ATTENTION

THESE ARE DRAFT AMENDMENTS, ARE SUBJECT TO CHANGE, AND HAVE NO LEGAL STANDING

HALIFAX

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LAND USE BY-LAW

BEDFORD

THIS COPY IS A

REPRINT OF THE BEDFORD

LAND USE BY-LAW

WITH AMENDMENTS TO

MAY 26, 2025

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LAND USE BY-LAW

FOR

BEDFORD

THIS IS TO CERTIFY that this is a true copy of the Land Use By-law for Bedford which was passed by a majority vote of the former Bedford Town Council on the 26th day of March, 1996, and approved by the Minister of Municipal Affairs on the 17th day of May, 1996, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 26th day of May, 2025.

GIVEN UNDER THE HAND of the Municipal Clerk and under the seal of Halifax Regional Municipality this _____ day of _____, 20___.

_____
Municipal Clerk

DRAFT

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PART 1: TITLE

By-law No. 26101

This By-Law shall be known and may be cited as the "Land Use By-Law" of the Town of Bedford.

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 (Municipal Affairs-Housing -Nov 21/23;E-Dec 19/23)

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PART 2: DEFINITIONS

For the purpose of this By-law all words shall carry their customary meaning except for those defined hereinafter.

Accessory Use - means a use subordinate and naturally, customarily, and normally incidental to and exclusively devoted to a main use of land or building and located on the same lot.

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 commercial purposes (RC- Oct 05/21;E-Jan 08/22).

Adult Entertainment Use-

1) means any premises or part thereof in which is provided services appealing to or designed to appeal to erotic or sexual appetites or inclinations but shall exclude massage parlours.
2) when used in relation to adult entertainment use, the following shall apply:

    a) "To provide" when used in relation to services includes to furnish, perform, solicit, or give such services and "providing" and "provision" have corresponding meanings;
    b) "Services" include activities, facilities, performances, exhibitions, viewing and encounters;
    c) "Services designed to appeal to erotic or sexual appetites or inclination" includes:
        i) services of which a principal feature or characteristic is the nudity or partial nudity of any person. For the purposes of this clause "partial nudity" shall mean less than completely and opaquely covered: - human genitals or human pubic region;- human buttocks; or, - female breast below a point immediately above the top of the areola.
        ii) services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy" or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

All Age/Teen Club - means an establishment targeted towards teens but includes all ages and is primary a dance or social club licensed and regulated by the Province of Nova Scotia pursuant to Theatre and Amusement Act and regulations made thereto and does not include the licensed sale of alcoholic beverages.

Alter - means any change in the structural components of a building or any change in the volume of a building or structure.

Amusement Arcade or Centre - means a commercially operated facility exclusively containing common amusement devices, including coin-operated machines, coin-operated pool tables and computer based games, licensed and regulated pursuant to the Theatre and Amusement Act and excluding video lottery terminals and private clubs.

Apartment - means a building containing three or more dwelling units which typically have a common entrance and the occupants of which have the right to use in common certain areas of the building and its property.

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Area, Gross - means all land area within a subdivision boundary, except as specified in relation to the calculation of densities for RCDD developments in Policy R-11.

Area, Net - means that land contained within the building lot boundaries.

Auto Body Repair Shop - means a building or part of a building or a clearly defined space on a lot used for painting and repair of automobile body parts but shall not include the retailing of gasoline or other fuels. (NWCC-Mar 21/16; E-Apr 2/16)

Automobile Service Station or Service Station - means a building or part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils and gasolines and may include the sale of automobile accessories and the servicing and minor repairing essential to the actual operation of motor vehicles other than auto body repairs or an automobile sales establishment. **Further Service Satiations may include a gas bar and related accessory uses. (RC-Sep5/17;E-Oct21/17)**

Bachelor/Bedsitting Apartment - means a dwelling unit designed for occupancy by one or two persons and consisting of a bed-living room, a kitchen or kitchenette and a bathroom.

Bed and Breakfast/Guest Home Operation (Deleted: RC-Feb 21/23;E-Sep 1/23)

Bicycle Parking, Class A - means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages. (RC-Jun 25/14;E-Oct 18/14)

Bicycle Parking, Class B - means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact. (RC-Jun 25/14;E-Oct 18/14)

Bicycle Parking, Enhanced - means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space). (RC-Jun 25/14;E-Oct 18/14)

Billiard/Snooker Club - means a private commercial establishment for the primary purpose of playing pool, billiards and snooker and requiring membership, registration as a Joint Stock Company, by-laws and licensed and regulated by the Province of Nova Scotia pursuant to the Liquor Control Act and the Special Premises Act and regulations made thereto.

Bingo Halls - means a building or part of a building wherein bingo and associated bingo activities are the primary use contained within the building and licensed by the Nova Scotia Gaming Control.

Buffer - means a separation distance which contains existing trees or newly planted trees which are a minimum of 6 feet high planted at no greater distance than 6 feet apart, measured in any direction. New trees shall be Austrian Pine, Colorado Spruce, White Spruce, Douglas Fir, or species recommended by the Tree Committee. Where taller trees are planted the separation

distance between them may be increased in proportion to the increased height to a maximum of 10 feet separation.

Building - means any structure, whether temporary or permanent, used or built for the shelter, support, accommodation or enclosure of persons, animals, material, vehicles, or equipment. Any tent, awning, deck, patio or platform, vessel or vehicle **or shipping container** used for any of the said purposes shall be deemed to be a building.

Cabaret - means an entertainment establishment licensed by the Nova Scotia Liquor Licensing Board as per the Liquor Control Act.

Canadian Geodetic Vertical Datum (CGVD28) - means the vertical datum for Canada officially adopted by an Order in Council in 1935. CGVD28 is a tidal datum defined by the mean water level at five tide gauges: Yarmouth and Halifax on the Atlantic Ocean, Pointe-au-Père on the St-Lawrence River, and Vancouver and Prince-Rupert on the Pacific Ocean. In addition, the definition includes an elevation at a benchmark in Rouses Point, NY (next to Lake Champlain) accepted as fixed by the US and Canada in 1925. The datum is propagated in land using geodetic levelling measurements. The vertical datum is accessible through benchmarks anchored to the ground and stable structures. The heights in terms of CGVD28 are in normal-orthometric system. (RC-Jun 25/14;E-Oct 18/14)

Cannabis Lounge - 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 or may not include cannabis retail sales. (RC-Sep 18/18;E-Nov 3/18)

Cannabis Production Facility - means premises used or occupied by a person or organization licensed by the Government of Canada for the production of cannabis or cannabis products, (RC-Sep 18/18;E-Nov 3/18)

(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.**

Cannabis Retail Sales - means premises used for the retail sale of cannabis, cannabis products or any of its derivatives, such as oils or edible products, to the general public. (RC-Sep 18/18;E-Nov 3/18)

Cemetery - means the use of land or structures for the interment of human remains but shall not include the use of structures for crematoriums. (NWCC-Dec 18/03;E-Jan 11/04)

Church - means a building dedicated to religious worship and may include a church hall, church

auditorium, Sunday School, parish hall, and day nursery.

