohibited in a transportation reserve, as shown on Schedule PG-6.

Obnoxious Uses Prohibited

PG-29 No owner or occupier of a lot shall undertake or conduct any obnoxious use.

Table PG-1: Permitted uses by zone (BW-CDD2, BW-CDD1, BW-CEN, BW-HR2, BW-HR1, BW-LDR, BW-CH, BW-PCF, and BW-CON)

RESIDENTIAL	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF	BW-CON
Single-unit dwelling use		①			●	●	●		
Semi-detached dwelling use					●	●			
Townhouse dwelling use					●	●			
Two-unit dwelling use					●	●			
Three-unit dwelling use					●	●			
Four-unit dwelling use					●	●			
Multi-unit dwelling use			●	●	●				
Secondary suite use					●	●			
Backyard suite use					●	●			
Small shared housing use			●	●	●	●	●		
Large shared housing use			●	●	●		●		
Home occupation use		①	③	③	③	⑤	⑤		
Home office use		①	●	●	●	●	●		
Work-live unit use			●	●	●				
Grade-related dwelling unit use			●	●	●				
Model suite use			●	●	●	●	●		
Cluster housing use							●		
Short-term bedroom rental use		⑥	⑥	⑥	⑥	⑥	⑥		
COMMERCIAL	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF	BW-CON
Broadcast and production studio use	●		●						
Cannabis lounge use	●		●						
Cannabis retail sales use	●		●						
Casino use									
Catering use	●		●	②	②				
Commercial recreation use									
Dealership use									
Drinking establishment use	●		●						
Financial institution use	●		●	②					
Fitness centre use	●		●	②	②				
Garden centre use	●		●						
Grocery store use	●		●	②	②				
Hotel use	●		●						
Kennel use									
Local commercial use	●		●	②	②				
Local drinking establishment use	●		●						
Makerspace use	●		●	②	②				
Micro-brewery use	●		●						
Micro-distillery use	●		●						
Office use	●		●	②					
Pawn shop use	●		●						
Personal service use	●		●	②	②				
Pet daycare use	●		●	②	②				
Quick charging station use	●		●						
Restaurant use	●		●	②	②				
Retail use	●		●	②					
Self-storage facility use	●		●	②	②				
Service station use	●		●						
Service use	●		●						
Short-term rental use			⑦	⑦	⑦	⑦	⑦		

Studio use	●		●	②	②				
Veterinary facility use	●		●						
Any other commercial use (if not prohibited above)	●		●						
URBAN AGRICULTURE	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF	BW-CON
Educational farm use								●	
Farmers' market use	●		●	●	●			●	
Urban farm use	●	①	●	●	●	●	●	●	
INSTITUTIONAL	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF	BW-CON
Convention centre use	●		●						
Cultural use	●		●	●	●			●	
Daycare use	●		●	●	●	④ ⑤	④ ⑤	●	
Emergency services use	●		●	●	●				
Hospital use									
Library use	●		●	●	●			●	
Minor spectator venue use	●		●					●	
Major spectator venue use								●	
Medical clinic use	●		●	②	②				
Public building use	●		●					●	
Religious institution use	●		●	●	●				
School use	●		●	●	●			●	
Shelter use	●		●	●	●				
University or college use	●		●						
INDUSTRIAL	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF	BW-CON
Auto repair use									
Cannabis production facility use									
Car wash use	●		●						
Crematorium use									
Data storage centre use	●		●						
Industrial training facility use									
Light manufacturing use									
Marine-related use									
Recycling depot use	●		●						
Research and development facility use	●		●						
Storage yard use									
Warehousing use									
Wholesale food production use	●		●						
Wholesale use									
PARK AND COMMUNITY FACILITIES	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF	BW-CON
Cemetery use								●	
Club recreation use	●		●	●	●			●	
Community recreation use	●		●	●	●	●	●	●	
Conservation use	●	①	●	●	●	●	●	●	●
Park use	●	①	●	●	●	●	●	●	●
WATER ACCESS	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF	BW-CON
Water access structure use	●	①	●	●	●	●	●	●	
MILITARY	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF	BW-CON
Military use									

OTHER	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF	BW-CON
Accessory structure or use	●	①	●	●	●	●	●	●	●
Existing uses		①							
Historic site or monument use	●		●	●	●	●	●	●	●
Parking structure use	●		●	●	●			●	
Temporary construction use	●	①	●	●	●	●	●	●	
Temporary use	●		●					●	
Transportation facility use	●	①	●	●	●	●	●	●	
Utility use	●	①	●	●	●	●	●	●	●
PROHIBITED IN ALL ZONES	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF	BW-CON
Adult entertainment use									
C&D transfer, processing, and disposal use									
Heavy industrial use									
Salvage use									

- ① Use is permitted on a lot that existed on the coming into force date of the Planned Growth Schedule.
- ② Use is permitted within a mixed-use building that has no less than 75% of its floor area occupied by residential uses.
- ③ Use is permitted within a grade-related dwelling unit use only when associated with a multi-unit dwelling use.
- ④ Use is permitted in accordance with the requirements of Section PG-38.
- ⑤ Only one of the following uses shall be permitted, at any time on a lot: (a) home occupation use; (b) short-term bedroom rental use, or (c) daycare use.
- ⑥ Use is permitted accessory to a residential use provided that the dwelling unit is the primary residence of the operator, in accordance with Section PG-40.
- ⑦ Use is permitted accessory to a residential use provided that the dwelling unit is the primary residence of the operator, in accordance with Section PG-39.

PART III: LAND USE

Part III, Chapter 1: General Land Use Requirements

Access Uses Prohibited

PG-30 It is prohibited to access a use in one zone from a different zone, unless:

- (a) the use being accessed is permitted in both zones; or
- (b) the access from one zone to a different zone is specifically permitted in Table PG-1.

Exterior Lighting

PG-31 Exterior lighting shall not be directed towards abutting lots or streets.

Recreational Vehicles

PG-32 Excluding when used as a temporary construction use, a recreational vehicle shall not be used as a dwelling unit or a backyard suite use.

Cannabis-Related Uses

- PG-33 (1) A cannabis retail sales use or a cannabis lounge use are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).
- (2) Where a lot containing a cannabis production facility use abuts any lot containing a residential use, daycare use, community recreation use, school use, or religious institution use, the cannabis production facility use, including any building or storage yard, shall be set back no less than 70.0 metres from the lot line that abuts such use.

Temporary Rock Crushers

- PG-34 (1) Subject to Subsection PG-34(2), a development permit is required for a temporary rock crusher and shall be valid for the time specified on such permit and shall not exceed 60 calendar days from the time the permit is issued. The development permit for a temporary rock crusher may be renewed for a period of not longer than 30 calendar days at a time, if the Development Officer determines that an extension is warranted.

- (2) A development permit for the use of a temporary 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, as amended.
- (3) A temporary rock crusher shall only be used at:
 - (a) the site of demolition of a structure;
 - (b) the site of construction of primary or secondary services, pursuant to the *HRM Regional Subdivision By-Law*; or
 - (c) the site of a development permitted by the Planned Growth Schedule.
- (4) A temporary rock crusher shall not be located within 3.0 metres of any lot line.
- (5) A temporary rock crusher shall not be located within 10.0 metres of any building used for a residential use or an institutional use, except for temporary rock crushers used to construct public infrastructure.
- (6) Subject to Subsection PG-34(7), a temporary rock crusher shall not be used to process material for export to another site, or to process material imported to the site.
- (7) A temporary 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*, as amended from time to time, are met.

Solid Waste Management Areas

- PG-35 (1) For any building in a BW-CEN zone:
- (a) that contains commercial uses only, excluding a hotel use, any outdoor solid waste management areas shall be located in a courtyard, side yard, or rear yard, and shall not be located within 3.5 metres of any lot line abutting a low-density residential use (Diagram PG-13);
 - (b) that contains a hotel use, all solid waste management areas shall be located inside the building;
 - (c) that contains residential uses only and is equal to or greater than 2,000 square metres in floor area, all solid waste management areas shall be located inside the building;
 - (d) that contains a combination of residential and commercial uses and is equal to or greater than 2,000 square metres in floor area, all solid waste management areas shall be located inside the building; or

- (e) that contains a residential use and is less than 2,000 square metres in floor area, any outdoor solid waste management areas shall be located in a courtyard, side yard, or rear yard, and shall not be located within 3.5 metres of any lot line abutting a low-density residential use (Diagram PG-13).
- (2) For any building in a BW-HR2 or BW-HR1 zone:
 - (a) that is equal to or greater than 2,000 square metres in floor area, all solid waste management areas shall be located inside the building; or
 - (b) that is less than 2,000 square metres in floor area, any outdoor solid waste management areas shall be located in a courtyard, side yard, or rear yard, and shall not be located within 3.5 metres of any lot line abutting a low-density residential use (Diagram PG-13).
- (3) For any development in a BW-CH zone that exceeds six cluster housing dwelling units, outdoor solid waste management areas shall be located in a side or rear yard, and shall not be located within 3.5 metres of any lot line abutting a low-density residential use (Diagram PG-13).
- (4) Screening requirements for outdoor solid waste management areas are contained in Section PG-187.

Part III, Chapter 2: Residential Use Requirements

Home Occupation Uses

- PG-36 (1) Excluding a home occupation use contained within a grade-related dwelling unit or a cluster housing use, a home occupation use shall:
- (a) be limited to one per lot; and
 - (b) not be permitted within a multi-unit dwelling use.
- (2) The following uses are permitted as a home occupation use:
- (a) broadcast and production studio use;
 - (b) catering use;
 - (c) makerspace use;
 - (d) grooming and haircutting salon;
 - (e) medical clinic use;
 - (f) office use;
 - (g) pet daycare use, limited to a maximum of 5 animals;
 - (h) pet grooming;
 - (i) studio use;
 - (j) tailoring and shoe repair;
 - (k) tattooing; or
 - (l) tutoring.
- (3) The retailing of products that are accessory to a permitted home occupation use, listed in Subsection PG-36(2), is permitted.
- (4) The principal operator of a home occupation use shall reside on the lot where the use is located.
- (5) The number of permitted employees for a home occupation use, that are not a resident of the lot, is limited to one employee on the property at any given time.
- (6) Any home occupation use shall be wholly contained within a dwelling unit or within an accessory structure.
- (7) Excluding permitted signage, a home occupation use shall not be apparent from the outside of the dwelling unit or the accessory structure.
- (8) The maximum floor area of a dwelling unit or an accessory structure that can be dedicated to a home occupation use is 50.0 square metres.

- (9) Signage requirements for a home occupation use are:
 - (a) in any BW-CEN, BW-HR2, or BW-HR1 zone, contained in Section PG-229; or
 - (b) in any BW-CDD1, BW-LDR, or BW-CH zone, contained in Section PG-230.
- (10) Motor vehicle parking requirements for a home occupation use shall comply with Section PG-196.

Home Office Uses

- PG-37
- (1) Home office uses are permitted in all dwelling units.
 - (2) The principal operator of a home office use, and any employees, shall reside on the lot where the use is located.
 - (3) Any home office use shall be wholly contained within a dwelling unit or an accessory structure, and shall not be apparent from the outside of the dwelling unit or accessory structure.
 - (4) No signage is permitted for a home office use.

Daycare Uses in the BW-LDR or BW-CH Zone

PG-38 Within a BW-LDR or BW-CH zone, a daycare use shall meet the following requirements:

- (a) A maximum of one daycare use is permitted on any lot;
- (b) The principal operator of a daycare use shall reside in the dwelling unit where the daycare use is located, and may employ additional staff;
- (c) Excluding staff and the principal operator, a maximum of 14 people may attend a daycare use at any time;
- (d) Any outdoor recreational spaces or play areas, accessory to a daycare use, shall meet the screening requirements of Subsection PG-186;
- (e) Signage for a daycare use shall comply with Section PG-230; and
- (f) Motor vehicle parking requirements for a daycare use shall comply with Section PG-196.

Short-Term Rental Uses

PG-39 A short-term rental use, accessory to a residential use, shall be permitted in any dwelling unit, provided that the dwelling unit is the primary residence of the short-term rental use operator.

Short-Term Bedroom Rental Uses

PG-40 A short-term bedroom rental use, accessory to a residential use, shall be permitted in any dwelling unit, subject to the following additional provisions:

- (a) The short-term bedroom rental use shall be wholly contained within the dwelling unit which is the primary residence of the operator of the short-term bedroom rental use;
- (b) Not more than three (3) bedrooms, may be rented as a short-term bedroom rental use at the same time;
- (c) The operator of the short-term bedroom rental use shall reside on site while any bedrooms are rented;
- (d) Signage requirements for a short-term bedroom rental use are:
 - (i) in any BW-CEN, BW-HR2, or BW-HR1 zone, contained in Section PG-229, or
 - (ii) in any BW-LDR or BW-CH zone, contained in Section PG-230; and
- (e) Motor vehicle parking requirements for a short-term bedroom rental use shall comply with Section PG-196.

Secondary Suite Uses

PG-41 (1) Subject to Subsection PG-41(2), where a secondary suite use is permitted in Table PG-1, a lot may contain a secondary suite use in conjunction with:

- (a) a single-unit dwelling use;
 - (b) a two-unit dwelling use;
 - (c) a semi-detached dwelling use;
 - (d) a three-unit dwelling use; or
 - (e) a townhouse dwelling use.
- (2) A lot shall not contain both a secondary suite use and a backyard suite use.
- (3) A secondary suite use shall not exceed a floor area of 80.0 square metres.
- (4) A secondary suite use shall not be counted towards the dwelling unit total or be counted towards the population density allocation.

Backyard Suite Uses

PG-42 (1) Subject to Subsection PG-42(2), where a backyard suite use is permitted in Table PG-1, a

lot may contain a backyard suite use, within the rear yard only, in conjunction with:

- (a) a single-unit dwelling use;
 - (b) a two-unit dwelling use;
 - (c) a semi-detached dwelling use;
 - (d) a three-unit dwelling use; or
 - (e) a townhouse dwelling use.
- (2) A lot shall not contain both a secondary suite use and a backyard suite use.
- (3) A backyard suite use shall meet the accessory structure built form and siting requirements of Sections PG-151 to PG-156 and Section PG-158.
- (4) A backyard suite use shall have unobstructed access to a street on the same lot on which the backyard suite is located.
- (5) A backyard suite use shall not be counted towards the dwelling unit total or be counted towards the population density allocation.

Maximum Number of Bedrooms for Small Shared Housing Uses in the BW-LDR Zone

PG-43 On any lot zoned BW-LDR, a small shared housing use shall be limited to a maximum of 10 bedrooms.

Dwelling Unit Mix – New Buildings and Additions in a BW-HR2 or BW-HR1 Zone

- PG-44 (1) In any BW-HR2 or BW-HR1 zone, a new building or an addition to an existing building that results in 40 dwelling units or more shall provide a dwelling unit mix of:
- (a) no less than 20% of all dwelling units shall be required to contain a minimum of two bedrooms; and
 - (b) no less than 5% of all dwelling units shall be required to contain a minimum of three bedrooms.
- (2) The number of required dwelling units:
- (a) in Subsection PG-44(1), shall be rounded up to the nearest whole number; and
 - (b) in Clause PG-44(1)(b), shall not be counted towards the requirement of Clause PG-44(1)(a).

Dwelling Unit Mix – Internal Conversions in any BW-HR2 or BW-HR1 Zone

- PG-45 (1) In any BW-HR2 or BW-HR1 zone, a change of use in an existing building that results in 40 dwelling units or more, shall provide a dwelling unit mix of:
- (a) no less than 20% of all dwelling units shall be required to contain a minimum of two bedrooms; and
 - (b) no less than 5% of all dwelling units shall be required to contain a minimum of three bedrooms.
- (2) The number of required dwelling units:
- (a) in Subsection PG-45(1), shall be rounded up to the nearest whole number; and
 - (b) in Clause PG-45(1)(b), shall not be counted towards the requirement of Clause PG-45(1)(a).

Amenity Space – High-Density Dwelling Use

- PG-46 (1) Any new building or an addition to an existing building that contains a high-density dwelling use shall be required to provide amenity space, at a rate of 5.0 square metres per dwelling unit, for use by the building's residents. No less than 40% of all required amenity space shall be provided within the building.
- (2) Except for outdoor amenity space associated with an individual dwelling unit within a high-density dwelling use, such as balconies, decks, and patios, all amenity space required by Subsection PG-46(1) shall:
- (a) be provided in increments of no less than 30.0 contiguous square metres;
 - (b) have no linear dimension less than 3.0 metres; and
 - (c) be available for shared use by the building's residents.
- (3) For any high-density dwelling use within a BW-HR2 or a BW-HR1 zone, a minimum of 25% of the required amenity space shall be:
- (a) provided outdoors;
 - (b) located at-grade or on a roof top; and
 - (c) available for shared use by the building's residents.

Ground Floor Uses for Buildings Containing a Multi-Unit Dwelling Use

PG-47 Excluding any main building that is located 30.0 metres or more from a streetline, where a lot in any BW-CEN, BW-HR2, or BW-HR1 zone:

- (a) contains a building with a multi-unit dwelling use; and
- (b) has a minimum frontage of 8.0 metres on at least one street;

a minimum of 40% of the total length of all ground floors of the buildings facing a streetline, excluding an entrance to internal parking or a portal, shall be occupied by either one or a combination of the following:

- (c) commercial uses;
- (d) grade-related dwelling units; or
- (e) work-live units.

Work-Live Units

PG-48 (1) Subject to Subsection PG-48(3), only one of the following commercial or institutional uses are permitted in a work-live unit:

- (a) broadcast and production studio use;
- (b) catering use;
- (c) makerspace use;
- (d) medical clinic use;
- (e) office use;
- (f) personal service use;
- (g) pet daycare use; or
- (h) studio use.

(2) The retailing of products that are accessory to a permitted commercial use or institutional use in a work-live unit, listed in Subsection PG-48(1), are permitted.

(3) No more than 50% of the total floor area of a work-live unit, to a maximum of 140.0 square metres, may be used for one of the uses listed in Subsection PG-48(1).

(4) The uses listed in Subsection PG-48(1) shall be located on the ground floor.

(5) The principal operator of a commercial use or an institutional use within a work-live unit shall reside in the unit and may have no more than three non-resident employees.

(6) Signage for a work-live unit shall meet the requirements of Section PG-229.

- (7) Motor vehicle parking for a work-live unit shall comply with the requirements of Section PG-196.

Part III, Chapter 3: Urban Agriculture Use Requirements

General Urban Agriculture Use Requirements

- PG-49 (1) The processing of urban agricultural products is permitted as an accessory use to any urban agriculture use listed in Table PG-1.
- (2) The sale of urban agricultural products grown or produced on-site, including processed urban agricultural products, is permitted as an accessory use to an educational farm use or an urban farm use.
- (3) Except for an educational farm use, the keeping of horses, swine, roosters, and ruminants is prohibited.
- (4) A greenhouse, including a rooftop greenhouse, may be used to contain all or part of an urban farm use.
- (5) Signage requirements for an urban agriculture use are:
- (a) in any BW-CDD2, BW-CEN, BW-HR2, BW-HR1, or BW-PCF zone, contained in Sections PG-225 to PG-228; or
 - (b) in any BW-CDD1, BW-LDR, or BW-CH zone, contained in Sections PG-230 and PG-231.
- (6) Excluding beehives, an accessory structure associated with an urban agriculture use shall meet the accessory structure built form and siting requirements of Sections PG-151 to PG-157.

Keeping of Bees as an Accessory Use

- PG-50 (1) In every zone, the keeping of bees as an accessory use is permitted, to a maximum of:
- (a) two beehives on lots of less than 2,000 square metres in area; or
 - (b) four beehives on lots equal to or greater than 2,000 square metres in area.
- (2) Beehives shall be required to be located no less than 3.0 metres from any lot line (Diagram PG-1), unless they are located on a rooftop.



Diagram PG-1: Shaded area denotes where beehives are permitted at grade, per Subsection PG-50(2)

Keeping of Egg-Laying Hens as an Accessory Use

- PG-51 (1) An accessory hen use is permitted in conjunction with a residential use in all zones.
- (2) The maximum number of hens permitted on a lot shall be:
- (a) on lots less than 4,000 square metres in area, a maximum of 10 hens;
 - (b) on lots equal to or greater than 4,000 square metres in area but less than 6,000 square metres in area, a maximum of 15 hens;
 - (c) on lots equal to or greater than 6,000 square metres in area but less than 10,000 square metres in area, a maximum of 20 hens; or
 - (d) on lots equal to or greater than 10,000 square metres in area, a maximum of 25 hens.
- (3) Hens shall be contained within an accessory building or fenced area that:
- (a) is located in a rear yard;
 - (b) has a 1.0-metre setback from any side or rear lot line;
 - (c) meets the watercourse buffer requirements contained in Section PG-52, but in no circumstance shall the exemptions in Subsection PG-52(4) be used to reduce the required watercourse buffer; and
 - (d) meets the accessory structure built form requirements contained in Sections PG-155 to PG-157.

- (4) The on-site slaughtering or euthanizing of hens is prohibited.

Part III, Chapter 4: Environmental Requirements

Watercourse Buffers

- PG-52 (1) A development permit shall not be issued for any development within 30 metres of the ordinary high water mark of any watercourse (Diagram PG-2).

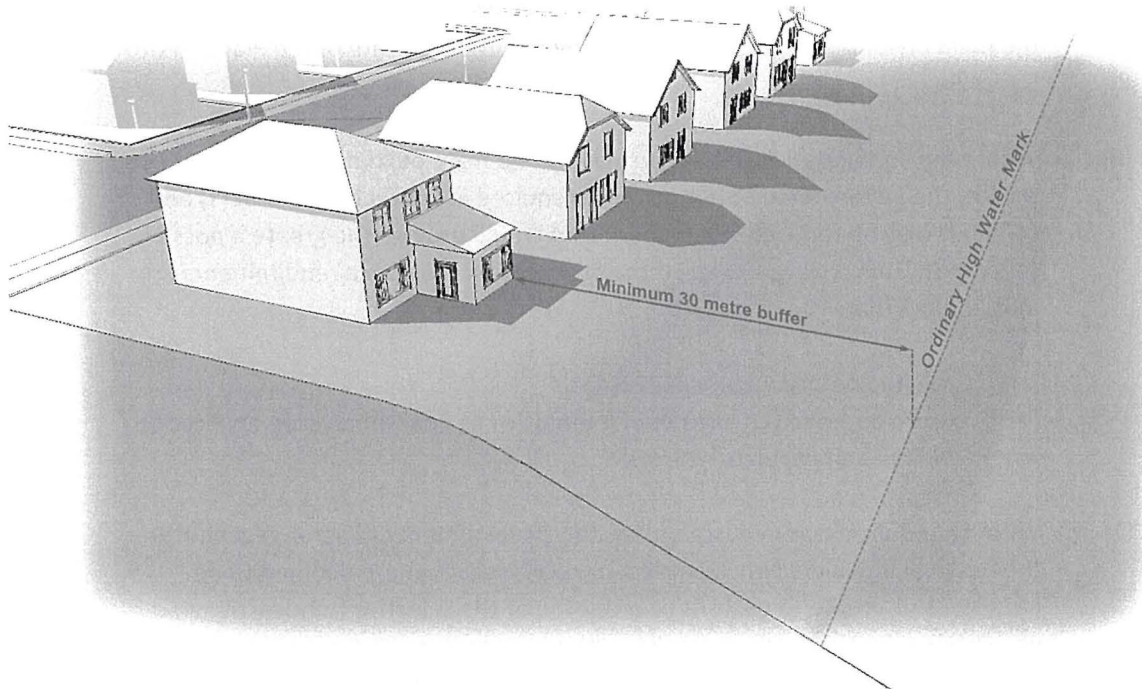


Diagram PG-2: Minimum required watercourse buffer, per Subsection PG-52(1)

- (2) Where a wetland and a watercourse are contiguous, the watercourse buffer shall be applied from the outermost boundary of the wetland and watercourse.
- (3) Subject to Subsections PG-52(4) and PG-52(7), within the watercourse buffer required in Subsections PG-52(1) and PG-52(2), no excavation, infilling, or the removal of any tree, stump, or other vegetation, nor any other change, is permitted.
- (4) Within the watercourse buffer required in Subsections PG-52(1) and PG-52(2), vegetation may be removed to permit the following activities:
 - (a) subject to Subsection PG-52(5), one accessory structure, including a boathouse, and one attached uncovered deck or patio, occupying a maximum of 20.0 square metres, combined;
 - (b) boardwalks, walkways, trails, and driveways not exceeding 3.0 metres in width;

- (c) fences;
 - (d) water access structure uses, boat ramps, marine-related uses, parks on public land, and historic site or monument uses;
 - (e) streets; or
 - (f) water, wastewater, and stormwater infrastructure.
- (5) Where a main building existed on the coming into force date of the Planned Growth Schedule and is located within a required watercourse buffer, accessory structures permitted in Clause PG-52(4)(a) shall not be located any closer to the watercourse than the main building that existed on the coming into force date of the Planned Growth Schedule.
- (6) Where the configuration of a lot is such that no main building can be located on the lot, the watercourse buffer distance required in Subsections PG-52(1) and PG-52(2) may be reduced in a manner that would provide the greatest possible separation from a watercourse, if the other setback distance requirements are met, 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.
- (7) 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 to persons or property, or the selective removal of vegetation to maintain the overall health of the buffer, if a management plan is submitted by a qualified professional.

Wetlands and Areas of Elevated Archaeological Potential

- PG-53 (1) All development is prohibited within any wetland, unless an approval that permits the alteration or infilling of a wetland has been received from the Province of Nova Scotia.
- (2) All development is prohibited within any wetland, as shown on Appendix D of the *Bedford Land Use By-law*, unless an approval that permits the alteration or infilling of a wetland has been received from the Province of Nova Scotia.
- (3) Where excavation is required for a development in an area identified on Appendix C of the *Bedford Land Use By-law*, a development permit may be issued and the application may be referred to the Province of Nova Scotia for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

PART IV: LOT REQUIREMENTS

Part IV, Chapter 1: Lot Requirements

Regional Subdivision By-law

PG-54 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.

Undersized Lots

- PG-55 (1) A lot with less than the minimum required lot area or lot frontage, as per the requirements of Sections PG-56 and PG-57, may be developed if it existed on the coming into force date of this Planned Growth Schedule, and it:
- (a) abuts and has direct access to a street; or
 - (b) is accessible through a registered easement no less than 3.0 metres wide.
- (2) A lot with less than the minimum required lot area, lot frontage, or lot dimensions, as per the requirements of Section PG-56 and Section PG-57, created as a result of an acquisition of a portion of the land by the Province of Nova Scotia or the Municipality for a provincial or municipal purpose, may be developed as per the requirements of the applicable zone.
- (3) The Development Officer may issue a development permit for a lot approved pursuant to Section 41 of the *HRM Regional Subdivision By-law*, where an undersized lot has had its boundaries altered.

Minimum Lot Area

PG-56 The minimum lot area requirements are as set out in Table PG-2.

Table PG-2: Minimum lot area requirements

Zone / Use	Minimum lot area
BW-CDD2	371.0 square metres
BW-CDD1	315.0 square metres
BW-CEN	371.0 square metres
BW-HR2, BW-HR1	558.0 square metres
BW-LDR for a single-unit dwelling use, a two-unit dwelling use, a three-unit dwelling use, or a four-unit dwelling use	275.0 square metres
BW-LDR for a semi-detached dwelling use (per dwelling unit)	230.0 square metres
BW-LDR for a townhouse dwelling use (per interior dwelling unit)	130.0 square metres
BW-LDR for a townhouse dwelling use (per end dwelling unit)	185.0 square metres
BW-CH (per dwelling unit)	130.0 square metres
BW-PCF	232.0 square metres
BW-CON	232.0 square metres

Minimum Lot Frontages and Dimensions

PG-57 (1) Subject to Subsection PG-57(3), the minimum lot frontage requirements are as set out in Table PG-3.

Table PG-3: Minimum lot frontage requirements

Zone	Minimum lot frontage
BW-CDD2	6.1 metres
BW-CDD1	10.3 metres
BW-CEN	6.1 metres
BW-HR2, BW-HR1	6.1 metres
BW-LDR for a single-unit dwelling use, a two-unit dwelling use, a three-unit dwelling use, or a four-unit dwelling use	9.7 metres
BW-LDR for a semi-detached dwelling use (per dwelling unit)	7.2 metres
BW-LDR for a townhouse dwelling use (per interior dwelling unit)	5.4 metres
BW-LDR for a townhouse dwelling use (per end dwelling unit)	7.2 metres
BW-CH	6.1 metres
BW-PCF	8.0 metres
BW-CON	6.1 metres

- (2) Within the BW-CH zone, a lot shall not have a dimension less than 6.1 metres.
- (3) When a lot faces the outside of a curve on a street, the minimum frontage requirements of Subsection PG-57(1) may be reduced:
 - (a) excluding interior townhouse units, by 40%; or
 - (b) for interior townhouse units, by 40%, if the lot has a minimum width of 5.4 metres between side lot lines at a location of 3.0 metres from the streetline.

PART V: DENSITY CONTROLS

Part V, Chapter 1: General Density Controls

General Requirement: Density Allocations and Calculations

- PG-58 (1) Maximum population density (people per acre) allocations shall be as shown on Schedule PG-4.
- (2) The rate of people per dwelling unit shall be as follows:
- (a) for a single-unit dwelling use, a semi-detached dwelling use, a two-unit dwelling use, a townhouse dwelling use, or a cluster housing use, 3.25 people per dwelling unit;
 - (b) for a three-unit dwelling use, a four-unit dwelling use, a grade-related dwelling unit use, a work-live unit use, or a multi-unit dwelling use, 2.25 people per dwelling unit; or
 - (c) for a secondary suite use or a backyard suite use, 0 people per dwelling unit.
- (3) The rate of people per shared housing use shall be one person per bedroom.
- (4) The rates of people per 100 square metres of floor area for commercial uses, institutional uses, industrial uses, and park and community facilities uses shall be determined by Halifax Water.
- (5) Where a portion of a lot has been acquired by the Province of Nova Scotia or the Municipality for the purpose of street widening after the coming into force date of the Planned Growth Schedule, and a density value is shown on Schedule PG-4 for the subject property, any reduction in the lot area shall not affect the amount of density that would have been achievable on the coming into force date of the Planned Growth Schedule.

PART VI: BUILT FORM AND SITING REQUIREMENTS

Part VI, Chapter 1: General Built Form and Siting Requirements

General Requirement: Number of Main Buildings on a Lot

- PG-59 (1) Every main building shall be located on a lot.
- (2) Subject to Subsection PG-59(3) and excluding a building containing a semi-detached dwelling use or a townhouse dwelling use, a main building shall not be located on more than one lot.
- (3) An underground parking structure is permitted to be located on more than one lot if it services developments on all the lots that it is located on.
- (4) A maximum of one main building is permitted on a lot, except:
- (a) in a BW-CEN Zone, a maximum of 4;
 - (b) in a BW-HR2 Zone or a BW-HR1 Zone, a maximum of 2;
 - (c) in a BW-CH Zone, a maximum of 24; or
 - (d) in a BW-PCF Zone, no maximum.

General Requirement: Prohibited External Cladding Materials

PG-60 The following external cladding materials are prohibited:

- (a) in any BW-CEN zone:
- (i) vinyl siding,
 - (ii) plastic,
 - (iii) plywood,
 - (iv) unfinished concrete greater than 0.6 metre in average height above grade,
 - (v) exterior insulation and finish systems where stucco is applied to rigid insulation, and
 - (vi) darkly tinted or mirrored glass, except for spandrel glass panels; or
- (b) in any BW-HR2 or BW-HR1 zone:
- (i) plastic,
 - (ii) plywood,
 - (iii) unfinished concrete greater than 0.6 metre in average height above grade, and
 - (iv) darkly tinted or mirrored glass, except for spandrel glass panels.

General Requirement: Setback of Entrances

- PG-61 (1) Any pedestrian entrance to any main building facing a streetline or transportation reserve shall be required to be set back a minimum of 1.5 metres from the streetline or transportation reserve.
- (2) Excluding a garage attached to a low-density dwelling use, any motor vehicle entrance to any main building facing a streetline or transportation reserve shall be required to be set back a minimum of 4.5 metres from the streetline or transportation reserve.

General Requirement: Permitted Encroachments into Setbacks, Stepbacks, or Separation Distances

- PG-62 (1) Any setback or stepback for any main building, or any separation distance between main buildings or between any main building and accessory structures, required in Part VI, shall be required to be open and unobstructed, except:
- (a) patios that are less than 0.6 metre in height, access ramps, walkways, lifting devices, uncovered steps, and staircases are permitted in any required setback, stepback, or separation distance;
 - (b) pergolas are permitted into any required stepback;
 - (c) sills, eaves, gutters, downspouts, cornices, chimneys, fireplace and stove bump outs, and other similar features may project into any required setback, stepback, or separation distance by no more than 0.6 metre; and
 - (d) window bays and solar collectors may project into any required setback, stepback, or separation distance by no more than 1.0 metre.
- (2) Subject to Subsection PG-62(3) and Section PG-63, balconies and decks may project into any required setback, stepback, or separation distance by no more than:
- (a) 1.5 metres at the ground floor; or
 - (b) 2.0 metres at the second storey or above.
- (3) Subject to Subsection PG-62(4), in any BW-CDD2, BW-CEN, BW-HR2, or BW-HR1 zone that abuts a BW-LDR, BW-CH, or BW-PCF zone, a balcony or deck shall not project into any required setback or stepback that faces the lot line of that abutting zone.
- (4) Balconies and decks facing a lot line that abuts a BW-LDR, BW-CH, or BW-PCF zone may project into any required stepback, providing any main building that is above grade is setback by:
- (a) 8.5 metres for mid-rise buildings; and
 - (b) 12.5 metres for tall mid-rise buildings.

- (5) Canopies may project into any required setback or separation distance by no more than 2.0 metres.
- (6) Awnings may project into any required setback or separation distance by no more than 1.5 metres.

General Requirement: Aggregate Width of Balconies

PG-63 Within the BW-CEN, BW-HR2, or BW-HR1 zone, if the aggregate width of all balconies per storey, above the height of the streetwall, exceeds 50% of the horizontal width of a building face, then the balconies shall:

- (a) not be allowed to encroach into any required setback, stepback, or separation distance; and
- (b) be included in the calculation of maximum building dimensions for a tall mid-rise typology, including width and depth.

General Requirement: Encroachments into Streets

PG-64 Encroachments into streets shall meet the requirements of the applicable municipal by-law.

General Requirement: Drive-Throughs

PG-65 Drive-throughs are permitted in the BW-CDD2 and the BW-CEN zones only.

General Requirement: Pedways

- PG-66
- (1) Pedways that connect main buildings over a street are prohibited.
 - (2) Pedways that do not connect main buildings over a street are permitted in a BW-CEN, BW-HR2, or BW-HR1 zone.
 - (3) Permitted pedways are exempt from the following built form requirements:
 - (a) maximum lot coverage; and
 - (b) maximum building dimensions.

General Requirement: Self-Storage Facility Uses

PG-67 Where a self-storage facility use is permitted in Table PG-1, individual storage units shall not be directly accessible from outside the main building, except where facing a rear yard.

General Requirement: Transportation Facility Use

PG-68 The only built form requirements of Part VI, Chapters 2 to 10 that apply to a transportation facility use are:

- (a) maximum building height, as specified on Schedule PG-3 or in a development agreement that is applied to the lands; and
- (b) minimum front and flanking setbacks of the applicable zone.

General Requirement: Development Abutting a Transportation Reserve

PG-69 New development on a lot abutting a transportation reserve, including any portions of any main building located underground, shall:

- (a) have a required setback from the transportation reserve boundary as shown on Schedule PG-6; or
- (b) where the Province of Nova Scotia or the Municipality acquires, in whole or in part, the lands that are the subject of the transportation reserve, then the lot that abuts that acquired land shall have the minimum required front or flanking setback as specified in the zone or in the development agreement that applies to the lot.

General Requirement: Building Rooftop Features

- PG-70 (1) Excluding any low-density dwelling uses and cluster housing uses, which are addressed in Subsection PG-70(6), Table PG-4 regulates the height, coverage, and setback of building features located on the rooftops of any main building.
- (2) Features listed in Table PG-4 may exceed a height above the maximum height permitted, as specified in a zone or in a development agreement that is applied to the lands, by no more than the amount specified in Column 1.
- (3) Features listed in Table PG-4 shall not count towards:
- (a) the overall building height as specified in a zone or in a development agreement that is applied to the lands;

- (b) the determination of building height for a low-rise building, a mid-rise building, a tall mid-rise building, or a high-rise building, as defined in Subsections PG-238(130), PG-238(142), PG-238(235), or PG-238(104);
 - (c) the determination of a mid-rise typology, a tall mid-rise typology, or a high-rise typology, as defined in Subsections PG-238(143), PG-238(236), or PG-238(105);
or
 - (d) the height determination for a pedestrian wind impact assessment report under Appendix PG-1.
- (4) Excluding any main building within a BW-PCF zone, all features identified with a black dot (●) in Column 2 of Table PG-4 shall not, in total, occupy more than 30% of the main building rooftop area on which they are located.
- (5) Features with a minimum roof edge setback that are specified in Columns 3 or 4 of Table PG-4 shall be located no closer than indicated.

Table PG-4: Main building rooftop features

Feature	Column 1: Maximum height above roof	Column 2: 30% coverage restriction	Column 3: Minimum setback from roof edge facing front or flanking lot lines	Column 4: Minimum setback from roof edge facing side or rear lot lines
Antenna	Unlimited		3.0 metres	3.0 metres
Chimney	Unlimited			
Clear glass guard and railing system	2.0 metres			
Clock tower or bell tower	Unlimited	●		
Communication tower required to support uses and activities in the building	Unlimited	●	3.0 metres	3.0 metres
Cooling tower	Unlimited	●	3.0 metres	3.0 metres
Elevator enclosure	5.5 metres	●	3.0 metres	
Flagpole	Unlimited			
Heating, ventilation, and air conditioning equipment and enclosure	5.5 metres	●	3.0 metres	3.0 metres
High-plume laboratory exhaust fan	Unlimited	●	3.0 metres	3.0 metres
Hard landscaping or soft landscaping	4.5 metres			
Lightning rod	Unlimited			
Penthouse	4.5 metres	●	3.0 metres	3.0 metres
Parapet	2.0 metres			
Rooftop cupola	4.5 metres	●		
Rooftop greenhouse	6.0 metres		3.0 metres	3.0 metres
Skylight	1.5 metres			
Solar collector	4.5 metres			
Spire, steeple, minaret, and similar features	Unlimited	●		
Staircase or staircase enclosure	4.5 metres	●	3.0 metres	
Window cleaning equipment	4.5 metres			
Windscreen	4.5 metres			

- (6) For any low-density dwelling use or cluster housing use, the following features may exceed the maximum required height, as specified in a zone or in a development agreement that is applied to the lands, by no more than 3.0 metres:
- (a) chimneys and stovepipes;
 - (b) antennas;
 - (c) flagpoles;
 - (d) solar collectors;
 - (e) clear glass guard and railing systems;
 - (f) lightning rods;
 - (g) a staircase;
 - (h) a staircase enclosure that does not exceed 6.0 square metres in area;
 - (i) a rooftop greenhouse;
 - (j) vents; and
 - (k) an elevator enclosure that does not exceed 6.0 square metres in area.
- (7) Features contained in Subsection PG-70(6) shall not count towards:
- (a) the overall building height;
 - (b) the determination of building height for a low-rise building, a mid-rise building, a tall mid-rise building, or a high-rise building, as defined in Subsections PG-238(130), PG-238(142), PG-238(235), or PG-238(104); or
 - (c) the determination of a mid-rise typology, a tall mid-rise typology, or a high-rise typology, as defined in Subsections PG-238(143), PG-238(236), or PG-238(105).

General Requirement: Height Exemption for Sloped Roofs

- PG-71 (1) Within any BW-CEN, BW-HR2, or BW-HR1 zone, the uninhabitable portion of any main building, within a sloped roof, may exceed the maximum permitted height, as specified in a zone or in a development agreement that is applied to the lands, by no more than 4.5 metres.
- (2) Within a BW-LDR zone, the uninhabitable portion of any main building, within a sloped roof, may exceed the maximum permitted height, as specified in a zone or in a development agreement that is applied to the lands, by no more than 3.0 metres.
- (3) A sloped roof under Subsections PG-71(1) and PG-71(2) shall not count towards:
- (a) the overall building height as specified in a zone or in a development agreement that is applied to the lands;
 - (b) the determination of building height for a low-rise building, a mid-rise building, a tall mid-rise building, or a high-rise building, as defined in Subsections PG-238(130), PG-238(142), PG-238(235), or PG-238(104); or

- (c) the determination of a mid-rise typology, a tall mid-rise typology, or a high-rise typology, as defined in Subsections PG-238(143), PG-238(236), or PG-238(105).

General Requirement: Streetwall Height Determination within a BW-CDD2, BW-CEN, BW-HR2, or BW-HR1 Zone

- PG-72 (1) For any main building within a BW-CDD2, BW-CEN, BW-HR2, or BW-HR1 zone, a streetwall width of 8.0 metres or less shall have its streetwall height determined at the centre point of the streetwall width.
- (2) For any main building within a BW-CDD2, BW-CEN, BW-HR2, or BW-HR1 zone, a streetwall width exceeding 8.0 metres shall have its streetwall divided into 8.0 metres portions, except for one portion which may be less than 8.0 metres, and separate streetwall heights shall be determined by measuring the height at the centre point of each portion (Diagram PG-3).