Clinic - means a building or part of a building used for the dental, medical, surgical or therapeutic treatment of people, but does not include a public or private hospital or a professional office of a doctor located in his/her residence.

Club - means an establishment licensed by the Nova Scotia Liquor Licensing Board as per the Liquor Control Act.

Commercial Entertainment Use - as applied in the Waterfront Comprehensive Development District means such uses as cinemas, theatres, and auditoria, and billiard/snooker clubs, but excludes such uses as amusement centre, casinos, or adult entertainment uses.

Commercial Parking Lot - means an open area other than a street or lane or parking structure, used for the parking structure, used for the parking of motor vehicles and available for public and/or private use whether or not for compensation. A commercial parking lot shall include three (3) or more parking spaces together with aisles and shall have principle access to a street and shall for the purpose of this By-law constitute the main use of the lot.

Commercial Photography - means the premises used for portrait and commercial photography, including developing and processing of film; sale of film and photographic equipment and repair or maintenance of photographic equipment.

Commercial Recreation Use - means a building or lot or part of a building or lot used solely for commercial recreation or sport purposes and without limiting the generality of the foregoing, may include animal or vehicle racing tracks, rifle ranges, marinas, golf courses, amusement parks and centres, and commercial camping grounds, together with the necessary accessory buildings and structures. (RC-Jun 25/14;E-Oct 18/14)

Commercial Service Use - as applied in the Waterfront Comprehensive Development District includes personal service uses.

Community Centre - means any tract of land or a building or any part of buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Town, a local board, a non-profit group, or agent thereof. Activities such as bingo halls and youth centres are permitted as a secondary or accessory uses to the primary function.

Conservation Use - means any activity carried out for the purpose of conserving soils, water, vegetation, fish, shellfish, including wildlife sanctuaries and similar uses to the foregoing. (RC-Jun 25/14;E-Oct 18/14)

Construction and Demolition Materials - hereinafter referred to as C&D Materials, means materials which are normally used in the construction of buildings, structures, roadways, walls and landscaping features, and includes, but is not limited to, soil, asphalt, brick, concrete, ceramics, porcelain, window glass, mortar, drywall, plaster, cellulose, fiberglass fibres, lumber, wood, asphalt shingles and metals. (RC-Sep 10/02; E-Nov 9/02)

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Construction and Demolition Materials Disposal Site - hereinafter referred to as a C&D Disposal Site, means land and /or buildings or part of a building where C&D Materials, or Residue remaining from C&D Processing Facilities, are disposed of by land application or burying, and shall not include the use of inert C&D materials, approved by Provincial Department of the Environment and Labour, for site rehabilitation within gravel pits and quarry operations licensed by the Province of Nova Scotia. (RC-Sep 10/02; E-Nov 9/02)

Construction And Demolition Materials Processing Facility - hereinafter referred to as a C&D Processing Facility, means lands and/or buildings or part of a building used to sort, alter, grind, or otherwise process, C&D Materials for reuse or recycling into new products, and shall not include a Used Building Material Retail Outlet, an operation that processes inert C&D Materials on the site of generation and the material processed does not leave the site except for inert C&D Materials described in Sub-Section 9(3) of HRM C&D License By-law (L-200 and L-201), de-construction of a building on site, a municipal processing facility for used asphalt and concrete, or facilities associated with reclamation of a gravel pit or quarry operations licensed by the Province of Nova Scotia or forestry manufacturing processes. (RC-Sep 10/02; E-Nov 9/02)

Construction and Demolition Materials Transfer Station - hereinafter referred to as a Transfer Station, means land and/or buildings or part of a building at which C&D Materials are received and sorted for subsequent transport to a C&D Disposal Site or a C&D Processing Facility. (RC-Sep 10/02; E-Nov 9/02)

Council - shall means the Council of the Town of Bedford.

Country Inn - means an owner-operated commercial establishment with heritage or historical characteristics providing accommodations for the use of the travelling or vacationing public and containing three to ten bedrooms with private bathrooms, a guest living room, and dining area where breakfast and full-service evening meal are provided and licensed by the Tourist Accommodation Act and regulations made thereto.

Cultural Uses - as applied in the Waterfront Comprehensive Development District includes theatres, auditoriums, galleries, libraries, and similar uses.

Day Care Facility - means a building, part of a building or other place, whether known as a day nursery, nursery school, kindergarten, play school or by any other name, with or without stated educational purpose, the operator of which for compensation or otherwise, receives for temporary care or custody, on a daily or hourly basis, during all or part of the day, apart from parents, more than three (3) children not of common parentage and up to and including twelve (12) years of age; but does not include a nursery school or kindergarten conducted as part of a school, college, academy or other educational institution where instruction is given in Grades Primary to VII. (NWCC-Sep 24/09;E-Oct 17/09)

Development Officer - means the officer of the Town of Bedford, charged by the Town Council, with the duty of administering the provisions of the Land Use By-Law.

Development Permit - means the permit other than a building permit issued by the Development

Officer which indicates that a proposed development complies with the provisions of the Land use By-Law.

Drinking Establishment -means an establishment, licensed by the Nova Scotia Liquor Licensing Board, in which alcoholic beverages are served for consumption on the premises, and any preparation or serving of food is accessory thereto, and includes a licensed lounge that is ancillary to a restaurant. Drinking establishment includes a tavern, lounge, and/or cabaret.

Dry Cleaning Depot - means a building, or part thereof, used for the purpose of receiving articles or goods which are made of fabric which are to be removed from the premises for dry cleaning, dyeing, or cleaning, and for the pressing and distribution of any such articles or goods which have been subject to any such process.

Dry Cleaning Establishment - means a building, or part thereof, where dry cleaning, dyeing, cleaning or pressing of articles or goods which are made of fabric is carried on.

Dwelling - means a building occupied, or capable of being occupied, as a home, residence, or sleeping place by one or more persons, consisting of one or more dwelling units and shall not include a hotel, a motel, nor apartment hotel.

Dwelling, Duplex - means a building that is divided horizontally into two dwelling units each of which has an independent entrance, referred to as a two-unit dwelling in this By-law.

Dwelling, Linked - means a building that is divided vertically into two dwelling units having the appearance of two detached dwelling units as a result of their connection to each other being located at the footing. Linked dwellings shall be referred to as two-unit dwellings in this By-law.

Dwelling, Multiple Unit - see definition of apartment

Dwelling, Rowhouse/ Townhouse - means a building that is divided into three or more dwelling units, each of which has independent entrances to a front and rear yard immediately abutting the front and rear walls of each dwelling unit.

Dwelling, Semi-Detached - means a building that is divided vertically into two dwelling units each of which has an independent entrance, and shall be referred to a two-unit dwelling in this By-law.

Dwelling, Single Detached - means a completely detached dwelling unit**, and includes a mobile home/mini home**. **(RC-Oct 11/22;E-Nov 16/22)**

Dwelling Unit - means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping, and sanitary facilities.

Erect - means to build, construct, reconstruct, alter or relocate and without limiting the generality of the foregoing, shall include any preliminary physical operation such as excavating, grading, piling, cribbing, filling, draining, or structurally altering any existing building or structure by an

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addition, deletion, enlargement or extension.

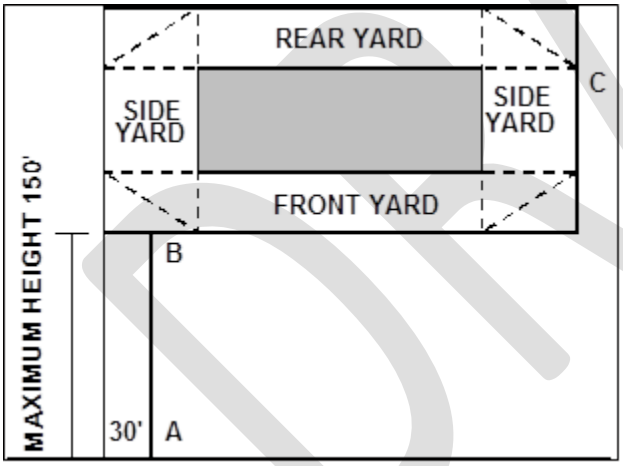
Established Grade - means the elevation of the finished grade at the base of the walls of a building.

Existing - means buildings or uses in existence as of the effective date of this By-law.

Extractive Industry/Pit/Quarry - means a commercial operation involving the altering of land, or the removal of soil or other materials from the land, excepting the work of landscape companies, and shall be deemed to be an industrial use.

Family or Household - means an individual or a group of persons residing together in one dwelling unit, including any domestic servants, non-paying guests and foster children.

Flag Lot - means a lot shown on an approved plan of subdivision the configuration of which resembles the figure below where the "Pole" A to B section of the lot cannot exceed one hundred and fifty (150) feet in length and shall be a minimum width of thirty (30) feet and where the "C" portion of the flag lot excluding the "pole" **and any land area created by infilling a water body** shall contain the required minimum lot area specified in the **development agreement**. The "pole" **and any area which has been infilled** shall also be excluded for the purpose of calculating front, rear, and sideyard setbacks. Minimum yard requirements must be achieved within the "C" portion of the flag lot as illustrated in the diagram. **(RC-Jan 13/09;E-Feb 28/09)**



Food and Beverage Use - as applied in the Waterfront Comprehensive Development District includes full service restaurants, lounges and taverns, but excludes drive-in and take-out restaurants.

FLOODWAY means the inner portion of the floodplain having a 5% chance of occurring in any given year (the 1-in-20-year flood elevation). Under this by-law, the Floodway flood elevation is derived from the model that accounts for Climate change conditions for the Western University IDF-CC Tool upper bound result for the 2070 – 2099 period under the Sackville Rivers Floodplain Study Phase II produced by CBCL in 2017. (RC-Apr29/25;E-May26/25)

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FLOOD FRINGE means the outer portion of the floodplain, between the 1-in-20-year floodway and the outer boundary of the floodplain, having a 1% chance of occurring in any given year (the 1-in-100-year flood elevation). Under this by-law, the Flood Fringe flood elevation is derived from the model that accounts for Climate change conditions for the Western University IDF-CC Tool upper bound result for the 2070 – 2099 period under the Sackville Rivers Floodplain Study Phase II produced by CBCL in 2017. (RC-Apr29/25;E-May26/25)

Gas Bars - means development used for the retail sale of gasoline, other petroleum products and incidental automotive accessories. This use does not include service stations but may include a car wash or drive-thru restaurant as an accessory use. (RC-May 20/14;E-Jun 14/14)

Garden Markets - means a structure erected on a lot on a seasonal basis for the purpose of selling garden plants, produce and other related horticultural items, said structure to be serviced with sewer and water and shall exclude the selling of items from a tractor trailer, construction trailers, travel trailers, converted mobile homes and private vehicles. Garden markets include the use of outdoor storage and outdoor display and sales and requires the fencing within Section 31 of the General Provisions.

Grade-Related Dwelling Unit - 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.

Height - means the vertical distance on a building between the established grade and the peak of a pitched roof, the highest point of the roof surface or the parapet of a flat roof, whichever is the greater, or the deck line of a mansard roof, but shall not include any construction used as ornament or the mechanical operation of the building, a mechanical penthouse, chimney, tower, cupola or steeple.

HEN means adult female chicken (RC- Oct 05/21; E-Jan 08/22).

Home Occupation - means an accessory use of a dwelling for gainful employment as per the General Provisions within the Land Use By-law.

Hospital - means an institution for the treatment of persons afflicted with or suffering from illness, disease or injury.

Hotel/Motel/Guest House/Inn - means a building or buildings or part thereof on the same site in which three or more rooms are used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodations with or without meals.

Household - means a individual or a group of persons residing together in one dwelling unit, including any domestic servants, non-paying guests and foster children.