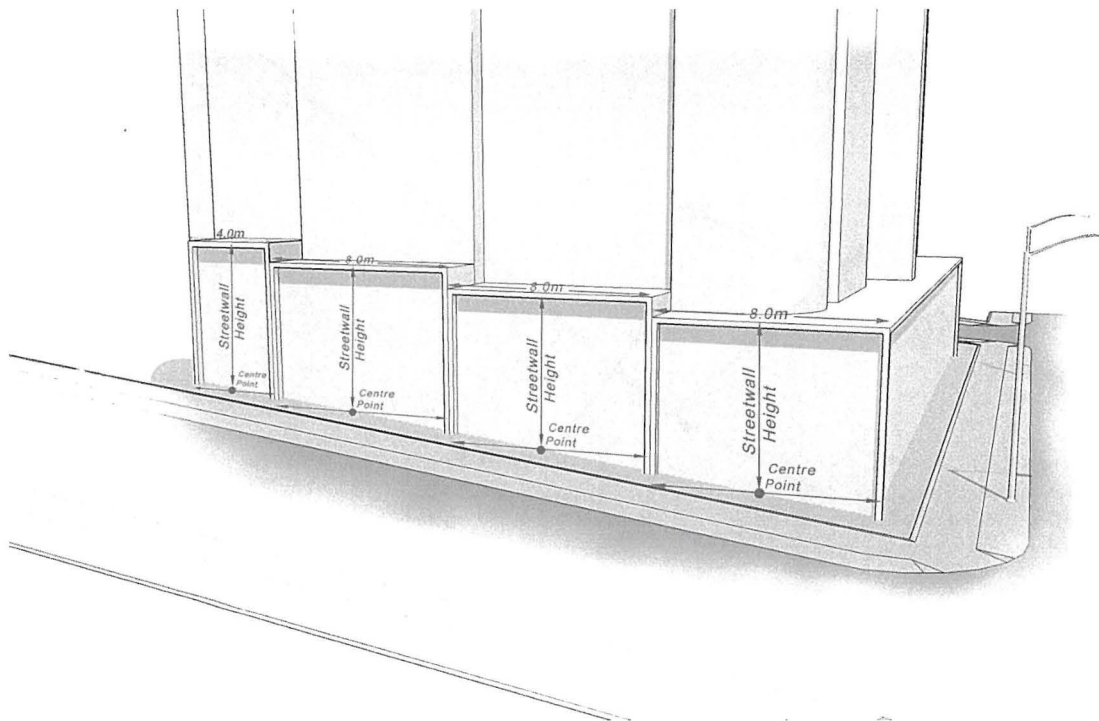


Diagram PG-3: Method for determining streetwall height, per Section PG-72

General Requirement: Streetwall Break Determination

- PG-73 (1) Subject to Subsection PG-73(2), on a corner lot where two intersecting streetwalls do

not make a 90-degree angle, the break between both streetwalls shall be the mid-point of the curve or angle connecting both streetwalls so that each can meet the applicable streetwall requirement.

- (2) In order to determine the mid-point of the curve or angle, as stated in Subsection PG-73(1), the break between front and flanking streetwalls shall be the mid-point, as determined for the following scenarios:
 - (a) where a front lot line and a flanking lot line meet at a 90-degree angle, the line cast from the point of intersection of the front and flanking lot lines towards the building at equal angles (Diagram PG-4); or
 - (b) where a front lot line and a flanking lot line do not meet at a 90-degree angle, the line cast from the point of intersection of the projected front and flanking lot lines towards the building at equal angles (Diagram PG-5).

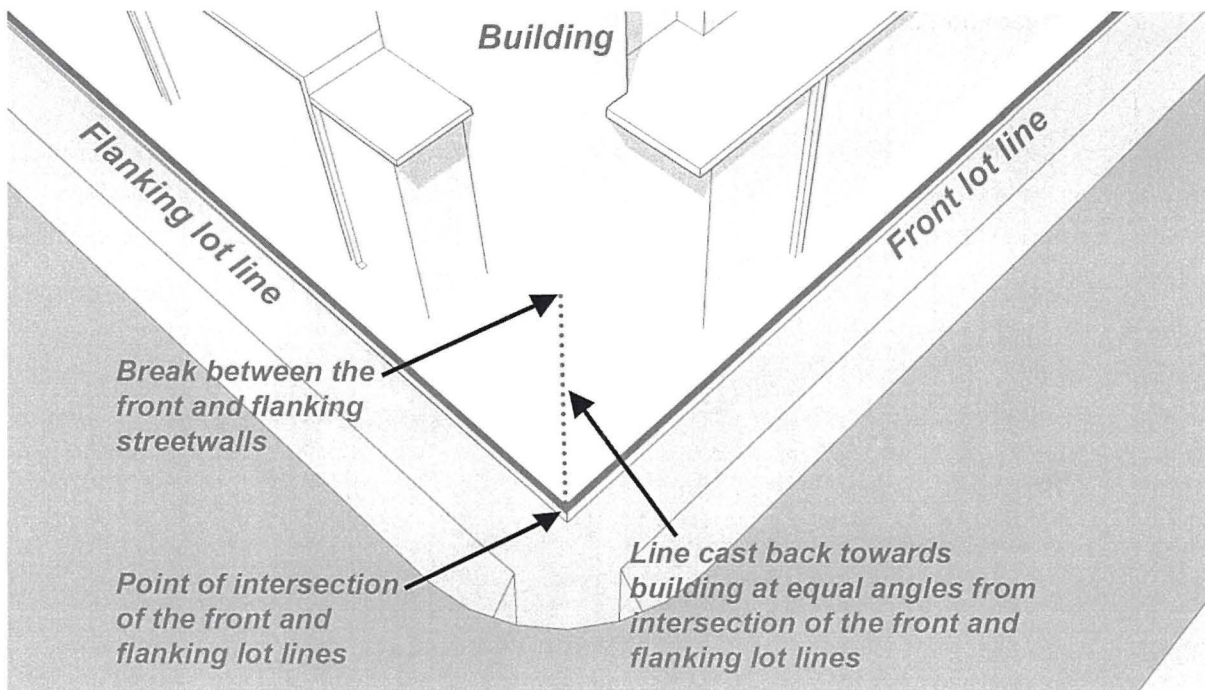


Diagram PG-4: Streetwall break determination where front and flanking lot lines create a 90-degree angle, per Clause PG-73(2)(a)

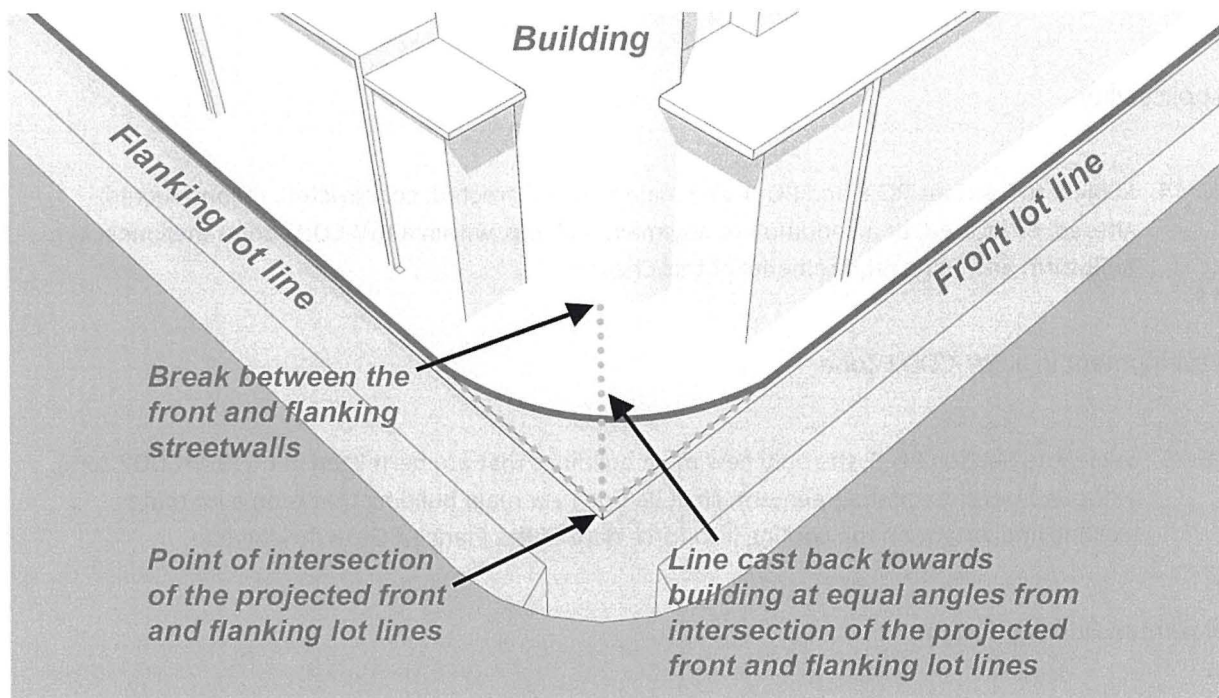


Diagram PG-5: Streetwall break determination where front and flanking lot lines do not create a 90-degree angle, per Clause PG-73(2)(b)

Part VI, Chapter 2: Built Form and Siting Requirements within the BW-CDD2 Zone

Applicability

PG-74 Subject to Sections PG-8 and PG-9, any main building erected, constructed, reconstructed, altered, or located, or an addition to any main building, within a BW-CDD2 zone shall meet the built form and siting requirements of this Chapter.

Development in a BW-CDD2 Zone

PG-75 Subject to Section PG-9, the only new main buildings that are permitted in the BW-CDD2 zone, without a development agreement, shall be one new main building that is on a lot that is existing and vacant on the coming into force date of the Planned Growth Schedule.

Maximum Building Height

PG-76 Subject to Sections PG-70 and PG-71, any main building shall not exceed the maximum required building height specified on Schedule PG-3, unless otherwise specified in a development agreement.

Minimum Front or Flanking Setbacks

PG-77 Any portion of a main building, either above or below grade, shall have a minimum required front or flanking setback of 3.0 metres.

Maximum Front or Flanking Setbacks

- PG-78 (1) Subject to Subsection PG-78(3), on a lot with continuous frontage that is greater than 16.0 metres, one main building shall be required to be located within 10.0 metres of:
- (a) the front or flanking lot line; or
 - (b) where a transportation or utility easement abuts the streetline and has a depth greater than 10.0 metres, the edge of the easement that is located farthest from the streetline.
- (2) For a main building located within the maximum setback in Subsection PG-78(1), a minimum of 50% of the building width shall be required to be located within that setback.

- (3) Subsections PG-78(1) and PG-78(2) shall not apply to properties where a watercourse buffer or wetland prohibits locating any main building within 10.0 metres of both the front or flanking lot line.

Side Setback Requirements

- PG-79 (1) Subject to Subsection PG-79(2), and Section PG-190, the minimum required side setback for any main building shall be:
- (a) where a lot line abuts a BW-LDR, BW-CH, or BW-PCF zone, 6.0 metres from the side lot line abutting such zone; or
 - (b) 3.0 metre elsewhere.
- (2) Underground parking structures are not required to have a minimum side setback, providing they do not protrude more than 0.6 metre above the average finished grade in the applicable side yard.
- (3) There is no maximum permitted side setback.

Rear Setback Requirements

- PG-80 (1) Subject to Subsection PG-80(2), and Section PG-190, the minimum required rear setback for any main building shall be:
- (a) where a lot line abuts a BW-LDR, BW-CH, or BW-PCF zone, 6.0 metres from the rear lot line abutting such zone; or
 - (b) 3.0 metre elsewhere.
- (2) Underground parking structures are not required to have a minimum rear setback, providing they do not protrude more than 0.6 metre above the average finished grade in the applicable rear yard.

Maximum Lot Coverage

- PG-81 (1) The maximum permitted lot coverage shall be 80%.
- (2) One accessory structure per lot, which has a footprint that is no greater than 20.0 square metres, shall be exempted from the maximum permitted lot coverage calculation.

Ground Floor Requirements

- PG-82 (1) Subject to Subsections PG-82(2) and PG-82(3), a ground floor shall be established facing any streetline.
- (2) On a corner lot, for any streetwall that has a finished grade abutting the building that exceeds a slope greater than 8%, extended across the entire width of the streetwall, the requirements for a ground floor do not apply.
- (3) The requirements of Subsection PG-82(1) do not apply where any main building is located 30.0 metres or more from a streetline.
- (4) A ground floor shall have a minimum required depth of 3.0 metres, as measured from any exterior wall of any main building that is facing a streetline.
- (5) Each ground floor required shall, for no less than 70% of each streetwall:
- (a) commence no lower than 0.6 metre below the finished grade abutting the building; and
 - (b) commence no higher than 0.6 metre above the finished grade abutting the building.

Maximum Building Dimensions

- PG-83 Excluding any institutional use permitted in the BW-CDD2 zone in Table PG-1, and any structure below 0.6 metre above the average finished grade, a main building shall not exceed the following maximum permitted building dimensions of:
- (a) a building width of 120.0 metres; and
 - (b) a building depth of 120.0 metres.

Accessory Structures

- PG-84 Accessory structures shall meet the requirements of Part VI, Chapter 10.

Part VI, Chapter 3: Built Form and Siting Requirements within the BW-CDD1 Zone

Applicability

PG-85 Subject to Sections PG-8 and PG-9, any main building erected, constructed, reconstructed, altered, or located, or an addition to any main building, within a BW-CDD1 zone shall meet the built form and siting requirements of this Chapter.

Development in a BW-CDD1 Zone

PG-86 Subject to Section PG-9, the only additions to main buildings or new main buildings that are permitted in the BW-CDD1 zone, without a development agreement, shall be:

- (a) one addition, to a main building that is existing on the coming into force date of the Planned Growth Schedule, of no more than:
 - (i) 100 square metres in floor area, and
 - (ii) a maximum height of 11.0 metres; or
- (b) one new main building containing a use permitted in the BW-CDD1 zone, as shown in Table PG-1, and that:
 - (i) is on a lot that is existing and vacant on the coming into force date of the Planned Growth Schedule, and
 - (ii) meets the built form requirements of Clause PG-86(a).

Built Form and Siting Requirements

PG-87 For main buildings, the built form and siting requirements contained within Table PG-5 shall apply.

Table PG-5: BW-CDD1 built form and siting requirements

Provision	Requirement
Maximum building height	Subject to Section PG-70 and unless otherwise specified in a development agreement, specified on Schedule PG-3
Minimum front or flanking setbacks, either above or below grade	If a lot line abuts a controlled-access highway, 6.0 metres
	3.0 metres elsewhere
Minimum side setbacks	1.25 metres
Maximum side setback	None
Minimum rear setback	6.0 metres
Maximum rear setback	None
Maximum lot coverage	35%

Maximum Lot Coverage Exemption

PG-88 One accessory structure per lot, which has a footprint that is no greater than 20.0 square metres, shall be exempted from the maximum permitted lot coverage calculation.

Accessory Structures

PG-89 Accessory structures shall meet the requirements of Part VI, Chapter 10.

Part VI, Chapter 4: Built Form and Siting Requirements within the BW-CEN Zone

Applicability

PG-90 Any main building erected, constructed, reconstructed, altered, or located, or an addition to any main building, within a BW-CEN zone shall meet the built form and siting requirements of this Chapter.

Maximum Building Height

PG-91 Subject to Sections PG-70 and PG-71, any main building shall not exceed the maximum required building height specified on Schedule PG-3, unless otherwise specified in a development agreement.

Minimum Front or Flanking Setbacks

PG-92 Any portion of a main building, either above or below grade, shall have a minimum required front or flanking setback of 1.5 metres.

Maximum Front or Flanking Setbacks

- PG-93 (1) Subject to Subsection PG-93(3), on a lot with continuous frontage that is greater than 16.0 metres, one main building shall be required to be located within 10.0 metres of:
- (a) the front or flanking lot line; or
 - (b) where a transportation or utility easement abuts the streetline and has a depth greater than 10.0 metres, the edge of the easement that is located farthest from the streetline.
- (2) For a main building located within the maximum setback in Subsection PG-93(1), a minimum of 50% of the building width shall be required to be located within that setback.
- (3) Subsections PG-93(1) and PG-93(2) shall not apply to properties where a watercourse buffer or wetland prohibits locating any main building within 10.0 metres of both the front or flanking lot line.

Side Setback Requirements

- PG-94 (1) Subject to Subsections PG-94(2) and PG-94(3), and Section PG-190, the minimum required side setback for any main building shall be:
- (a) where a lot line abuts a BW-LDR, BW-CH, or BW-PCF zone, 6.0 metres from the side lot line abutting such zone; or
 - (b) 0.0 metre elsewhere.
- (2) Underground parking structures are not required to have a minimum side setback, providing they do not protrude more than 0.6 metre above the average finished grade in the applicable side yard.
- (3) For a tall mid-rise building, a minimum required setback of 12.5 metres from any side lot line shall apply:
- (a) in the presence of a streetwall, above the streetwall height; or
 - (b) in the absence of a streetwall, above 14.0 metres in height.
- (4) There is no maximum permitted side setback.

Rear Setback Requirements

- PG-95 (1) Subject to Subsections PG-95(2), PG-95(3), and PG-95(5), and Section PG-190, the minimum required rear setback for any main building shall be:
- (a) where a lot line abuts a BW-LDR, BW-CH, or BW-PCF zone, 6.0 metres from the rear lot line abutting such zone; or
 - (b) 3.0 metre elsewhere.
- (2) Underground parking structures are not required to have a minimum rear setback, providing they do not protrude more than 0.6 metre above the average finished grade in the applicable rear yard.
- (3) Subject to Subsection PG-95(4), for a tall mid-rise building, any portion of the main building exceeding a height of 20.0 metres shall have a minimum required setback of 4.5 metres from a rear lot line.

Maximum Streetwall Heights

- PG-96 (1) Subject to Subsections PG-96(2), PG-96(3), and PG-96(4), any main building's maximum

permitted streetwall height shall be 14.0 metres.

- (2) On a site having sloping conditions, the maximum streetwall height required in Subsection PG-96(1), may be exceeded by:
 - (a) 10%, where any main building has an average finished grade that results in a slope that is between 4% and 8% across the entire width of the streetwall; or
 - (b) 20%, where any main building has an average finished grade that results in a slope that exceeds 8% across the entire width of the streetwall.
- (3) The maximum permitted streetwall height may be exceeded by 1.5 metres to permit a clear glass guard and railing system or a parapet.
- (4) No streetwall is required where any main building is located 30.0 metres or more from a streetline or transportation reserve.

Minimum Streetwall Heights

- PG-97 (1) Subject to Subsections PG-97(2), PG-97(3), and PG-97(4), any main building's minimum required streetwall height shall be:
 - (a) for any main building less than 8.0 metres in height, the building height; or
 - (b) 8.0 metres elsewhere.
- (2) Thirty percent or less of the entire streetwall width may be reduced in height, providing the height is not reduced below 3.5 metres (Diagram PG-6).
- (3) The minimum streetwall height required in Subsection PG-97(1) may be reduced to 3.5 metres, if the slope of the abutting grade exceeds 4% across the entire width of the streetwall.
- (4) No streetwall is required where any main building is located 30.0 metres or more from a streetline or transportation reserve.

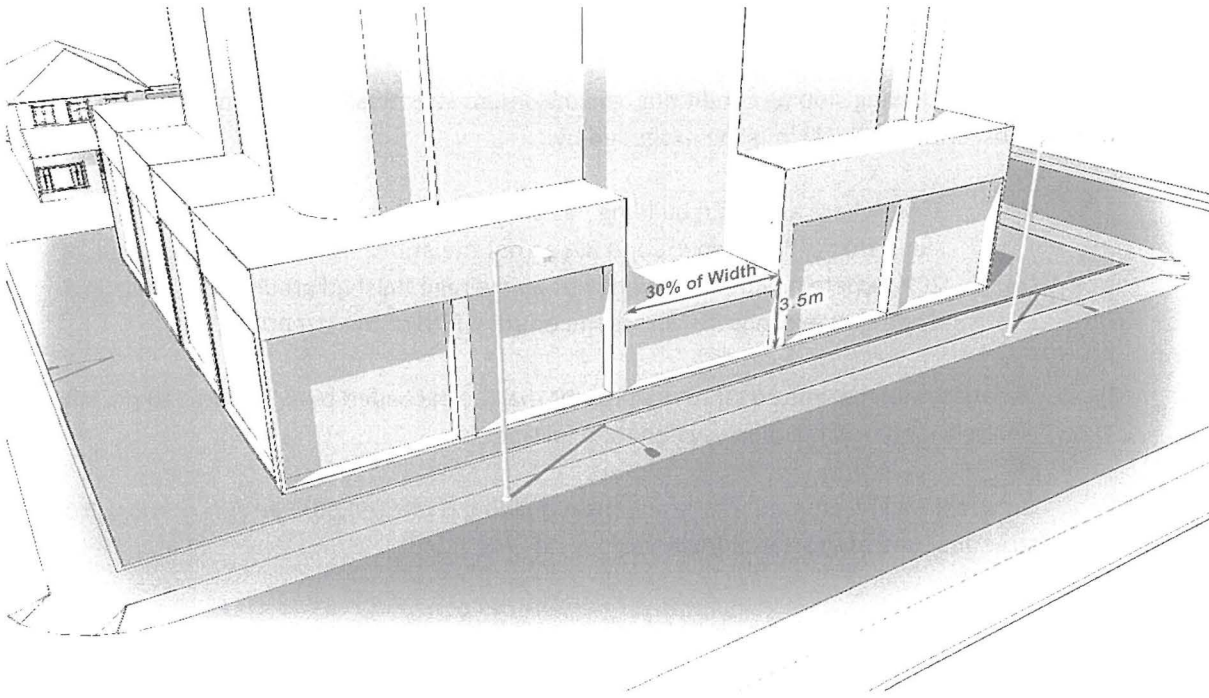


Diagram PG-6: Streetwall height reduction, per Subsections PG-97(2) and PG-114(2)

Streetwall Stepbacks

- PG-98 (1) Subject to Subsections PG-98(2), PG-98(3), and PG-98(4), any main building shall have a minimum required streetwall stepback of:
- (a) 3.0 metres for mid-rise buildings; or
 - (b) 4.5 metres for tall mid-rise buildings.
- (2) No streetwall stepback is required:
- (a) for a maximum of 30% of the length of any main building facing each streetline or transportation reserve; and
 - (b) as long as:
 - (i) each section not having a streetwall stepback does not exceed 16.0 metres in length along the streetline or transportation reserve, and
 - (ii) there is a minimum required separation distance of 16.0 metres along the streetline or transportation reserve between sections not having a streetwall stepback.
- (3) No portion of any main building above the streetwall shall project beyond the streetwall towards the front or flanking lot line.

- (4) No streetwall is required where any main building is located 30.0 metres or more from a streetline or transportation reserve.

Recessed Portions and Cantilevers within Streetwalls

- PG-99 (1) Subject to Subsection PG-99(2), the total combined width of all cantilevered and recessed portions within any streetwall that have a depth of 2.0 metres or greater shall not exceed 30% of the width of the streetwall.
- (2) Cantilevered and recessed portions described in Subsection PG-99(1) shall include portals, but exclude balconies and recessed pedestrian entrances.

Maximum Lot Coverage

- PG-100 (1) The maximum permitted lot coverage shall be 80%.
- (2) One accessory structure per lot, which has a footprint that is no greater than 20.0 square metres, shall be exempted from the maximum permitted lot coverage calculation.

Ground Floor Requirements

- PG-101 (1) Subject to Subsections PG-101(2) and PG-101(3), a ground floor shall be established facing any streetline or transportation reserve.
- (2) On a corner lot, for any streetwall that has a finished grade abutting the building that exceeds a slope greater than 8%, extended across the entire width of the streetwall, the requirements for a ground floor do not apply.
- (3) The requirements of Subsection PG-101(1) do not apply where any main building is located 30.0 metres or more from a streetline or transportation reserve.
- (4) A ground floor shall have a minimum required depth of 3.0 metres, as measured from any exterior wall of any main building that is facing a streetline or transportation reserve.
- (5) Subject to Subsection PG-101(6), each ground floor required shall, for no less than 70% of each streetwall:

- (a) commence no lower than 0.6 metre below the finished grade abutting the building; and
 - (b) commence no higher than 0.6 metre above the finished grade abutting the building.
- (6) The ground floor of a grade-related dwelling unit use shall:
 - (a) commence no lower than 1.5 metres below the finished grade abutting the grade-related dwelling unit; and
 - (b) commence no higher than 1.5 metres above the finished grade abutting the grade-related dwelling unit.
- (7) Any space dedicated to a commercial use or an institutional use shall have a minimum required ground floor height of 3.5 metres.

Grade-Related Dwelling Units

PG-102 Every grade-related dwelling unit shall have a required minimum of one exterior pedestrian entrance.

Side and Rear Stepbacks

- PG-103 (1) Subject to Subsections PG-103(3) and PG-103(4), where a lot abuts a BW-LDR, BW-CH, or BW-PCF zone, or any low-density dwelling use located outside the Bedford West Sub-Areas 1 and 12 Boundary, as shown on Schedule PG-1, the wall of any main building facing such zone or low-density dwelling use shall have a required side or rear stepback, as indicated in Subsection PG-103(2), at a height between 6.0 metres and 14.0 metres, as measured from the lowest finished grade on that side of the main building.
- (2) The side or rear stepback in Subsection PG-103(1) shall be a minimum of:
 - (a) 0.0 metre for low-rise buildings;
 - (b) 2.5 metres for mid-rise buildings; or
 - (c) 6.0 metres for tall mid-rise buildings.
 - (3) The rear stepback under Subsection PG-103(1) is not required if an entire main building, excluding an underground parking structure, has a minimum rear setback of:
 - (a) 8.5 metres for mid-rise buildings; or
 - (b) 12.0 metres for tall mid-rise buildings.
 - (4) The side stepback under Subsection PG-103(1) is not required if an entire main building,

excluding an underground parking structure, has a minimum side setback of:

- (a) 8.5 metres for mid-rise buildings; or
- (b) 12.0 metres for tall mid-rise buildings.

Minimum Separation Distances

PG-104 (1) Excluding pedways or tunnels, where more than one main building is permitted on a lot in Subsection PG-59(4), a minimum required separation distance shall be provided between main buildings, as follows:

- (a) 4.0 metres between low-rise buildings; or
 - (b) 10.0 metres elsewhere.
- (2) Where more than one portion of any main building protrudes above grade, a minimum required separation distance shall be provided between the above grade portions, as follows:
 - (a) 4.0 metres between low-rise portions; or
 - (b) 10.0 metres elsewhere.
- (3) Above the streetwall height, or in the absence of a streetwall above the height of 14.0 metres, any portions of the same main building shall be separated by a minimum required distance of:
 - (a) 6.0 metres between a mid-rise typology and another mid-rise typology;
 - (b) 12.5 metres between a mid-rise typology and a tall mid-rise typology; or
 - (c) 25.0 metres between a tall mid-rise typology and another tall mid-rise typology.

Maximum Building Dimensions

PG-105 (1) Excluding any structure below 0.6 metre above the average finished grade, a low-rise typology of a main building shall not exceed the following maximum permitted building dimensions of:

- (a) a building width of 120.0 metres; and
 - (b) a building depth of 120.0 metres.
- (2) A mid-rise typology of a main building shall not exceed the following maximum permitted building dimensions of:

- (a) a building width of 90.0 metres; and
 - (b) a building depth of 90.0 metres.
- (3) A tall mid-rise typology of a main building shall not exceed the following maximum permitted building dimensions of:
 - (a) a building width of 64.0 metres;
 - (b) a building depth of 64.0 metres; and
 - (c) a floor area of 2,100.0 square metres per storey.
- (4) For the purpose of measuring building dimensions in Subsections PG-105(1), PG-105(2), and PG-105(3), main buildings connected by a pedway shall be measured separately, excluding the pedway.

Accessory Structures

PG-106 Accessory structures shall meet the requirements of Part VI, Chapter 10.

Part VI, Chapter 5: Built Form and Siting Requirements within the BW-HR2 and BW-HR1 Zone

Applicability

- PG-107 (1) Subject to Subsection PG-107(2), any main building erected, constructed, reconstructed, altered, or located, or an addition to any main building, within a BW-HR2 or BW-HR1 zone shall meet the built form and siting requirements of this Chapter.
- (2) Any main building erected, constructed, reconstructed, altered, or located, or an addition to any main building, within a BW-HR1 Zone for a low-density dwelling use shall meet the built form and siting requirements of Part VI, Chapter 6.

Maximum Building Height

- PG-108 Subject to Sections PG-70 and PG-71, any main building shall not exceed the maximum permitted building height as shown on Schedule PG-3, unless otherwise specified in a development agreement.

Minimum Front or Flanking Setbacks

- PG-109 Any portion of a main building, either above or below grade, shall have a minimum required front or flanking setback of 1.5 metres.

Maximum Front or Flanking Setbacks

- PG-110 (1) Unless otherwise stated in a development agreement, on a lot with continuous frontage that is greater than 16.0 metres, one main building shall be required to be located within 10.0 metres of:
- (a) the front or flanking lot line; or
 - (b) where a transportation or utility easement abuts the streetline and has a depth greater than 10.0 metres, the edge of the easement that is located farthest from the streetline.
- (2) For a main building located within the maximum setback in Subsection PG-110(1), a minimum of 50% of the building width shall be required to be located within that setback.

Side Setback Requirements

- PG-111 (1) Subject to Subsections PG-111(2) and PG-111(3), the minimum required side setback for any main building shall be:
- (a) where a lot line abuts a BW-LDR, BW-CH, or BW-PCF zone:
 - (i) 3.0 metres from the side lot line abutting such zone for any low-rise building, or
 - (ii) 6.0 metres from the side lot line abutting such zone for any mid-rise or tall mid-rise building;
 - (b) where a lot line abuts a BW-CEN zone, 2.5 metres; or
 - (c) 4.0 metres elsewhere.
- (2) Underground parking structures are not required to have a minimum side setback, providing they do not protrude more than 0.6 metre above the average finished grade in the applicable side yard.
- (3) For a tall mid-rise building, a minimum required setback of 12.5 metres from any side lot line shall apply:
- (a) in the presence of a streetwall, above the streetwall height; or
 - (b) in the absence of a streetwall, above 14.0 metres in height.
- (4) There is no maximum side setback.

Rear Setback Requirements

- PG-112 (1) Subject to Subsections PG-112(2) and PG-112(3), the minimum required rear setback for any main building shall be:
- (a) where a lot line abuts lands located outside the Bedford West Sub-Areas 1 and 12 Boundary, as shown on Schedule PG-1, 6.0 metres from the rear lot line abutting such lands;
 - (b) where a lot line abuts a BW-LDR, BW-CH, or BW-PCF zone, 6.0 metres from the rear lot line abutting such zone; or
 - (c) 3.0 metres elsewhere.
- (2) Underground parking structures are not required to have a minimum rear setback, providing they do not protrude more than 0.6 metre above the average finished grade in the applicable rear yard.

- (3) For a tall mid-rise building, a minimum required setback of 12.5 metres from any rear lot line shall apply:
 - (a) in the presence of a streetwall, above the streetwall height; or
 - (b) in the absence of a streetwall, above 14.0 metres in height.

Maximum Streetwall Heights

- PG-113 (1) Subject to Subsections PG-113(2), PG-113(3), and PG-113(4), any main building's maximum permitted streetwall height shall be 14.0 metres.
- (2) On a site having sloping conditions, the maximum streetwall height permitted in Subsection PG-113(1), may be exceeded by:
 - (a) 10%, where any main building has a finished grade that results in a slope that is between 4% and 8% across the entire width of the streetwall; or
 - (b) 20%, where any main building has a finished grade that results in a slope that exceeds 8% across the entire width of the streetwall.
 - (3) The maximum permitted streetwall height may be exceeded by 1.5 metres to permit a clear glass guard and railing system or a parapet.
 - (4) No streetwall is required where any main building is located 30.0 metres or more from a streetline or transportation reserve.

Minimum Streetwall Heights

- PG-114 (1) Subject to Subsections PG-114(2), PG-114(3), and PG-114(4), any main building's minimum required streetwall height shall be:
- (a) for any main building less than 8.0 metres in height, the building height; or
 - (b) 8.0 metres elsewhere.
- (2) Thirty percent or less of the entire streetwall width, may be reduced in height, providing the height is not reduced below 3.5 metres (Diagram PG-6).
 - (3) The minimum streetwall height required in Subsection PG-114(1) may be reduced to 3.5 metres facing a streetline or transportation reserve, if the slope of the finished grade abutting the building exceeds 4% across the entire width of the streetwall.
 - (4) No streetwall is required where any main building is located 30.0 metres or more from a streetline or transportation reserve.

Streetwall Stepbacks

- PG-115 (1) Subject to Subsections PG-115(2), PG-115(3), and PG-115(4), any main building shall have a minimum required streetwall stepback of:
- (a) 3.0 metres for mid-rise buildings; or
 - (b) 4.5 metres for tall mid-rise buildings.
- (2) No streetwall stepback is required:
- (a) for a maximum of 30% of the length of any main building facing each streetline or transportation reserve; and
 - (b) as long as:
 - (i) each section not having a streetwall stepback does not exceed 16.0 metres in length along the streetline or transportation reserve, and
 - (ii) there is a minimum required separation distance of 16.0 metres along the streetline or transportation reserve between sections not having a streetwall stepback.
- (3) No portion of any main building above the streetwall shall project beyond the streetwall towards the front or flanking lot line.
- (4) No streetwall is required where any main building is located 30.0 metres or more from a streetline or transportation reserve.

Recessed Portions and Cantilevers within Streetwalls

- PG-116 (1) Subject to Subsection PG-116(2), the total combined width of all cantilevered and recessed portions within any streetwall that have a depth of 2.0 metres or greater shall not exceed 30% of the width of the streetwall.
- (2) Cantilevered and recessed portions described in Subsection PG-116(1) shall include portals, but exclude balconies and recessed pedestrian entrances.

Maximum Lot Coverage

- PG-117 (1) The maximum permitted lot coverage shall be 60%.

- (2) One accessory structure per lot, which has a footprint that is no greater than 20.0 square metres, shall be exempted from the maximum permitted lot coverage calculation.

Ground Floor Requirements

- PG-118 (1) Subject to Subsections PG-118(2) and PG-118(3), a ground floor shall be established facing any streetline or transportation reserve.
- (2) On a corner lot, for any streetwall that has a finished grade abutting the building that exceeds a slope greater than 8%, extended across the entire width of the streetwall, the requirements for a ground floor do not apply.
 - (3) The requirements of Subsection PG-118(1) do not apply where any main building is located 30.0 metres or more from a streetline or transportation reserve.
 - (4) A ground floor shall have a minimum required depth of 3.0 metres, as measured from any exterior wall of any main building that is facing a streetline or transportation reserve.
 - (5) Subject to Subsection PG-118(6), each ground floor required shall, for no less than 70% of each streetwall:
 - (a) commence no lower than 0.6 metre below the finished grade abutting the building; and
 - (b) commence no higher than 0.6 metre above the finished grade abutting the building.
 - (6) The ground floor of a grade-related dwelling unit use shall:
 - (a) commence no lower than 1.5 metres below the finished grade abutting the grade-related dwelling unit; and
 - (b) commence no higher than 1.5 metres above the finished grade abutting the grade-related dwelling unit.
 - (7) Any space dedicated to a commercial use or an institutional use shall have a minimum required ground floor height of 3.5 metres.

Grade-Related Dwelling Units

- PG-119 Every grade-related dwelling unit shall have a required minimum of one exterior pedestrian entrance.

Side and Rear Stepbacks

- PG-120 (1) Subject to Subsection PG-120(2), any portion of a tall mid-rise building above the height of the streetwall shall have a minimum required:
- (a) side stepback of 2.5 metres; and
 - (b) rear stepback of 4.5 metres.
- (2) Subject to Subsection PG-120(4), where a lot abuts a BW-LDR, BW-CH, or BW-PCF zone, or any low-density dwelling use located outside the Bedford West Sub-Areas 1 and 12 Boundary, as shown on Schedule PG-1, the wall of any main building facing such zone shall have a required side or rear stepback at a height between 6.0 metres and 14.0 metres, as measured from the lowest finished grade on that side of the main building.
- (3) The side or rear stepback in Subsection PG-120(2) shall be a minimum of:
- (a) 0.0 metre for low-rise buildings;
 - (b) 2.5 metres for mid-rise buildings; or
 - (c) 6.0 metres for tall mid-rise buildings.
- (4) The rear stepbacks under Subsections PG-120(1) and PG-120(2) are not required if an entire main building, excluding an underground parking structure, has a minimum rear setback of:
- (a) 8.5 metres for mid-rise buildings; or
 - (b) 12.0 metres for tall mid-rise buildings.
- (5) The side stepback under Subsection PG-120(1) and PG-120(2) is not required if an entire main building, excluding an underground parking structure, has a minimum applicable side setback of:
- (a) 8.5 metres for mid-rise buildings; or
 - (b) 12.0 metres for tall mid-rise buildings.

Minimum Separation Distances

- PG-121 (1) Excluding pedways or tunnels, where more than one main building is permitted on a lot in Subsection PG-59(4), a minimum required separation distance shall be provided between main buildings, as follows:
- (a) 4.0 metres between low-rise buildings; or
 - (b) 10.0 metres elsewhere.

- (2) Where more than one portion of a main building protrudes above grade, a minimum required separation distance shall be provided between the above grade portions, as follows:
 - (a) 4.0 metres between low-rise portions; or
 - (b) 10.0 metres elsewhere.
- (3) Above the streetwall height, or in the absence of a streetwall above the height of 14.0 metres, any portions of the same main building shall be separated by a minimum required distance of:
 - (a) 6.0 metres between a mid-rise typology and another mid-rise typology;
 - (b) 12.5 metres between a mid-rise typology and a tall mid-rise typology; or
 - (c) 25.0 metres between a tall mid-rise typology and another tall mid-rise typology.

Maximum Building Dimensions

- PG-122 (1) Excluding any structure below 0.6 metre above the average finished grade, a low-rise typology of a main building shall not exceed the following maximum permitted building dimensions of:
- (a) a building width of 120.0 metres; and
 - (b) a building depth of 120.0 metres.
- (2) A mid-rise typology of a main building shall not exceed the following maximum permitted building dimensions of:
- (a) a building width of 90.0 metres; and
 - (b) a building depth of 90.0 metres.
- (3) A tall mid-rise typology of a main building shall not exceed the following maximum permitted building dimensions of:
- (a) a building width of 64.0 metres;
 - (b) a building depth of 64.0 metres; and
 - (c) a floor area of 2,100.0 square metres per storey.
- (4) For the purpose of measuring building dimensions in Subsections PG-122(1), PG-122(2), and PG-122(3), main buildings connected by a pedway shall be measured separately, excluding the pedway.

Accessory Structures

PG-123 Accessory structures shall meet the requirements of Part VI, Chapter 10.

Part VI, Chapter 6: Built Form, Siting, and Design Requirements within the BW-LDR Zone

Applicability

PG-124 Any main building erected, constructed, reconstructed, altered, or located, or an addition to any main building, within a BW-LDR zone shall meet the built form, siting, and design requirements of this Chapter.

Built Form and Siting Requirements

PG-125 For main buildings, the built form and siting requirements contained within Table PG-6 shall apply.

Table PG-6: BW-LDR built form and siting requirements

Provision	Requirement
Maximum building height	Subject to Section PG-70 and unless otherwise specified in a development agreement, specified on Schedule PG-3
Minimum front or flanking setbacks, either above or below grade	If a lot line abuts a controlled-access highway, 10.0 metres
	3.0 metres elsewhere
Minimum side setbacks – general requirement	1.25 metres
Minimum side setback – semi-detached dwelling use	0.0 metres along a common wall
	1.25 metres elsewhere
Minimum side setback – townhouse dwelling use	0.0 metres along a common wall
	2.4 metres elsewhere
Maximum side setback	None
Minimum rear setback	6.0 metres
Maximum rear setback	None
Maximum lot coverage	Subject to Section PG-126, 50%

Maximum Lot Coverage Exemption

PG-126 One accessory structure per lot, which has a footprint that is no greater than 20.0 square metres, shall be exempted from the maximum permitted lot coverage calculation.

Driveway Pairing

PG-127 (1) Subject to Subsection PG-127(2), driveways for low-density dwelling uses shall be

Paired (Diagram PG-7).

- (2) The Development Officer may waive the requirement to pair driveways in Subsection PG-127(1) for one of the following conditions:
- (a) the number of dwelling units under consideration results in an uneven number, then one dwelling unit is exempt from the pairing requirement; or
 - (b) the pairing of driveways is deemed unfeasible due to one of the following constraints:
 - (i) the placement of services and utilities,
 - (ii) changes in grade, or
 - (iii) the curvature of the road.

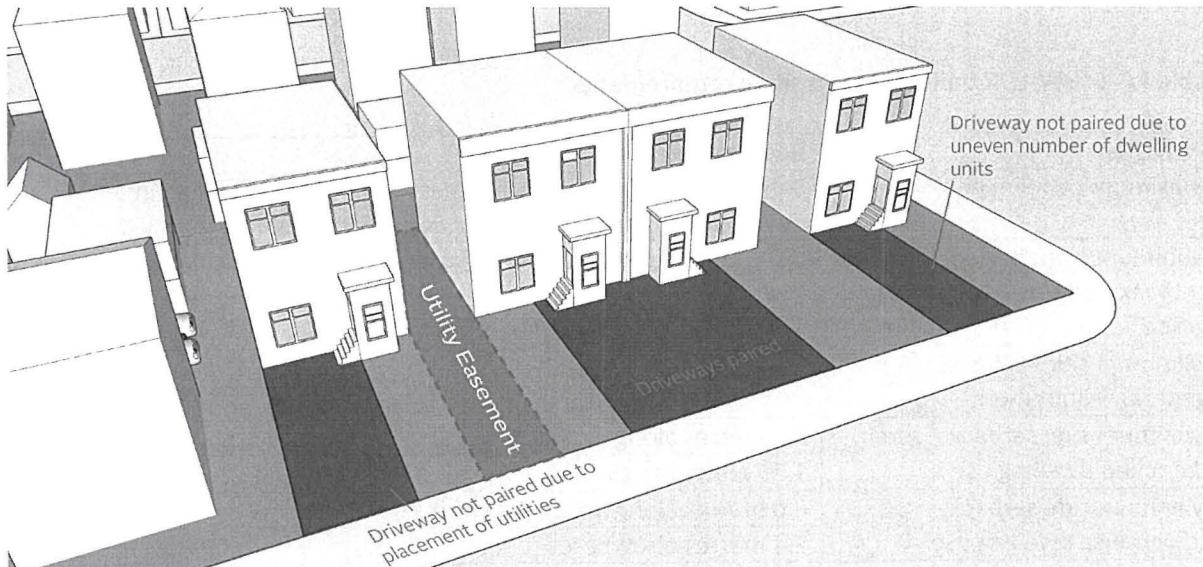


Diagram PG-7: Driveway pairing, per Section PG-127

Attached Garages

- PG-128 (1) For any garage which is attached to a low-density dwelling use, the garage door(s) or garage entrance(s) facing the front or flanking lot line shall not project any closer to the streetline or transportation reserve than the edge of the roof along the longest wall of the attached main dwelling that faces the same streetline or transportation reserve as the garage door(s) or garage entrance(s).
- (2) For any garage which is attached to a low-density dwelling use, garage doors or garage entrances facing the front or flanking lot line shall not exceed a maximum width of 50% of the entire combined width of the façade that faces the same streetline or

transportation reserve as the garage door(s) or garage entrance(s) to a maximum of 6.0 metres.