Human Scale - refers to buildings to which pedestrians at street level can relate; in architectural terms this is a maximum two storey height.

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Ice Cream Stand - means a retail establishment whose business is limited to the sale of ice cream, frozen desserts, dessert items, candies and confections, and beverages in a ready to-eat state and shall not include the serving of hot dogs, hamburgers, salads, pizza, hot or cold sandwiches, similar entree items or drive-in service except where drive-in restaurants are permitted within the applicable zone. (NWCC-Jul 7/05;E-Dec 5/05)

Inn - means any establishment (other than a cottage, cabin, hotel or motel) providing accommodation for the use of the travelling or vacationing public containing five or more rental units and licensed by the Tourist Accommodation Act and regulations made thereto.

Industrial Use - means the use of land, building or structures for the manufacturing, processing, fabricating or assembly of raw materials or goods, warehousing or bulk storage or goods and related accessory uses.

Institutional Use - means any use permitted in the SI (Institutional) Zone. (RC-Sep 10/02; E-Nov 9/02)

Kennel - means a building or structure used for the enclosure of more than two (2) dogs which are kept for the purposes of commercial breeding or showing or for commercial boarding with or without veterinary care. (NWCC-Nov 25/10;E-Dec 11/10)

Landscaping - means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property or to provide a screen to mitigate any objectionable aspects which may detrimentally affect adjacent land.

Loading Space - means an unencumbered area of land on privately owned property which is provided and maintained for temporary parking of a commercial motor vehicle while merchandise or materials are being loaded onto or unloaded from such vehicle. Such parking shall not be for the purpose of sales or display. Such parking shall have access to permit ingress and egress by means of driveways, aisles, or manoeuvring areas, no part of which shall be used for temporary parking or storage of a motor vehicle.

Lot - means any parcel of land described in a deed or as shown in a registered plan of subdivision

Lot Area - means the horizontal area within the lot lines of a lot.

Lot, Corner - means a lot situated at the intersection of and abutting on two or more streets

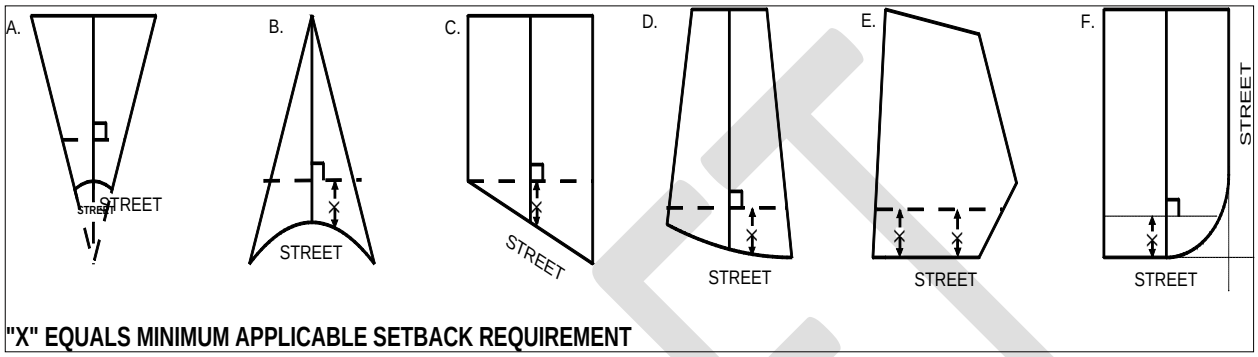
Lot, Coverage Maximum - means that percentage of the lot area covered by all buildings above ground level, and shall not include that portion of such lot area which is occupied by a building or portion thereof which is completely below ground level, and for the purpose of this definition the maximum lot coverage in each zone shall be deemed to apply only to the portion of such lot which is located within said zone.

Lot Depth - means the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel lot depth shall be the length of a line joining the mid-points of the front and

rear lot lines.

Lot Frontage - means the horizontal distance between the side lot lines. Where the side lot lines are perpendicular to the front lot line and the rear and front lines are parallel, lot frontage equals street frontage. Where a lot does not have this configuration, lot frontage shall be calculated using one of the following methods depending on the configuration of the lot:

a) For a lot with a front lot line which is a concave arc and a rear lot which is a straight line,



lot frontage shall be measured perpendicular to the line joining the middle of the rear line to the apex of the triangle formed by extending the side lot lines to their hypothetical point of intersection at a distance equal to the applicable minimum front yard (Diagram a).

b) For a lot with a front lot line which is a concave arc and the side lot lines intersect to form a triangular shaped lot, lot frontage shall be measured perpendicular to the line joining the middle of the front lot line arc to the apex of the triangle formed by the side lot lines at a distance equal to the applicable minimum front yard (Diagram b).

c) For an irregularly shaped lot where the side lot lines are not perpendicular to the front lot line and where the front lot line is not a concave arc, lot frontage shall be measured perpendicular to the line joining the centre of the front and rear lot lines at a distance equal to the minimum applicable front yard (Diagrams c and d).

d) For an irregularly shaped lot where the rear lot line is not readily apparent, lot frontage shall be determined by a line drawn parallel to the front lot line at a distance equal to the applicable minimum front yard (Diagram e).

e) In the case of a corner lot, minimum lot frontage must be achieved when measured back from either the front lot line or the flankage lot line. The exterior lot lines (street lines) shall be deemed to extend to their hypothetical point of intersection for the purpose of performing the calculation (Diagram f)

Lot Line - means a boundary line of a lot, and may be further defined as:

a) **Front Lot Line/Street Line** meaning the line dividing the lot from the street.
b) **Rear Lot Line** meaning the lot line furthest from or opposite to the front lot line;
c) **Side Lot Line** meaning a lot line other than a front or rear lot line;
d) **Flankage Lot Line** meaning the side lot line which abuts a street on a corner lot.

Lounge - means an establishment licensed by the Nova Scotia Liquor Licensing Board as per the Liquor Control Act.

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Main Building - means the building in which is carried on the principle purpose for which the building lot is used.

Marine Related Uses - as applied in the Waterfront Comprehensive Development District includes uses such as marinas, boatyards (for repair, storage and sales of recreational boats), boat launches, and wharves, but does not include the manufacturing of boats.

Market, Outdoor - means a structure erected on a lot on a seasonal basis for the purpose of selling garden plants, produce, and other related horticultural items, said structure to be serviced with sewer and water, and shall exclude tractor trailers, construction trailers, travel trailers, and converted mobile homes.