Number of Townhouses

PG-129 The maximum number of townhouse dwelling units permitted in a townhouse block is eight.

Design Requirement: Townhouse Façade Articulation

PG-130 (1) Subject to Subsection PG-130(2), where a townhouse block contains 5 or more townhouse dwelling units, the façade of each unit that faces a street shall be differentiated from abutting townhouse dwelling unit(s) in the same townhouse block by using a minimum of one of the following methods:

- (a) different colours;
- (b) different materials;
- (c) different textures;
- (d) projections; or
- (e) recesses.

(2) Projections or recesses used under Subsection PG-130(1) shall be required to:

- (a) be no less than 0.3 metre in depth; and
- (b) extend from the ground to the top of the façade facing the streetline.

Accessory Structures

PG-131 Accessory structures shall meet the requirements of Part VI, Chapter 10.

Part VI, Chapter 7: Built Form, Siting, and Design Requirements within the BW-CH Zone

Applicability

PG-132 Any main building erected, constructed, reconstructed, altered, or located, or an addition to any main building, within a BW-CH zone shall meet the built form, siting, and design requirements of this Chapter.

Built Form and Siting Requirements

PG-133 For main buildings, the built form and siting requirements contained within Table PG-7 shall apply.

Table PG-7: BW-CH built form and siting requirements

Provision	Requirement
Maximum building height	Subject to Section PG-70 and unless otherwise specified in a development agreement, specified on Schedule PG-3
Maximum number of dwelling units per lot	48
Maximum number of dwelling units per cluster housing block	12
Minimum front or flanking setbacks, either above or below grade	3.0 metres
Minimum side setbacks	1.25 metres
Maximum side setback	None
Minimum rear setback	6.0 metres
Maximum rear setback	None
Maximum lot coverage	Subject to Section PG-134, 50%
Minimum lot area per cluster housing dwelling unit	130.0 square metres
Minimum separation distance between main buildings	3.0 metres

Maximum Lot Coverage Exemption

PG-134 One accessory structure per lot, which has a footprint that is no greater than 20.0 square metres, shall be exempted from the maximum permitted lot coverage calculation.

Design Requirement: Walkways for Cluster Housing Uses

PG-135 Cluster housing dwelling units shall be connected to any streetline and any accessory parking lot by walkways or pedestrian walks.

General Lighting for Cluster Housing Uses

PG-136 The following features shall be required to be illuminated:

- (a) walkways or pedestrian walks as per the requirements of Section PG-135; and
- (b) accessory parking lots.

Accessory Structures

PG-137 Accessory structures shall meet the requirements of Part VI, Chapter 10.

Part VI, Chapter 8: Built Form and Siting Requirements within the BW-PCF Zone

Applicability

PG-138 Any main building erected, constructed, reconstructed, altered, or located, or an addition to any main building, within a BW-PCF zone shall meet the built form and siting requirements of this Chapter.

Built Form and Siting Requirements

PG-139 For main buildings, the built form and siting requirements contained within Table PG-8 shall apply.

Table PG-8: BW-PCF built form and siting requirements

Provision	Requirement
Maximum building height	Subject to Section PG-70 and unless otherwise specified in a development agreement, specified on Schedule PG-3
Minimum front or flanking setbacks, either above or below grade	3.0 metres
Minimum side setbacks	Subject to Section PG-140, 2.5 metres
Maximum side setback	None
Minimum rear setback	Subject to Section PG-141, 2.5 metres
Maximum rear setback	None
Maximum lot coverage	Subject to Section PG-142, 40%

Side Setback Requirement Exceptions

PG-140 Underground parking structures are not required to have a minimum side setback, providing they do not protrude more than 0.6 metre above the average finished grade in the applicable side yard.

Rear Setback Requirement Exceptions

PG-141 Underground parking structures are not required to have a minimum rear setback, providing they do not protrude more than 0.6 metre above the average finished grade in the applicable rear yard.

Maximum Lot Coverage Exemption

PG-142 One accessory structure per lot, which has a footprint that is no greater than 20.0 square metres, shall be exempted from the maximum permitted lot coverage calculation.

Minimum Separation Distances

- PG-143 (1) Where more than one main building is permitted on a lot in Subsection PG-59(4), a minimum required separation distance of 3.0 metres shall be provided between main buildings.
- (2) Where more than one portion of a main building protrudes above grade, a minimum required separation distance of 3.0 metres shall be provided between the above grade portions.

Accessory Structures

PG-144 Accessory structures shall meet the requirements of Part VI, Chapter 10.

Part VI, Chapter 9: Built Form and Siting Requirements within the BW-CON Zone

Applicability

PG-145 Any main building erected, constructed, reconstructed, altered, or located, or an addition to any main building, within a BW-CON zone shall meet the built form and siting requirements of this Chapter.

Maximum Building Height

PG-146 Subject to Section PG-70 and unless otherwise specified in a development agreement, the maximum permitted building height is specified on Schedule PG-3.

Minimum Front or Flanking Setbacks

PG-147 Any portion of a main building, either above or below grade, shall have a minimum required front or flanking setback of 3.0 metres.

Side Setback Requirements

PG-148 (1) The minimum required side setback for any main building shall be 2.5 metres.

(2) There is no maximum side setback.

Rear Setback Requirements

PG-149 (1) The minimum required rear setback for any main building shall be 2.5 metres.

(2) There is no maximum rear setback.

Part VI, Chapter 10: Accessory Structures and Backyard Suite Uses

Applicability of Accessory Structure and Backyard Suite Use Requirements

PG-150 Any accessory structure or backyard suite use erected, constructed, reconstructed, altered, or located, or an addition to any accessory structure or backyard suite use, shall meet the built form and siting requirements of this Chapter.

Accessory Structure Location

- PG-151 (1) Any accessory structure shall be required to be located:
- (a) in the same zone as the main building or use that it is intended to serve; or
 - (b) in an abutting zone in which the main building or use is permitted; and
 - (c) on the same lot as the main building or use that it is intended to serve; or
 - (d) on a lot that abuts or is directly across a street from the lot that contains the main building or use.
- (2) In the case that the accessory structure is not located on the same lot as the main building or use that it is intended to serve, then both lots are required to be under common ownership.

Accessory Structure Front or Flanking Setbacks

- PG-152 (1) Subject to Subsection PG-152(2), accessory structures shall meet the minimum front or flanking setback requirements that are applicable for any main building in the same zone.
- (2) Accessory structures in a BW-CDD1, BW-LDR, or BW-CH zone shall not be located closer to any streetline than any main building.

Accessory Structure Side or Rear Setbacks

PG-153 Accessory structures shall be located a minimum of 1.25 metres from any side or rear lot line.

Accessory Structure Separation Distances

PG-154 An accessory structure shall be separated from any main building or any other accessory structure on the same lot by no less than 1.25 metres.

Accessory Structure Height

PG-155 An accessory structure's height shall not exceed 7.62 metres.

Accessory Structure Lot Coverage Exemption

PG-156 One accessory structure per lot, which has a footprint that is no greater than 20.0 square metres, shall be exempted from the maximum permitted lot coverage calculation.

Accessory Structure Footprint

- PG-157 (1) Any accessory structure in a BW-CDD2, BW-CEN, BW-HR2, BW-HR1, or BW-CH zone shall not have a footprint greater than 200.0 square metres.
- (2) Any accessory structure in a BW-CDD1, BW-LDR, BW-PCF, or BW-CON zone shall not have a footprint greater than 80.0 square metres.

Backyard Suite Footprint and Area

- PG-158 (1) Any accessory structure that is used as a backyard suite use shall not have a footprint greater than 80.0 square metres.
- (2) The portion of an accessory structure that is used as a backyard suite use shall not have a floor area greater than 90.0 square metres.

Quonset Huts

PG-159 Quonset huts are prohibited.

PART VII: DESIGN REQUIREMENTS FOR THE BW- CDD2, BW-CEN, BW-HR2, BW-HR1, AND BW-PCF ZONES

Part VII, Chapter 1: General Design Requirements

Development Subject to Design Requirements

PG-160 With the exception of the developments listed under Section PG-161 and subject to Sections PG-162 and PG-163, any developments in the BW-CDD2, BW-CEN, BW-HR2, BW-HR1, or BW-PCF zone shall meet all the applicable design requirements contained within this Chapter.

Development Exempted from Design Requirements

PG-161 The following developments are exempted from all design requirements contained within this Chapter:

- (a) any development exempted from requiring a development permit under the Planned Growth Schedule;
- (b) alterations and replacements in existing window and door openings;
- (c) new window and door openings on any portion of a building, except within the streetwall;
- (d) a building addition with a floor area of 500 square metres or less, which does not alter a streetwall;
- (e) a building addition that alters a streetwall, where the addition does not exceed 8.0 metres along the width of the streetwall;
- (f) changes to external cladding materials for no more than 20% of any wall that is not a streetwall;
- (g) changes to external cladding materials for no more than 10% of any streetwall;
- (h) interior renovations;
- (i) the installation and replacement of minor building features;
- (j) a change of use or tenancy in a building that does not change the external appearance of the building, beyond what is already exempted within this Section;
- (k) temporary construction uses;
- (l) accessory structures;
- (m) steps, stairs, ramps, and other building entrances or entrance features;
- (n) signs; and
- (o) transportation facility uses.

Applicability of the Design Requirements for Additions

PG-162 For any addition to a main building that requires the applicability of the design requirements, the design requirements shall only apply to the addition.

Applicable Design Requirements by Zone

PG-163 (1) The applicable design requirements by zone are set out in:

- (a) Table PG-9 for new main buildings; or
- (b) Table PG-10 for additions to existing main buildings.

(2) The interpretation of Table PG-9 and Table PG-10 shall be as follows:

- (a) The first column of Table PG-9 and Table PG-10 lists each design requirement;
- (b) The remaining columns of Table PG-9 and Table PG-10 correspond to zones;
- (c) A black dot (●) indicates that the design requirement in that row is applicable to the particular zones of that column;
- (d) A white circle containing a number in black text (e.g., ①) within Table PG-9 or Table PG-10 indicates that the design requirement in that row is applicable to the zones of that column, subject to additional conditions in a corresponding footnote below Table PG-9 or Table PG-10 and subject to all other applicable provisions of the Planned Growth Schedule; and
- (e) The absence of a black dot (●), or a white circle containing a number in black text (e.g., ①), indicates that the design requirement of that row is not applicable to the zones of that column.

Table PG-9: Applicable design requirements by zone for new buildings

Design Requirements	BW-CDD2 Zone	BW-CEN BW-HR2 BW-HR1 Zones	BW-PCF Zone
Outdoor Amenity Space (Section PG-164)		●	
Privacy for Grade-Related Dwelling Units (Section PG-165)		●	
Articulation for Streetwalls or Exterior Walls that Abut a Front or Flanking Yard and that are 90.0 Metres or Less in Width (Section PG-166)	●	●	
Articulation for Streetwalls or Exterior Walls that Abut a Front or Flanking Yard and that are Greater than 90.0 Metres in Width (Section PG-167)	●	●	
Corner Treatment (Section PG-168)	●	●	●
Pedestrian Entrances Along Streetwalls (Section PG-169)	●	●	●
Ground Floor Transparency (Section PG-170)	①	①	①
Weather Protection for Entrances (Section PG-171)	●	●	●
Exposed Foundations and Underground Parking Structures (Section PG-172)	●	●	●
Rooftop Mechanical Features (Section PG-173)	●	●	
Parking Internal to a Building or Within a Parking Structure (Section PG-174)	●	●	●
General Lighting (Section PG-175)	●	●	●

① Design requirement does not apply to structures that are primarily occupied by one or more of the following:

- (a) an arena;
- (b) a chemical storage facility;
- (c) an emergency services use;
- (d) a shelter use;
- (e) a gymnasium;
- (f) a major spectator venue use;
- (g) a minor spectator venue use; or
- (h) a religious institution use.

Table PG-10: Applicable design requirements by zone for additions to existing buildings

Design Requirements	BW-CDD2 Zone	BW-CEN BW-HR2 BW-HR1 Zones	BW-PCF Zone
Outdoor Amenity Space (Section PG-164)		●	
Privacy for Grade-Related Dwelling Units (Section PG-165)		●	
Articulation for Streetwalls or Exterior Walls that Abut a Front or Flanking Yard and that are 90.0 Metres or Less in Width (Section PG-166)	●	●	
Articulation for Streetwalls or Exterior Walls that Abut a Front or Flanking Yard and that are Greater than 90.0 Metres in Width (Section PG-167)	●	●	
Corner Treatment (Section PG-168)			
Pedestrian Entrances Along Streetwalls (Section PG-169)	●	●	●
Ground Floor Transparency (Section PG-170)	①	①	①
Weather Protection for Entrances (Section PG-171)	●	●	●
Exposed Foundations and Underground Parking Structures (Section PG-172)	●	●	●
Rooftop Mechanical Features (Section PG-173)	●	●	
Parking Internal to a Building or Within a Parking Structure (Section PG-174)	●	●	●
General Lighting (Section PG-175)	●	●	●

① Design requirement does not apply to structures that are primarily occupied by one or more of the following:

- (a) an arena;
- (b) a chemical storage facility;
- (c) an emergency services use;
- (d) a shelter use;
- (e) a gymnasium;
- (f) a major spectator venue use;
- (g) a minor spectator venue use; or
- (h) a religious institution use.

Part VII, Chapter 2: Site Design Requirements

Design Requirement: Outdoor Amenity Space

PG-164 (1) This Section applies where outdoor amenity space is:

- (a) provided either at-grade or on a rooftop;
- (b) required by Section PG-46; and
- (c) equal to or greater than 30.0 square metres in size.

(2) Outdoor amenity space shall:

- (a) include both of the following elements:
 - (i) permanent seating, and
 - (ii) general lighting, as per the requirements of Section PG-175; and
- (b) offer weather protection to its users, by providing a minimum of one of the following methods (Diagram PG-8):
 - (i) within the outdoor amenity space, a new deciduous tree that is not a shrub or the retention of an existing deciduous tree that is not a shrub with a minimum base caliper of 100 millimetres,
 - (ii) within the outdoor amenity space, structures such as gazebos, pergolas, or covered site furnishings,
 - (iii) canopies or awnings on facades that abut the outdoor amenity space,
 - (iv) a recessed entrance or facade that abuts the outdoor amenity space, or
 - (v) a cantilever over an entrance of a main building that abuts the outdoor amenity space.

(3) Subject to Subsection PG-164(4), in addition to the requirements of Subsection PG-164(2), outdoor amenity space shall provide a minimum of one of the following materials for groundcover:

- (a) vegetation;
- (b) brick pavers;
- (c) stone pavers;
- (d) concrete pavers;
- (e) permeable vegetated grid system;
- (f) wood; or
- (g) composite materials.

(4) Subsection PG-164(3) shall not apply to swimming pools, sports courts, or

playgrounds.

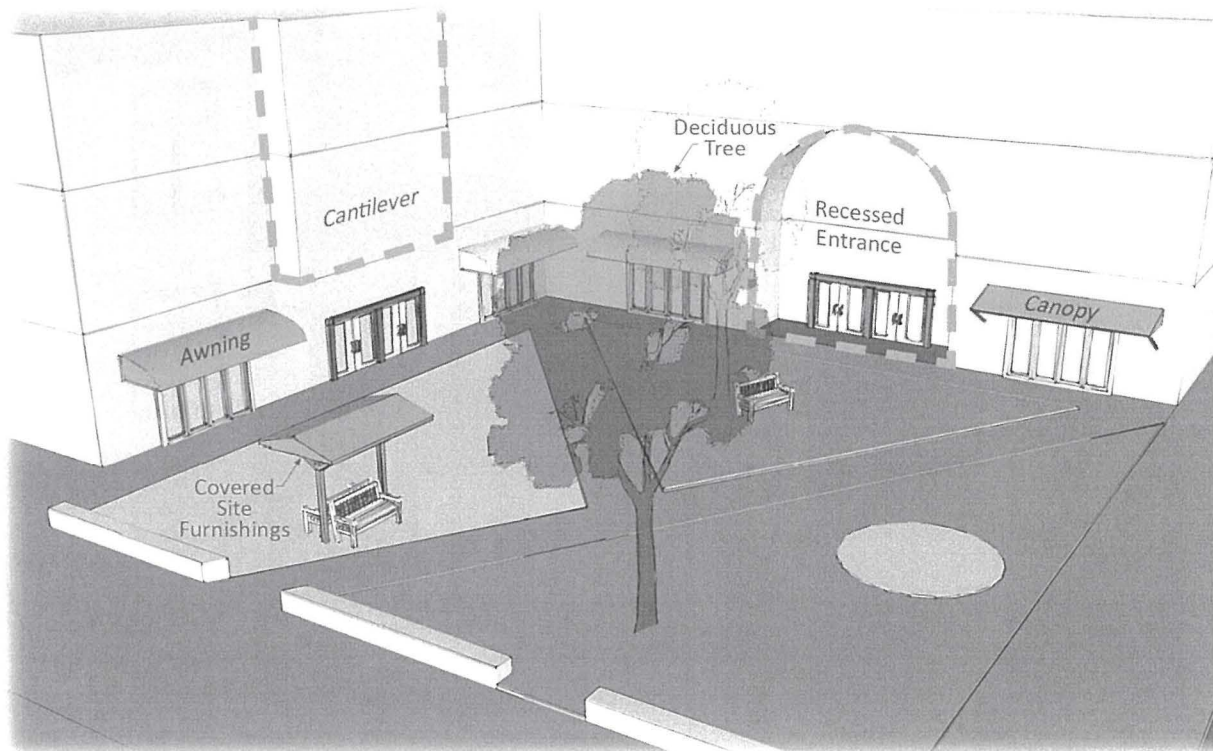


Diagram PG-8: Weather protection for outdoor amenity space, per Clause PG-164(2)(b)

Design Requirement: Privacy for Grade-Related Dwelling Units

PG-165 Where grade-related dwelling units are provided, the space located between each grade-related dwelling unit and the streetline shall include one of the following methods for privacy (Diagram PG-9):

- (a) the planting of a deciduous tree, that is not a shrub, with a minimum base caliper of 50 millimetres;
- (b) the planting of a minimum of two shrubs, each no less than 1.0 metre in height;
- (c) the installation of a planter ranging in height from 0.45 to 1.0 metre; or
- (d) the installation of a masonry wall or decorative fence ranging in height from 0.45 to 1.0 metre.



Diagram PG-9: Methods for providing privacy to grade-related dwelling units, per Section PG-165

Part VII, Chapter 3: Building Design Requirements

Design Requirement: Articulation for Streetwalls or Exterior Walls that Abut a Front or Flanking Yard and that are 90.0 Metres or Less in Width

- PG-166 (1) This Section applies to an exterior wall that is 90.0 metres or less in width and is either:
- (a) a streetwall; or
 - (b) an exterior wall that abuts a front or flanking yard.
- (2) Streetwalls or exterior walls that abut a front or flanking yard, and that have a width no greater than 90.0 metres, shall be divided into distinct sections between 1.0 metre and 16.0 metres in width, extending from the ground to the top of the streetwall.
- (3) Each distinct section required under Subsection PG-166(2) shall be differentiated from any section within a distance of 4 metres by using a minimum of two of the following methods (Diagram PG-10):
- (a) different colours;
 - (b) different materials;
 - (c) different textures;
 - (d) living walls;
 - (e) projections; or
 - (f) recesses.
- (4) Projections or recesses used under Subsection PG-166(3) shall be no less than 0.15 metre deep.

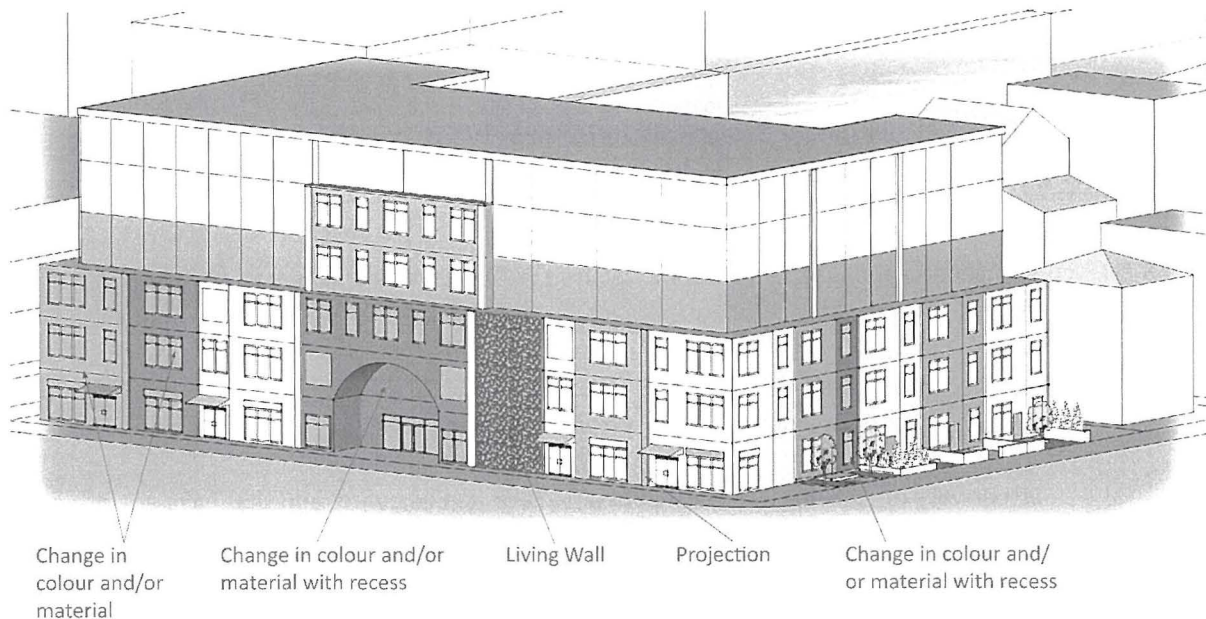


Diagram PG-10: Methods for articulation for streetwalls or exterior walls that abut a front or flanking yard, per Sections PG-166 or PG-167

Design Requirement: Articulation for Streetwalls or Exterior Walls that Abut a Front or Flanking Yard and that are Greater than 90.0 Metres in Width

- PG-167 (1) This Section applies to an exterior wall that is greater than 90.0 metres in width and is either:
- (a) a streetwall; or
 - (b) an exterior wall that abuts a front or flanking yard.
- (2) Streetwalls or exterior walls that abut a front or flanking yard, and that have a width greater than 90.0 metres, shall be divided into distinct sections between 1.0 metre and 16.0 metres in width, extending from the ground to the top of the streetwall.
- (3) Each distinct section required under Subsection PG-167(2) shall be differentiated from any section within a distance of 4 metres by (Diagram PG-10):
- (a) providing projections or recesses that are no less than 0.6 metre deep; and
 - (b) using a minimum of two of the following methods:
 - (i) different colours,
 - (ii) different materials,
 - (iii) different textures, or
 - (iv) living walls.

- (4) Streetwalls or exterior walls that abut a front or flanking yard under this Section shall incorporate a minimum of one recess in the wall, that extends vertically from the ground to the top of the wall, which has a minimum required dimension of 5.0 metres in width and 2.0 metres in depth.

Design Requirement: Corner Treatment

PG-168 Any main building at the corner of two streets shall be detailed in a manner that provides visual prominence to that corner of the building by:

- (a) providing a consistent architectural treatment to both streetwalls; and
- (b) using a minimum of two of the following methods:
 - (i) a change in the building massing at the corner that has a dimension either vertically or horizontally of no less than 1.0 metre,
 - (ii) the use of a distinctive architectural treatment at the corner, such as a spire, a turret, a belvedere, a portico, an arcade, or an archway,
 - (iii) the provision of a corner pedestrian entrance,
 - (iv) public art,
 - (v) an eroded building corner (Diagram PG-11), or
 - (vi) a change in both material and colour.

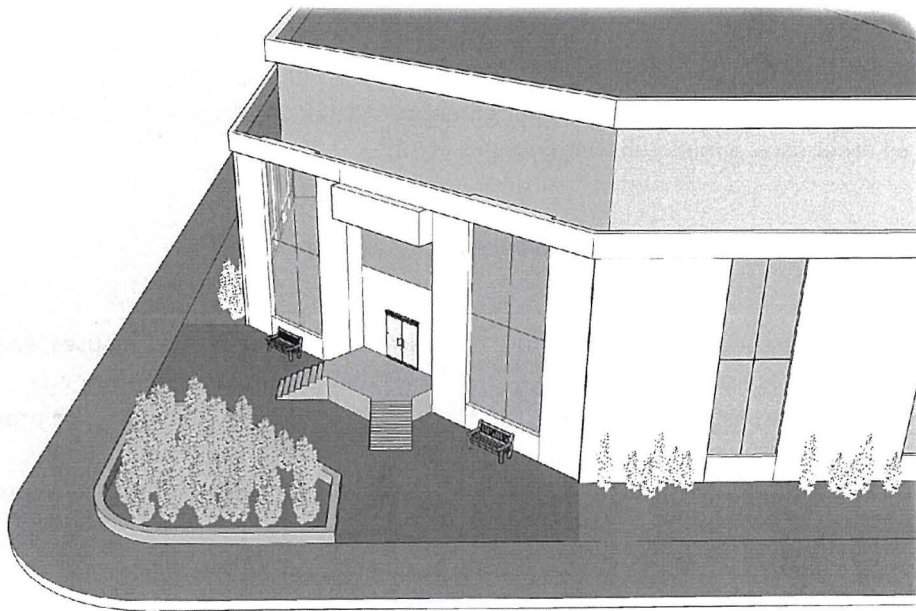


Diagram PG-11: Eroded building corner, per Subclause PG-168(b)(v)

Design Requirement: Pedestrian Entrances Along Streetwalls

- PG-169 (1) Excluding entrances for grade-related dwelling units, pedestrian entrances in the streetwall shall be distinguished from the streetwall by using a minimum of two of the following methods:
- (a) different colours;
 - (b) different materials;
 - (c) projections;
 - (d) recesses;
 - (e) a change in height; or
 - (f) a change in the roofline.
- (2) Projections or recesses used under Subsection PG-169(1) shall be a minimum depth of 0.15 metre.
- (3) Canopies or awnings shall not be used to meet the requirements of Subsection PG-169(1).

Design Requirement: Ground Floor Transparency

PG-170 Within a streetwall, the building's ground floor façade shall consist of clear glass glazing as follows:

- (a) for commercial uses, a minimum requirement of 30%; or
- (b) for all other uses, a minimum requirement of 20%.

Design Requirement: Weather Protection for Entrances

- PG-171 (1) Subject to Subsection PG-171(2), where entrances for multi-unit dwelling uses, any commercial uses listed under the "**COMMERCIAL**" heading in Table PG-1, or any institutional uses listed under the "**INSTITUTIONAL**" heading in Table PG-1 are provided in the streetwall, weather protection for pedestrians shall be required above the entrances and shall consist of a minimum of one of the following methods (Diagram PG-12):
- (a) canopies;
 - (b) awnings;
 - (c) recessed entrances;
 - (d) second storey balconies; or
 - (e) cantilevers.

- (2) Subsection PG-171(1) shall not apply to the entrances of grade-related dwelling units.

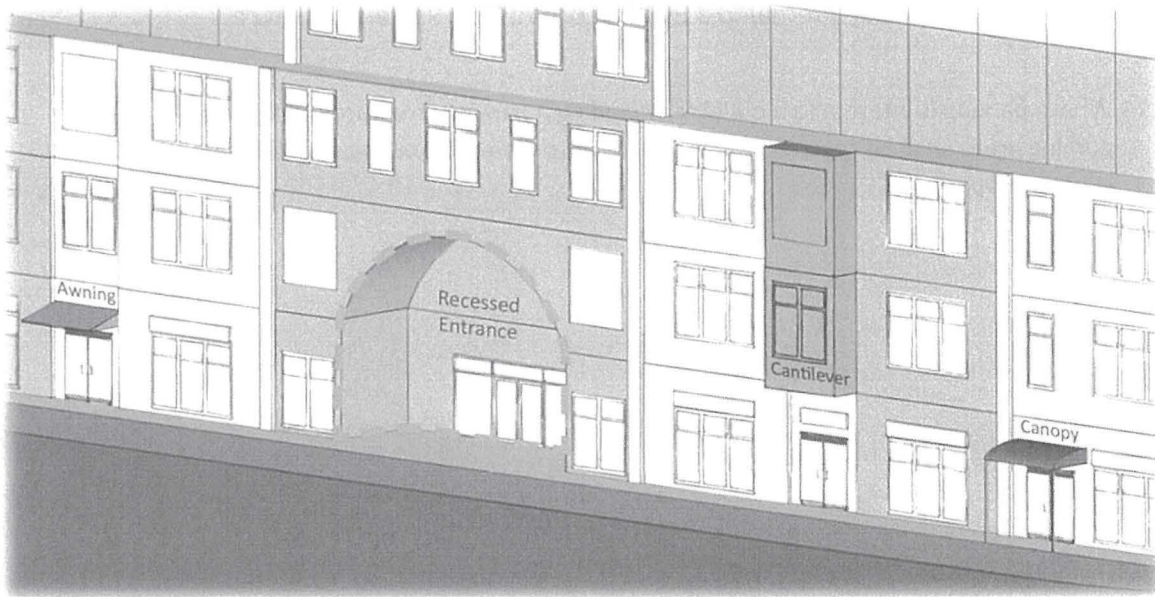


Diagram PG-12: Methods of weather protection for entrances, per Section PG-171

Design Requirement: Exposed Foundations and Underground Parking Structures

PG-172 Exterior foundation walls and underground parking structures protruding more than 0.6 metre above grade shall be required to be clad in the same material(s) as those used on the wall that connects to the exterior foundation wall or underground parking structure.

Design Requirement: Rooftop Mechanical Features

PG-173 Rooftop mechanical features shall be required to be visually integrated into the overall design of the building top and screened from view from any streetline abutting the subject property.

Part VII, Chapter 4: Parking, Access, and Utility Design Requirements

Design Requirement: Parking Internal to a Building or Within a Parking Structure

PG-174 Where parking is internal to a building, including a parking structure, motor vehicle parking areas shall be required to be screened from view from any streetline abutting the subject property.

Part VII, Chapter 5: Other Design Requirements

Design Requirement: General Lighting

PG-175 The following features shall be required to be illuminated:

- (a) common building entrances;
- (b) pedestrian walks, as per the requirements of Subsection PG-207(1);
- (c) shared outdoor amenity spaces, as per the requirements of Section PG-164; and
- (d) accessory parking lots.

PART VIII: WIND ENERGY FACILITIES

Part VIII, Chapter 1: Wind Energy Facility Requirements

Wind Energy Overlay Zone

PG-176 For the purposes of this Part, the Planned Growth Schedule establishes the Restricted (R) wind energy overlay zone, as shown on Schedule PG-5.

Restricted (R) Zone

PG-177 Wind energy facilities are prohibited in the Restricted (R) wind energy overlay zone.

PART IX: LANDSCAPING

Part IX, Chapter 1: General Landscaping Requirements

Exemptions for a Change of Use and Minor Additions

PG-178 Additional hard landscaping or soft landscaping shall not be required for:

- (a) a change of use in a structure; or
- (b) an addition to any main building less than 200.0 square metres of floor area.

Existing Soft Landscaping

PG-179 (1) Existing trees and shrubs may be counted toward the requirements of Part IX if they are:

- (a) adequately protected from damage during development;
 - (b) meet the minimum size or caliper requirements specified within the applicable section(s) of this Part; and
 - (c) present and in good health, as certified by a landscape architect or arborist prior to the issuance of the first occupancy permit.
- (2) Any existing tree or shrub in a required landscaped buffer may be counted as one tree or shrub toward the requirements of Sections PG-190 to PG-192.

Requirement to Maintain Soft Landscaping

PG-180 All soft landscaping required under the Planned Growth Schedule shall be maintained.

Soft Landscaping Species

PG-181 (1) Where soft landscaping is required, a minimum number of unique plant species shall be provided, as follows:

- (a) if Part IX requires the planting of a minimum of 10 trees or shrubs, but less than 20 trees or shrubs, a minimum of three different tree or shrub species are required; or
- (b) if Part IX requires the planting of 20 or more trees or shrubs, a minimum of four different tree or shrub species are required.

- (2) Invasive or highly toxic plant species, as listed in Appendix PG-2, are prohibited as soft landscaping material.

Soft Landscaping for Accessory Parking Lots

- PG-182 (1) Where permitted in Part X and with the exception of an accessory parking lot that is shared between two properties, an accessory parking lot that is located in a BW-CDD2, BW-CEN, BW-HR2, BW-HR1, BW-CH, or BW-PCF zone, but is not located within a courtyard, shall meet the following soft landscaping requirements along any portion of a lot line that runs adjacent to the accessory parking lot:
- (a) a 2.5-metre wide strip of soft landscaping with one of either:
 - (i) one shrub no less than 1.0 metre in height for every 2.0 linear metres, or
 - (ii) one tree that is not a shrub with a minimum base caliper of 50 millimetres for every 4.5 linear metres;
 - (b) an existing strip of vegetation that has a minimum width of 2.5 metres; or
 - (c) a combination of Clauses PG-182(1)(a) and PG-182(1)(b).
- (2) Excluding accessory parking lots for a community recreation use or a school use, accessory parking lots shall contain soft landscaping, as per the following requirements:
- (a) for every 20 parking spaces in a row, a raised landscaped area shall be provided at each end of the row;
 - (b) each raised landscaped area shall be delineated with curbs and shall contain a minimum of one tree that are not shrubs, with a minimum base caliper of 50 millimetres; and
 - (c) each raised landscaped area's ground area shall include soft landscaping.

Landscaping Treatment for the Roof Slabs of Underground Parking Structures

- PG-183 (1) Subject to Subsection PG-183(2), in any zone, the roof slab of an underground parking structure, which protrudes above grade, shall be treated with soft landscaping or hard landscaping on any above grade portion that is exposed.
- (2) The landscaping treatment utilized under Subsection PG-183(1) shall not use gravel for more than 10% percent of the area of the roof slab requiring treatment.

- (3) The roof slab landscaping treatment required under Subsection PG-183(1) shall be certified by a professional engineer to ensure that the structure is capable of supporting the load.

Part IX, Chapter 2: Zone Specific Hard Landscaping or Soft Landscaping Requirements

Specific Landscaping Requirements in any BW-CDD2, BW-CEN, BW-HR2, or BW-HR1 zone

- PG-184 (1) Subject to Section PG-185 for any low-density dwelling use, in any BW-CDD2, BW-CEN, BW-HR2, or BW-HR1 zone, any portion of a front, flanking, side, or rear yard that is not used for driveways, parking, off-street loading spaces, walkways, wheelchair ramps, stairs, patio areas, or accessory structures shall be landscaped.
- (2) No less than 50% of the required landscaping on a lot shall be soft landscaping.
- (3) Excluding decks and patios, at-grade outdoor amenity space that contains soft landscaping may be counted towards the requirement in Subsection PG-184(2).
- (4) In any BW-CEN zone, fences are prohibited within the required front or flanking setbacks, excluding grade-related dwelling units.

Specific Landscaping Requirements in any BW-CDD1, BW-LDR, or BW-CH Zone

- PG-185 (1) In any BW-CDD1, BW-LDR, or BW-CH zone, any portion of a front, flanking, side, or rear yard that is not used for driveways, parking, off-street loading spaces, walkways, wheelchair ramps, stairs, or accessory structures shall be landscaped.
- (2) In any BW-CDD1, BW-LDR, or BW-CH zone, a minimum of one new tree that is not a shrub, with a minimum base caliper of 50 millimetres, shall be required for any new main building.
- (3) An existing tree that is not a shrub, which meets the minimum base caliper of 50 millimetres, can be counted towards the new tree required in Subsection PG-185(2).

Part IX, Chapter 3: Screening Requirements

Screening for Daycare Uses

PG-186 In any BW-LDR or BW-CH zone, outdoor recreational spaces or play areas associated with a daycare use shall be required to be screened from any residential use on an abutting lot, along the portions of the lot line that runs adjacent to the outdoor recreational spaces or play areas, with a minimum of one of the following:

- (a) a continuous coniferous hedge no less than 1.8 metres in height;
- (b) an opaque fence no less than 1.8 metres in height; or
- (c) a masonry wall no less than 1.8 metres in height.

Screening for Solid Waste Management Areas

- PG-187 (1) Subject to Subsection PG-187(2) and except where associated with a low-density dwelling use, any outdoor solid waste management area shall be fully enclosed by an opaque fence or a masonry wall that is no less than 1.8 metres in height (Diagram PG-13).
- (2) Semi-buried waste management containers do not require enclosure.

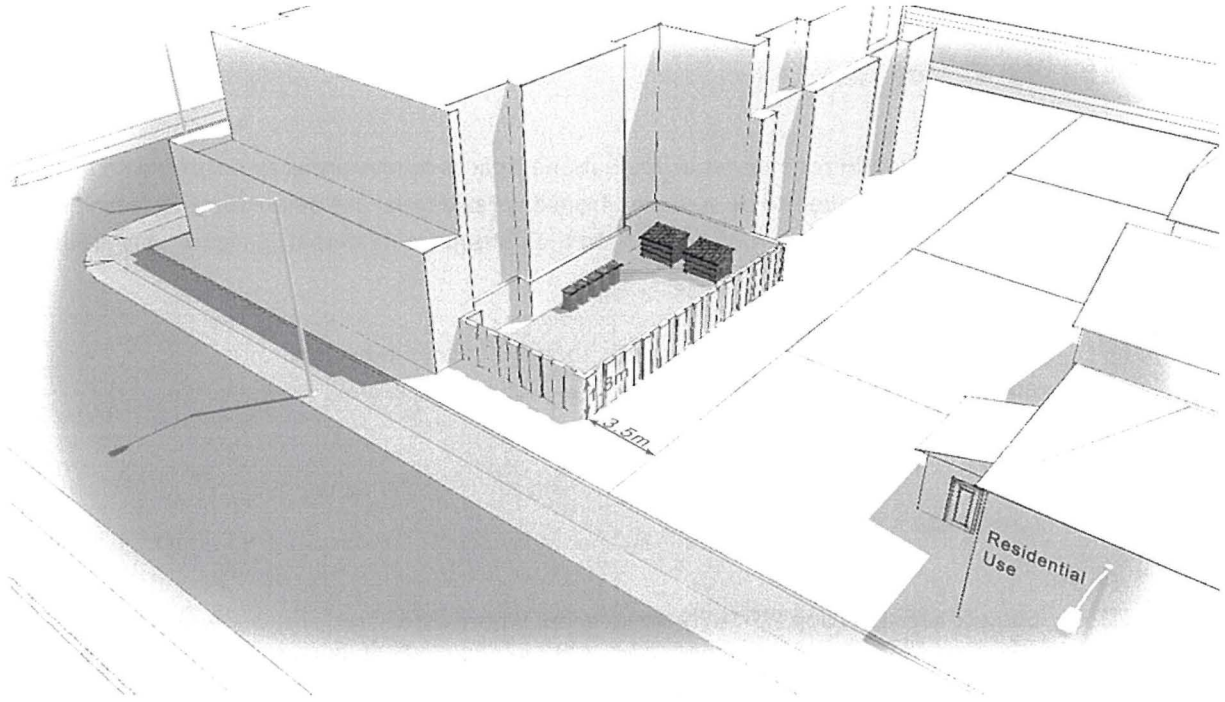


Diagram PG-13: Screening requirements for solid waste management areas, per Section PG-35 and PG-187

Screening for Accessory Parking Lots or Off-Street Loading Spaces

- PG-188 (1) Subject to Subsections PG-188(3) and PG-188(4), in addition to the soft landscaping requirements for accessory parking lots contained within Section PG-182, along the edge of any accessory parking lot or off-street loading space that is located within a yard that abuts any BW-LDR, BW-CH, or BW-PCF zone, a minimum of one of the following shall be required:
- (a) a continuous coniferous hedge no less than 1.2 metres in height;
 - (b) an opaque fence no less than 1.2 metres in height; or
 - (c) a masonry wall no less than 1.2 metres in height.
- (2) Subject to Subsections PG-188(3) and PG-188(4), in addition to the soft landscaping requirements for accessory parking lots contained within Section PG-182, along the edge of any accessory parking lot or off-street loading space that is located within a yard that abuts any low-density dwelling use located outside the Bedford West Sub-Areas 1 and 12 Boundary, as shown on Schedule PG-1, a minimum of one of the following shall be required:

- (a) a continuous coniferous hedge no less than 1.2 metres in height;
 - (b) an opaque fence no less than 1.2 metres in height; or
 - (c) a masonry wall no less than 1.2 metres in height.
- (3) Existing natural vegetation may be used as an alternative to the screening requirement of Subsection PG-188(1) or Subsection PG-188(2), if the existing natural vegetation can adequately screen the accessory parking lot or off-street loading space from the view of the abutting property.
- (4) The screening requirement under Subsection PG-188(1) or Subsection PG-188(2), shall not apply if:
 - (a) a lot line is required to have an L2 landscaped buffer under Section PG-190; or
 - (b) the edge of the accessory parking lot or off-street loading space provides an access to an abutting lot.

Part IX, Chapter 4: Landscaped Buffers

Development Exempted from Landscaped Buffers

PG-189 The requirements of Sections PG-190, PG-191, and PG-192 shall not apply to:

- (a) any development exempted from requiring a development permit;
- (b) a change of use or tenancy in a structure;
- (c) accessory structures located in a BW-CDD2, BW-CEN, BW-HR2, or BW-HR1 zone;
- (d) an addition to any main building less than 200.0 square metres in floor area;
- (e) low-density dwelling uses;
- (f) interior renovations;
- (g) exterior renovations that do not alter the footprint or volume of a building; or
- (h) temporary construction uses.

General Landscaped Buffer Requirements

- PG-190 (1) A landscaped buffer, where required in Table PG-11, shall be provided where a development abuts a different zone. The required landscaped buffer shall be either “L1” or “L2”, as shown in Table PG-11.
- (2) Any landscaped buffer, if required in Subsection PG-190(1), shall be provided along each lot line that separates the development from the different zone.
 - (3) Any required landscaped buffer shall have a minimum width of 2.5 metres.
 - (4) No structures or parking areas are permitted within any required landscaped buffer, except for:
 - (a) masonry walls or opaque fences required in Sections PG-188 or PG-192; or
 - (b) subject to Subsection PG-190(5), underground parking structures that do not protrude more than 0.6 metre above the average finished grade within any side or rear yard.
 - (5) If an underground parking structure extends into the required landscaped buffer, as permitted in Clause PG-190(4)(b), then the applicable landscape buffer shall apply to the surface of the underground parking structure.

Table PG-11: Landscaped buffer requirement

Zone where the development is located	Zone abutting the development				
	BW-CDD2 BW-CEN	BW-HR2 BW-HR1	BW-LDR BW-CH	BW-PCF	Any zone outside of the Bedford West Sub-Areas 1 and 12 Boundary
BW-CDD2 BW-CEN		L1	L2	L1	L2
BW-HR2 BW-HR1			L1		L1

L1 General Landscaped Buffer

- PG-191 (1) Any required L1 landscaped buffer shall contain either:
- (a) one shrub no less than 1.0 metre in height for every 2.0 linear metres of buffer; or
 - (b) one tree that is not a shrub with a minimum base caliper of 50 millimetres for every 4.5 linear metres of buffer.
- (2) Trees or shrubs required in Clauses PG-191(1)(a) and PG-191(1)(b) may be grouped.
- (3) The remainder of a required L1 landscaped buffer shall contain soft landscaping.

L2 Screen Landscaped Buffer

- PG-192 (1) Any required L2 landscaped buffer shall contain:
- (a) subject to Subsection PG-192(2), a continuous coniferous hedge no less than 1.0 metre in height; and
 - (b) a minimum of one tree with a base caliper that is no less than 50 millimetres for every 4.5 linear metres of buffer.
- (2) Where an L2 landscaped buffer abuts a BW-LDR or BW-CH zone, an opaque fence, masonry wall, or coniferous hedge no less than 1.8 metres in height shall be required along the lot line abutting the BW-LDR or BW-CH zone.
- (3) Trees in a required L2 landscaped buffer may be grouped.
- (4) The remainder of a required L2 landscaped buffer shall contain soft landscaping.

Part IX, Chapter 5: Landscape Plan Requirements

Requirement to Submit a Landscape Plan

- PG-193 (1) Excluding any developments located within the BW-CDD1, BW-LDR, or BW-CH zone, a landscape plan is required when submitting a development permit application for:
- (a) a new building equal to or greater than 2,000 square metres; or
 - (b) an addition equal to or greater than 1,000 square metres.
- (2) When a landscape plan is required in Subsection PG-193(1), it shall be stamped and signed by a landscape architect, certifying that the plan meets the minimum requirements of the Planned Growth Schedule.
- (3) The landscape plan shall depict the design of all hard landscaping or soft landscaping required for the development, and where applicable shall indicate:
- (a) the current and proposed site topography, including the location of any significant gradients;
 - (b) the footprints of all existing and proposed buildings, including underground parking structures;
 - (c) the planting areas and details for all new vegetation and groundcover, including location, quantity, size, and both the common and botanical names that identify the species and variety;
 - (d) the location and identification of existing vegetation that will be used to meet the requirements of Section PG-179;
 - (e) the soft landscaping on the roof slab of any underground parking structure, as per the requirements of Section PG-183;
 - (f) the protection measures, such as hoardings, for any existing soft landscaping that is to be maintained;
 - (g) the construction details for all hard-landscaped areas, including design specifications, dimensions, paving materials, and locations;
 - (h) the manufacturers' specifications, such as model and colour, for all seating, light standards and fixtures, waste receptacles, bicycle parking racks, roofed bicycle cages, enclosed bicycle lockers, tree grates or guards, bollards, planter seating walls, wood arbours, outdoor furniture, solid waste management area enclosures, railings, and fencing; and
 - (i) any other information that the Development Officer requires to determine if the development complies with the Planned Growth Schedule.
- (4) All soft landscaping specified on a landscape plan shall comply with the latest edition of the *Canadian Landscape Standard*.

PART X: PARKING AND OFF-STREET LOADING

Part X, Chapter 1: Motor Vehicle Parking

General Motor Vehicle Parking Requirements

- PG-194 (1) All accessory parking lots and parking spaces shall be located on the same lot as the main use.
- (2) A change of use in an existing structure shall not require any additional parking, and parking that is already provided shall remain unless it exceeds the minimum required number of motor vehicle parking spaces.
- (3) Subsections PG-194(4) and PG-194(5) do not apply to parking spaces or accessory parking lots associated with any:
- (a) low-density dwelling use;
 - (b) cluster housing use;
 - (c) secondary suite use;
 - (d) backyard suite use;
 - (e) small shared housing use;
 - (f) short-term bedroom rental use; or
 - (g) home occupation use.
- (4) All accessory parking lots shall be required to be:
- (a) surfaced with a hard material such as asphalt, concrete, or permeable pavers; and
 - (b) delineated by concrete curbs, with all motor vehicle parking spaces and driving aisles clearly delineated.
- (5) The parking or storage of motor vehicles is prohibited in any driveway or driving aisle associated with an accessory parking lot.

Parking Space and Driving Aisle Dimensions

- PG-195 (1) For any accessory parking lot, parking structure use, or parking internal to a building:
- (a) subject to Clause PG-195(1)(b), any required motor vehicle parking space shall be a minimum of 2.4 metres in width and 5.5 metres in length (Diagram PG-14); and
 - (b) in the case of parking parallel to an internal driveway, any required motor vehicle parking space shall be a minimum of 6.1 metres in length (Diagram PG-14).

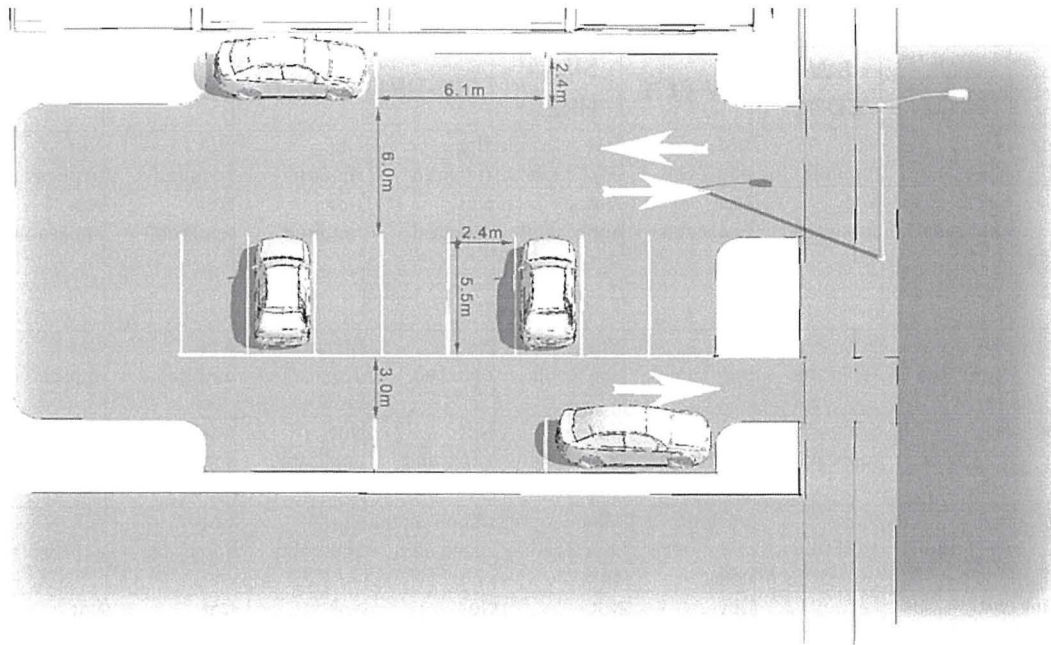


Diagram PG-14: Motor vehicle parking space and driving aisle dimensions, per Section PG-195

- (2) Driving aisles between rows of motor vehicle parking spaces in an accessory parking lot, in a parking structure, or for parking internal to a building shall be required to be 6.0 metres in width for two-way traffic, and 3.0 metres in width for one-way traffic (Diagram PG-14).

Minimum Number of Motor Vehicle Parking Spaces

- PG-196 (1) Table PG-12 sets out the minimum number of motor vehicle parking spaces required by zone for each listed use. Where a use is not listed in Table PG-12, no minimum parking requirement applies.
- (2) If there is more than one use requiring motor vehicle parking, as listed in Table PG-12, then the amount of motor vehicle parking required on-site shall be the cumulative total of what is required for each use.
 - (3) Where bicycle parking spaces are required in Section PG-211, two additional bicycle parking spaces of any type may be provided in substitution for one required motor vehicle parking space, to a maximum of 25% of required motor vehicle parking spaces.
 - (4) In addition to the substitution permitted in Subsection PG-196(3), one enhanced bicycle parking space may be substituted for a maximum of one required motor vehicle parking space.

Table PG-12: Required minimum number of motor vehicle parking spaces per lot, by zone and use

Use	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF
Single-unit dwelling use	Not applicable	Not required	Not applicable	Not applicable	Not required	Not required	Not required	Not applicable
Semi-detached dwelling use; Townhouse dwelling use; Two-unit dwelling use	Not applicable	Not applicable	Not applicable	Not applicable	Not required	Not required	Not applicable	Not applicable
Three-unit dwelling use; Four-unit dwelling use	Not applicable	Not applicable	Not applicable	Not applicable	Not required	Minimum of 1 space per lot	Not applicable	Not applicable
Cluster housing use	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Minimum 0.5 space per unit	Not applicable
Multi-unit dwelling use	Not applicable	Not applicable	Minimum 0.5 space per unit	Minimum 0.5 space per unit	Minimum 0.5 space per unit	Not applicable	Not applicable	Not applicable
Small shared housing use; Short-term rental use	Not applicable	Not applicable	Not required	Not required	Not required	Not required	Not required	Not applicable
Large shared housing use	Not applicable	Not applicable	Not required	Not required	Not required	Not applicable	Not applicable	Not applicable
Secondary suite use or backyard suite use	Not applicable	Not applicable	Not applicable	Not applicable	Not required	Not required	Not applicable	Not applicable
Shelter use	Minimum 1 space	Not applicable	Minimum 1 space	Minimum 1 space	Minimum 1 space	Not applicable	Not applicable	Not applicable
Daycare use	Minimum 1 space per 100 square metres	Not applicable	Minimum 1 space per 100 square metres	Minimum 1 space	Minimum 1 space	Minimum 1 space	Minimum 1 space	Minimum 1 space
Home office use	Not applicable	Not required	Not required	Not required	Not required	Not required	Not required	Not applicable
Home occupation use	Not applicable	Minimum 1 space	Not required	Not required	Not required	Minimum 1 space	Minimum 1 space	Not applicable
Work-live unit use	Not applicable	Not applicable	Minimum 1 space	Minimum 1 space	Minimum 1 space	Not applicable	Not applicable	Not applicable
Restaurant use; Drinking establishment use; Local drinking establishment use	Minimum 1 space for every 35 sq. m of floor area	Not applicable	Minimum 1 space for every 35 sq. m of floor area	Minimum 1 space for every 35 sq. m of floor area	Minimum 1 space for every 35 sq. m of floor area	Not applicable	Not applicable	Not applicable
Fitness centre use	Minimum 1 space for every 25 sq. m of floor area	Not applicable	Minimum 1 space for every 25 sq. m of floor area	Minimum 1 space for every 25 sq. m of floor area	Minimum 1 space for every 25 sq. m of floor area	Not applicable	Not applicable	Not applicable
Hotel use	Minimum 1 space per room	Not applicable	Minimum 1 space per room	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Local commercial uses	Not required	Not applicable	Not required	Not required	Not required	Not applicable	Not applicable	Not applicable

Use	BW-CDD2	BW-CDD1	BW-CEN	BW-HR2	BW-HR1	BW-LDR	BW-CH	BW-PCF
Office use; Financial institution use	Minimum of 1 space for every 75 square metres of floor area	Not applicable	Minimum of 1 space for every 75 square metres of floor area	Minimum of 1 space for every 75 square metres of floor area	Not applicable	Not applicable	Not applicable	Not applicable
Any other commercial use not listed within this table	Minimum of 1 space for every 35 square metres of floor area	Not applicable	Minimum of 1 space for every 35 square metres of floor area	Minimum of 1 space for every 35 square metres of floor area	Minimum of 1 space for every 35 square metres of floor area	Not applicable	Not applicable	Not applicable
Minor spectator venue use; Cultural use	Minimum 1 space for every 10 permanent seats or 1 space for every 100 sq. m of floor area, whichever is less	Not applicable	Minimum 1 space for every 10 permanent seats or 1 space for every 100 sq. m of floor area, whichever is less	Not applicable	Not applicable	Not applicable	Not applicable	Minimum 1 space for every 10 permanent seats or 1 space for every 100 sq. m of floor area, whichever is less
Medical clinic use; Religious institution use	Minimum 1 space for every 100 square metres of floor area	Not applicable	Minimum 1 space for every 100 square metres of floor area	Minimum 1 space for every 100 square metres of floor area	Minimum 1 space for every 100 square metres of floor area	Not applicable	Not applicable	Not applicable
School use	1.5 spaces per classroom	Not applicable	1.5 spaces per classroom	1.5 spaces per classroom	1.5 spaces per classroom	Not applicable	Not applicable	1.5 spaces per classroom
Major spectator venue use	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Minimum 1 space for every 5 permanent seats
University or college use	4 spaces per classroom	Not applicable	4 spaces per classroom	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Industrial use	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
Community recreation use	Not required	Not applicable	Not required	Not required	Not required	Not required	Not required	Not required
Club recreation use	Minimum 1 space for every 400 square metres of lot area	Not applicable	Minimum 1 space for every 400 square metres of lot area	Minimum 1 space for every 400 square metres of lot area	Minimum 1 space for every 400 square metres of lot area	Not applicable	Not applicable	Minimum 1 space for every 400 square metres of lot area

Parking Prohibition in BW-CON Zone

PG-197 Motor vehicle parking spaces are not permitted in a BW-CON zone.

Rounding Regulation

PG-198 Where the calculation for motor vehicle parking results in a fraction of a motor vehicle parking space, the required number of motor vehicle parking spaces shall be rounded down to the nearest whole number.

Parking Within a Front or Flanking Yard for Low-Density Dwelling Uses and Cluster Housing Uses

PG-199 For a low-density dwelling use or a cluster housing use, a maximum of 50% of the width of any front or flanking yard may be used for the parking and maneuvering of motor vehicles.

Commercial Vehicles

- PG-200 (1) Subject to Subsection PG-200(2), any commercial vehicle that exceeds a weight of 3,000 kilograms of gross vehicle weight shall be prohibited in any BW-CDD1, BW-LDR, or BW-CH zone.
- (2) A commercial vehicle described in Subsection PG-200(1) is permitted to park in any BW-CDD1, BW-LDR, or BW-CH zone, if:
- (a) the vehicle is necessary for the purposes of construction; and
 - (b) the vehicle is parked on the lot during the period of construction.

Motor Vehicle Sharing Spaces

PG-201 Any motor vehicle parking space may be used as a motor vehicle sharing space.

Parking Structure Use

- PG-202 (1) All parking spaces associated with a parking structure use shall be required to be located inside the parking structure or on the roof of the parking structure.
- (2) Rooftop parking on a parking structure shall not be visible from any streetline abutting the subject property.

- (3) All parking structure uses shall meet the requirements of Part VI.

Automated Vehicle Parking System

- PG-203 (1) Motor vehicle parking space and driving aisle dimension requirements do not apply where an automated vehicle parking system is used.
- (2) An automated vehicle parking system shall be required to be located internal to a building or in a parking structure.

Parking Lots

PG-204 Parking lots are prohibited in all zones, except for accessory parking lots which meet the requirements of Sections PG-205 or PG-206.

Accessory Parking Lots: BW-CDD2 and BW-CEN Zones

- PG-205 (1) Accessory parking lots are permitted in any BW-CDD2 or BW-CEN zones.
- (2) Accessory parking lots in any BW-CDD2 or BW-CEN zones shall not be located:
- (a) within any required front or flanking yard; and
 - (b) between any building and a streetline, unless a streetwall or streetwalls extend for at least 50% of the streetline length, and for which no parking is located between the aforementioned streetwall(s) and the streetline (Diagram PG-15).

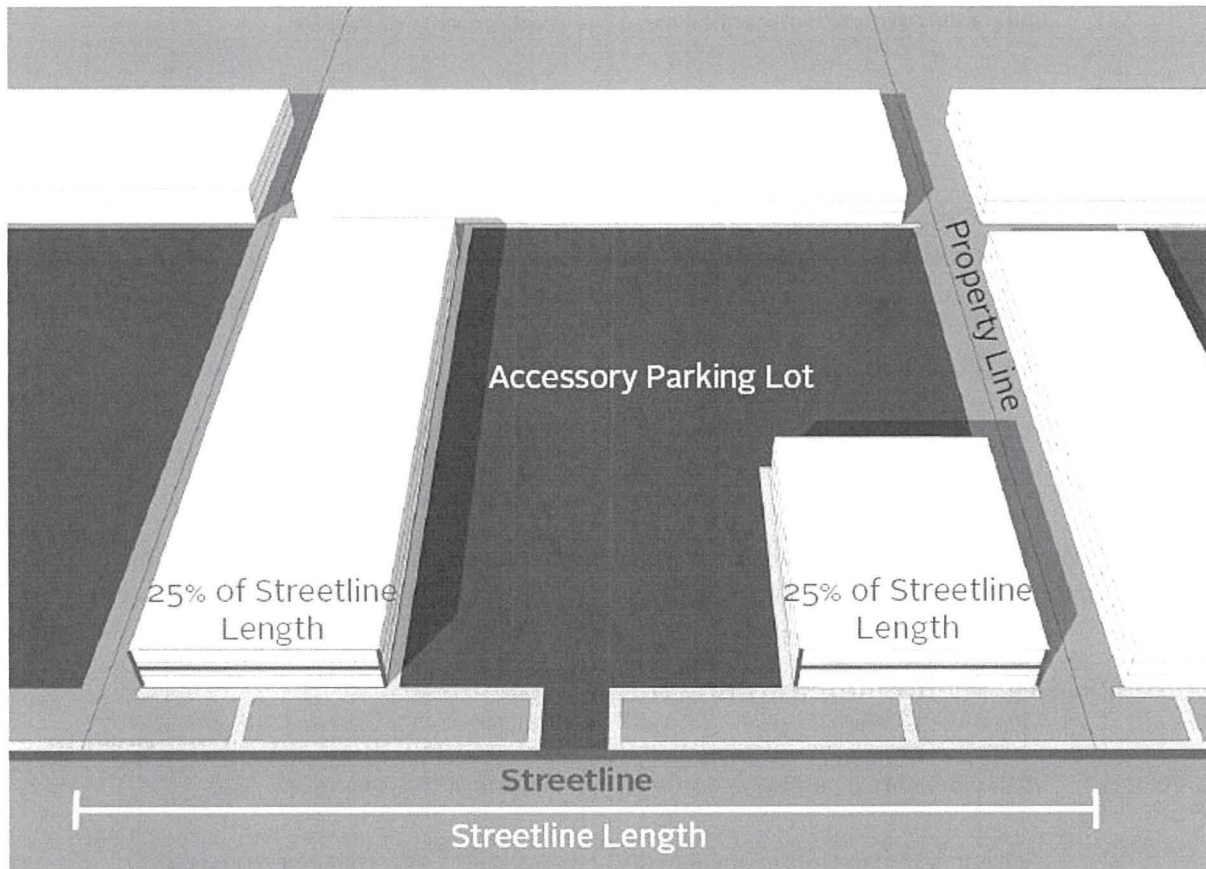


Diagram PG-15: Streetwalls without parking between the streetline and the streetwall extend for a combined 50% of the total streetline length, per Clause PG-205(2)(b)

Accessory Parking Lots: All Other Zones

- PG-206 (1) Accessory parking lots are permitted in any BW-HR2 or BW-HR1 zone, but shall only be located in a courtyard, a side yard, or a rear yard.
- (2) Accessory parking lots are permitted in a BW-CH zone and shall meet the following requirements:
- (a) be located within any yard;
 - (b) not exceed groupings of 12 motor vehicle parking spaces; and
 - (c) each grouping of motor vehicle parking spaces shall be separated by soft landscaping.
- (3) Accessory parking lots are permitted in any BW-PCF zone, but shall not be located in any minimum required front or flanking setback.

Pedestrian Walks Through Accessory Parking Lots

- PG-207 (1) A minimum of one pedestrian walk through an accessory parking lot shall be required where more than 24 spaces are provided, and shall provide a direct route between parking areas, building entrances, and the nearest streetline.
- (2) Pedestrian walks within accessory parking lots shall be required to be no less than 1.8 metres wide.
- (3) Pedestrian walks within accessory parking lots shall consist of:
- (a) poured concrete;
 - (b) brick pavers;
 - (c) stone pavers;
 - (d) concrete pavers; or
 - (e) asphalt.
- (4) Where a pedestrian walk crosses a driving aisle in an accessory parking lot, the surface of the pedestrian walk shall be delineated with a change of colour or material from the driving aisle.

Part X, Chapter 2: Bicycle Parking

Bicycle Parking Exemptions for Specific Uses

PG-208 Bicycle parking spaces are not required for any of the following uses:

- (a) low-density dwelling use;
- (b) cluster housing use;
- (c) grade-related dwelling unit;
- (d) secondary suite use;
- (e) backyard suite use;
- (f) daycare use in any BW-LDR or BW-CH zone;
- (g) short-term bedroom rental use;
- (h) home occupation use;
- (i) home office use;
- (j) small shared housing use;
- (k) work-live unit use;
- (l) car wash use;
- (m) self-storage facility use;
- (n) urban agriculture use;
- (o) cemetery use; or
- (p) accessory structure or accessory use.

Bicycle Parking Exemptions for a Change of Use

PG-209 A change of use in a structure shall not:

- (a) require bicycle parking beyond what is already provided on-site; and
- (b) reduce any existing bicycle parking that is provided on-site, unless it exceeds the minimum required number of bicycle parking spaces.

General Bicycle Parking Requirements

- PG-210 (1) Direct access to all bicycle parking spaces shall be required from a streetline.
- (2) All bicycle parking spaces shall be required to be illuminated.
- (3) All bicycle parking racks shall be required to provide two points of contact between each bicycle and rack.

Required Number of Bicycle Parking Spaces

- PG-211 (1) Table PG-13 sets out the bicycle parking space requirements that shall apply for each use listed.
- (2) If there is more than one use requiring bicycle parking, as listed in Table PG-13, then the amount of bicycle parking required on-site shall be the cumulative total of what is required for each use.

Table PG-13: Required number of bicycle parking spaces

Use	General requirement	Required percentage of Class A or Class B bicycle parking	Minimum requirement for Class B bicycle parking	Maximum required
Multi-unit dwelling use	1 space for every 2 units	80% Class A 20% Class B	4 spaces	Not Applicable
Large shared housing use	1 space for every 20 bedrooms	80% Class A 20% Class B	2 spaces	Not Applicable
Hotel use	1 space for every 20 guestrooms	80% Class A 20% Class B	2 spaces	Not Applicable
Retail use; Local commercial use; Personal service use; Grocery store use; Restaurant use	1 space for every 300 sq. m of floor area	20% Class A 80% Class B	2 spaces	Not Applicable
Financial institution use; Office use; Hospital use; Medical clinic use; Religious institution use	1 space for every 500 sq. m of floor area	50% Class A 50% Class B	2 spaces	Not Applicable
Cultural use; Minor spectator venue use; Major spectator venue use	1 space for every 20 permanent seats or 1 space for every 250 sq. m of floor area, whichever is less	20% Class A 80% Class B	2 spaces	50 spaces
School use; University or college use	1 space for every 150 sq. m of floor area	20% Class A 80% Class B	2 spaces	Not Applicable
Club recreation use; Community recreation use (indoor facilities)	10 spaces if less than 500 sq. m of floor area; 20 spaces for larger facilities	20% Class A 80% Class B	Not Applicable	Not Applicable
Community recreation use (outdoor facilities)	1 space for every 1,250 sq. m lot area	100% Class B	2 spaces	50 spaces
Parking structure use	1 space for every 20 motor vehicle parking spaces	100% Class B	2 spaces	50 spaces
Any other use not specified in this Table or not exempted from bicycle parking requirements in Sections PG-208 and PG-209	1 space for every 500 sq. m of floor area	50% Class A 50% Class B	2 spaces	Not Applicable

Rounding Regulation

PG-212 Where the calculation for bicycle parking results in a fraction of a bicycle parking space, the required number of bicycle parking spaces shall be rounded down to the nearest whole number.

Class A Bicycle Parking Requirements

PG-213 (1) Required Class A bicycle parking racks shall be located:

- (a) within a room that is dedicated to the storage of bicycles;
 - (b) within a roofed bicycle cage outside of a building;
 - (c) within an enclosed bicycle locker outside of a building;
 - (d) within a covered parking area reserved for bicycles; or
 - (e) within a resident storage unit located in an indoor parking area that is associated with a multi-unit dwelling use.
- (2) Any bicycle room, roofed bicycle cage, enclosed bicycle locker, covered parking area, or resident storage unit reserved for bicycles shall be lockable.
- (3) Required Class A bicycle parking racks shall be one or more of the following types:
 - (a) inverted-U that is a minimum of 0.90 metre in height;
 - (b) post-and-ring that is a minimum of 0.90 metre in height;
 - (c) vertical racks that are wall-mounted, not exceeding 50% of the total number of required Class A bicycle parking spaces; or
 - (d) two-tier racks with a lift-assist.
- (4) All bicycle parking racks and bicycle lockers shall be required to be secured to the ground, floor, or wall.
- (5) All outdoor bicycle parking spaces shall be required to be surfaced with a hard material such as asphalt, concrete, or permeable pavers.
- (6) All indoor Class A bicycle parking spaces shall be required to be:
 - (a) located on a ground floor; or
 - (b) located within one storey of a ground floor and be:
 - (i) accessible from a ground floor with ramps, which are protected from motor vehicle traffic, or
 - (ii) accessible from a ground floor by elevator.

- (7) The distance from any Class A bicycle parking space to the nearest building entrance shall not exceed 200 metres.

Class B Bicycle Parking Requirements

- PG-214 (1) Subject to Subsection PG-214(6), Class B bicycle parking spaces shall be located outside of a building in a location that is:
- (a) visible and accessible from the street; or
 - (b) where a building is located more than 30 metres from a streetline, within 20 metres of a common building entrance.
- (2) Required Class B bicycle parking racks shall be a minimum height of 0.90 metre and be one or more of the following types:
- (a) inverted-U; or
 - (b) post-and-ring.
- (3) All bicycle parking racks shall be required to be secured to the ground, floor, or wall.
- (4) All outdoor bicycle parking spaces shall be required to be surfaced with a hard material such as asphalt, concrete, or permeable pavers.
- (5) The required distance from any Class B bicycle parking space to the nearest visitor-accessible building entrance shall not exceed:
- (a) 15.0 metres for unsheltered bicycle parking; or
 - (b) 30.0 metres for sheltered bicycle parking.
- (6) If the location of the main building prohibits the requirements of this Section from being satisfied, then:
- (a) the owner may request an encroachment license from the Municipality to install the required Class B bicycle parking spaces in the adjacent public right-of-way. If the Municipality has granted an encroachment license allowing Class B bicycle parking spaces to be located in the street, then any Class B bicycle parking space provided in accordance with that license may be counted towards any required Class B bicycle parking; or
 - (b) the amount of Class B bicycle parking required can be located inside the main building within 30.0 metres of the nearest visitor-accessible building entrance.

Minimum Bicycle Parking Geometric Requirements

- PG-215 (1) Bicycle parking racks are prohibited within 2.5 metres of any main building entrance (Diagram PG-16).
- (2) Subject to Subsection PG-215(4), Bicycle parking racks shall be required to be spaced:
- (a) no less than 0.9 metre apart in the direction of a bicycle's width (Diagram PG-16); and
 - (b) centered no less than 1.8 metres apart in the direction of a bicycle's length (Diagram PG-16).
- (3) A 1.5-metre wide clear aisle shall be provided between rows of any required bicycle parking racks (Diagram PG-16).
- (4) Vertical racks and two-tier racks with a lift assist shall be required to be spaced no less than 0.45 metre in the direction of a bicycle's width.
- (5) Excluding wall-mounted racks and two-tier racks with a lift assist, a space of 0.6 metre shall be required to be provided between bicycle parking spaces and any obstruction, on all sides (Diagram PG-16).

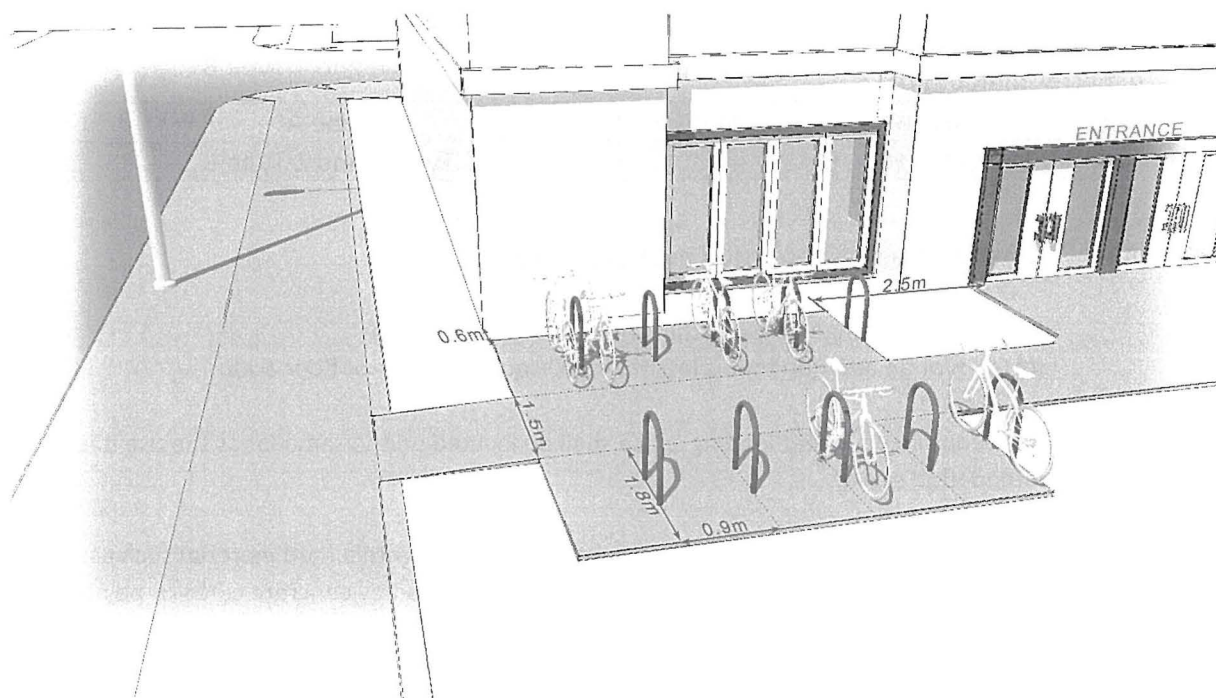


Diagram PG-16: Bicycle parking requirements, per Section PG-215

Part X, Chapter 3: Off-Street Loading

Off-Street Loading Space

PG-216 (1) Subject to Subsection PG-216(2), in any BW-CDD2, BW-CEN, BW-HR2, or BW-HR1 zone, in addition to any required motor vehicle parking spaces, off-street loading shall be required, as set out in Table PG-14, for the following uses:

Table PG-14: Minimum required number and type of off-street loading space per lot, by use

Use	Minimum required number and type of loading spaces
Multi-unit dwelling use – 40 units to 299 units	1 Type A
Multi-unit dwelling use – 300 units or more	2 Type A
Any commercial use – 500 square metres to 2,000 square metres of floor area	1 Type A
Any commercial use – greater than 2,000 square metres to 5,000 square metres of floor area	2 Type A
Any commercial use – greater than 5,000 square metres in floor area	2 Type A and 1 Type B
Minor spectator venue use	1 Type A
Major spectator venue use	1 Type A and 1 Type B

- (2) Off-street loading spaces shall not be required:
- (a) for a change of use within an existing structure; or
 - (b) for an addition that is less than 500 square metres of floor area.
- (3) Any required off-street loading space shall be located on the same lot as the use it is intended to serve.
- (4) Any required off-street loading space shall be surfaced with a hard material such as asphalt, concrete, and permeable pavers, and delineated by concrete curbs or painted lines.
- (5) Subject to Subsection PG-216(6), any required off-street loading space shall be located:
- (a) internal to a building;
 - (b) in a parking structure; or

- (c) in any area of a lot where an accessory parking lot is permitted in Sections PG-205 and PG-206.
- (6) For a multi-unit dwelling use that contains 120 units or less, an off-street loading space may be located within a driving aisle, providing there is unobstructed access within the driving aisle of 3.0 metres to enable vehicles to maneuver around the loading space.
- (7) The driving access to an off-street loading space shall meet the width and height requirements of Sections PG-217 or PG-218.
- (8) The screening requirements for required off-street loading spaces are provided in Section PG-188.
- (9) An off-street loading space shall not be used for motor vehicle parking.

Type A Off-Street Loading Space

PG-217 A Type A off-street loading space shall have the following minimum required dimensions:

- (a) 3.0 metres in width;
- (b) 6.0 metres in length; and
- (c) 3.0 metres in height clearance.

Type B Off-Street Loading Space

PG-218 A Type B off-street loading space shall have the following minimum required dimensions:

- (a) 3.5 metres in width;
- (b) 17.0 metres in length; and
- (c) 4.3 metres in height clearance.

PART XI: SIGNS

Part XI, Chapter 1: General Signage Requirements

Temporary Sign By-law

PG-219 The Planned Growth Schedule does not apply to any sign regulated by *HRM By-law S-801, A By-law Respecting Licensing of Temporary Signs*.

Sign Permit Exemptions

PG-220 The following signs are exempt from the requirement of a development permit:

- (a) signs giving the name of a building or its civic address;
- (b) signs regulating activities that are not related to traffic, such as “No Trespassing” or “Beware of Dog” signs, if the sign does not exceed 0.2 square metre in area;
- (c) signs that pertain to the sale, rental, or lease of real property on a lot where the signs are displayed, if they:
 - (i) are non-illuminated,
 - (ii) do not exceed 2.0 square metres in area,
 - (iii) are removed within 14 days following the sale, rental, or lease, and
 - (iv) are limited in number to a maximum of one sign for every streetline;
- (d) signs regulating traffic on a lot, including directional signage, if the sign does not exceed 0.5 square metre in area;
- (e) signs erected by any government;
- (f) notification signs required under municipal by-laws;
- (g) signs interior to a structure;
- (h) commemorative signs;
- (i) signs identifying motor vehicle sharing spaces;
- (j) signs that are incidental to a construction in progress, if the signs:
 - (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) are removed within 14 days following the conclusion of construction;
- (k) one internally illuminated menu-box sign per restaurant use, if the sign:
 - (i) is located within 2.0 metres of the pedestrian entrance for the restaurant use,
 - (ii) does not exceed 0.4 square metre in area, as 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;
- (l) any sign related to a drive-through;
- (m) subject to Sections PG-230 and PG-231, in a BW-CDD1, BW-LDR, or BW-CH zone, signs for any of the following uses:
 - (i) home occupation use,
 - (ii) short-term bedroom rental use,
 - (iii) daycare use,
 - (iv) sale of urban agricultural products as an accessory use, and
 - (v) urban farm use;
- (n) the replacement of a sign face where there is no alteration of the structure holding the sign;
- (o) community signs; and
- (p) window and door signs.

Prohibited Signs

PG-221 The following types of signs are prohibited in all zones:

- (a) signs that create a hazard to public safety;
- (b) in the opinion of the traffic authority, signs that:
 - (i) are a source of danger to traffic on the street, or that obstruct or interfere with the vision of road users because of their location, appearance, or illumination,
 - (ii) obscure or interfere with any traffic control sign or device, or
 - (iii) resemble the traffic control signs of any public authority, in shape, colour, message, symbol, or location;
- (c) signs that obscure or interfere with any warning or instructional sign;
- (d) 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;
- (e) signs that obstruct access to any emergency related equipment or infrastructure, such as fire hydrants and firefighting hose connections;
- (f) signs located on fences or retaining walls;
- (g) excluding signs on a registered heritage property, signs that advertise a product or service that is no longer available on the premises, or a business that is no longer in operation;
- (h) signs located on the roof of any structure;
- (i) signs that project above a roof edge or a streetwall stepback, or extend

- beyond the edges of any wall to which they are affixed;
- (j) excluding any property located in a BW-CDD1, BW-LDR, or BW-CH zone, signs affixed to or painted on natural objects such as trees or boulders;
- (k) excluding neon gas tubing and variable message signs, signs that use fluorescent colours;
- (l) internally-illuminated fascia signs, except for:
 - (i) neon gas tubing,
 - (ii) open or exposed neon gas tubing channel letters and characters,
 - (iii) front-lit, individually raised profile letters and characters with LED illumination,
 - (iv) front-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;
- (m) internally-illuminated awning signs;
- (n) signs that incorporate a strobe light or flashing light; and
- (o) signs that interfere with any utility, conduit, or line used for water, sewage, gas, electricity, or communication.

Variable Message Signs

PG-222 Variable message signs shall only be permitted:

- (a) in a BW-CDD2, BW-CEN, or BW-PCF zone; and
- (b) if, in the opinion of the Engineer, the variable message sign does not pose a risk to public safety.

Neighbourhood Signs

PG-223 A neighbourhood sign shall:

- (a) be permitted in a BW-CDD2, BW-CDD1, BW-CEN, BW-HR2, BW-HR1, BW-LDR, BW-CH, or BW-PCF zone;
- (b) have a minimum front or flanking setback of 3.0 metres;
- (c) not exceed a height of 4.6 metres; and
- (d) not exceed an area of 8.0 square metres per sign face.

Billboards

PG-224 Billboards are prohibited in the BW-CDD2, BW-CDD1, BW-CEN, BW-HR2, BW-HR1, BW-LDR, BW-CH, BW-PCF, or BW-CON zone.

Part XI, Chapter 2: Signage Requirements for the BW-CDD2, BW-CEN, BW-HR2, BW-HR1, and BW-PCF Zones

Fascia Signs

PG-225 In any BW-CDD2, BW-CEN, BW-HR2, BW-HR1, or BW-PCF zone, the combined area of all fascia signs on a building wall shall not exceed 10% of the area of the wall that the signs are affixed.

Ground Signs

PG-226 (1) In the BW-CDD2 or BW-CEN zone, no ground sign shall exceed:

- (a) one per lot;
- (b) a height of 7.6 metres; and
- (c) an area of 14.0 square metres per sign face.

(2) In the BW-HR2, BW-HR1, or BW-PCF zone, no ground sign shall exceed:

- (a) one per lot;
- (b) a height of 4.6 metres; and
- (c) an area of 4.0 square metres per sign face.

Projecting Signs

PG-227 (1) In any BW-CDD2, BW-CEN, BW-HR2, BW-HR1, or BW-PCF zone, projecting signs shall be required to:

- (a) be separated from other projecting signs on the same lot by no less than 2.5 metres;
- (b) be set back no less than 1.25 metres from any side or rear lot line;
- (c) not be located within 3.5 metres of the ground directly below; and
- (d) not exceed 2.0 square metres in area, per sign face.

(2) No more than one projecting sign is permitted per streetline for each premises.

Abutting Zone Requirements

PG-228 Where a lot is zoned BW-CDD2, BW-CEN, BW-HR2, or BW-HR1, and abuts a lot that is zoned BW-LDR, BW-CH, or BW-PCF, the following requirements shall apply:

- (a) all non-illuminated signs shall be set back no less than 3.0 metres from the abutting lot line; and
- (b) all illuminated signs shall be set back no less than 10.0 metres from the abutting lot line.

Fascia Signs for Home Occupation Uses, Work-Live Unit Uses, and Short-Term Bedroom Rental Uses

PG-229 In any BW-CEN, BW-HR2, or BW-HR1 zone, one non-illuminated fascia sign, not exceeding 3.0 square metres in area, is permitted for:

- (a) a home occupation use;
- (b) the commercial use or institutional use component of a work-live unit use; or
- (c) a short-term bedroom rental use.

Part XI, Chapter 3: Signage Requirements for the BW-CDD1, BW-LDR, and BW-CH Zones

Signs for Home Occupation Uses, Daycare Uses, Short-Term Bedroom Rental Uses, and the Sale of Urban Agricultural Products as an Accessory Use

PG-230 In any BW-CDD1, BW-LDR, or BW-CH zone, and where the use is permitted under Table PG-1, the following requirements shall apply to any sign advertising a home occupation use, daycare use, short-term bedroom rental use, or the sale of urban agricultural products as an accessory use:

- (a) A maximum of one sign is permitted per use;
- (b) The sign shall only be a ground sign, fascia sign, or projecting sign;
- (c) The sign shall not exceed 0.6 square metre in area;
- (d) Any ground sign shall not exceed a height of 1.2 metres; and
- (e) The sign shall not be illuminated.

Signs for Urban Farm Uses

PG-231 In any BW-LDR or BW-CH zone, the following requirements shall apply to any sign advertising an urban farm use:

- (a) A maximum of one ground sign is permitted per street frontage for any urban farm use;
- (b) The ground sign shall not exceed 2.0 square metres in area, and shall not exceed a height of 1.2 metres; and
- (c) The ground sign shall not be illuminated.

Signs for Community Recreation Uses

PG-232 In any BW-LDR or BW-CH zone, any sign for a community recreation use shall meet the requirements of Sections PG-225 to PG-228.