Massage Parlour - includes any premises or part thereof, by whatever name designated, where a massage, body rub, alcohol rub, bath or similar activity is performed, offered, advertised or solicited in pursuance of a trade, calling, business, or occupation or which is equipped or arranged so as to provide such activity, but does not include any premises or part thereof where treatment is routinely offered or performed for the purpose of medical or therapeutic treatment and is performed or offered by or under the supervision or direction of a physician, chiropractor, osteopath, physiotherapist, or nurse licensed or registered under the laws of the Province of Nova Scotia.

Mezzanine means an intermediate floor assembly between the floor and ceiling of a room or storey, and includes an interior balcony. For the purpose of height calculation, a storey with a mezzanine counts as two full storeys.

Mobile Home/Mini Home - means a vehicular portable structure built upon a chassis, designed to be used with or without a permanent foundation as a dwelling unit when connected to utilities and approved by the Canada Standards Association as a mobile home as evidenced by a C.S.A. seal bearing serial number commencing with Z240; and does not include a single structure composed of separate mobile units each towable on its own chassis which when towed to the site are coupled together mechanically and electrically to form a single structure.

Mobile Home Park - means an establishment comprising land or premises under single ownership designed and intended for residential use where residence is in mobile homes exclusively, but does not include public camping grounds for seasonal use.

Motel - see definition of "hotel".

Neighbourhood Convenience Store - means a commercial retail and/or service land use that serves the needs of the neighbouring residential area and shall include items of merchandise which constitute general dry goods and grocery items, and provided that such business is conducted within a wholly enclosed building and food preparation, to mean cooking, is not conducted on site.

Neighbourhood Commercial - means a commercial, retail and service land use, within areas designated RCDD, which serves the needs of the neighbouring residential area. The commercial uses are limited to not more than 25,000 sq. ft. gross floor area. The commercial uses permitted shall be those of the Mainstreet Commercial Zone provided no retail or office use exceeds 5,000

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sq. ft. in area.

Neighbourhood Park - means a parcel of land intended through design and function to provide opportunities for either active or passive recreational pursuits. Local parks may include playground equipment, hard-surfaced courts and landscaped areas for passive recreational activities, but shall not include major facilities such as playing fields, arenas, and swimming pools.

Objectionable Use - means a use, which by its nature or operation, creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

Office - means room or rooms where business may be transacted, a service performed or consultation given, but shall not include the manufacturing of any product or the retail sales of goods.

Office, Local - means an office building not exceeding 5,000 square feet gross leasable floor area.
Off-site Fill - means fill imported from outside the floodplain or fill transported from the Flood Fringe to the Floodway. (RC-Apr29/25;E-May26/25)

Outdoor Storage - means the storage of merchandise, goods, inventory, materials, or equipment or other items which are not intended for immediate sale, other than within a buildings.

Outdoor Display and Sales - means an area set aside outside the building or structure, used in conjunction with a business located within the building or structure on the same property, for the display or sale of seasonal produce, new merchandise or the supply of services.

Parking Area/Lot - means an open area, other than a street, containing parking spaces for two or more motor vehicles, available for public use or as an accommodation for clients, customers or residents and which has adjacent access to permit ingress or egress of vehicles to a street by means of driveways, aisles or manoeuvring areas where no storage or parking of vehicles is permitted.

Parking Space - means an area, the minimum dimensions of which are indicated in the following General Provisions Section, for the temporary parking of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle from a street by means of driveways, aisles or manoeuvring areas.

Person - includes an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heir, executors, or other legal representatives of a person to whom the context can apply according to law.

Personal and Household Services - means a business were professional or personal services are provided for gain and where the sale at retail of goods, wares, merchandise, articles, or things is only accessory to the provisions of such service, including but without limiting, the generality of the foregoing the following: barber shops, beauty shops, tailor shops, laundry and drycleaning depots, shoe repair, and exclusive of massage parlours.

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Pet Daycare Use - means premises where the daytime boarding and care of pets occurs, but excludes overnight boarding and a kennel use. May also include ancillary pet grooming and retail sales uses. (NWCC–Sep 09/24;E-Sep 24/24)

Private Club - means a building or part of a building used as a meeting place for members of an organization and may include a lodge, a fraternity/sorority house, and a labour union hall.

Pub - means a drinking establishment which is licensed by the N.S. Liquor Licensing Board and does not exceed an area of 800 square feet.

Public Garage - means a building or place, other than a private garage, where motor vehicles are kept or stored for remuneration or repair, or a building or place used as a motor vehicle repair shop. This definition shall not include any automatic car washing equipment, a motor vehicle sales lot, a bodyshop nor an automobile service station.

Recycling Depot - means a single storey building not exceeding 750 square feet which is used as a place of deposition, separation and compaction for domestic wastes which are recyclable. This use specifically excludes any bottle exchange activity **or C&D Materials operation (RC-Sep 10/02; E-Nov 9/02)** and shall exclude processing operations such as breaking glass or compacting by means of operating machinery such as balers. Outdoor storage is prohibited, as is the parking of commercial vehicles, except when materials are being loaded for removal.

Recycling Facilities - means solid waste reduction, re-use, recovery or processing of such materials as paper, ferrous and non-ferrous metals (excluding motor vehicles), glass, certain forms of plastic, rubber, oil, food wastes, yard wastes, clothes and white goods into useable products **excluding Construction and Demolition Materials. (RC-Sep 10/02; E-Nov 9/02)**

Recreation Use - means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses. (RC-Jun 25/14;E-Oct 18/14)

Renovations - means the repair, strengthening and restoration of a building to a good and safe condition but shall not include its replacement.

Resident - as well as meaning a person who resides in Bedford, resident shall also refer to owners, operators and renters of business premises in Bedford.

Restaurant-Full Service - means a building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building and is characterised by the full or partial service of delivering to or waiting on tables or cafeteria style service. However, limited facilities may be permitted to provide for take-out food function provided such facility is clearly secondary to the primary restaurant function. A restaurant may also include the licensed sale of alcoholic beverages and a place of assembly as secondary uses.

Restaurant, Drive-In - means a building or part of a building wherein food is prepared and offered

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for sale to the public for consumption within or outside the building, but may also include off-premises consumption. Such use, normally known as fast food restaurant, is characterized by the customer pick up of food at a counter or drive through car pick up, and does not provide the regular service of delivering or waiting on tables nor licensed sale of alcoholic beverages. Examples of Drive-In Restaurants are McDonald's, Burger King, Dairy Queen and Tim Hortons.