PART XII: INCENTIVE OR BONUS ZONING

Part XII, Chapter 1: Requirement for Incentive or Bonus Zoning

Applicability

PG-233 Incentive or bonus zoning shall be required for developments within the Bedford West Sub-Areas 1 and 12 Lands, as per the requirements of “Schedule C: Lands Subject to Interim Bonus Zoning Public Benefits” and “APPENDIX G: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications” of the *Bedford Land Use By-law*.

PART XIII: DEVELOPMENT AGREEMENTS

Part XIII, Chapter 1: Development Agreements

Change to a Less Intensive Non-Residential Non-Conforming Use

PG-234 On a lot that existed on the coming into force date of the Planned Growth Schedule, the change of a non-residential non-conforming use of a structure or land to a less intensive non-residential non-conforming use of a structure or land may be permitted by development agreement, in accordance with Policies BW-64 and BW-65 of the *Bedford West Secondary Municipal Planning Strategy*.

Expansion of a Non-Residential Non-Conforming Use

PG-235 In accordance with Policies BW-64 and BW-65 of the *Bedford West Secondary Municipal Planning Strategy*, where a non-residential non-conforming use in a structure is located on a lot that existed on the coming into force date of the Planned Growth Schedule, Council may, by development agreement, allow the structure containing the non-residential non-conforming use to be extended, enlarged, or altered.

Development in a BW-CDD2 Zone

- PG-236(1) Development that is not otherwise permitted in the Planned Growth Schedule may be permitted within the BW-CDD2 Zone by development agreement, in accordance with Policies BW-60 and BW-61 of the *Bedford West Secondary Municipal Planning Strategy*.
- (2) Where development is permitted by development agreement within the BW-CDD2 Zone, incentive or bonus zoning shall be required in accordance with the requirements of Part 9.7A of the *Regional Municipal Planning Strategy*.

Development in a BW-CDD1 Zone

- PG-237 (1) Development that is not otherwise permitted within the Planned Growth Schedule may be permitted in the BW-CDD1 Zone by development agreement, in accordance with Policies BW-60, BW-61, and BW-62 of the *Bedford West Secondary Municipal Planning Strategy*.
- (2) Where development is permitted by development agreement within the BW-CDD1 Zone, incentive or bonus zoning shall be required in accordance with the requirements of Part 9.7A of the *Regional Municipal Planning Strategy*.

PART XIV: DEFINITIONS

Part XIV, Chapter 1: Definitions

PG-238 The Planned Growth Schedule uses the following terms as defined within this Section:

- (1) **Accessory Hen Use** means the keeping of hens as an accessory use to a permitted residential use for the purposes of personal or household food supply, and not for commercial purposes.
- (2) **Accessory Parking Lot** means a parking lot, not contained within a structure, that supports the main use of a lot. For further clarity, a dealership use is not considered an accessory parking lot.
- (3) **Accessory Structure** means a structure that is:
 - (a) subordinate, incidental, and devoted to a main use or structure; and
 - (b) not attached to any main building.
- (4) **Accessory Use** means a use that is subordinate, incidental, and devoted to a main use on a lot.
- (5) **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 use, 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.
- (6) **Adult Entertainment Use** means premises providing services or entertainment intended to appeal to sexual appetites, such as adult cabarets, adult theatres, and massage parlours, but excludes the standalone retailing of adult material.
- (7) **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.
- (8) **Amenity Space** means non-commercial indoor or outdoor space dedicated for private or shared use by a building's occupants, such as balconies, decks, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, shared indoor and outdoor kitchens, swimming pools, saunas, fitness rooms, racquet or other sport courts, playgrounds, games and television rooms, exercise or art studios, music rooms, greenhouses, and meeting rooms.

- (9) **Applicant** means any person, including an owner, applying for a development permit, variance, site plan approval, or development agreement.
- (10) **Arcade** means a structure characterized by a central covered passageway with the roof supported by a series of arches on piers or columns, providing refuge for pedestrians from the weather.
- (11) **Archway** means a standalone or attached curved structure forming a passageway or entrance.
- (12) **Arena** means a building that is used for recreational purposes that may or may not contain a sheet of ice and is used primarily for indoor skating, figure skating, speed skating, hockey, ringette, lacrosse, arena soccer, or basketball. For additional clarity, an arena is not a minor spectator venue use or a major spectator venue use.
- (13) **Assembly** means, for the purpose of a light manufacturing use, the fitting or joining together of parts of an item by means such as fasteners, nuts, bolts, screws, glue, welding, or other similar techniques.
- (14) **Attached** means a building that depends for structural support, upon a division wall or walls shared in common with an adjoining building or buildings.
- (15) **Automated Vehicle Parking System** means a mechanical parking system that transports motor vehicles to and from parking spaces, either automatically or semi-automatically.
- (16) **Auto Repair Use** means premises used for the repair, servicing, or inspection of motor vehicles, engines, or motors.
- (17) **Average Finished Grade** means the elevation of the finished ground abutting a structure, averaged around the perimeter of the structure.
- (18) **Awning** means a textile covering, and any supporting structure, that projects from the wall of a building.
- (19) **Awning Sign** means a sign incorporated into an awning (Diagram PG-23).
- (20) **Backyard Suite Use** means a dwelling unit that is:
- (a) located within an accessory structure;
 - (b) located on its own footing or foundation; and
 - (c) not attached to a main building.

- (21) **Bedroom** means a habitable room used, designed, or intended for use for sleeping.
- (22) **Belvedere** means a small-roofed structure on the rooftop of a building with open sides or windows.
- (23) **Billboard** means a sign that does not relate to or advertise a use on the lot on which it is located, excluding a community sign or a neighbourhood sign.
- (24) **Boathouse** means a structure that:
- (a) 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;
 - (b) is roofed; and
 - (c) does not contain toilet facilities, a kitchen, or sleeping facilities.
- (25) **Broadcast and Production Studio Use** means radio, television, film, or music production or broadcasting facilities.
- (26) **Building** means every continuous enclosed area with exterior walls on a lot that:
- (a) is built, erected, and framed of a combination of materials;
 - (b) is either portable or fixed;
 - (c) has a roof;
 - (d) forms a structure for the shelter of persons, animals, or property; and
 - (e) is located, in whole or in part, above or below grade.
- (27) **Building Depth** means the distance between the wall of a building that is closest to the front lot line and the wall of the same building that is farthest away from the front lot line.
- (28) **Building Width** means the distance between the outermost edges of two building walls that face:
- (a) two side lot lines;
 - (b) a side lot line and a flanking lot line; or
 - (c) two flanking lot lines, excluding any flanking lot line that is opposite to the front lot line on a through lot.
- (29) **C&D Materials Disposal Site Use** means land 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 Nova Scotia Environment or its designate, for site rehabilitation within gravel pits or quarry

operations licensed by the Province of Nova Scotia.

- (30) **C&D Materials Processing Facility Use** 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)*;
 - (c) the de-construction of a building on site;
 - (d) a municipal processing facility for used asphalt or concrete;
 - (e) facilities associated with the reclamation of a gravel pit or quarry operation licensed by the Province of Nova Scotia; and
 - (f) forestry manufacturing processes.
- (31) **C&D Materials Transfer Station Use** means land or premises at which C&D materials are received and sorted for subsequent transport to a C&D materials disposal site or a C&D materials processing facility.
- (32) **Cannabis Lounge Use** means premises where the primary purpose of the facility is the consumption of cannabis, cannabis products, or any of its derivatives such as oils or edible products. A cannabis lounge may include cannabis retail sales.
- (33) **Cannabis Production Facility Use** means premises licensed by the Government of Canada for the production of cannabis or cannabis products,
- (a) including:
 - (i) where cannabis or any of its derivatives, such as resin or oils, is grown, cultivated, harvested, manufactured, processed, packaged, or labelled, and
 - (ii) associated activities permitted by the federal license, such as research and development, storage, and destruction; and
 - (b) excluding:
 - (i) industrial hemp, and
 - (ii) premises used for personal production permitted by federal legislation.
- (34) **Cannabis Retail Sales Use** means premises used for the retail sale of cannabis, cannabis products, or any of its derivatives, such as oils or edible products, to the public.

- (35) **Canopy** means a rigid roofed structure that is connected to and projects outward from a building. A canopy may also include a supporting structure that extends to the ground.
- (36) **Cantilever** means an enclosed portion of an upper floor extending beyond the ground floor façade, including window bays, but excluding balconies and any portion of the building above a recessed pedestrian entrance.
- (37) **Car Wash Use** means premises where motor vehicles are washed within a permanent structure.
- (38) **Casino Use** means premises primarily used for the purpose of playing or operating blackjack, roulette, baccarat, mini-baccarat, keno, video poker, video blackjack, video keno or similar game of chance or a slot machine and is conducted and managed by the Nova Scotia Gaming Corporation as an agent of His Majesty in right of the Province.
- (39) **Catering Use** means the business of preparing food at one location to be then distributed and consumed at a different location. Catering does not include a restaurant use.
- (40) **Cemetery Use** means land used for the burial of the dead and accessory purposes, such as columbaria and mausoleums, but excludes a crematorium use.
- (41) **Change of Use** means a change in the use of any land, building, structure, or any combination thereof.
- (42) **Charter** means the *Halifax Regional Municipality Charter, S.N.S., 2008, c. 39*, as amended.
- (43) **Chemical Storage Facility** means an accessory structure used for the storage of chemicals.
- (44) **Clock Tower** means a structure which vertically extends from a building and contains a large clock at the top.
- (45) **Club Recreation Use** means land or premises operated for recreational purposes, by membership, such as golf courses, country clubs, curling clubs, tennis clubs, lawn bowling clubs, boating clubs, marinas, and equine facilities.
- (46) **Cluster Housing Block** means attached cluster housing dwelling units.
- (47) **Cluster Housing Dwelling Unit** means a non-movable dwelling unit that:

- (a) is located on a lot that is:
 - (i) identified on Schedule PG-2 as being zoned Bedford West Cluster Housing (BW-CH), or
 - (ii) subject to a development agreement that applies the BW-CH zone requirements of the Planned Growth Schedule to the lot;
 - (b) has an independent pedestrian entrance; and
 - (c) may be attached to another cluster housing dwelling unit on the same lot.
- (48) **Cluster Housing Use** means land containing a cluster housing dwelling unit.
- (49) **Commemorative Sign** means a sign, tablet, or plaque commemorating or memorializing a person, community, event, structure, or site.
- (50) **Commercial Recreation Use** means a recreational facility operated for commercial purposes, such as go-kart tracks, paintball facilities, shooting ranges, racetracks, bingo halls, and miniature golf courses. For further clarity, a commercial recreation use excludes a club recreation use and a community recreation use.
- (51) **Commercial Use** means any use listed under the “**COMMERCIAL**” heading in Table PG-1.
- (52) **Commercial Vehicle** means any vehicle which is licensed as a commercial carrier as determined by the Registrar of Motor Vehicles or any vehicle designed, maintained, or used primarily for the transportation of property or persons associated with a business, such as a truck, a bus, a delivery van or wagon, a tractor, a truck tractor, a trailer, heavy equipment, and construction equipment, but excludes a private passenger motor vehicle.
- (53) **Community Recreation Use** means a publicly owned or operated recreation facility, such as a park, recreation centre, pool, skating rink, arena, gymnasium, picnic area, community oven, dog park, playground, splash pad, skateboard park, boating facility and ramps, sports court, field, and trail, but excludes a convention centre use, cultural use, minor spectator venue use, and major spectator venue use.
- (54) **Community Sign** means a sign identifying a community or district that is erected by the Municipality, which may be erected on the behalf of a neighbourhood group or community organization.
- (55) **Conservation Use** means a use carried out for the purposes of conserving soils, water, flora, or fauna, including a wildlife sanctuary.

- (56) **Construction and Demolition (C&D) Materials** means materials that are normally used in the construction of structures, roadways, walls, or hard landscaping or soft landscaping, such as soil, asphalt, brick, concrete, ceramics, porcelain, window glass, mortar, drywall, plaster, cellulose, fiberglass fibres, lumber, wood, asphalt shingles, and metals.
- (57) **Controlled-Access Highway** means a highway or a part of land that is designated under the *Public Highways Act, S.N.S., 1989, c. 371*, as amended.
- (58) **Convention Centre Use** means indoor premises that are primarily used for hosting conventions, exhibitions, or other events.
- (59) **Corner Lot** means a lot with contiguous frontage on two or more streets. (Diagram PG-17).

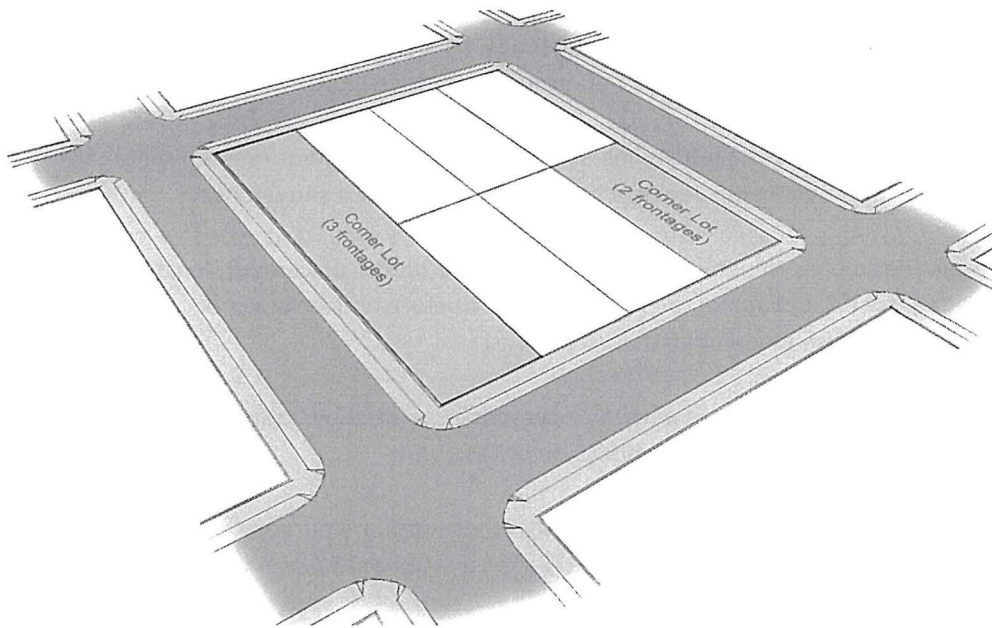


Diagram PG-17: Corner lot, per Subsection PG-238(59)

- (60) **Council** means the Council of the Municipality.
- (61) **Crematorium Use** means premises containing apparatus certified, intended, or used for the cremation of human or animal remains.
- (62) **Cultural Use** means premises with permanent seating of between zero and 500 seats that are used for the production, collection, or presentation of art, films, musical or artistic performances, lectures, materials, or exhibits, including

libraries, archives, museums, art galleries, and cultural centres. For further clarity, a cultural use excludes a minor spectator venue use, a major spectator venue use, a convention centre use, and a recreation use.

- (63) **Data Storage Centre Use** means premises which contains a large group of networked computer servers that are used by organizations for the remote storage, processing, or distribution of large amounts of data.
- (64) **Daycare Use** means premises in which supervision is provided for individuals during the day. This definition excludes a school use, a hospital use, a small shared housing use, a large shared housing use, and a community recreation use.
- (65) **Dealership Use** means land or premises used primarily for the outdoor display and sale of products, and may include as an accessory use the servicing and repair of the products sold or displayed, such as motor vehicles, recreational vehicles, marine craft, trailers, snowmobiles, snow blowers, all-terrain vehicles, heavy equipment, swimming pools, headstones, decorative fountains, and prefabricated cottages and homes, but excludes a garden centre use.
- (66) **Decorative Fence** means a fence that is made of finished wood or finished metal, but does not include a chain link fence, a barbed wire fence, or a snow fence.
- (67) **Development** means the erection, construction, alteration, placement, location, replacement, or relocation of, or addition to, a structure and a change or alteration in the use made of land or structures.
- (68) **Development Officer** means a person or persons appointed by Council to administer a land use by-law or subdivision by-law.
- (69) **Drinking Establishment Use** 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.
- (70) **Drive-Through** means a designated on-site queueing area for motor vehicles and which provides or dispenses products or services using an attendant, window, or automated machine to customers in motor vehicles, but excludes a car wash use.
- (71) **Dwelling Unit** means living quarters that:
 - (a) are accessible from a private entrance, either outside the building or in a common area within 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 the occupants of other

dwelling units.

- (72) **Educational Farm Use** means a 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.
- (73) **Emergency Services Use** means premises housing personnel and equipment related to protective or first responder services, such as fire stations, police stations, search and rescue stations, emergency medical stations, and ambulance stations.
- (74) **Enhanced Bicycle Parking** means bicycle parking that accommodates and secures bicycle trailers and cargo bikes.
- (75) **Erect** means excavating ground for a foundation or footing, laying a foundation or footing, constructing, reconstructing, removing, or changing the location or orientation of a structure or any part thereof.
- (76) **Façade** means a building wall facing a street, a park, or an outdoor amenity space.
- (77) **Farmers' Market Use** means a market where individual sellers or a cooperative of producers offer items for sale to the public, such as fresh produce, seasonal fruits, fresh flowers, arts and craft items, dairy products, grain products, meat, poultry, fish, and food and beverages.
- (78) **Fascia Sign** means a sign that is affixed directly to or painted on an exterior wall of a building (Diagram PG-23).
- (79) **Financial Institution Use** means premises providing financial or banking services to customers, including banks, trust companies, savings banks, credit unions, and lending establishments.
- (80) **Fitness Centre Use** means indoor premises that are primarily used for the purposes of human fitness, where people use equipment or space for physical exercise, such as health clubs, dance studios, and yoga studios.
- (81) **Flanking Lot Line** means a streetline that is not the front lot line.
- (82) **Flanking Yard** means a yard between the nearest exterior wall of the main building and a flanking lot line, but excludes any area of the lot that is a front yard (Diagram PG-28).

- (83) **Floor Area** means the horizontal area of all floors of a building or a parking structure, measured from the interior faces of any exterior wall or fire wall and includes interior staircases, but excludes the following:
- (a) unenclosed space outside any exterior walls or located on a rooftop, such as balconies, decks, and patios;
 - (b) elevator shafts;
 - (c) rooftop greenhouses;
 - (d) any space open to a floor below; and
 - (e) pedways.
- (84) **Footprint** means the area a building occupies on the ground in between the outermost edges of the exterior walls, including any land that has a cantilever portion that projects above the ground, but excludes eaves that project no more than 0.6 metre, unenclosed balconies, decks, stairs, and patios.
- (85) **Four-Unit Dwelling Use** means a building containing four dwelling units on the same lot, but excludes a cluster housing use.
- (86) **Front Lot Line** means:
- (a) for an interior lot, the streetline;
 - (b) for a corner lot where the streetlines are not of equal length, the shortest streetline is the front lot line, and the longer streetline or streetlines are the flanking lot lines;
 - (c) where a corner lot has streetlines of equal length, any streetline may be deemed to be the front lot line, and the remaining streetlines shall be deemed flanking lot lines;
 - (d) for a through lot, either streetline may be deemed to be the front lot line, and the other streetline shall be deemed a flanking lot line; or
 - (e) in the absence of a streetline, where a registered access easement crosses a lot line.
- (87) **Front Yard** means the yard extending across the full lot width, between the front lot line and the nearest exterior wall of any main building on the lot (Diagrams PG-27 and PG-28)
- (88) **Garden Centre Use** means land or premises where retail or wholesale gardening products are sold, which may include a nursery and greenhouses.
- (89) **Gazebo** means a freestanding, roofed accessory structure, which is not enclosed, and which does not contain toilet facilities, a kitchen, or sleeping facilities.
- (90) **Grade-Related Dwelling Unit Use** means a dwelling unit within a multi-unit

dwelling use that is accessible by pedestrians from a private entrance that fronts and faces a streetline.

- (91) **Greenhouse** means a structure, which is:
- (a) constructed with at least 80% of transparent materials; and
 - (b) used for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers.
- (92) **Grocery Store Use** means a retail establishment with a minimum of 200 square metres of floor area that primarily sells food, including the accessory sale of food being prepared on-site, and that may also sell other convenience and household goods, but excludes a farmers' market use.
- (93) **Ground Floor** means, for each streetwall, the first floor level of a main building that is predominantly above grade and faces a streetline or a transportation reserve. For the purposes of Subsections PG-48(4) and PG-213(6), a ground floor shall be the first floor of a main building that is predominantly above grade.
- (94) **Ground Floor Height** means the distance between the floor of a ground floor and the floor directly above.
- (95) **Ground Sign** means a sign affixed to the ground and supported by one or more posts, or other similar means (Diagram PG-23).
- (96) **Gymnasium** means a building or room designed for indoor sports, exercise, or physical education.
- (97) **Hard Landscaping** means an outdoor surface covered by solid or impermeable material, such as outdoor furniture, water fountains, planters, decorative concrete, stonework, bricks, gravel, tiles, pavers, boardwalks, wood decking, trees in soil cells, and trees in planters. For further clarity, hard landscaping excludes parking areas and driving aisles.
- (98) **Heavy Industrial Use** means a use of land that involves:
- (a) the manufacture or processing of products from raw materials, including animal processing beyond making cuts from pre-processed carcasses;
 - (b) the production or use of flammable, explosive, or hazardous products and materials; or
 - (c) the bulk storage of flammable, explosive, or hazardous products and materials.
- (99) **Hedge** means a boundary or barrier formed by closely growing shrubs.

- (100) **Height** means the vertical distance between a structure's average finished grade and the structure's highest point.
- (101) **Height Precinct** means the portion of a lot to which a single height limit applies.
- (102) **Hen** means an adult female chicken.
- (103) **High-Density Dwelling Use** means a building containing 13 or more dwelling units on the same lot, but excludes a cluster housing use.
- (104) **High-Rise Building** means a main building that exceeds either:
- (a) a height of 43.0 metres above the average finished grade; or
 - (b) thirteen habitable storeys.
- (105) **High-Rise Typology** means a portion of a main building, above the height of a streetwall, or in the absence of a streetwall above a height of 14.0 metres, that exceeds, either:
- (a) a height of 43.0 metres above the average finished grade to the top of the roof; or
 - (b) thirteen habitable storeys from the grade to the top of the roof.
- (106) **Home Occupation Use** means the use of a portion of a dwelling unit or an accessory structure for gainful employment, but excludes a short-term bedroom rental use, a daycare use, a work-live unit use, and a home office use.
- (107) **Home Office Use** means an office-related activity operated within a dwelling unit that does not regularly require direct in-person contact with clients on the premises, but excludes a home occupation use.
- (108) **Hospital Use** means an institution providing human inpatient health services, including accessory facilities such as laboratories, treatment of patients on an outpatient basis, training facilities, and staff offices, but excludes a small shared housing use and a large shared housing use.
- (109) **Hotel Use** means premises that are regulated as a roofed accommodation in accordance with the *Tourist Accommodations Registration Act, S.N.S., 2019, c.9*, as amended.
- (110) **Industrial Training Facility Use** means a commercial facility that provides outdoor educational instruction and safety certification relating to industrial apparatus and activities.
- (111) **Industrial Use** means any use listed under the "**INDUSTRIAL**" heading in Table

PG-1.

(112) **Institutional Use** means any use listed under the “**INSTITUTIONAL**” heading in Table PG-1.

(113) **Interior Lot** means a lot with frontage on one street only (Diagram PG-18).

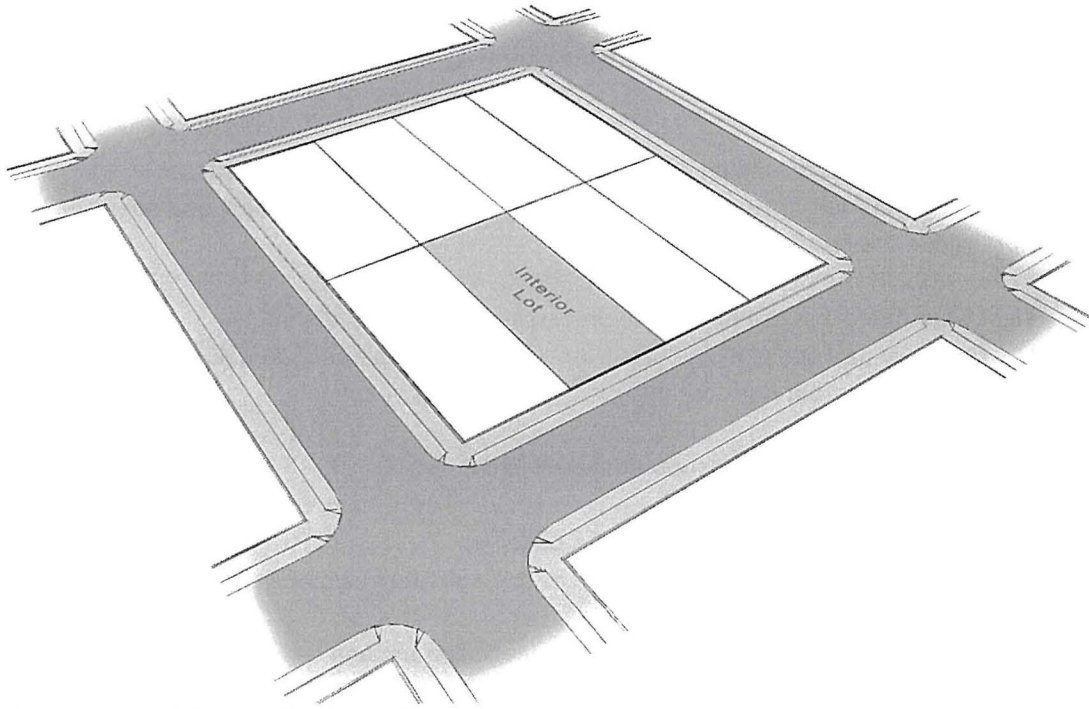


Diagram PG-18: Interior lot, per Subsection PG-238(113)

(114) **Internal Conversion** means the change of use in an existing building that does not increase the height or volume of the building. For further clarity, an internal conversion excludes the addition of an exterior staircase.

(115) **Kennel Use** means premises used for:

- (a) the keeping of more than two dogs for the purposes of commercial breeding or sale;
- (b) excluding for veterinary purposes, the overnight boarding of dogs;
- (c) the commercial training of dogs; or
- (d) the shelter of stray or abandoned animals.

(116) **Kitchen** means premises used for food preparation, and shall include:

- (a) a refrigerator;
- (b) any appliance used to heat food for consumption; and

- (c) a sink.
- (117) **Landscape Architect** means a full member in good standing with the Atlantic Provinces Association of Landscape Architects.
- (118) **Large Shared Housing Use** means a shared housing use that contains a minimum of 11 bedrooms.
- (119) **Large Wind Energy Facility** means a wind energy facility which has a total rated capacity of more than 300 kW.
- (120) **Library Use** means a building which may contain literary, musical, artistic, or reference materials for the purposes of study, reference, or recreation, and does not include the retailing of such materials.
- (121) **Light Manufacturing Use** means the processing, fabrication, assembly, treatment, or packaging of products from previously prepared materials, finished products or parts, but does not include the processing of animals.
- (122) **Living Wall** means a vertical support system, that:
 - (a) is affixed to an external wall of a building;
 - (b) includes a growth medium, such as soil, substitute substrate, and hydroculture felt;
 - (c) has an integrated irrigation and drainage system; and
 - (d) supports vegetative growth.
- (123) **Local Commercial Use** means commercial premises that:
 - (a) offers goods or products for sale or rent, including food prepared on or off site, but excludes a restaurant use and a grocery store use; or
 - (b) offers personal service uses.
- (124) **Local Drinking Establishment Use** means a drinking establishment use with a customer service area not exceeding a floor area of 65 square metres. For further clarity, a customer service area does not include washroom areas, or areas that are only accessible by staff, such as a kitchen and a storage area.
- (125) **Lot** means a parcel of land that is:
 - (a) 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;
 - (b) described in a plan and deed pursuant to the *Land Titles Clarification Act*;
 - (c) approved on a plan of subdivision endorsed and filed in the Provincial

- Land Registration Office; or
(d) created pursuant to Section 278(2) of the *Charter*.

- (126) **Lot Coverage** means the percentage of a lot that is covered by roofed structures that are a minimum of 0.6 metre in height, including any area over which a roofed structure projects, but excludes projecting roof eaves that are 0.6 metre or less.
- (127) **Lot Depth** means the distance from the front lot line to the rear lot line, or between the front lot line and the flanking lot line on a through lot (Diagram PG-19).

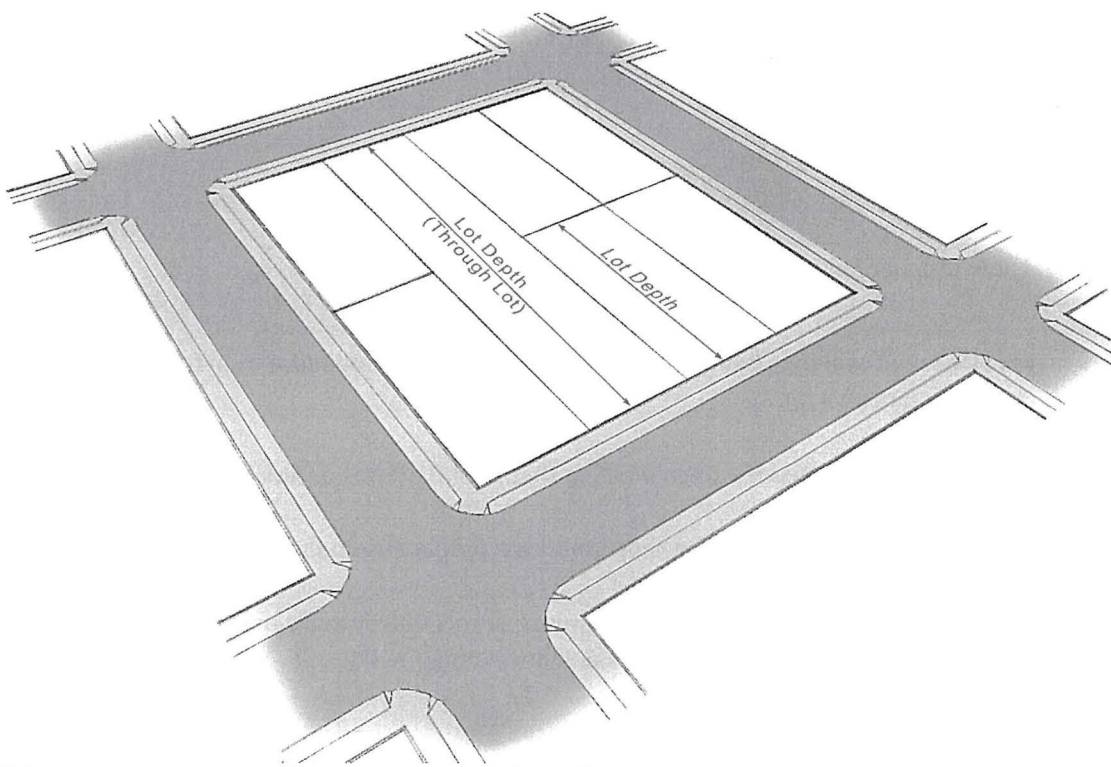


Diagram PG-19: Lot depth, per Subsection PG-238(127)

- (128) **Lot Width** means the distance between the side lot lines, side and flanking lot lines, or parallel flanking lot lines, measured at a right angle to the lot depth (Diagram PG-20).

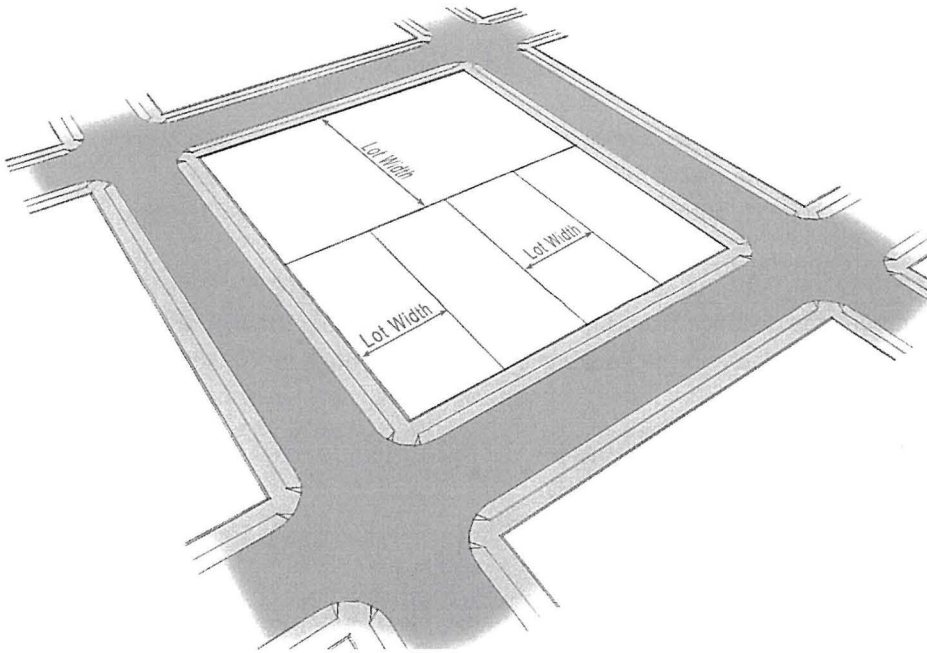


Diagram PG-20: Lot width, per Subsection PG-238(128)

- (129) **Low-Density Dwelling Use** means a building that contains no more than four dwelling units on a lot.
- (130) **Low-Rise Building** means a main building that is 14.0 metres or less in height.
- (131) **Main Building** means a building that contains a primary use on a lot.
- (132) **Major Spectator Venue Use** means premises, with 3,000 or more permanent seats, where people gather for sports and other major events.
- (133) **Makerspace Use** means indoor premises used for the artisanal production of goods in limited quantities. A makerspace use also includes premises where individuals may borrow tools or equipment for the purposes of designing, repairing, prototyping, or constructing objects.
- (134) **Marine-Related Use** means a use that is dependent upon access to or use of the Atlantic Ocean, such as tugboat facilities, boat building facilities, ocean research and development, and accessory uses to the foregoing.
- (135) **Massage Parlour** means premises where a massage, body 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.

- (136) **Medical Clinic Use** 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 clinic, dentistry, optometry, podiatry, nutritional counselling, psychiatry, psychological counselling, crisis intervention, physiotherapy, chiropractic, osteopathy, harm reduction, massage therapy, and other similar uses.
- (137) **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.
- (138) **Menu-Box Sign** means a sign or sign box that displays or contains a restaurant menu.
- (139) **Micro-Brewery Use** 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, and hospitality rooms where beverages produced at the facility can be sampled.
- (140) **Micro-Distillery Use** 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, and hospitality rooms where beverages produced at the facility can be sampled.
- (141) **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.
- (142) **Mid-Rise Building** means a main building that is greater than 14.0 metres in height, but no more than 26.0 metres in height.
- (143) **Mid-Rise Typology** means a portion of a main building, above the height of a streetwall, or in the absence of a streetwall above a height of 14.0 metres, that is:
- (a) no more than 26.0 metres in height above the average finished grade to the top of the roof; and
 - (b) not connected above the height of the streetwall to any other portion of the building that would exceed a height of 26.0 meters from the average finished grade.
- (144) **Minor Building Features** means portions of a building that are either flush with the exterior wall of a building or protrude beyond the exterior wall of a building, such as

vents, downspouts, gutters, doorknobs, architectural detailing, sills, cornices, eaves, stovepipes, chimneys, shutters, and mailboxes.

- (145) **Minor Spectator Venue Use** means indoor premises where people gather, with a capacity of more than 500 permanent seats and fewer than 3,000 permanent seats, such as cinemas, theatres, concert halls, auditoriums, social and cultural gathering places, and venues for sporting events. For further clarity, a minor spectator venue use excludes a convention centre use, a cultural use, a major spectator venue use, a club recreation use, a commercial recreation use, and a community recreation use.
- (146) **Model Suite Use** means premises used to display a sample dwelling unit that is available for sale or rental in a residential development, approved by the Municipality, and may incorporate sales or rental offices.
- (147) **Monument Use** means a structure that commemorates an event, individual, or group.
- (148) **Motor Vehicle Sharing Space** means a parking space for motor vehicles that is marked and registered for use by a motor vehicle sharing service. The renting organization may be a commercial business, a company, a public agency, a cooperative, or an ad hoc grouping.
- (149) **Multi-Unit Dwelling Use** means a building containing five or more dwelling units, but excludes a cluster housing use.
- (150) **Municipality** means the Halifax Regional Municipality.
- (151) **Nacelle** means the frame and housing at the top of the wind turbine that encloses the gearbox and generator.
- (152) **Neighbourhood Sign** means a sign identifying a neighbourhood that is erected by the applicant.
- (153) **Nude** means the showing of human genitals, pubic areas, or buttocks with less than a full opaque covering.
- (154) **Obnoxious Use** means 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 odours.
- (155) **Office Use** means premises in which a person transacts the affairs of a business, profession, service, industry, or government, excluding a home office use.
- (156) **Off-Street Loading Space** means a dedicated area, located on a lot, that is designed for loading and unloading goods from motor vehicles.

- (157) **Ordinary High Water Mark** means as defined in the *Nova Scotia Land Surveyors Regulations*.
- (158) **Owner** means the owner of a lot, which includes:
- (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; or
 - (d) in the absence of proof to the contrary, the person assessed for the lot.
- (159) **Parking Lot** means a surface parking area, not contained within a structure or on top of a structure, for five or more motor vehicles.
- (160) **Parking Structure Use** means a structure that contains motor vehicle parking spaces on one or more levels, including on an open rooftop, but excluding any garage associated with a low-density dwelling use.
- (161) **Park Use** means land that is owned or operated by a government entity and primarily used for outdoor recreational purposes, either active or passive, but excludes commercial recreation uses. A park use may include land and buildings for uses that are accessory to the park use or uses associated with government or not-for-profit organizations.
- (162) **Patio** means an uncovered flat surfaced area that is up to 0.6 metre in height above the finished grade.
- (163) **Pawn Shop Use** means premises where a person may give, pledge, or deposit goods as security in return for a payment or loan, but excludes financial institution uses.
- (164) **Pedestrian Walk**, for the purposes of Section PG-207, means an at-grade pathway system that:
- (a) is intended for the movement of pedestrians;
 - (b) does not meet the definition of a street under the Planned Growth Schedule; and
 - (c) does not meet the definition of a walkway under the *Regional Subdivision By-law*.
- (165) **Pedway** means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic.

- (166) **Penthouse** means an enclosed rooftop space used for residential, mechanical, or shared amenity space purposes.
- (167) **Permanent Seating** means seats or benches that are affixed in place to the ground or affixed to a floor of a structure.
- (168) **Permeable Vegetated Grid System** means a grid system made up of hard materials, such as plastic, concrete, or other similar materials, together with gaps to allow vegetation to grow throughout the grid pattern.
- (169) **Personal Service Use** means services for the needs of individuals or pets, such as grooming and haircutting, tailoring and shoe repair, tattooing, tutoring, depots for collecting dry cleaning and laundry, laundromats, warming and cooling centres, food banks, soup kitchens, drop-in centres, funeral homes, and the retail sale of products accessory to any service provided. For further clarity, a personal service use does not include veterinary facility uses, kennel uses, pet daycare uses, and crematorium uses.
- (170) **Pet Daycare Use** means premises where the daytime boarding and care of pets occurs, but excludes overnight boarding and a kennel use.
- (171) **Playground** means a landscaped area that contains play equipment, such as swings, slides, sandboxes, and jungle gyms.
- (172) **Portal** means an at-grade opening in a streetwall that provides a passage through the building to an unenclosed portion of the lot. A portal may be used for vehicular or pedestrian access, but is not a recessed pedestrian entrance.
- (173) **Portico** means an open space lined with columns, and covered by a roof, serving as a porch or transition space before the entrance to a building.
- (174) **Premises** means a structure or portions of a structure occupied by a use.
- (175) **Primary Residence** means a dwelling unit owned or rented, and occupied by an individual either alone or jointly with others, in which the individual is ordinarily a resident.
- (176) **Processing of Urban Agricultural Products** means activities associated with the chopping, packaging, pickling, or preserving of urban agricultural products.
- (177) **Professional Artist** means an artist who:
- (a) has proven, specialized training in an artistic field;
 - (b) is recognized as a professional by their peers who are working in the same artistic tradition; and

- (c) has a history of public presentation or publication.
- (178) **Professional Engineer** means an individual licensed by, and in good standing with, the Association of Professional Engineers of Nova Scotia.
- (179) **Projecting Sign** means a sign that (Diagram PG-23):
 - (a) projects horizontally from a supporting wall;
 - (b) is attached to the underside of a building; or
 - (c) is attached to a canopy.
- (180) **Public Art** means a permanent work of art planned and executed by a professional artist in any medium, material, media, or combination thereof, but excludes any corporate insignia.
- (181) **Public Building Use** means any municipal, provincial, or federal government owned building and includes any building owned by a corporation, board, commission, or other authority of the municipality, provincial government, or federal government.
- (182) **Quick Charging Station Use** means infrastructure used for the rapid charging of electrical vehicles.
- (183) **Quonset Hut** means a corrugated metal building with a wall that is not vertical, where the roof meets the foundation (Diagram PG-21).

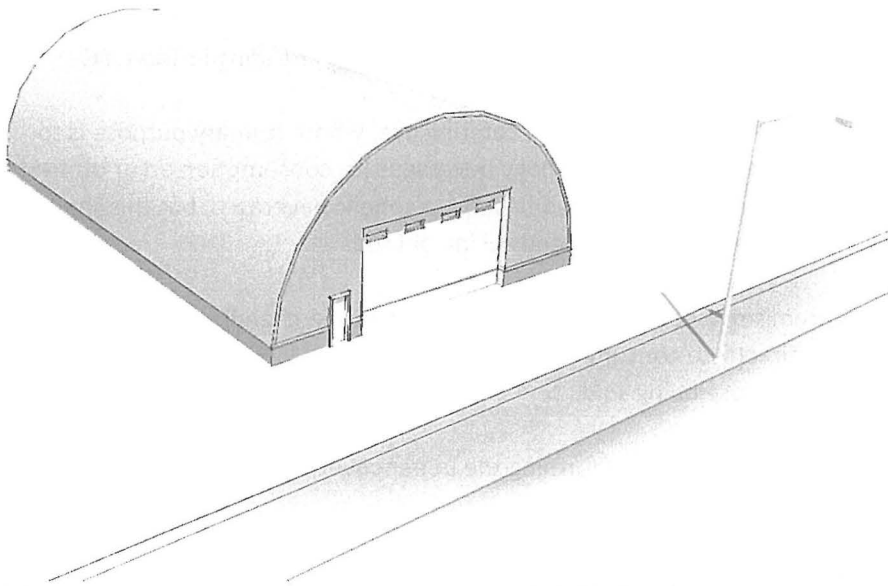


Diagram PG-21: Quonset Hut, per Subsection PG-238(183)

- (184) **Rear Lot Line** means the lot line farthest from or opposite to the front lot line, and which is not a flanking lot line.

- (185) **Rear Yard** means the yard extending across the full lot width, between the rear lot line and the nearest wall of any main building on the lot, excluding any area of the lot that is a flanking yard, as shown on Diagrams PG-27 and PG-28.
- (186) **Recessed Pedestrian Entrance** means a doorway that is recessed from the ground floor portion of the streetwall, but excludes a portal.
- (187) **Recreational Vehicle** means a vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, that either has its own motive power or is mounted on or drawn by another vehicle.
- (188) **Recycling Depot Use** means a collection site for materials in a municipal or provincial recycling program that is licensed by the Province, but excludes a scrapyard or salvage use.
- (189) **Religious Institution Use** means a place of worship, a place of religious gathering, or a columbarium, including accessory uses that are on-site, such as a rectory, a convent, a private school, a meeting hall, offices for administration of the institution, a daycare use, and a shelter use.
- (190) **Research and Development Facility Use** means premises used for scientific or technical research, analysis, experimentation, or prototyping, which may include laboratories, workshops, or an accessory chemical storage facility. For further clarity, a research and development facility use does not involve the manufacturing or processing of products for the purpose of retailing or wholesaling.
- (191) **Residential Use** means any use listed under the “**RESIDENTIAL**” heading in Table PG-1.
- (192) **Restaurant Use** means premises, excluding a catering use, whose primary purpose is to prepare, serve, and sell food and non-alcoholic beverages for consumption on or off the premises. A restaurant use may be licensed to serve alcoholic beverages, but this shall be incidental to the preparation, serving, and selling of food.
- (193) **Retail Use** means premises used for the selling or renting of merchandise, including second-hand goods, directly to consumers. A retail use may also include the servicing and repair of items like those being sold.
- (194) **Roof** means the portion of a structure forming the upper covering of that structure.
- (195) **Roof Slab** means a thick plate of concrete supported by beams or columns that provides a flat surface at the top of the structure.
- (196) **Salvage Use** means the collection, storage, and sale of waste materials. The collecting, dismantling, storage, salvaging, or sale of parts associated with motor vehicles, not in

running condition, are considered salvage uses. For clarity, an impounding yard is not considered a salvage use.

- (197) **School Use** means a public or private institution of learning for grades pre-primary to twelve.
- (198) **Secondary Suite Use** means a self-contained subordinate dwelling unit contained within a main dwelling unit.
- (199) **Self-Storage Facility Use** means premises in one building or a group of buildings that contain individually rented storage units.
- (200) **Semi-Buried Waste Management Container** means a receptacle:
 - (a) that is used for the storing of waste materials;
 - (b) that has a minimum of 50% of the volume of the receptacle buried underground; and
 - (c) where pickup occurs via a vehicle-mounted mechanism.
- (201) **Semi-Detached Dwelling Use** means two dwelling units, where each is located on an individual lot, but joined along a single lot line.
- (202) **Service Station Use** means premises used primarily for:
 - (a) the retailing of motor vehicle fuels, lubricants, motor vehicle accessories; or
 - (b) the electric charging of motor vehicles; andmay also include an accessory car wash use.
- (203) **Service Use** means a business whose primary function is call-out or dispatch work, such as exterminators, plumbers, carpet cleaners, locksmiths, electricians, tow trucks, landscapers, and taxis.
- (204) **Setback** means a required distance to a specified lot line or a transportation reserve boundary from an exterior wall of a building or a use at, above, or below grade (Diagram PG-22).

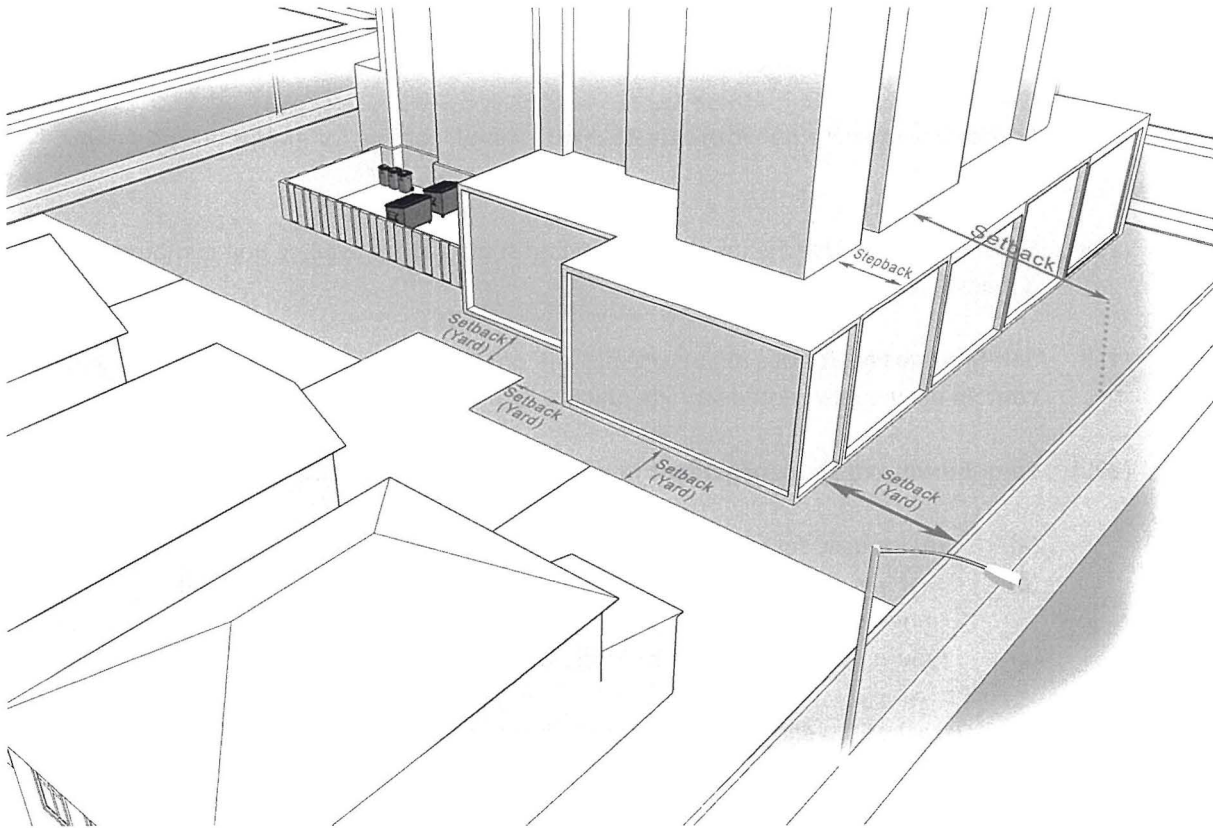


Diagram PG-22: Setback and stepback, per Subsections PG-238(204) and PG-238(224)

(205) **Shared Housing Use** means a use that contains 4 or more bedrooms and meets one or more of the following:

- (a) that are rented for remuneration as separate rooms for residential accommodation; or
- (b) that are operated by a non-profit organization or a registered Canadian charitable organization that provides support services to the occupants of the shared housing use.

A shared housing use includes a shared housing with special care but does not include a short-term rental use, short-term bedroom rental use, hotel, motel, or tourist accommodation that has the meaning assigned by the definition “roofed accommodation” in Clause 2(d) of the *Tourist Accommodations Registration Act*.

(206) **Shared Housing with Special Care** means a type of shared housing use that is designed to provide a level of care to residents with cognitive, physical, or behavioural limitations, and for further clarity, shared housing with special care may include individual dwelling units for occupants, and shall meet the definition of shared housing use.

- (207) **Shelter Use** means premises providing an individual with overnight sleeping accommodations, free of charge.
- (208) **Shipping Container** means a container originally designed for the use of storing and transporting cargo via ship, rail, air, or truck.
- (209) **Short-Term Bedroom Rental Use** means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals.
- (210) **Short-Term Rental Use** means a dwelling unit, or part thereof, that is used mainly for the reception of the traveling or vacationing public and is provided as temporary accommodation for compensation for a period of 28 days or less.
- (211) **Shrub** means a woody plant that has several main stems arising at or near the ground.
- (212) **Side Lot Line** means a lot line that is not a front, flanking, or rear lot line.
- (213) **Side Yard** means a yard between the front yard and the rear yard, and between the side lot line and the nearest exterior wall of any main building on the lot (Diagrams PG-27 and PG-28).
- (214) **Sign** means any structure 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. For further clarity, decorations or festival signage are not considered a sign.

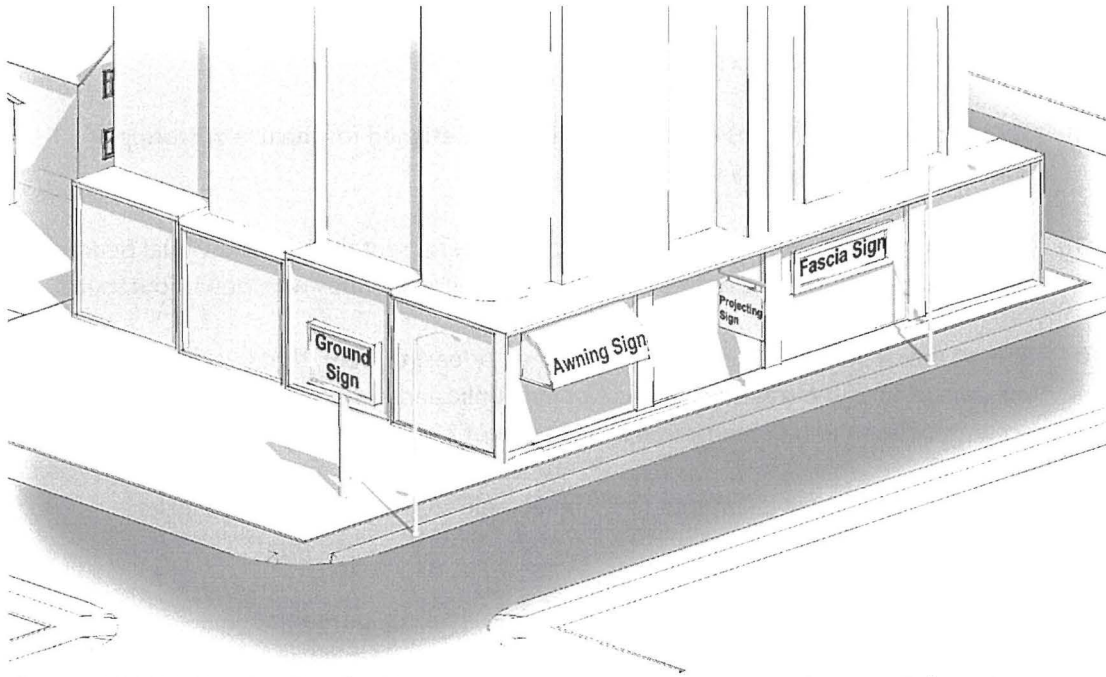


Diagram PG-23: Awning sign, fascia sign, ground sign, and projecting sign, per Subsections PG-238(19), PG-238(78), PG-238(95), and PG-238(179)

- (215) **Sign Area** means the area or portion of a sign, including internal holes or vacant spaces, upon which the advertising message is displayed, including those portions used for outlines or borders. Where letters, logos, or images are mounted or hung without backing, the area shall be determined based on the smallest geometric shape which contains the entire advertising message.
- (216) **Sign Height** means the vertical distance of a sign between the lowest point of grade directly below the sign and the highest point of the sign.
- (217) **Single-Unit Dwelling Use** means a detached building containing one dwelling unit. For further clarity, a single-unit dwelling use shall include a mobile dwelling.
- (218) **Sloped Roof** means a roof exceeding a pitch of 1/12 (rise to run).
- (219) **Small Shared Housing Use** means a shared housing use that contains no less than 4 and no more than 10 bedrooms.
- (220) **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.
- (221) **Soft Landscaping** means covered by water-permeable material or vegetation, such as trees, hedges, shrubs, flowers, grass, mulch, fruit and vegetable plants, sod, planter boxes, another vegetative groundcover, or a permeable vegetated grid system.

Excluding a swimming pool, a hot tub, or a water fountain, a water feature is considered soft landscaping.

- (222) **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. For further clarity, a solar collector excludes windows, unless the windows are treated with a photovoltaic film.
- (223) **Solid Waste Management Area** means an area of a building or a lot used for the storage of waste materials and separation into waste streams.
- (224) **Stepback** means a horizontal recess that breaks the vertical plane of an exterior wall on a main building (Diagram PG-22).
- (225) **Storage Yard Use** means the storage of equipment, merchandise, inventory, products, or materials outside a building that are not available for immediate sale, but excludes dealership uses and salvage uses.
- (226) **Storey** means a portion of building between a floor and another floor, or a floor and a ceiling. Any portion of a building partly below the finished grade abutting the building will not be deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the finished grade abutting the building.
- (227) **Street** means a public street, highway, road, lane, sidewalk, thoroughfare, bridge and square, and the curbs, gutters, culverts, and retaining walls in connection therewith. For additional clarity, a road listed on Schedule A of the *Regional Subdivision By-law* shall also be considered a street under the Planned Growth Schedule.
- (228) **Streetline** means any lot line dividing a lot from a street or private road.
- (229) **Streetwall** means the wall of a building, or the portion of a wall of a building that:
 - (a) faces the streetline or a transportation reserve; and
 - (b) is located below the height of a specified stepback; or
 - (c) where no specified stepback is required, the streetwall is the wall facing the streetline or a transportation reserve.

A streetwall shall not apply to any wall of a building, or the portion of a wall of a building that is located 30.0 metres or more from a streetline or transportation reserve.

- (230) **Streetwall Height** means the vertical distance between the finished grade abutting the building and the top of the streetwall, extending across the width of the streetwall (Diagram PG-24).

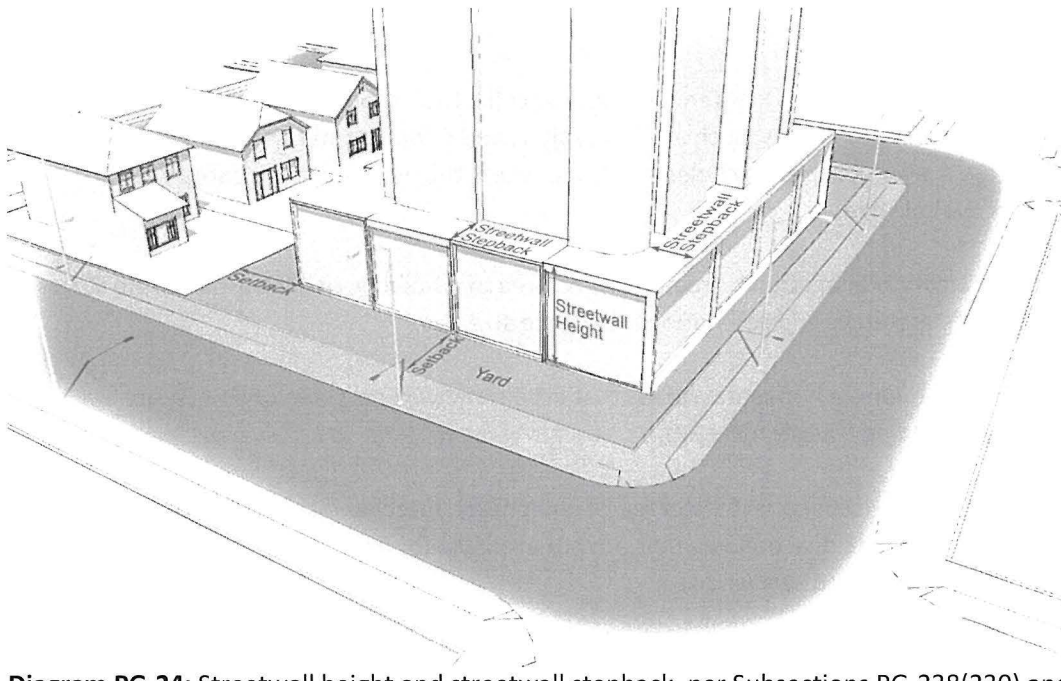


Diagram PG-24: Streetwall height and streetwall stepback, per Subsections PG-238(230) and PG-238(231)

- (231) **Streetwall Stepback** means the required setback of a building above a streetwall, measured from the face of the streetwall (Diagram PG-24).
- (232) **Structure** means everything that is erected, built, or constructed of parts joined together, and includes a building.
- (233) **Studio Use** means the commercial use of space for artistic or artisanal purposes, with or without instruction, but excludes any school use, college or university use, religious institution use, cultural use, personal service use, or home occupation use.
- (234) **Surveyor** means a land surveyor who is a registered member in good standing of the Association of Nova Scotia Land Surveyors.
- (235) **Tall Mid-Rise Building** means a main building that is greater than 26.0 metres in height, but not higher than 43.0 metres in height and thirteen habitable storeys.
- (236) **Tall Mid-Rise Typology** means a portion of a main building, above the height of a streetwall, or in the absence of a streetwall above a height of 14.0 metres, that:
 - (a) has an overall height from average finished grade to the top of the roof that is greater than 26.0 metres, but not higher than 43.0 metres;

- (b) is not connected above the height of the streetwall, or in the absence of a streetwall above a height of 14.0 metres, to any other portion of the building that would exceed a height of 43.0 meters from the average finished grade; and
 - (c) does not contain more than thirteen habitable storeys.
- (237) **Temporary Construction Use** means a use, which in the opinion of the Development Officer, is of limited duration and accessory to a development in progress, such as:
 - (a) work camps;
 - (b) construction camps;
 - (c) rock crushers;
 - (d) sales or rental offices;
 - (e) on-site construction management offices;
 - (f) tool or maintenance sheds; and
 - (g) shipping containers that serve as one of the foregoing.
- (238) **Temporary Use** means a use:
 - (a) that is:
 - (i) associated with a holiday or special event, or
 - (ii) accessory to a permitted main use;
 - (b) is 90 cumulative days or less in duration within any one calendar year; and
 - (c) excludes a temporary construction use.
- (239) **Three-Unit Dwelling Use** means a building containing three dwelling units on the same lot, but excludes a cluster housing use.
- (240) **Through Lot** means a lot with frontage on two or more streets, where frontages are not contiguous (Diagram PG-25).

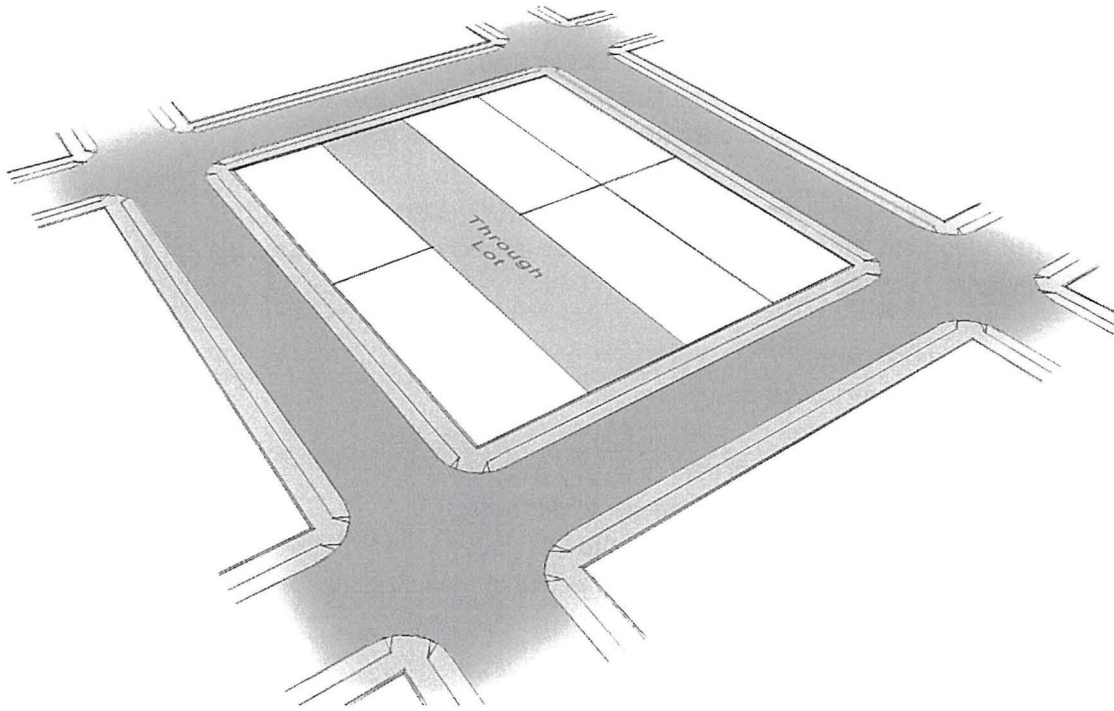


Diagram PG-25: Through lot, per Subsection PG-238(240)

- (241) **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.
- (242) **Tower Portion** means the portion of a high-rise building that:
 - (a) is located above the height of the streetwall; or
 - (b) in the absence of a streetwall, above a height of 14.0 metres.
- (243) **Townhouse Block** means a specified number of attached townhouse dwelling units permitted to form a group of townhouses, constructed in a row.
- (244) **Townhouse Dwelling Use** 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 an independent pedestrian entrance.
- (245) **Transportation Facility Use** means public or private transit facilities, bus stations, ferry terminals, and train stations, excluding storage yards and maintenance facilities.
- (246) **Turret** means a small projecting tower at the corner of a building, or above the roof of a larger tower, which is either circular or octagonal in plan view.

- (247) **Two-Unit Dwelling Use** means a building containing two dwelling units on the same lot, but excludes a cluster housing use.
- (248) **University or College Use** means a post-secondary institution that awards individuals with academic degrees, diplomas, or certificates in various disciplines, such as universities, community colleges, trade schools, career colleges, language schools, and culinary schools.
- (249) **Urban Agriculture Use** means any use listed under the “**URBAN AGRICULTURE**” heading in Table PG-1.
- (250) **Urban Farm Use** means:
- (a) the keeping of bees as an accessory use;
 - (b) the keeping of egg-laying hens as an accessory use; or
 - (c) the harvesting of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;
- undertaken by an owner, a community organization, or a commercial operator, including a community garden.
- (251) **Use** means:
- (a) the purpose for which a structure or land is used or occupied, or intended or designed to be used or occupied; or
 - (b) the conduct of an activity, or the performance of a function or operation, on a lot or in a structure.
- (252) **Utility Use** means structures, equipment, or materials used by a corporation, municipality, or other entity authorized to install and maintain energy, gas, water, or communication systems for public use.
- (253) **Variable Message Sign** means any advertising display that is capable of displaying digital content, projected content, or automatically changing content.
- (254) **Variance** means a variance under Sections 250 to 252 of the *Charter*.
- (255) **Veterinary Facility Use** means indoor premises designed or used for the care, observation, and treatment of ill or injured animals.
- (256) **Warehousing Use** means a building or part of a building used for the storage or the wholesale and distribution of manufactured products, supplies, or equipment, but excludes a wholesale food production use.

- (257) **Water Access Structure Use** means any structure connected to the shore that provides berthing for water-based vessels, including a dock and a wharf.
- (258) **Watercourse** means a lake, river, stream, ocean, or other natural body of water.
- (259) **Wholesale Food Production Use** means premises used for baking, preparing, processing, distributing, and wholesaling food products, but where over-the-counter or other retailing of food products is limited to an accessory retail outlet, and which excludes a catering use, a restaurant use, and the slaughtering of animals.
- (260) **Wholesale Use** means premises where merchandise is sold or distributed to retailers, industrial, commercial, or institutional users, or other wholesalers.
- (261) **Wind Energy Facility** means a wind energy conversion system to produce electricity, consisting of one or more roof mounted turbines or turbines at grade, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure, and transmission lines.
- (262) **Wind Turbine** means a wind energy conversion system that produces electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.
- (263) **Wind Turbine Height** means the distance measured from the average finished grade of a wind turbine to the highest point of the wind turbine rotor or tip of the wind turbine blade, when it reaches its highest elevation. In the case of a roof-mounted wind turbine, the distance measured from the building's average finished grade to the highest point of the wind turbine rotor or tip of the wind turbine blade, when it reaches its highest elevation (Diagram PG-26).

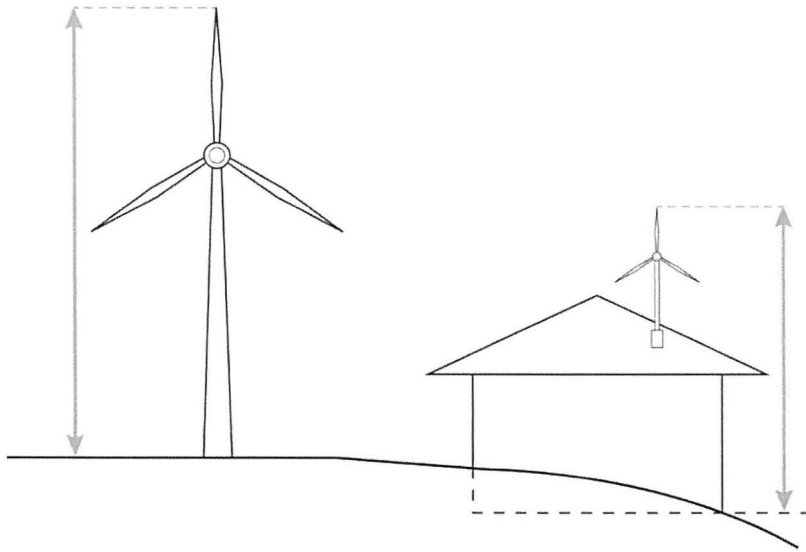


Diagram PG-26: Wind turbine height, per Subsection PG-238(263)

- (264) **Work-Live Unit Use** means premises that contains both a dwelling unit and a permitted commercial use or institutional use, but excludes a home occupation use and a home office use.
- (265) **Yard** means an open area at ground level that is uncovered by any main building, except those structural and building features permitted in Section PG-62.

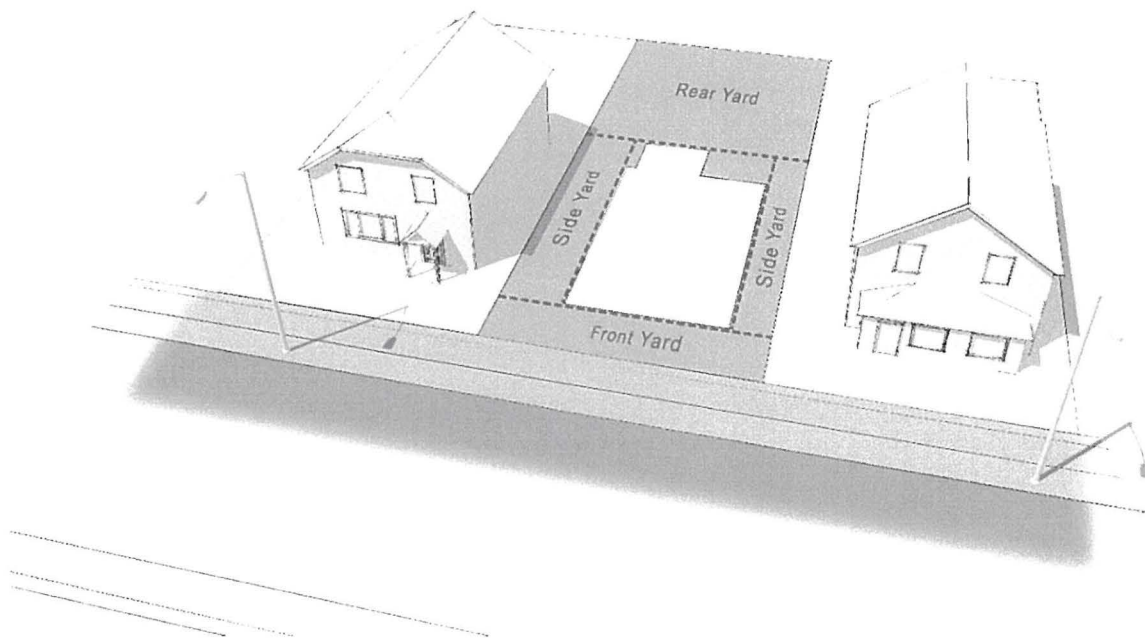


Diagram PG-27: Front yard, side yard, and rear yard, per Subsections PG-238(87), PG-238(185), and PG-238(213)

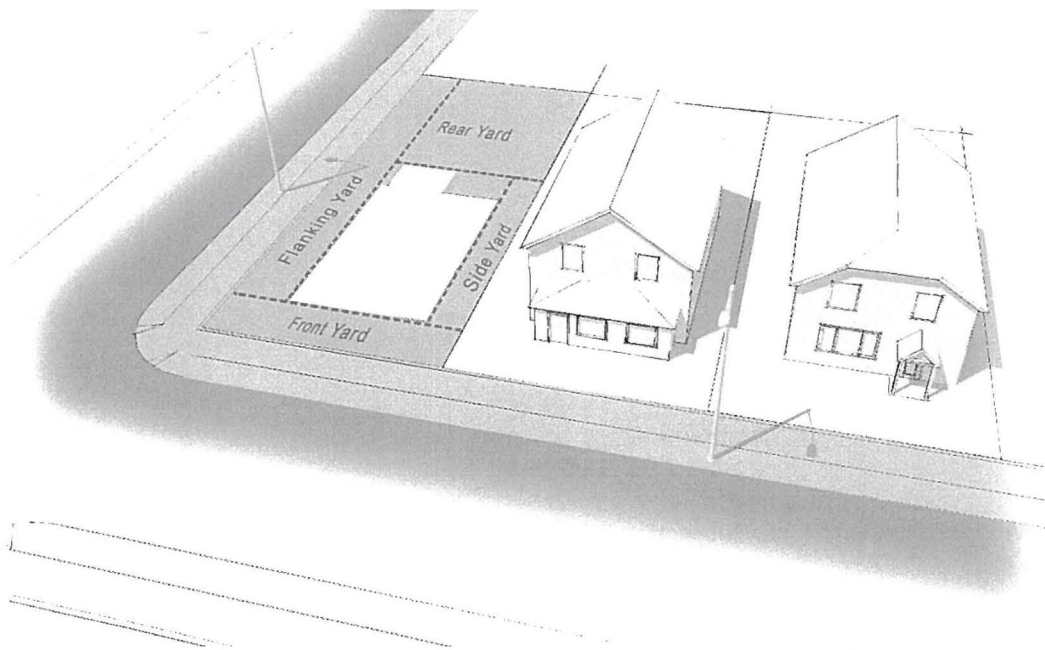


Diagram PG-28: Front yard, flanking yard, side yard, and rear yard, per Subsections PG-238(82), PG-238(87), PG-238(185), and PG-238(213)

- (266) **Zone** means any area identified on Schedule PG-2 or on a land use schedule contained within a development agreement for a portion of the Bedford West Sub-Areas 1 and 12 Lands.

APPENDICES

Appendix PG-1: Pedestrian Wind Impact Assessment Protocol

Background

This protocol provides guidance for the preparation and review of pedestrian wind impact assessments, including detailed assessment methodologies and local wind climate data, as well as wind mitigation measures. It is intended to ensure enhanced consistency and accountability in the development approval process.

Buildings taller than their immediate surroundings are exposed to stronger winds at higher elevations. These winds can be redirected down by building walls and can subsequently accelerate around exposed building corners and along the gaps between buildings, resulting in high wind activity in pedestrian areas (Diagram PGA1-1).

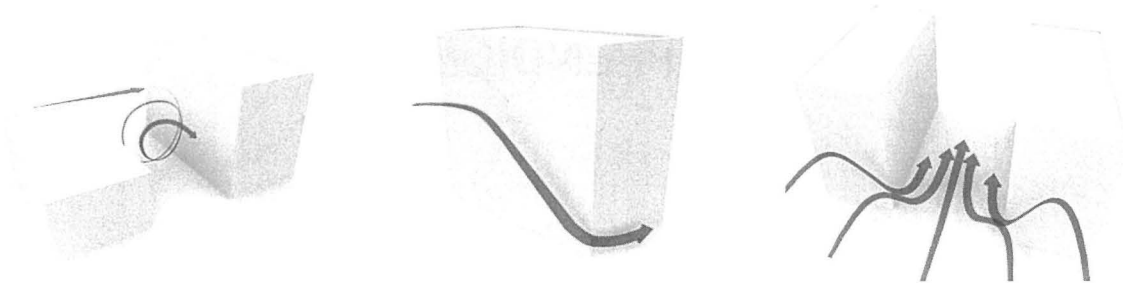


Diagram PGA1-1: Typical wind flow patterns around buildings

Increased wind speeds may affect pedestrian comfort and safety on and around a proposed development and, therefore, a project's success. The potential wind impact can be assessed through an experience-based review and computer simulations. If a negative wind impact is predicted, mitigation strategies shall be developed.

Qualitative Assessments

When an application is made for a new building or an addition to an existing building higher than 20.0 metres, a pedestrian wind impact assessment shall be conducted. Table PGA1-1 shall be used as a guide in the determination of an appropriate assessment approach for the proposed development.

A qualitative assessment of wind conditions, including a letter of opinion and a desktop analysis, is largely based on wind consultants' knowledge of wind flows around buildings, local wind climate, and experience with wind tunnel tests on similar building projects in the Halifax Regional Municipality. A desktop analysis may involve using numerical tools to predict wind conditions around simplified building forms. It may also use Computational Fluid Dynamics (CFD) software to visualize the flow patterns for select (or all) wind directions (Diagram PGA1-2).

The qualitative assessments shall cover key pedestrian areas on the development site and around the adjacent street blocks, typically including building entrances, sidewalks/walkways, bus stops, outdoor restaurant uses, parks, playgrounds, roof terraces, and so on.

Table PGA1-1: Assessment Approach According to the Proposed Building Height

Proposed building height	Assessment approach
20 to 40 metres, with the same or taller surroundings	An experience-based letter of opinion sufficient to: (a) identify any building design issues; and (b) provide conceptual solutions for wind control, where needed.
20 to 40 metres, with lower surroundings	For a qualitative assessment and to provide wind mitigation strategies, an experience-based desktop analysis using numerical tools, including CFD.
> 40 metres	For a qualitative assessment and to provide wind mitigation strategies, an experience-based desktop analysis using numerical tools, including CFD.

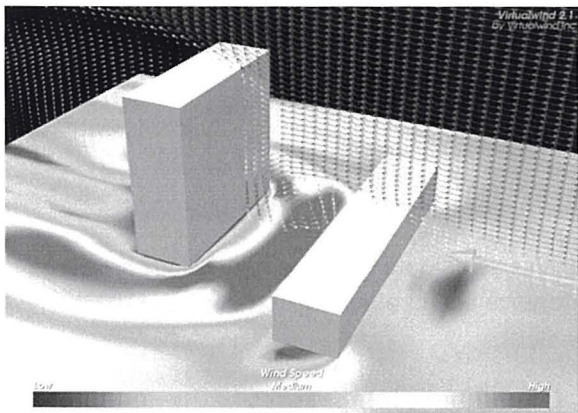


Diagram PGA1-2: An example of computer simulation (CFD) of wind flows around buildings

The assessment of pedestrian-level wind conditions should be conducted as early as possible, when building massing can still easily be altered for wind control, if necessary.

Local Wind Climate Data

Long-term data from Shearwater Airport (Diagram PGA1-3) shall be used as a reference for the wind assessment of projects in the Halifax Regional Municipality. The data shall be grouped into two seasons: summer (May to October) and winter (November to April), to account for the distinct differences in pedestrian outdoor activity during these two periods.

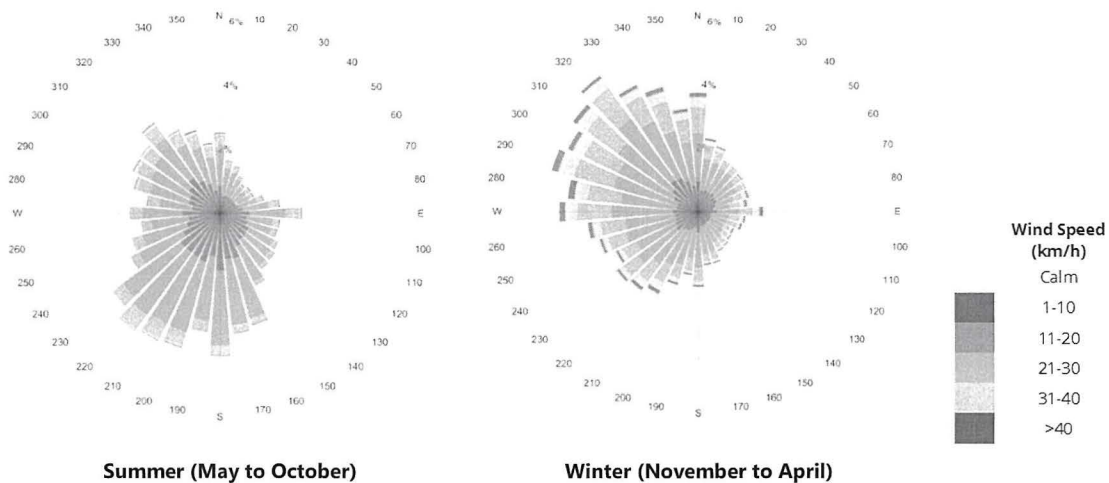


Diagram PGA1-3: Seasonal distribution of winds approaching Shearwater Airport (1988–2017)

To obtain full-scale wind speeds and exceedance frequencies, wind data measured at the airport over the latest 30 years (or longer) shall be converted to a reference height above the study site and combined with the wind speeds predicted by desktop analysis.

Mitigation Strategies

Wind mitigation may be required for areas where wind conditions are unsuitable for an intended pedestrian use. The most effective wind control measures involve adjustments to the building early in the design process (e.g., massing, shape, and orientation changes) that respond to the local wind climate. These can be assisted by tower setbacks, large podiums, tower shapes, corner articulations, colonnades/arcades, and so on, as illustrated by photos in Diagram PGA1-4.

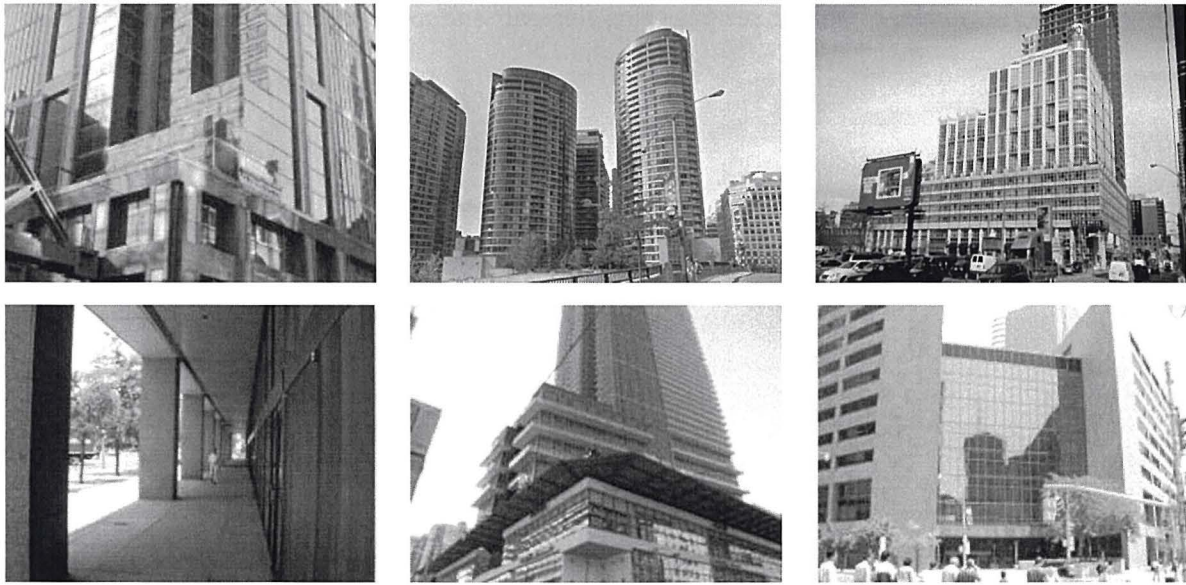
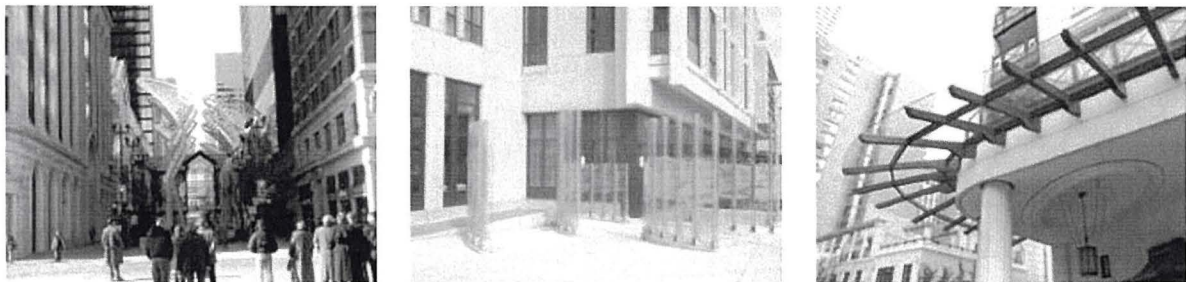


Diagram PGA1-4: Examples of large-scale wind control features

Smaller-scale measures such as canopies, trellises, wind screens, and street-level public art can also be used for local wind control. Soft landscaping elements, especially coniferous and marcescent species, are commonly used to reduce wind conditions to appropriate levels throughout the year; deciduous soft landscaping is most effective during the summer months. The use of soft landscaping for wind control requires consideration of species, size, and viability in the predicted local microclimate (i.e., sustainability in a windy environment). Diagram PGA1-5 shows several examples of design and soft landscaping features used for wind control.