Restaurant, Take-Out - means a building or part of a building wherein food is prepared and offered for sale to the public primarily for off-premises consumption. However, limited facilities may be provided for consumption within the building provided such facilities are clearly secondary and incidental to the take-out function and delivery function. Services of waiting on tables or regular delivery of food to tables are not carried on, nor is the licensed sale of alcoholic beverages. Examples of Take-Out Restaurants are Subway, Bagel Obsession and pizza establishments.

Retail Store - means a building or part thereof in which goods, wares, merchandise, substances, articles or things are offered or kept for sale directly to the public at retail value.

Scrap Yard/Salvage Yard - means a lot or premises for the storage or handling of scrap material, and without limiting the generality of the foregoing, shall include waste paper, rags, bones, bottles, machinery, vehicles, tires, metal, or other scrap material or salvage **excluding Construction and Demolition Materials**. **(RC-Sep 10/02; E-Nov 9/02)**

Screen - means a physical obstruction between incompatible land uses; a screen may include one, or a combination of, retained vegetation, fences, walls, berms, and/or newly landscaped areas.

Separation distance - means that portion of a lot which is required to physically separate incompatible land uses; a separation distance is a horizontal distance; a separation distance may include a required front, side and/or rear yard.

Seniors Residential Complex (Deleted: RC-Aug 9/22;E-Sep 15/22)

Setback - means the distance between the street line (front property line) and the nearest wall of any building or structure and extending the full width or length of the lot.

Shared Housing Use - means a use that contains 4 or more bedrooms, that 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,

and includes Shared Housing with Special Care but does not include short-term rental, hotel, motel, or tourist accommodation as defined in the Tourist Accommodation Regulation Act. (RC-Aug 9/22;E-Sep 15/22)

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 greater certainty, shared housing with special care may include individual dwelling units for occupants, and must meet the definition of Shared Housing Use. (RC-Aug 9/22;E-Sep 15/22)

Shared Private Driveway - includes a private road or Schedule "A" road as defined in the *Regional Subdivision By-law*, or an access created under the *Regional Subdivision By-law*. (RC-May 23/24;E-June 13/24)

Shipping Container - means a container originally designed for use as a means of storing and transporting cargo via ship, rail or truck. (NWCC-Jul 11/02; E-Aug 4/02)

Shopping Centre - means a building or building complex of 50,000 or more square feet on a lot designed, developed and managed as a unit by a single owner, or a group of owners or tenants, containing a group of commercial retail and office uses and is distinguished from a business area comprising unrelated individual uses and is characterized by the sharing of common parking areas and driveways and does not include the stand alone big box warehouse type retail operations.

Short-term Bedroom Rental - means a short-term rental where individual bedrooms within a dwelling unit are rented to separate parties or groups with or without meals. (RC-Feb 21/23;E-Sep 1/23)

Short-term Rental - 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. (RC-Feb 21/23;E-Sep 1/23)

Sign - means any structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise, or attract attention to any object, product, place, person, activity, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, or which shall display or include any letter, word, model, number, flag, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot. The word "sign" shall not include signs regulated under HRM By-law S-800, signs located inside or on windows and glass doors of commercial activities except in the CMC Zone where a sign applied to the glass of a window or door shall constitute a "window sign". No other sign shall be deemed a signs within this by-law.

a) <u>ground sign</u> - means a sign supported by one or more uprights, poles, or braces placed in or upon the ground.
b) <u>illuminated sign</u> - means a sign which provides artificial light directly or through any transparent or translucent material, from a source of light connected with such sign, or a sign illuminated by a light focussed upon, or chiefly directed at the surface
c) <u>projecting wall sign</u> - means a sign which projects from and is supported by the wall of a building.
d) <u>facial wall sign</u> - means a sign which is attached directly to or painted upon a building wall and which does not extend there from nor extend above the roofline.
e) <u>sign area</u> - means the area of the smallest triangle, rectangle, or circle or semi-circle

which can wholly enclose the surface area of a sign. All visible faces of a multifaceted sign shall be counted separately and then totalled in calculating sign area. Three dimensional signs shall be treated as dual faced signs, such that the total area shall be twice the area of the smallest triangle, rectangle, circle or semi-circle which can totally circumscribe the sign in the plane of its largest dimension.

f) <u>number of signs</u> - means that for the purpose of determining the number of signs, a sign shall be considered to be a single display surface or device containing elements organized, related and composed to form a unit. Where matter is displayed in a random manner without organised relationships or elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered a single sign. (RC-Sep 26/06;E-Nov 18/06)

Special Care Facilities (Deleted: RC-Aug 9/22;E-Sep 15/22)

Storey - ~~means that portion of a building between any floor and the floor or ceiling or roof next above, provided that any portion of building partly below grade level shall not be deemed to be a storey unless its ceiling is at least six feet above grade. Provided also that any portion of a storey exceeding fourteen feet in height shall be deemed an additional storey for each fourteen (14) feet or fraction of such excess.~~ **means the portion of a building that is situated between the top of a floor and the top of the floor next above it, including a mezzanine, and if there is no floor above it, the portion between the top of the floor and the ceiling above it, and**

(a) for the purpose of calculating the streetwall height, a portion of a building that is partly below the streetline grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the streetline grade; and

(b) for a purpose other than calculating the streetwall height, a portion of a building that is partly below the average finished grade is not deemed to be a storey unless its ceiling is a minimum of 2.0 metres above the average finished grade.

Storey, First - means the floor of a building which is closest to established grade in the front yard.

Street - means a public street.

Street Line - means the boundary line of a street right-of-way of a street owned and maintained by the Town.

Street Frontage - means the horizontal distance between side lot lines at the street line.

Structure - means anything that is erected, built or constructed of parts joined together or any such erection fixed or supported by the soil or by any other structure. A structure shall include buildings, walls, wharves, seawalls, attached decks, and signs.

Suite, Backyard - means a self-contained subordinate dwelling unit that is located within an accessory building or structure. (RC-Sep 1/20;E-Nov 7/20)

Suite, Secondary - means a self-contained subordinate dwelling unit that is located within a

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residential main building. (RC-Sep 1/20;E-Nov 7/20)

Swimming Pool - means an artificial body of water, excluding ponds, of more than one hundred square feet in area, used for bathing, swimming or diving.