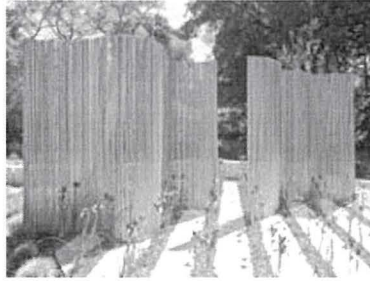


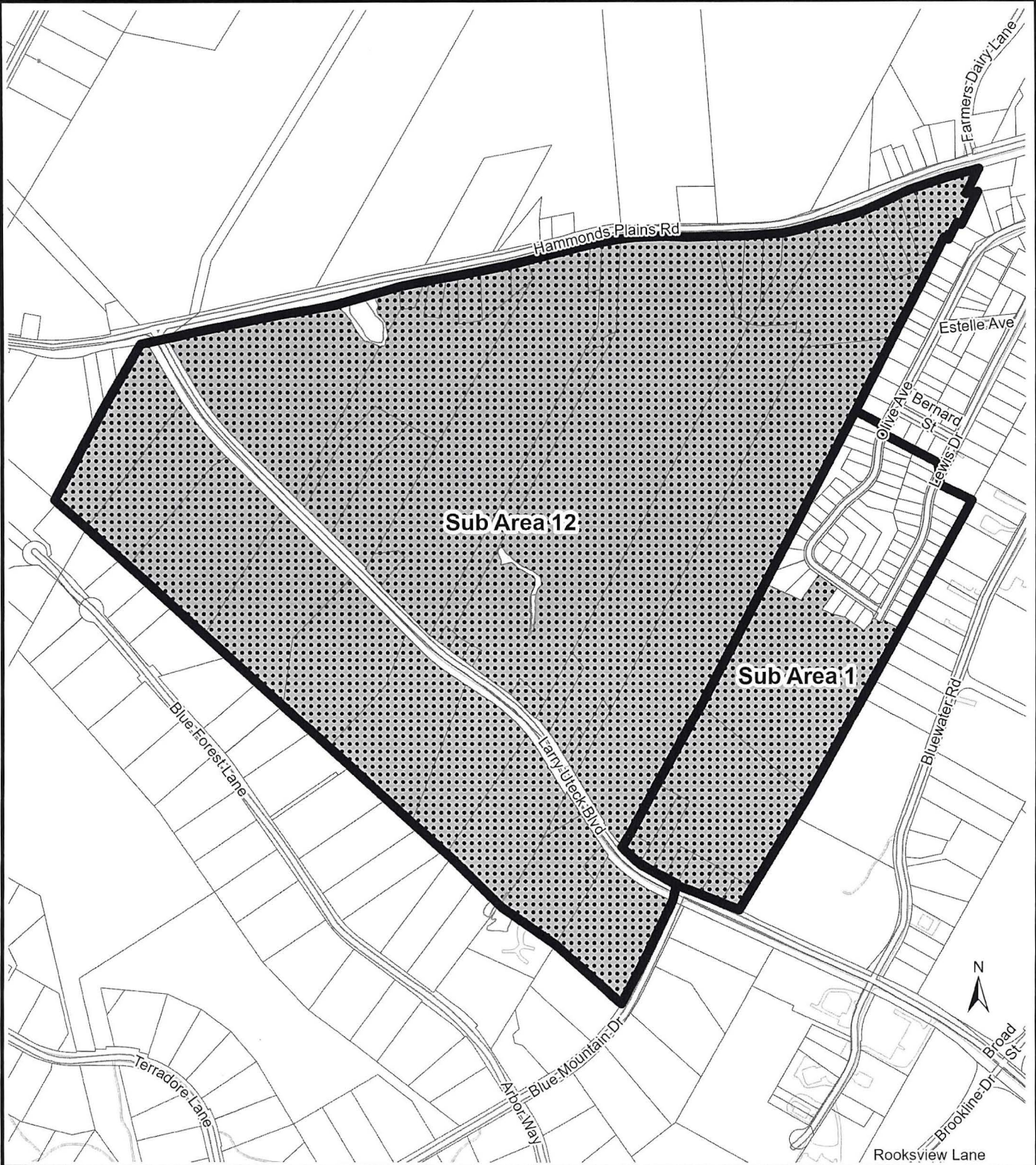
Diagram PGA1-5: Examples of smaller-scale building elements and soft landscaping features for wind control.

Appendix PG-2: Invasive or Highly Toxic Plant Species

The following plant materials are considered invasive or highly toxic species under the Planned Growth Schedule:

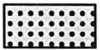
Number	Common Name	Latin Nomenclature (Genus, Species)
1	Belladonna	<i>Atropa belladonna</i>
2	Coltsfoot	<i>Tussilago farfara</i>
3	Common Burdock	<i>Arctium minus</i>
4	Giant Hogweed	<i>Heracleum mantegazzianum</i>
5	Goutweed	<i>Aegopodium podagraria</i>
6	Himalayan Balsam (aka Policeman's Helmet)	<i>Impatiens glandulifera</i>
7	Japanese Knotweed	<i>Polygonum cuspidatum</i>
8	Multiflora Rose (aka Rambler Rose)	<i>Rosa multiflora</i>
9	Purple Loosestrife	<i>Lythrum salicaria</i>
10	Scotch Broom	<i>Cytisus scoparius</i>
11	Wild Parsnip	<i>Pastinaca sativa</i>
12	Yellow Floating Heart	<i>Nymphoides peltatum</i>
13	Japanese Barberry	<i>Barberis thunbergii</i>
14	Garlic Mustard	<i>Alliaria petiolata</i>
15	Glossy Buckthorn	<i>Frangula alnus</i>
16	Oriental Bittersweet	<i>Celastrus orbiculatus</i>
17	Common Horsetail	<i>Equisetum arvense</i>
18	Marsh Horsetail	<i>Equisetum palustre</i>

Schedules



Schedule PG-1: Bedford West Sub-Areas 1 and 12 Boundary

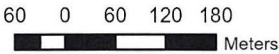
HALIFAX



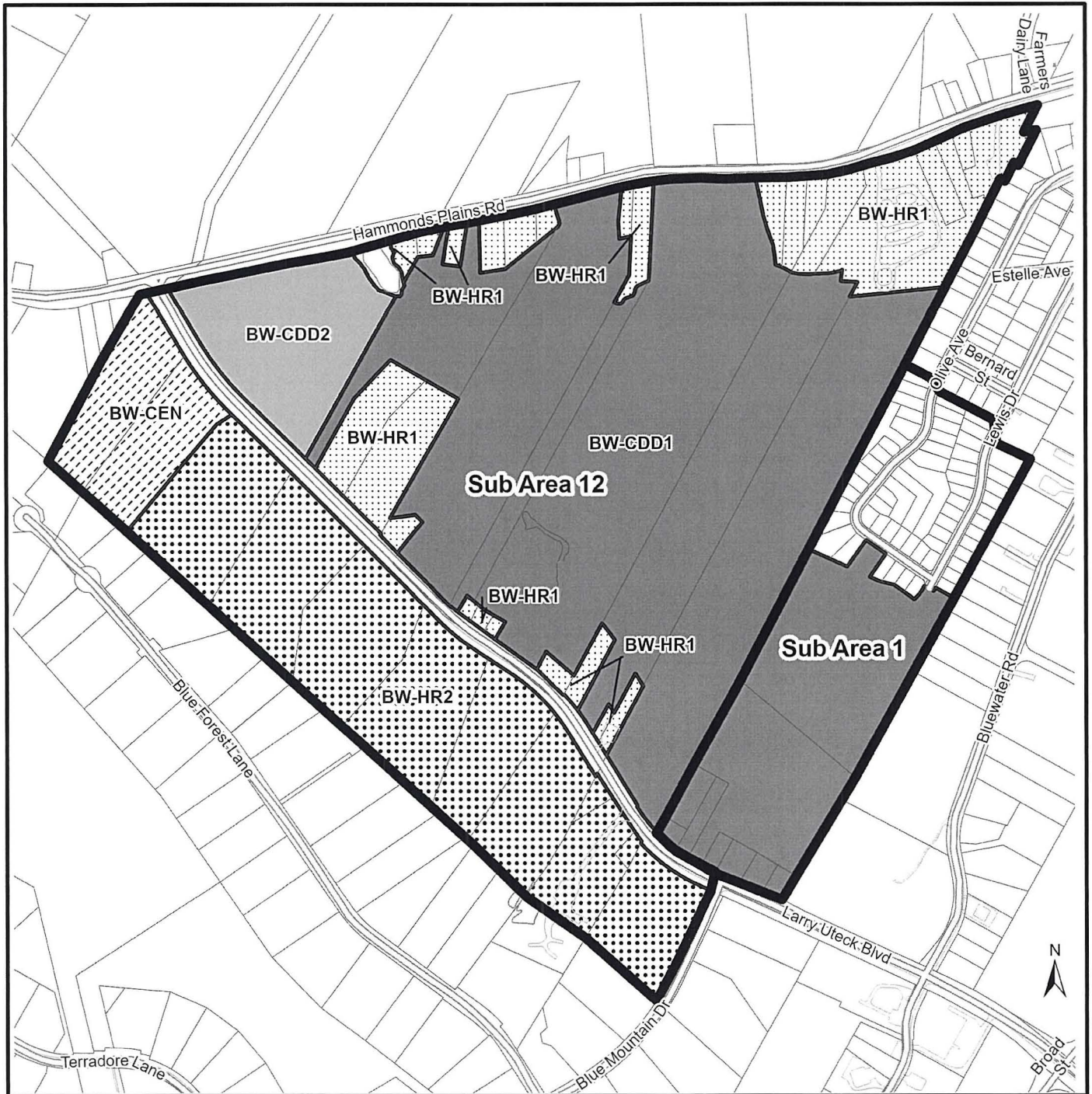
Subject Area



Bedford West Sub Areas 1 and 12



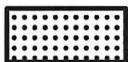
The accuracy of any representation on this plan is not guaranteed.



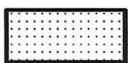
Schedule PG-2: Zone Boundaries



(BW-CEN) Bedford West - Centre



(BW-HR2) Bedford West - Higher-Order Residential 2



(BW-HR1) Bedford West - Higher-Order Residential 1



(BW-CDD2) Bedford West - Comprehensive Development District 2

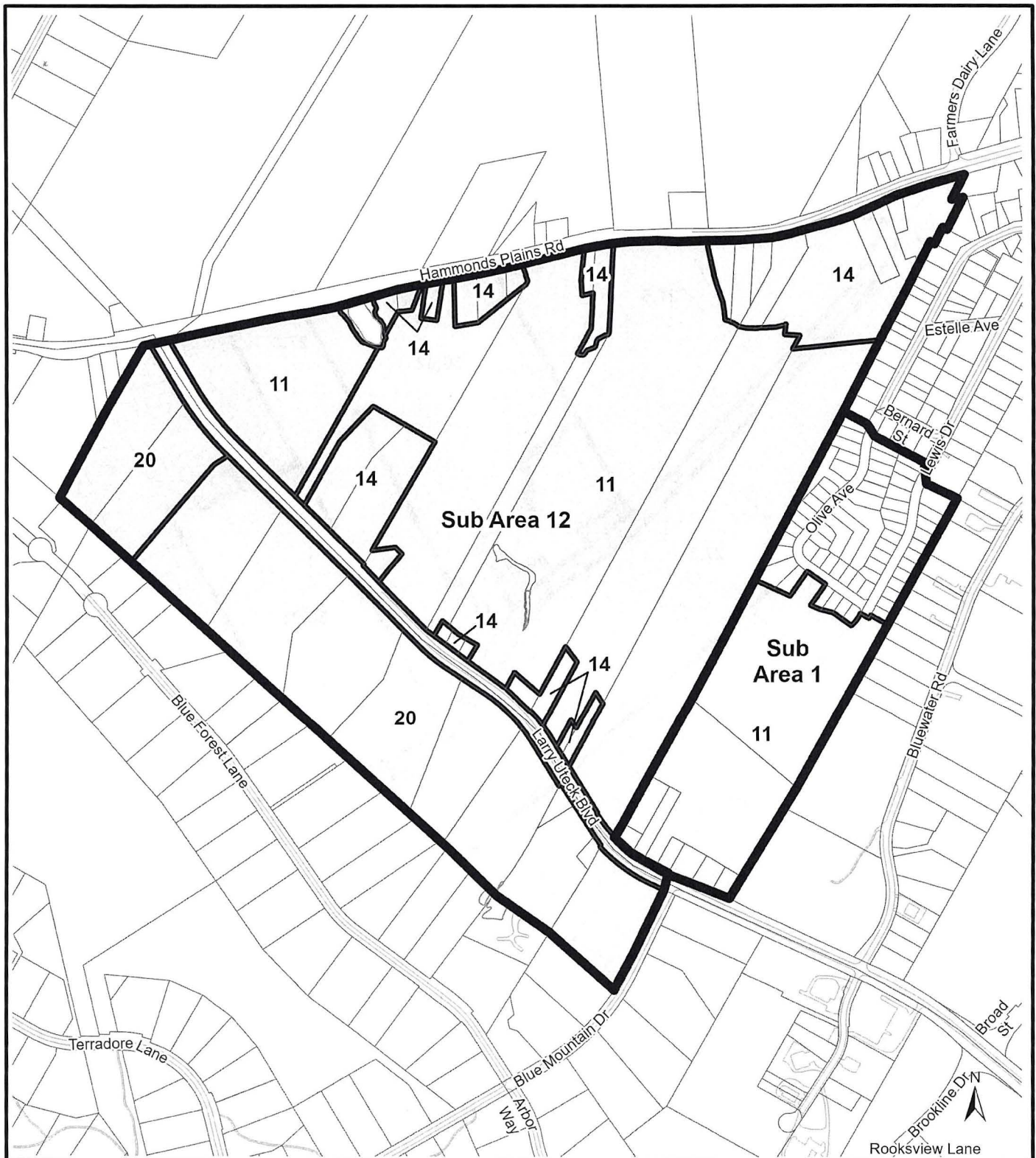


(BW-CDD1) Bedford West - Comprehensive Development District 1

HALIFAX

60 0 60 120 180
Meters

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



Schedule PG-3: Maximum Building Height Precincts

HALIFAX



Maximum Building Height Precincts (m)

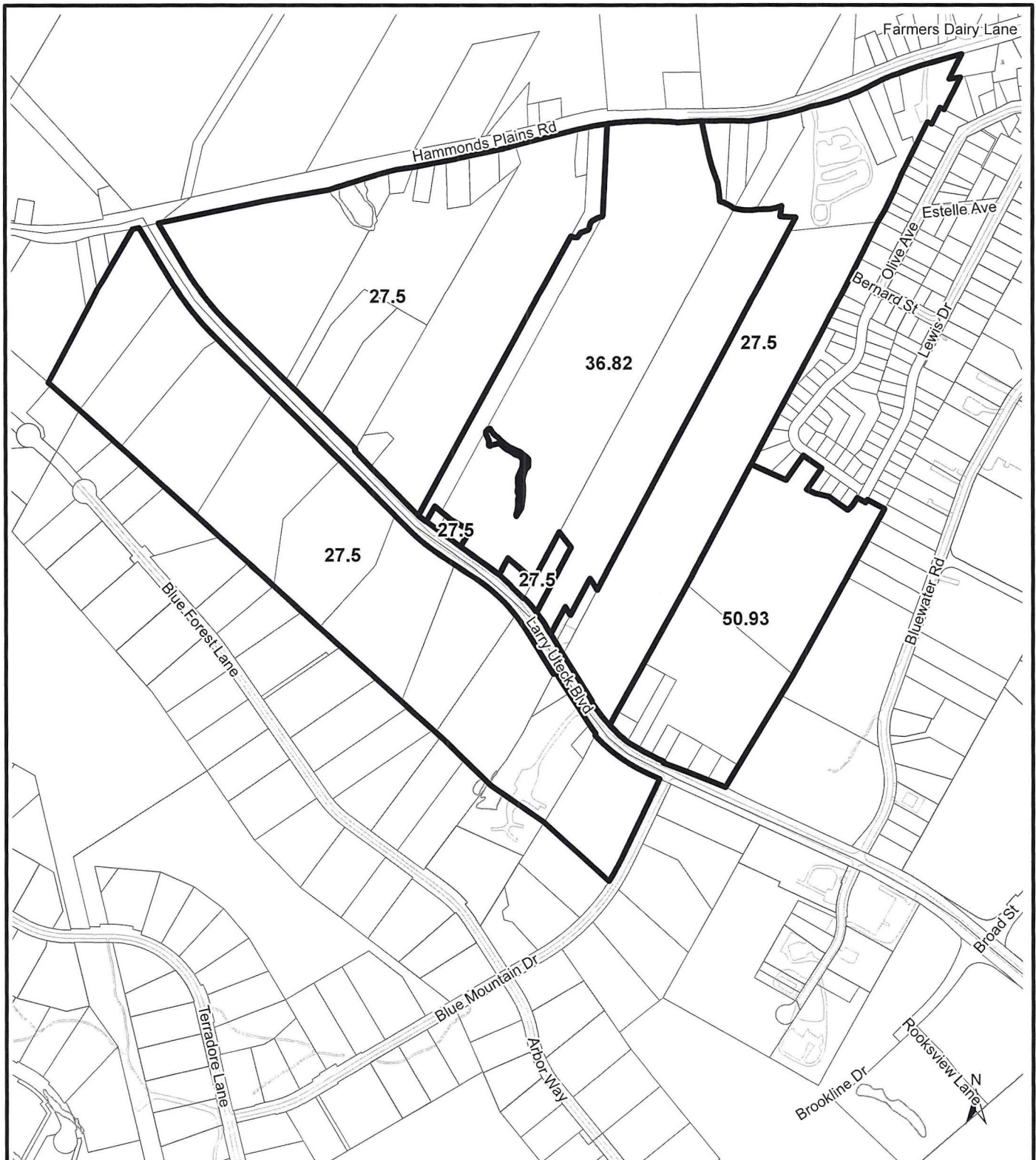
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Effective:

Case 23307

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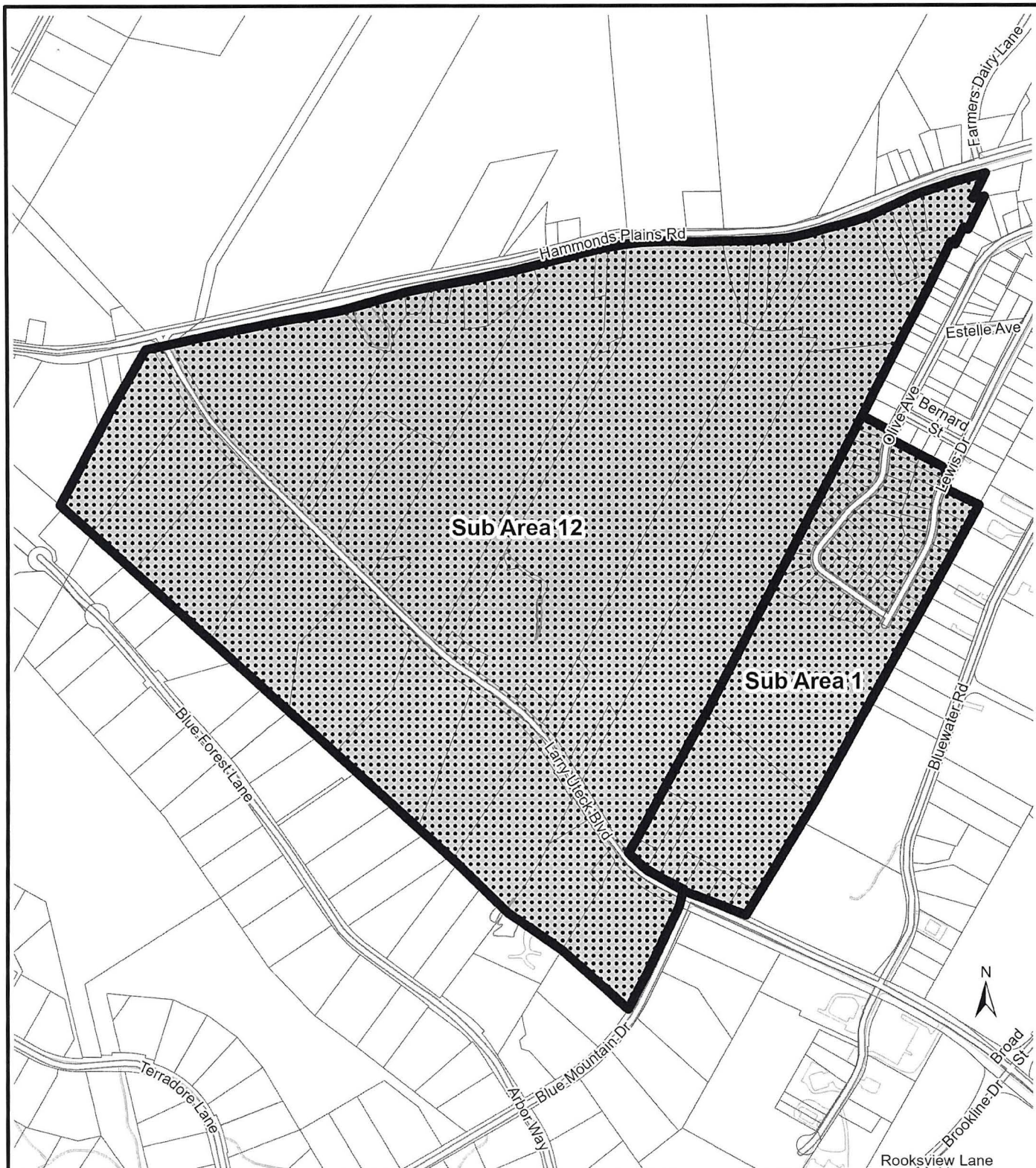


Schedule PG-4: Maximum Population Density (People per Acre)

HALIFAX

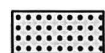
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Meters

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



Schedule PG-5: Bedford West Wind Energy Overlay Zone Boundaries

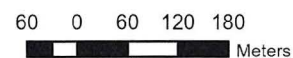
HALIFAX



Restricted Zone (R)



Bedford West Sub Areas 1 and 12

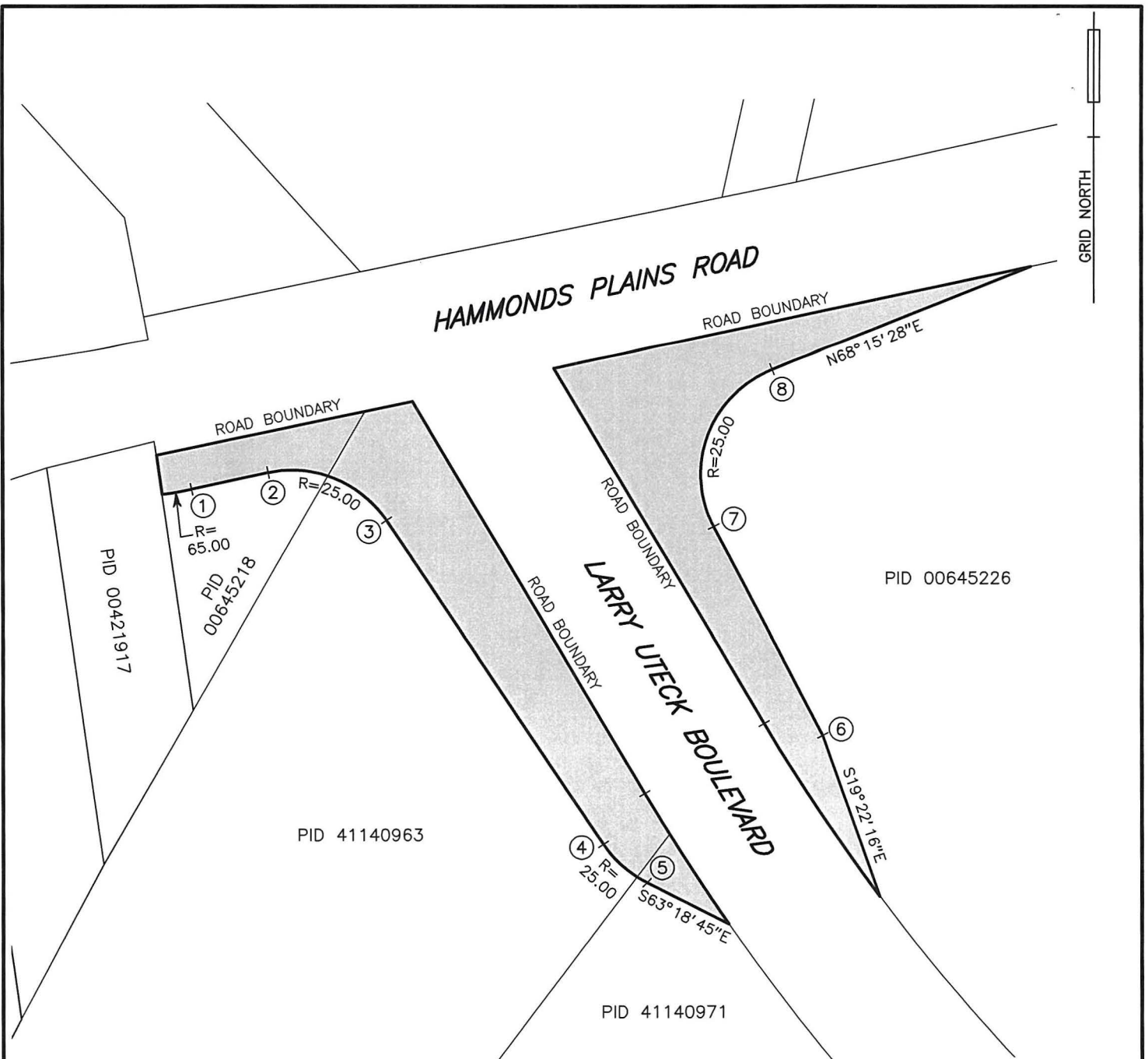


The accuracy of any representation on this plan is not guaranteed.

Effective:

Case 23307

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NOTES:

1. BEARINGS AND COORDINATES REFER TO ZONE 5, CENTRAL MERIDIAN 64°30' WEST, OF THE NOVA SCOTIA 3°MTM PROJECTION OF THE NAD83(CSRS) 2010.0 HORIZONTAL REFERENCE FRAME.

** Minimum front or flanking setback shall be 1.5m from the TR

COORDINATE LIST:

1	N	4,954,015.815	E	25,560,850.788
2	N	4,954,019.476	E	25,560,867.699
3	N	4,954,008.886	E	25,560,893.805
4	N	4,953,937.318	E	25,560,941.399
5	N	4,953,928.825	E	25,560,950.988
6	N	4,953,961.421	E	25,560,989.750
7	N	4,954,007.420	E	25,560,965.819
8	N	4,954,042.180	E	25,560,978.737

HALIFAX

BEDFORD LAND USE BYLAW
LARRY UTECK BOULEVARD &
HAMMONDS PLAINS ROAD
TRANSPORTATION RESERVE

DATE
9/01/2023

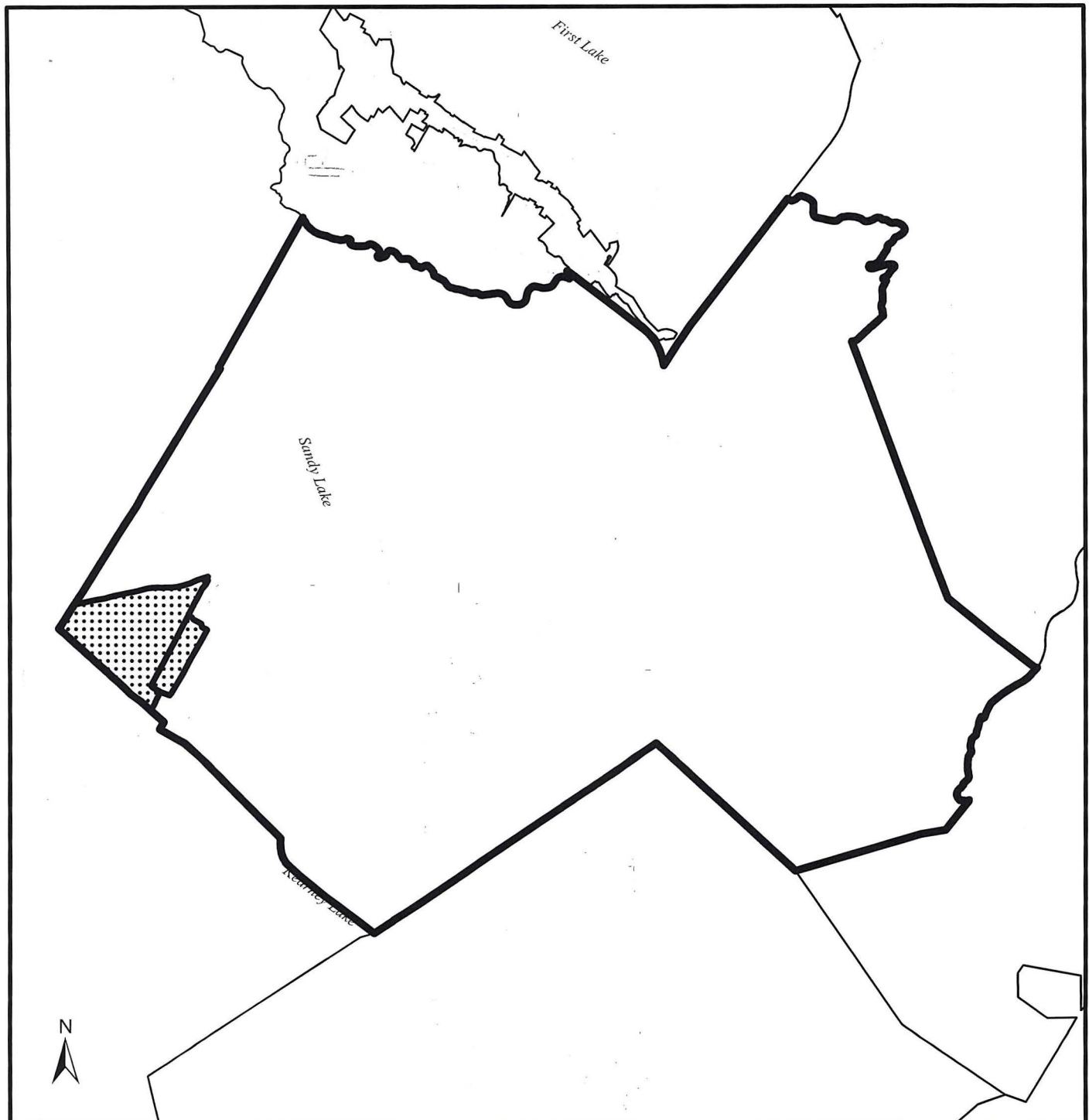
SCHFDULE

APPROVED

SCALE
1 : 1250



PG-6

FIG. NO.



SCHEDULE C: Lands Subject to Interim Bonus Zoning Requirements
Attachment. B-3

HALIFAX

-  Subject Lands (see Schedule C Table 1)
-  Bedford West Sub-Areas 1 and 12 Boundary

0 1 2 Kilometers



Bedford

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

ATTACHMENT C:
Proposed Development Agreement –
MICCO WBHL DEVELOPMENTS GP LIMITED

THIS AGREEMENT made this ____ day of ____, 2023,

BETWEEN:

[LANDOWNER]

a body corporate, in the Province of Nova Scotia

(hereinafter called the "Developer")

- and -

HALIFAX REGIONAL MUNICIPALITY

a municipal body corporate, in the Province of Nova Scotia

(hereinafter called the "Municipality")

WHEREAS the Developer is the registered owner of certain lands identified as a portion of Bedford West Sub-Area 1, PID# 00416909, 00645309, 00645317, 00645325, 00645341, 00645358, 00645366, 00645374, and 40301368, and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer has requested that the Municipality enter into a Development Agreement to allow for subdivision and development of the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter*, and pursuant to the Policies of the Bedford Municipal Planning Strategy and the Bedford West Secondary Planning Strategy, and the Planned Growth Schedule (Schedule PG) under the Bedford Land Use By-law;

AND WHEREAS on March 24, 2022, the Minister of Municipal Affairs and Housing for the Province of Nova Scotia under Section 15 of Chapter 21 of the Acts of 2021, the *Housing in the Halifax Regional Municipality Act* designated the Lands as a Special Planning Area for the purpose of accelerating housing developments in the Municipality;

AND WHEREAS the Developer had requested that the Municipality amend the Bedford Land Use By-law and enter into a development agreement to allow the commencement of mass site works for the Lands prior to the approval of a development agreement to allow the construction of a mixed-use residential and commercial development on the Lands;

AND WHEREAS on July 11, 2023, the Minister of Municipal Affairs and Housing for the Province of Nova Scotia approved an amendment to the Bedford Land Use By-law and entered into a development agreement on the Lands to enable site clearing and grading in advance of rendering a decision on this request, referenced as municipal case PLANAPP 2023-00799;

AND WHEREAS on _____, _____, the Minister of Municipal Affairs and Housing for the Province of Nova Scotia approved this request to enter into a development agreement, referenced as **Municipal Case Number 23307** (hereinafter called the "Agreement");

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION

1.1 Applicability of Agreement

- 1.1.1 The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

1.2 Applicability of Land Use By-law and Subdivision By-law

- 1.2.1 Except as otherwise provided for herein, the development, use and subdivision of the Lands shall comply with the requirements of the applicable Land Use By-law and the Regional Subdivision By-law, as amended from time to time.
- 1.2.2 Variances to the requirements of the applicable Land Use By-law shall be permitted in accordance with the *Halifax Regional Municipality Charter*.

1.3 Applicability of Other By-laws, Statutes and Regulations

- 1.3.1 Further to Section 1.2, nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner or any other person from complying with the requirements of any by-law of the Municipality applicable to the Lands, or any statute or regulation of the Provincial/Federal Government and the Developer or Lot Owner agree(s) to observe and comply with all such laws, by-laws and regulations, as may be amended from time to time, in connection with the development and use of the Lands.
- 1.3.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer except as provided for by an Implementation Plan approved by the Nova Scotia Utility and Review Board or for projects covered through the Bedford West Capital Cost Contribution Program. All design drawings and information shall be certified by a Professional Engineer or appropriate professional as required by this Agreement or other approval agencies.

1.4 Conflict

- 1.4.1 Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Lands or any provincial or federal statute or regulation (other than the land use by-law to the extent varied by this Agreement), the higher or more stringent requirements shall prevail.
- 1.4.2 Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

1.5 Costs, Expenses, Liabilities and Obligations

- 1.5.1 The Developer shall be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all Federal, Provincial and Municipal laws, by-laws, regulations and codes applicable to the Lands.

1.6 Provisions Severable

- 1.6.1 The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

1.7 Lands

- 1.7.1 The Developer hereby represents and warrants to the Municipality that the Developer is the owner of the Lands and that all owners of the Lands have entered into this Agreement.

PART 2: DEFINITIONS

2.1 Words Not Defined under this Agreement

- 2.1.1 All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law and Regional Subdivision By-law, if not defined in these documents their customary meaning shall apply.

PART 3: USE OF LANDS, SUBDIVISION AND DEVELOPMENT PROVISIONS

3.1 Schedules

- 3.1.1 The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, conforms with the following Schedules attached to this Agreement and filed in the Halifax Regional Municipality as **Case Number 23307**:

Schedule A	Legal Description of the Lands
Schedule A-1	Ownership Plan
Schedule B-1	Land Use Concept Plan
Schedule B-2	Maximum Building Height Precinct
Schedule B-3	Parkland & Utility Plan
Schedule C	Phasing Plan
Schedule D	Non-Disturbance Areas
Schedule E	Collector Cross Section

3.2 General Description of Land Use

- 3.2.1 The use(s) of the Lands permitted by this Agreement are the following:
- (a) A residential subdivision consisting of a variety of housing types and supporting uses permitted within the zones identified on Schedule B-1 and Table PG-1 of the Planned Growth Schedule (Schedule PG) under the Bedford Land Use By-law.
 - (b) All site design, maximum building height, and building design requirements established under the Planned Growth Schedule (Schedule PG) of the Bedford Land Use By-law shall apply, unless otherwise stated in this Agreement.
 - (c) The baseline maximum population density for the Lands within Sub-Area 1 shall be 1,423 persons. All baseline population density in persons per acre (ppa) shall be as detailed in the Planned Growth Schedule (Schedule PG) of the Bedford Land Use By-law. Additional population beyond the baseline maximum population density may be transferred into the Lands from other Sub-Areas subject to Clause 3.2.1 (e).
 - (d) The total population density based on land use in 3.2.1 (c) shall be calculated using Table 1, as follows:

Table 1		
Land Use		Population Density
Residential	Single-unit dwelling use, a semi-detached dwelling use, a two-unit dwelling use, a townhouse dwelling use, or a cluster housing use	3.35 persons per unit
	Three-unit, four-unit, and multi-unit dwelling use	2.25 persons per unit
	Secondary suite use or a backyard suite use	0 persons per unit
Commercial	General commercial	50 persons per acre
	Mixed use business campus uses	40 persons per acre
	Local commercial	30 persons per acre
Institutional	Community facility and institutional uses	30 persons per acre

- (e) Population may be transferred from other properties in Bedford West into the Lands, subject to:
- A substantive amendment to this Agreement if the transferred density into Sub-Area 1 exceeds the limit under Clause 6.1.1(d); or
 - A non-substantive amendment to this Agreement if the transferred density into Sub-Area 1 is within the limit under Clause 6.1.1(d); and
 - an updated tracking sheet that must be provided for both tracking sheets for the originating and receiving properties. If multiple landowners are involved in a transfer of density, the density tracking sheet required in Section 3.3.2 shall be accompanied by a written acknowledgement of the transferring landowner.
- (f) Population may be transferred from the Lands to other properties in Bedford West, or between properties within the Lands, without requiring an amendment to this Agreement, subject to an updated tracking sheet that must be provided for both the originating and receiving properties. If multiple landowners are involved in a transfer of density, the density tracking sheet required in Section 3.3.2 shall be accompanied by a written acknowledgement of the transferring landowner.
- (g) Dwelling unit and population calculations shall be adjusted by the number of dwelling units or population transferred in or out of this Agreement as per Clauses 3.2.1 (d), (e), and (f) of this Agreement.
- (h) The boundary between land use areas shown on Schedule B-1 shall be interpreted by the Development Officer to follow the nearest property lines or centre line of new roads following final subdivision approval;
- (i) Notwithstanding Clause 3.2.1(a), the boundary of non-disturbance areas identified on Schedule D may not be interpreted to follow property lines or centre lines of new roads, unless confirmed by a Nova Scotia Land Surveyor that the location of the area identified as BW-CON conflicts with the boundary of the Conservation Feature; and
- (j) Notwithstanding the Land Use By-law, where lands are shown as BW-CH Zone on Schedule B-1, the Development Officer shall permit low density residential uses subject to the requirements of the BW-LDR Zone.

3.3 Requirements Prior to Approval

- 3.3.1 With the exception of early tree removal and grubbing, prior to commencing any additional site work, such as blasting and earthworks, other than that required for preliminary survey purposes and off-site works, the Developer shall:

- (a) have an issued Design Approval;
- (b) submit a detailed Erosion and Sedimentation Control Plan prepared by a Professional Engineer to the Municipality. The plan shall comply with the Erosion and Sedimentation Control Handbook for Construction Sites as prepared and revised from time to time by Nova Scotia Environment. Notwithstanding other Sections of this Agreement, no work is permitted on the site until the requirements of this clause have been met and implemented;
- (c) provide confirmation to the Development Officer that Non-disturbance Areas, identified on Schedule D, have been delineated on the Lands;
- (d) have been issued a Grade Alteration Permit in accordance with By-law G-200 Respecting Grade Alteration and Stormwater Management Associated with Land Development, as amended from time to time; and
- (e) have been issued a Blasting Permit in accordance with By-law B-600 Respecting Blasting, as amended from time to time, if applicable.

3.3.2 Every subdivision application and development permit application shall include a unit and population density tracking sheet, consistent with Table 1 of this Agreement, prepared by the Developer, identifying the total number of dwelling units and associated population approved or proposed within the Lands, in compliance with Clauses 3.2.1(d), (e), (f) and (g).

3.3.3 Notwithstanding any other provision of this Agreement, the Developer shall not occupy or use the Lands for any of the uses permitted by this Agreement unless an Occupancy Permit has been issued by the Municipality. No Occupancy Permit shall be issued by the Municipality unless and until the Developer has complied with all applicable provisions of this Agreement and the Land Use By-law (except to the extent that the provisions of the Land Use By-law are varied by this Agreement) and with the terms and conditions of all permits, licenses, and approvals required to be obtained by the Developer pursuant to this Agreement.

3.3.4 Development of the Lands shall be completed in general conformance with the Phasing Plan presented on Schedule C. The Lands shall be permitted to be subdivided with alternative phasings, lot configurations and creating additional lots beyond the blocks shown on Schedule B-1, as per the requirements of the Bedford Land Use By-law, and the Regional Subdivision By-law, as may be amended from time to time.

3.3.5 Development of utilities, electrical infrastructure, stormwater infrastructure, grading, road improvements, and parking serving one phase is permitted to be located in another phase provided approvals are granted by Halifax Water or the Development Engineer as applicable.

3.4 Subdivision of the Lands

3.4.1 Notwithstanding the Regional Subdivision By-law, flag lots, and lots with an irregular shape shall be permitted on the Lands. For greater clarity, lots within the Lands are not required to meet the requirements of Sections 31, 33 and 34 of the Regional Subdivision By-law as amended from time to time.

3.4.2 Final subdivision applications shall be submitted to the Development Officer in general conformance with Schedule B-1, Schedule C, Schedule D, and Schedule E, and in accordance with the provisions of the Regional Subdivision By-law, and the following:

- (a) The Developer shall be responsible to upgrade any existing streets and services to accommodate the development as required by the Development Engineer;
- (b) Road reserves shall be provided in a manner which, in the opinion of the Development Officer, does not prejudice the development on adjacent lands; and
- (c) Capital cost contributions shall be paid in accordance with the provisions of the Regional Subdivision By-law

3.4.3 The requirement for Concept Subdivision Approval of the Regional Subdivision By-law is deemed to be satisfied by this Agreement.