Tavern - means an establishment licensed by the Nova Scotia Liquor Licensing Board as per the Liquor Control Act.

Town - shall mean the Town of Bedford.

URBAN SERVICE AREA means the Urban Service Area under Schedule B of the Regional Subdivision By-law.

Used Building Material Retail Outlet - means land and/or buildings or part of a building where C&D Materials are sorted and available for resale with incidental and minimal alteration of the materials and where activity primarily occurs inside a building. (RC-Sept 10/02; E-Nov 9/02)

Veterinary Clinic - means a building or portion thereof, where animals, birds or other livestock kept as domestic pets are examined, treated, groomed, or operated on and may include the indoor boarding of cats. Such use shall not include a Kennel nor be an objectionable use as defined herein. (NWCC-Nov 25/10;E-Dec 11/10)

Warehouse - means a building where wares or goods are stored but shall not include a retail store.

Water Control Structure - means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams. (RC-Jun 25/14;E-Oct 18/14)

Watercourse - means a lake, river, stream, ocean or other natural body of water. (RC-Jun 25/14;E-Oct 18/14)

Yard - means an open, uncovered space on a lot appurtenant to a building (except a court) and unoccupied by buildings or structures, except as specifically permitted elsewhere in this By-Law.

Yard, Abutting - means a yard which is contiguous with or extends across one or more zone boundaries.

Youth Centre - means a building or part of a building which provides youth oriented activities owner and/or operated by a community non-profit organization or as a private business in association with a community centre.

Yard Measurement –

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a) In determining yard measurements for a lot which is either square or rectangular in shape, the minimum horizontal distance from the respective lot lines shall be measured as illustrated in Diagram 'a' and expressed in the following definitions:

i) flankage yard- means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest main wall of any building or structure.

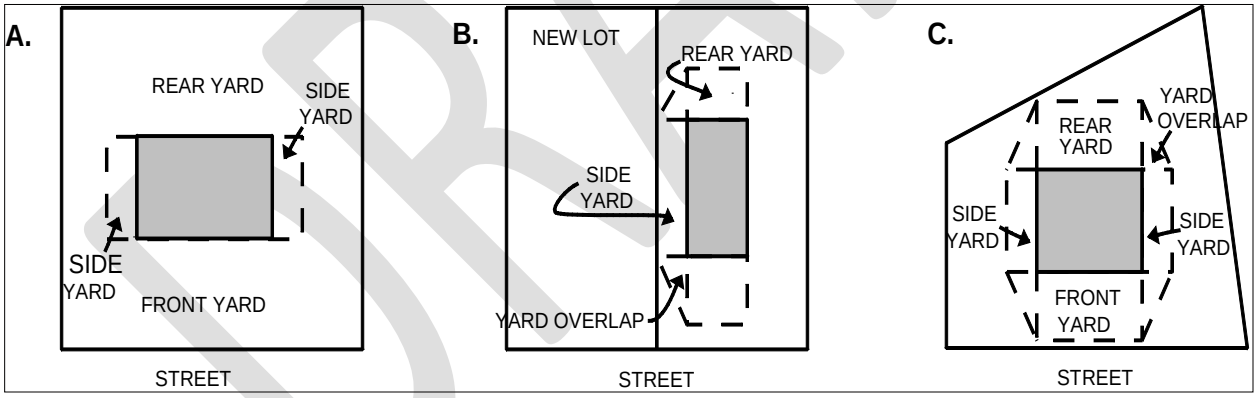
ii) front yard- means a yard extending across the full width of a lot between the front lot line and the nearest wall of any building or structure on the lot; a "minimum" front yard means the minimum depth of a front yard on a lot between the front lot line and the nearest main wall of any main building or structure on the lot.

iii) rear yard- means a yard extending across the full width of a lot between the rear lot line and the nearest wall of any main building or structure on the lot; a "minimum" rear yard means the minimum depth of a rear yard on a lot between a rear lot line and the nearest main wall of any main building or structure on the lot.

iv) side yard- means a yard extending from the front yard to the rear yard of a lot between a side lot line and the nearest wall of any building or structure on the lot; a "minimum" side yard means the minimum width of side yard on a lot between a side lot line and the nearest main wall of any main building or structure on the lot.

b) For a lot which contains a dwelling unit and is being subdivided, the required minimum yards shall be measured from the respective wall(s) of the structure (Diagram 'B').

c) For an irregularly shaped lot the required front yard shall be determined as in a) above, while yards of the applicable minimum depth shall be maintained at the rear and sides of a structure for the entire length and width of the structure (Diagram 'C').



Zone - means a designated area of land shown on Schedule A of this By-Law.

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PART 3: ZONES AND ZONING MAP

1. Zones

For the purpose of this By-law the Town of Bedford is divided into the following zones, the boundaries of which are shown on attached Schedule A. Such zones may be referred to by the appropriate symbols:

Residential Zones

Symbol	Description
RSU	Single Dwelling Unit Zone
RTU	Two Dwelling Unit Zone
RMU	Multiple Dwelling Unit Zone
RTH	Townhouse Zone
CHR	**Cushing Hill Residential Zone (RC-Dec 10/19;E-Feb15/20)**
RCDD	Residential Comprehensive Development District
RR	Residential Reserve Zone

Commercial Zones

Symbol	Description
CGB	General Business District Zone
CSC	Shopping Centre Zone
CMC	Mainstreet Commercial Zone
CHWY	Highway Oriented Commercial Zone
CHC	**Cushing Hill Commercial Zone (RC-Dec 10/19;E-Feb15/20)**
CCDD	Commercial Comprehensive Development District

Industrial Zones

Symbol	Description
ILI	Light Industrial Zone
IHO	Harbour Oriented Industrial Zone
IHI	Heavy Industrial Zone
BWBC	**Bedford West Business Campus Zone (NWCC-Sep 27/12;E-Oct 20/12)**

Institutional Zones

Symbol	Description
SI	Institutional Zone
SU	Utilities Zone

Park Zones

Symbol	Description
P	Park Zone
POS	Park Open Space Zone
RPK	**Regional Park Zone (RC-Jun 25/14;E-Oct 18/14)**