3.4.4 The location of streets, including Street A that will connect Hammond Plains Road and Larry Uteck Boulevard, may vary from the locations shown on the Schedules provided that:

- (a) the street is not located within areas identified as BW-CON on Schedule B-1;
- (b) there are no increase in the number of cul-de-sacs proposed; and
- (c) additional pedestrian walkways are provided, as needed, where the length of a street between intersections is increased to over 200 metres in length.

3.5 Maintenance

3.5.1 The Developer shall maintain and keep in good repair all portions of the development on the Lands, including but not limited to, the exterior of the buildings, fencing, walkways, recreational amenities, parking areas and driveways, and the maintenance of all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow and ice control, salting of walkways and driveways.

3.6 Signs

3.6.1 The sign requirements shall be in accordance with the Schedule PG of the Bedford Land Use By-law, as amended from time to time.

3.6.2 Notwithstanding Section 3.6.1, two ground signs shall be permitted at each entrance to the Lands to denote the community or subdivision name. The locations of such signs shall require the approval of the Development Officer and Development Engineer and be located on private property outside of the street right-of-way or other property owned or to be deeded to the Municipality. The maximum height of any such sign inclusive of support structures shall not exceed 3.05 metres and the face area of any sign shall not exceed 5.5 square metres. All such signs shall be constructed of natural materials such as wood, stone, brick, enhanced concrete or masonry. The only illumination permitted shall be low wattage, shielded exterior fixtures. Notwithstanding this section, the construction of entrance gates shall be permitted outside of the public street right-of-way.

3.7 Temporary Construction Building

3.7.1 A building(s) shall be permitted on the Lands for the purpose of housing equipment, materials and office related matters relating to the construction and sale of the development in accordance with this Agreement. The construction building(s) shall be removed from the Lands prior to the issuance of the last Occupancy Permit.

3.8 Parkland

3.8.1 Notwithstanding Section 82(4a) and the minimum road frontage requirements set out in Section 83 of Regional Subdivision By-law, parkland dedication shall include land located as generally shown on Schedules B-1 and B-3, and shall meet the following minimum requirements in Table 2:

Table 2		
Park or Trail	Minimum Continuous Road Frontage	Minimum Area
Park P1	12 meters on Street A	0.9 Acres

3.8.2 The Developer shall be required to provide parkland in a useable state prior to conveying the parkland to the Municipality or provide security in accordance with the Regional Subdivision By-law. Any lands that cannot meet the definition of useable land under the Regional Subdivision By-law may be accepted by the Municipality as open space.

3.8.3 The minimum Parkland Site Development shall be as specified in Table 3:

Table 3	
Park	Minimum Parkland Site Development
Park P1	<ul style="list-style-type: none">• A trail having a typical width of 1.8 metres for a minimum of 100 metres in length constructed of crusher dust connecting Street A to the west of the site

3.8.4 Any remaining parkland dedication that may be required in addition to the lands generally shown on Schedules B-1 and B-3 may be provided in the form of security consistent with Section 85 of the Regional Subdivision By-law, provided the future phase of development where additional parkland will be dedicated is located within Neighbourhood A, shown on Schedule B-1.

3.8.5 Should security not be provided under Section 3.8.4 of this Agreement, any parkland dedication required, in addition to the lands as generally shown on Schedules B-1 and B-3, shall be in the form of cash in lieu and/or work of Equivalent Value for parks within the development, at the discretion of the Development Officer in consultation with the Parkland Planner. Should the lands as identified on Schedule B-3 be unsuitable for the parkland purposes, as identified herein or pursuant to the requirements of the Regional Subdivision By-law, the Development Officer and Parkland Planner may identify alternatives to such parkland dedications.

3.8.5 Parkland dedication requirements in Table 2, the improvements indicated in Table 3, and any security provided for future phases provided under Section 3.8.4, satisfies all parkland requirements for the Lands, subject to all applicable requirements of this Agreement and the Regional Subdivision By-law. Nothing in this agreement shall prevent the developer from contributing useable parkland greater than the minimum requirements specified in Table 2 and Table 3 in accordance with the Regional Subdivision By-law.

3.9 Non-disturbance Areas

3.9.1 Non-disturbance areas, as generally shown on Schedule D, shall be shown on all subdivision plans, stormwater management plans, lot grading plans and location certificates.

3.9.2 No development, tree removal or grade alteration shall be permitted within non-disturbance areas as generally shown on Schedule D, except where approved in writing by the Development Officer for the following:

- (a) To remove fallen trees or debris that pose a fire or safety risk; or
- (b) To remove a tree that is dead, dying or in decline and which present a danger to individuals, private property, public infrastructure or other trees and vegetation.

3.9.3 Prior to granting approval for any removal pursuant to 3.9.2(a) or 3.9.2(b), the Development Officer may require that the Developer or subsequent property owner engage a Certified Arborist, Forester or Landscape Architect to certify in writing that the timber or debris poses a fire or safety risk, that the tree poses a danger to people or property, or that it is in severe decline.

3.9.4 Notwithstanding Sections 3.9.2 and 3.9.5, public walkways, streets, trails, infrastructure, or utilities may be permitted to encroach within a non-disturbance area.

- 3.9.5 If trees are removed, or tree habitat is damaged beyond repair, in a non-disturbance area as identified on Schedule D, the Developer or subsequent property owner shall replace each tree removed or damaged as directed by the Development Officer, in consultation with the appropriate HRM Business Units. This Section applies to trees removed without permission, as well as trees removed with permission pursuant to Section 3.9.2.
- 3.9.6 Notwithstanding Section 3.9.2, within the non-disturbance areas, grading for development is permitted on areas labelled as "Permitted Grade Altered/ Naturalized Area with Native Plantings" on Schedule D. If said areas, as shown on Schedule D, are disturbed or cleared, the disturbed area shall be re-established with native planting species as described on Schedule D. Other planting species may be considered at the discretion of the Development Officer with recommendations from a Landscape Architect.

3.10 Incentive or Bonus Zoning

- 3.10.1 The public benefit value shall be calculated as per the requirements of the Bedford Land Use By-law.
- 3.10.2 An appraisal shall be undertaken for the entire site in accordance with the Land Use By-law.
- 3.10.3 The appraisal shall be updated in accordance with the following:
- (a) The appraisal shall be updated every five (5) years from the date the appraisal is completed in accordance with the Land Use By-law or sooner;
 - (b) In the event that the appraisal has not been updated for five (5) years, no further development permits shall be issued until an updated appraisal is completed;
 - (c) the Developer shall have a grace period of ninety (90) days after each appraisal has reached its five-year anniversary to complete a new appraisal required under this Section, during which time development permits may continue to be issued.
 - (d) Any updated appraisal shall:
 - i. account for transfers of population enabled by this Agreement, and
 - ii. exclude parcels where the public benefit value has been paid.
- 3.10.4 The public benefit value shall be adjusted:
- (a) annually on April 1st of every year in accordance with changes to the Halifax All-Items Consumer Price Index released by Statistics Canada and the formula in the Bedford Land Use By-law; and
 - (b) Whenever an appraisal is completed as required by 3.10.3.
- 3.10.5 The Developer may pay the public benefit value:
- (a) for the entire site in a single payment prior to the issuance of the first development permit in the development; or
 - (b) on a per lot payment, where the individual lot charge is calculated per:
 - (i) dwelling unit basis for each residential unit allocated to the lot in the development, and
 - (ii) developable commercial area basis in the development.
- 3.10.6 When the public benefit value is paid on a per dwelling unit basis:
- (a) the amount to be paid per each dwelling unit shall be equal to the required public benefit value for residential units divided by 579 for the first appraisal, and for updated appraisals, the public benefit value shall be divided by the number of total units in the updated appraisal; and
 - (b) no development permit shall be issued prior to the payment of public benefits for all dwelling units on a lot, unless otherwise permitted in the Bedford Land Use By-law.

- 3.10.7 100% of public benefits shall be allocated to affordable housing money-in-lieu.
- 3.10.8 Public benefit categories and requirements shall be subject to Sections 15 to 20 of Appendix G: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications of the Bedford Land Use By-law.
- 3.10.9 A bonus zoning agreement shall not be required when the public benefit is provided in the form of money-in-lieu.
- 3.10.10 Any future transfers of population into or out of the Lands shall not trigger an updated appraisal.

PART 4: STREETS AND MUNICIPAL SERVICES

4.1 General Provisions

- 4.1.1 All design and construction of primary and secondary service systems shall satisfy the most current edition of the Municipal Design Guidelines and Halifax Water Design and Construction Specifications unless otherwise provided for in this Agreement and shall receive written approval from the Development Engineer prior to undertaking the work.

4.2 Water and Sewer Services

- 4.2.1 The development shall be serviced with municipal services.

4.3 Off-Site Disturbance

- 4.3.1 Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer, in consultation with the Development Engineer.

4.4 Site Preparation in a Subdivision

- 4.4.1 The Developer shall not commence clearing, excavation or blasting activities required for the installation of primary or secondary services in association with a subdivision, other than that work permitted under Section 3.3.1 and further to the terms and conditions of the Site Clearing Development Agreement approved under municipal case PLANAPP 2023-00799, prior to receiving Design Approval of the subdivision unless otherwise permitted by the Development Officer, in consultation with the Development Engineer.

4.5 Street A

- 4.5.1 The Developer shall construct all portions of Street A, in accordance with the standards in the Municipal Design Guidelines for a local road, with an expanded cross section as shown in Schedule E, unless otherwise varied by the Development Engineer.

PART 5: ENVIRONMENTAL PROTECTION MEASURES

5.1 Private Storm Water Facilities

- 5.1.1 All private storm water facilities shall be maintained in good order in order to maintain full storage capacity by the owner of the lot on which they are situated.

5.2 Stormwater Management Plans and Erosion and Sedimentation Control Plan

- 5.2.1 Prior to the commencement of any site work on the Lands, including earth movement or blasting, the Developer shall:
- (a) Have been issued a Grade Alteration Permit in accordance with By-law G-200 Respecting Grade Alteration and Stormwater Management Associated with Land Development, and with Administrative Order 2020-010-OP Respecting Stormwater Management Standards for Development Activities, as amended from time to time;
 - (b) Have been issued a Blasting Permit in accordance with By-law B-600 Respecting Blasting as amended from time to time, if applicable;
 - (c) Submit an Erosion and Sediment Control Plan for construction phasing; and
 - (d) Submit a Master Stormwater Management Plan that demonstrates that the development will achieve no net increase of Total Suspended Solids (TSS) loading following development, using stormwater best management practices (BMPs).
- 5.2.2 Wetlands and watercourses are not to be disturbed or impacted without approvals from the Nova Scotia Department of Environment and Climate Change.
- 5.2.3 Where easements are required as part of the stormwater system, the Developer shall provide the easements to the Municipality or Halifax Water as required.
- 5.2.4 Where private stormwater systems cross multiple properties, the Developer shall provide easements in favour of the affected properties to permit the flow of stormwater.
- 5.2.5 In addition to the Master Stormwater Management Plan for the full site, individual MICI sites, when constructed, must meet the requirements of By-law G-200 Respecting Grading and Stormwater Management Associated with Land Development, and Administrative Order 2020-010-OP Respecting Stormwater Management Standards for Development Activities.

5.3 Archaeological Protection

- 5.3.1 The Developer agrees to comply with the legislation and regulations of the Province of Nova Scotia with regard to the Special Places Act, which may apply to the Lands.

PART 6: AMENDMENTS

6.1 Non-Substantive Amendments

- 6.1.1 The following items are considered by both parties to be not substantive:
- (a) The granting of an extension to the date of commencement of development as identified in Section 7.3.1 of this Agreement.
 - (b) The length of time for the completion of the development as identified in Sections 7.4.1 and 7.4.2 of this Agreement.
 - (c) Minor changes to Schedule B-1 to align with property boundaries following final subdivision approval. For the purposes of this Agreement, minor changes are those which are enabled by a clause of this Agreement but are beyond the scope of Clause 3.2.1(b).

- (d) Transfers of population from other properties in Bedford West into the Lands to increase the baseline maximum population density allocations in Clause 3.2.1(c) by up to 30%.
- (e) Changes to Schedule B-1 to identify additional area(s), or adjust areas already identified, as BW-PCF to enable the development of public facilities provided the change is completed prior to final subdivision approval for the phase in which the subject lands are located.
- (f) Matters to do with signage, including changes to Section 3.6 of this Agreement.
- (g) Adjustments of baseline populations within this Agreement to reflect transfers that have taken place. This amendment is for housekeeping purposes and shall not impact the transfer of population enabled by this Agreement.

6.2 Substantive Amendments

- 6.2.1 Amendments to any matters not identified under Section 6.1 shall be deemed substantive and may only be amended in accordance with the approval requirements of the *Halifax Regional Municipality Charter*.

PART 7: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

7.1 Registration

- 7.1.1 A copy of this Agreement and every amendment or discharge of this Agreement shall be recorded at the Registry of Deeds or Land Registry Office at Halifax, Nova Scotia and the Developer shall incur all costs in recording such documents.

7.2 Subsequent Owners

- 7.2.1 This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the Lands which are the subject of this Agreement until this Agreement is discharged.
- 7.2.2 Upon the transfer of title to any lot(s), the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot(s).

7.3 Commencement of Development

- 7.3.1 In the event that development on the Lands has not commenced within three (3) years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Lands shall conform with the provisions of the Land Use By-law.
- 7.3.2 For the purpose of this Section, commencement of development shall mean entering into a subdivision agreement for Phase 1 with the Municipality.
- 7.3.3 For the purpose of this Section, an extension of the commencement of development time period may be considered under Section 6.1 if the Municipality receives a written request from the Developer at least one hundred eighty (180) calendar days prior to the expiry of the commencement of development time period.

7.4 Completion of Development

- 7.4.1 If the Developer fails to complete the construction of Street A after four (4) years from the date of registration of this Agreement at the Registry of Deeds or Land Registration Office, Council may review this Agreement, in whole or in part, and may:
- (a) retain the Agreement in its present form;
 - (b) negotiate a new Agreement; or
 - (c) discharge this Agreement.
- 7.4.2 If the Developer fails to complete the development after fifteen (15) years from the date of registration of this Agreement at the Registry of Deeds or Land Registration Office, Council may review this Agreement, in whole or in part, and may:
- (b) retain the Agreement in its present form;
 - (b) negotiate a new agreement; or
 - (c) discharge this Agreement.
- 7.4.3 For the purpose of this Section, completion of development shall mean final subdivision approval for the final phase of the development.
- 7.4.4 Upon the completion of the whole development or portions thereof, or at such time that policies applicable to the Lands have been amended, the Municipality may review this Agreement, in whole or in part, and may:
- (a) retain the Agreement in its present form;
 - (b) negotiate a new agreement;
 - (c) discharge this Agreement; or
 - (d) for those portions of the development which have been completed, discharge this Agreement and apply appropriate zoning pursuant to the applicable Municipal Planning Strategy and Land Use By-law, as may be amended from time to time.
- 7.4.5 For the purpose of this Section, an extension of the completion of development time period may be considered under Section 6.1 if the Municipality receives a written request from the Developer at least one hundred eighty (180) calendar days prior to the expiry of the completion of development time period.

PART 8: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

8.1 Enforcement

- 8.1.1 The Developer agrees that any officer appointed by the Municipality to enforce this Agreement shall be granted access onto the Lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Municipality to inspect the interior of any building located on the Lands, the Developer agrees to allow for such an inspection during any reasonable hour within twenty-four hours of receiving such a request.

8.2 Failure to Comply

8.2.1 If the Developer fails to observe or perform any condition of this Agreement after the Municipality has given the Developer ninety (90) days written notice of the failure or default, then in each such case:

- (a) The Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defence based upon the allegation that damages would be an adequate remedy;
- (b) The Municipality may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the *Assessment Act*;
- (c) The Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; or
- (d) In addition to the above remedies, the Municipality reserves the right to pursue any other remedy under the *Halifax Regional Municipality Charter* or Common Law in order to ensure compliance with this Agreement.

IN WITNESS WHEREAS the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of:

Witness

[DEVELOPER]

Per: _____

Name:

Position:

[DEVELOPER]

SIGNED, DELIVERED AND ATTESTED to by the proper signing officers of Halifax Regional Municipality, duly authorized in that behalf, in the presence of:

Witness

HALIAFAX REGIONAL MUNICIPALITY

Per: _____
MAYOR

Witness

Per: _____
MUNICIPAL CLERK

Schedule A: Legal Description

To be inserted

BEDFORD WEST SUB-AREA 1 AND 12

MICCO COMPANIES LIMITED/
3098637 NOVA SCOTIA LIMITED

SCHEDULE B-1 LAND USE PLAN

 BW-LDR

 BW-HR2

 BW-CEN

 BW-PCF

 BW-CON

 Proposed & Existing Property &
Right of Way Lines

 Development Agreement (DA)
Boundary

 Conceptual Layout
(DA by others)

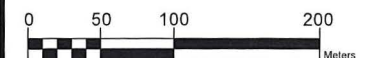
 Neighbourhood A Boundary

NOTES: Subject to terms of Development
Agreement.

Area outside of the Site Boundary is regulated as
per Bedford Land Use By-law.

Plan is conceptual.

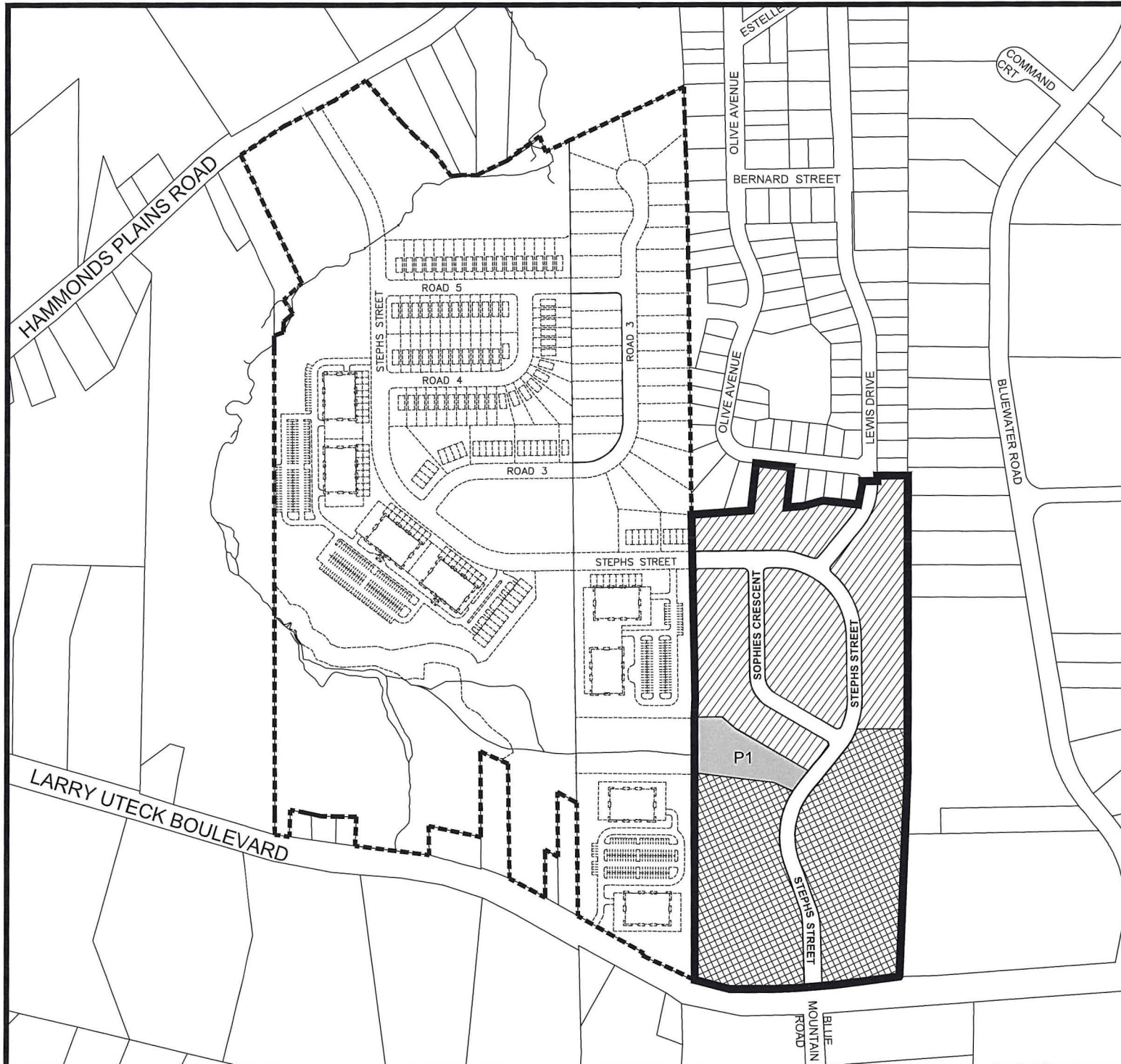
Last Updated 07/05/2023

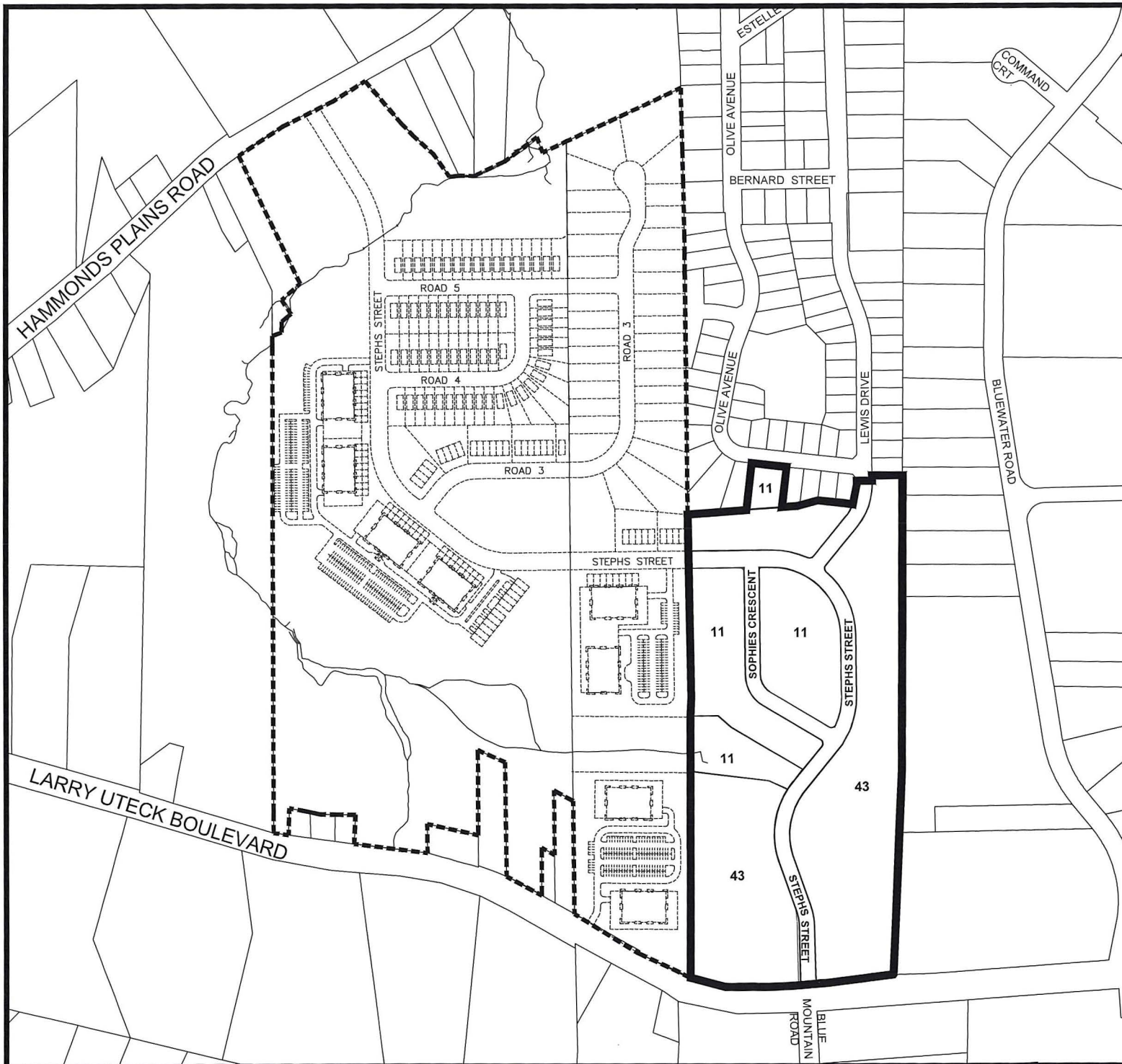


Scale: 1:5,500

Prepared By:
Clayton Developments Limited

Clayton does not guarantee the accuracy of
any base map representation on this plan.

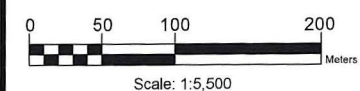




BEDFORD WEST SUB-AREA 1 AND 12 MICCO

SCHEDULE B-2 MAXIMUM BUILDING HEIGHT PLAN

- ## Maximum Height Precinct (meters)
- Proposed & Existing Property & Right of Way Lines
- Development Agreement (DA) Boundary
- Conceptual Layout (DA by others)
- Neighbourhood A Boundary



Prepared By:
Clayton Developments Limited


Clayton does not guarantee the accuracy of
any base map representation on this plan.

BEDFORD WEST SUB-AREA 1 AND 12

MICCO COMPANIES LIMITED/
3098637 NOVA SCOTIA LIMITED


SCHEDULE B-3 PARKLAND & UTILITY PLAN

 Open Space
(HRM)


 Parkland (HRM) - Area to be
improved by developer

 Utility Parcel

 Trail

 Proposed & Existing Property &
Right of Way Lines

 Development Agreement (DA)
Boundary

 Conceptual Layout
(DA by others)

 Neighbourhood A Boundary

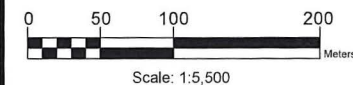
NOTES: Subject to terms of Development
Agreement.

Road frontages for Parkland (HRM) are listed in
Development Agreement.

Area outside of the Site Boundary is regulated as
per Bedford Land Use By-law.

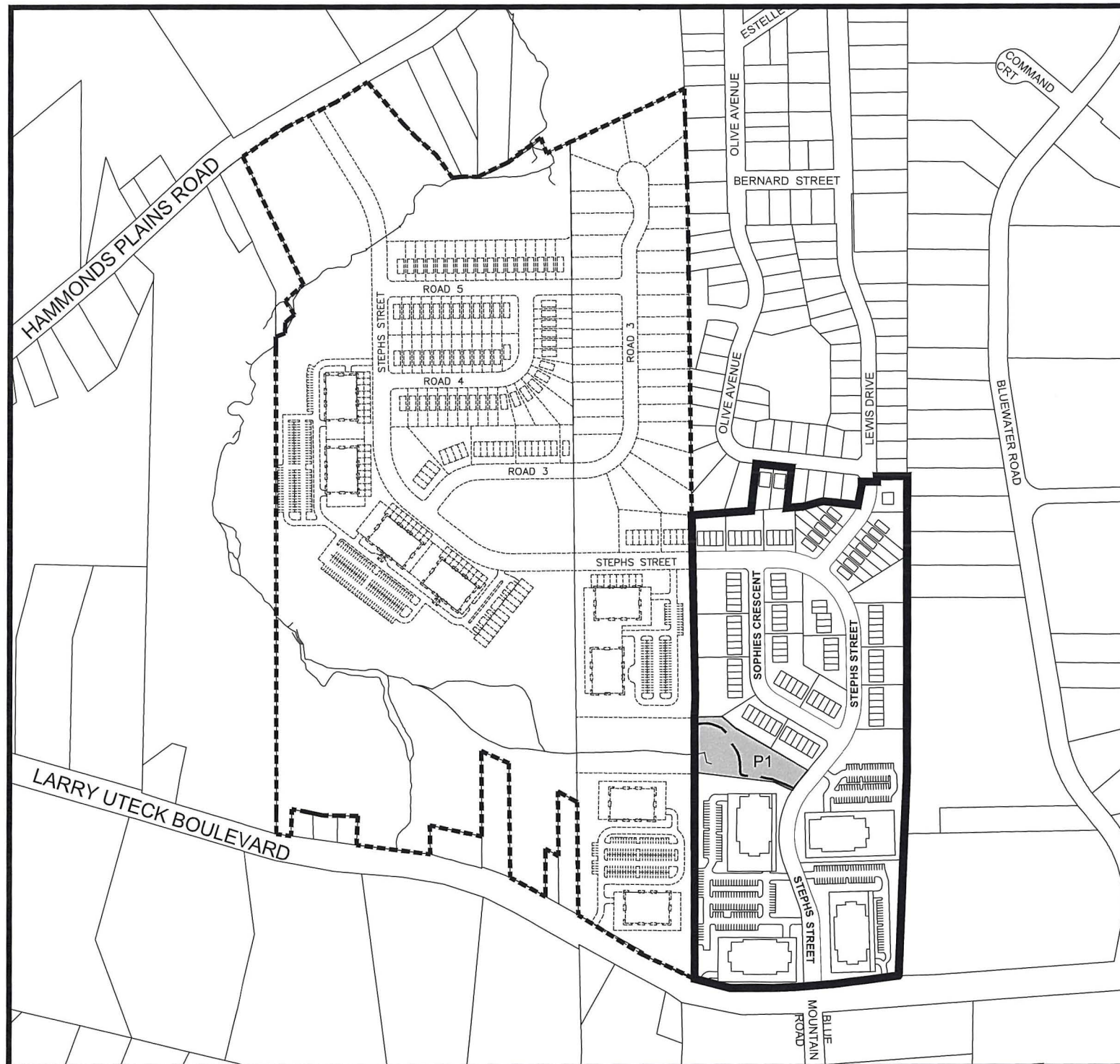
Plan is conceptual.

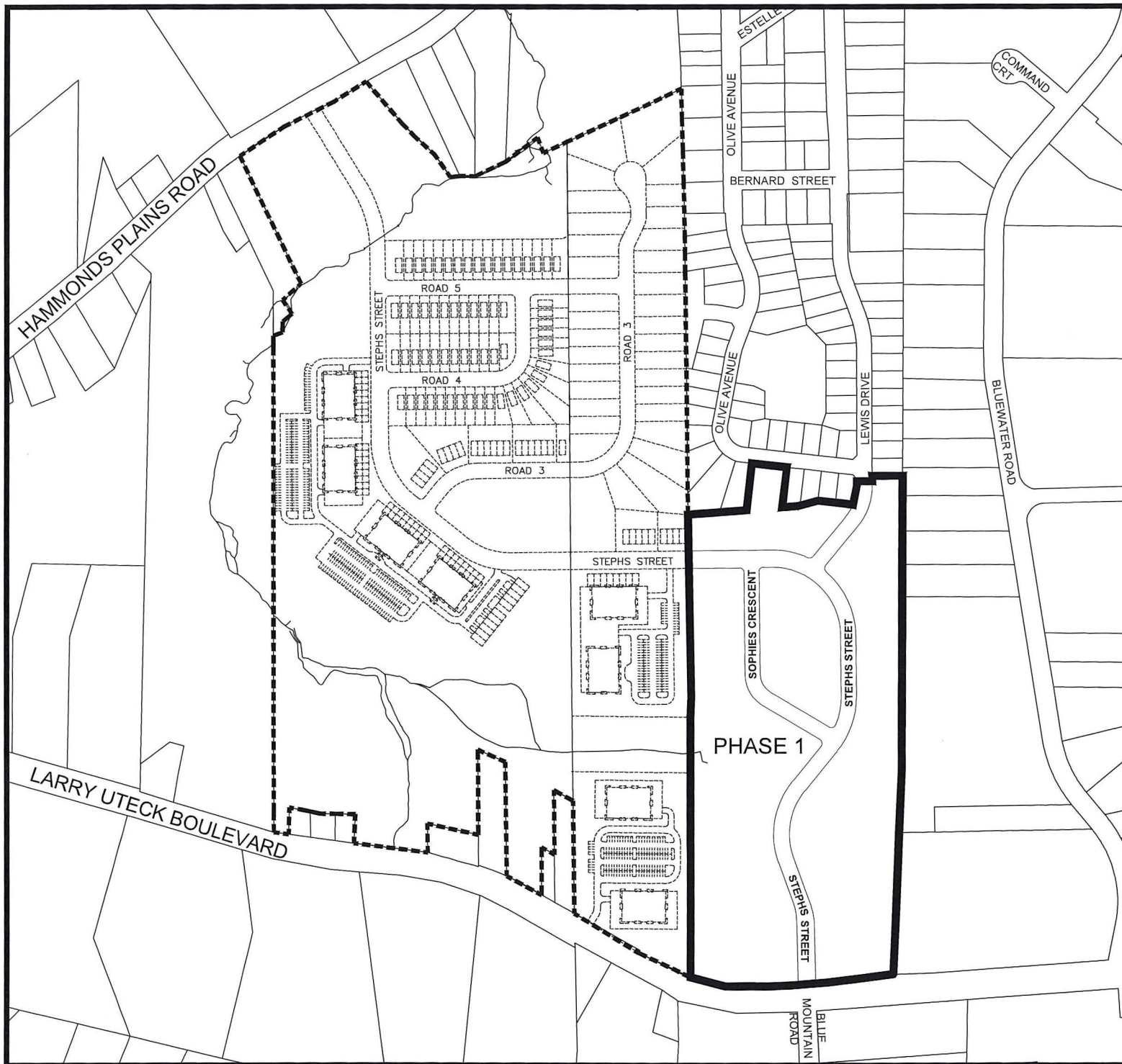
Last Updated 07/05/2023



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BEDFORD WEST SUB-AREA 1 AND 12

MICCO COMPANIES LIMITED/ 3098637
NOVA SCOTIA LIMITED

SCHEDULE C PHASING PLAN - PHASE 1

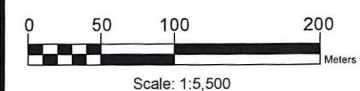
- Phases
- Extension of Sewer/ Water Trunk Services in Phase 1; Subject to Halifax Water Approval
- Proposed & Existing Property & Right of Way Lines
- Development Agreement (DA) Boundary
- Conceptual Layout (DA by others)
- Neighbourhood A Boundary

NOTES: Subject to terms of Development Agreement.

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Plan is conceptual.

Last Updated 07/05/2023











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NEIGHBOURHOOD A SUB-AREA 1 AND 12

MICCO COMPANIES LIMITED/
3098637 NOVA SCOTIA LIMITED

SCHEDULE D NON-DISTURBANCE AREAS

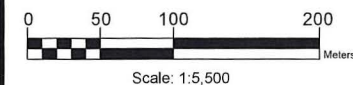
-  Area of Non-Disturbance (30m Buffer)
-  Permitted Grade Altered/ Naturalized Area with Native Plantings (See "Native Plantings Legend" below.)
-  Wetland
-  Watercourse
-  Proposed & Existing Property & Right of Way Lines
-  Development Agreement (DA) Boundary
-  Conceptual Layout (DA by others)
-  Neighbourhood A Boundary

NOTES: Subject to terms of Development Agreement.

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Plan is conceptual.

Last Updated 07/05/2023



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Native Plantings Legend

Suggested Trees (Botanical/Scientific)

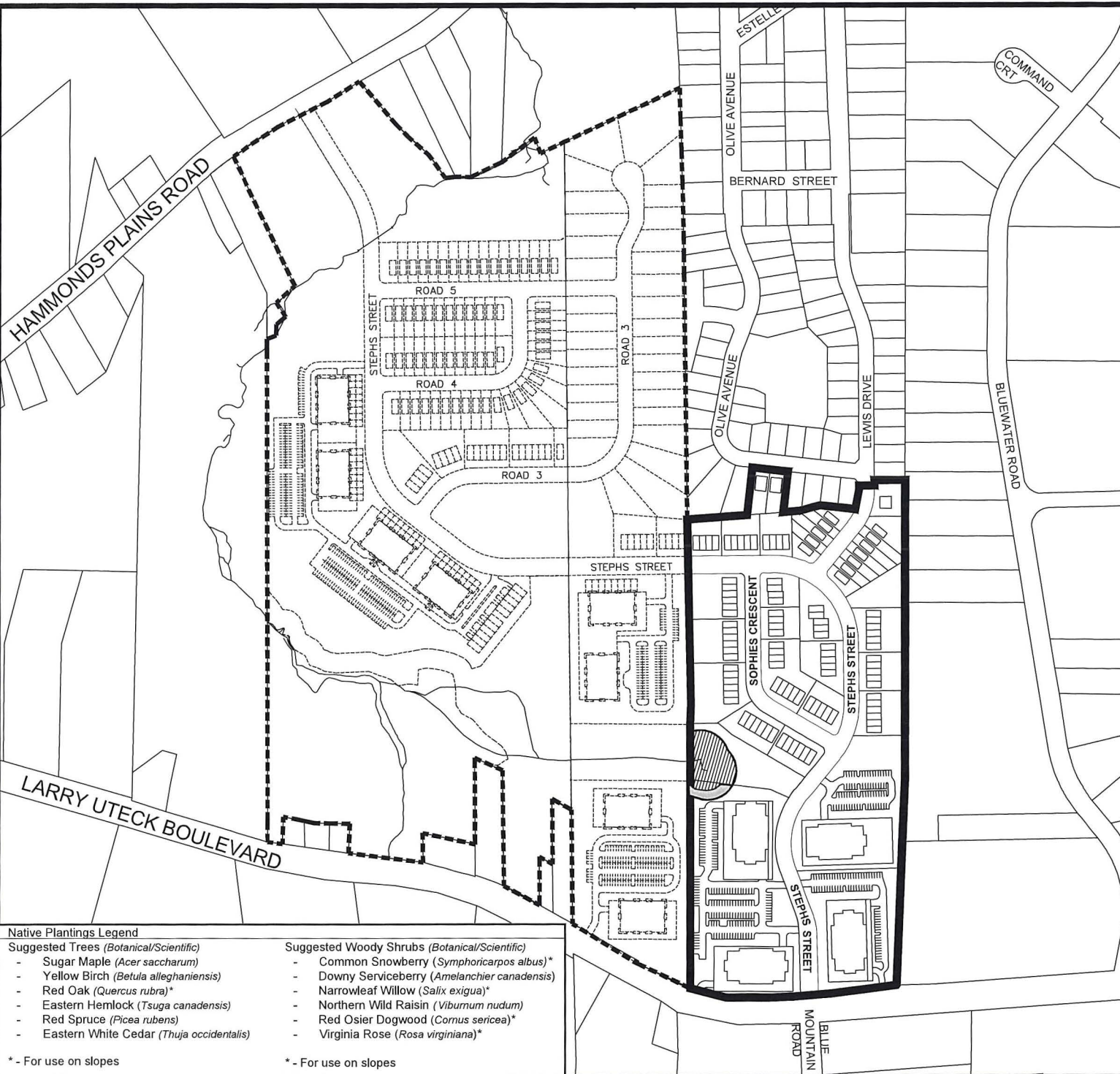
- Sugar Maple (*Acer saccharum*)
- Yellow Birch (*Betula alleghaniensis*)
- Red Oak (*Quercus rubra*)*
- Eastern Hemlock (*Tsuga canadensis*)
- Red Spruce (*Picea rubens*)
- Eastern White Cedar (*Thuja occidentalis*)

* - For use on slopes

Suggested Woody Shrubs (Botanical/Scientific)

- Common Snowberry (*Symphoricarpos albus*)*
- Downy Serviceberry (*Amelanchier canadensis*)
- Narrowleaf Willow (*Salix exigua*)*
- Northern Wild Raisin (*Viburnum nudum*)
- Red Osier Dogwood (*Cornus sericea*)*
- Virginia Rose (*Rosa virginiana*)*

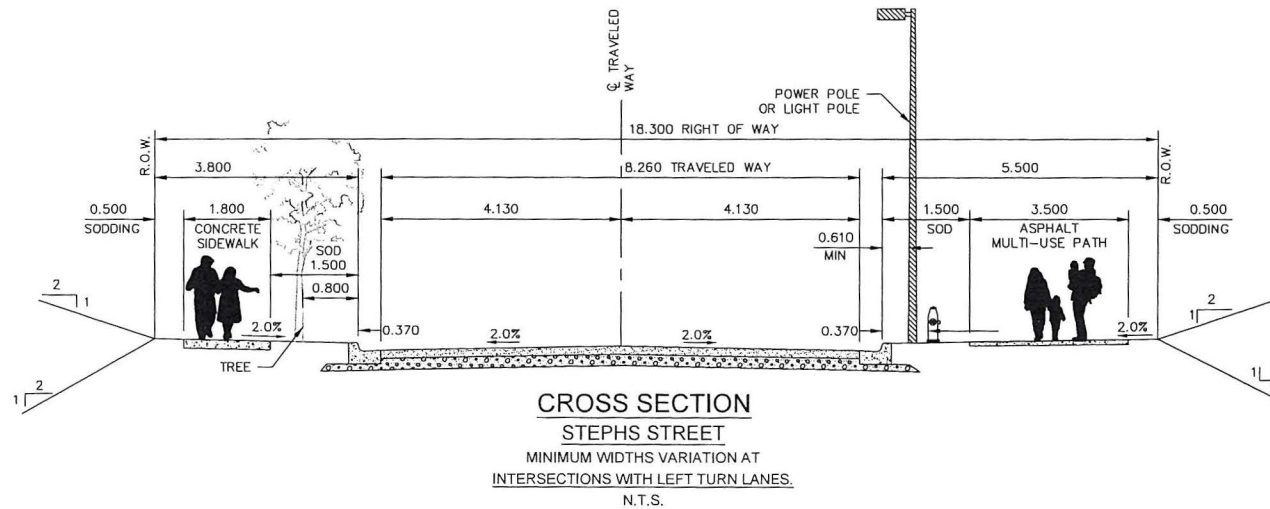
* - For use on slopes



BEDFORD WEST SUB-AREA 1 AND 12

MICCO COMPANIES LIMITED/
3098637 NOVA SCOTIA LIMITED

SCHEDULE E STEPH STREET CROSS SECTION DESIGN



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Plan is conceptual.

Last Updated 07/05/2023



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