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Environmental Zones

Symbol	Description
1991 FW	Floodway Zone
2024 FWO	**Floodway Overlay Zone**
2024 FFO	**Flood Fridge Overlay Zone**
(RC-Apr29/25;E-May26/25)	

Other Zones

Symbol	Description
WFCDD	Waterfront Comprehensive Development District
UR	**Urban Reserve Zone (RC-Jun 25/14;E-Oct 18/14)**
US	**Urban Settlement Zone (RC-Jun 25/14;E-Oct 18/14)**

Construction & Demolition Zones

Symbol	**Description**
CD-1	**C&D Materials Transfer Stations**
CD-2	**C&D Materials Processing Facilities**
CD-3	**C&D Materials Disposal Sites (RC-Sep 10/02; E-Nov 9/02)**
ICH	**Infrastructure Charge Holding Zone (RC-May 7/02;E-Jun 29/02)**
BSCDD	**Bedford South Comprehensive Development District Zone (RC-Jul 9/02;E-Aug 31/02)**

2. Zoning Map

a) The official zoning map, Schedule A attached hereto, may be cited as the "Town of Bedford Zoning Map" and is hereby declared to form part of this By-law.
b) The extent and boundaries of all zones are shown on the official zoning map and for all such zones the provisions of this By-law shall respectively apply.
c) The symbols used on the official zoning map refer to the appropriate zones established by Section 1 above.

3. Zones Not On The Map

The Zoning Map of this By-law may be amended, in conformity with the Municipal Planning Strategy, to utilize any zone in this By-law regardless of whether or not such zone has previously appeared on any Zoning Map.

3A. Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning. (RC-Jun 25/14;E-Oct 18/14)

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4. Interpretation of Zoning Boundaries

Boundaries between zones shall be determined as follows:

a) where a zone boundary is indicated as approximately following the edge of a street or highway right-of-way, a railway right-of-way, or an electrical transmission line right-of-way, the boundary of the zone shall follow a line midway between the outside limits of the right-of-way(s);

b) where a zone boundary is indicated as approximately following the edge of a watercourse, the boundary shall follow the high water mark of such watercourse;

c) where a zone boundary is indicated as approximately following lot lines the boundary shall follow such lot lines;

d) where none of the above provisions apply, and where appropriate, the zone boundary shall be scaled from the official zoning maps.

e) Notwithstanding 4.a), where any right-of-way is vacated in the manner authorized by-law, and where a lot is created from the former right-of-way through subdivision or consolidation, and where the portion of former right-of-way which is part of a newly created lot has two or more zones applied subject to 4.a), the most restrictive zone, shall apply to the former right-of-way portion of the lot. For the purposes of this section, Appendix B shall indicate the hierarchy of zones. Notwithstanding the foregoing, no property shall be zoned P - Park Zone or POS - Park Open Space Zone. (RC-Dec 10/02; E-Jan 18/03)

f) Where the boundary line of a use zone is coincident with a shoreline along Shore Drive, between Phases One of the Waterfront Development and the end of Shore Drive (south-east), the boundary line will follow any change in the shoreline. This shall not apply to the Waterfront Development District or the Moirs Mill Pond area. (RC-Mar 18/03;E-May 10/03)

5. Permitted Uses

a) In this By-law, any use not listed under the permitted uses in a particular zone is prohibited.

b) Where a permitted use within any zone is defined in Part 2, the uses permitted within that zone shall be deemed to include any similar use which satisfies such definitions.

6. Certain Words

In this By-law, unless clearly indicated otherwise, words used in the present tense include future; words in the singular number include the plural; words in the plural include the singular number; and the word "used" includes "arranged", "designed", or "intended to be used", and the word "shall" is mandatory and not permissive.

7. Amendment of By-law

a) Amendments to this By-law may be considered for the following, in conformity with the Municipal Planning Strategy:

   i) addition or deletion of a permitted use within a zone

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ii) amendment of the zone requirements of a zone
iii) amendment of the general provisions of this By-law
iv) amendment of the Zoning Map in Schedule A

b) Any person who wishes to obtain an amendment, revision or repeal of this By-law shall submit an application in writing to the Clerk of the Town of Bedford.

c) Repealed (RC-Jun 20/23;E-Oct 13/23)

d) Repealed (RC-Jun 20/23;E-Oct 13/23)

8. Hydrotechnical Studies (RC-Apr29/25;E-May26/25)

Hydrotechnical studies submitted to fulfill the requirements for developments as outlined in PART 24A: 2024 Floodway Overlay (FWO) Zone and PART 25B – 2024 Flood Fringe Overlay (FFO) Zone must be developed following the methodology outlined in the Nova Scotia Municipal Flood Line Mapping Document.

9. Interpretation of 1-in-100-year Flood Elevation (RC-Apr29/25;E-May26/25)

Reference point elevations for the 1-in-100-year flood elevation are outlined in Schedule K of this By-law for the administration of requirements of PART 24A – 2024 FWO (Floodway Overlay Zone) and PART 24B – 2024 FFO (Flood Fringe Overlay) Zone. Site-specific elevations may be determined by a qualified professional engineer or licensed Nova Scotia land surveyor and used to administer these sections of the by-law when greater precision is required.

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PART 4: USES PERMITTED BY DEVELOPMENT AGREEMENT

1. Council may by resolution under the authority of Section 55 or 56 of the Planning Act, approve any specific Development proposal as provided for in the policies in the Municipal Planning Strategy.

2. Approval by Council under Part 4, Section 1 shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into an agreement with Council containing such terms and conditions as enabled by the Planning Act.

3. The Municipal Planning Strategy provides that the following shall be dealt with by Development Agreement in accordance with Residential Policies R-8 to R-17, **R-19B, R-19C (RC-Aug 9/22;E-Sep 15/22),** R-27, **R-27A, R-27B (RC-Jan 13/09;E-Feb 28/09),** R-28 **and R-31 (RC-Mar 6/07;E-Apr 7/07)**; Commercial Policies C-4, **C-4a (RC-Mar 6/07;E-Apr 7/07)**, C-5, C-7 to C-15, C-18, C-20, C-29A, C-31 to C-32; Waterfront Policies WF-20 to WF-23; Industrial Policies I-2, I-4 and I-7; Institutional Policy S-7, **S-7A, S-7B (RC-Aug 9/22;E-Sep 15/22)**; Environmental Policies E-4 to E-8, E-11, E-14 and E-45; and Implementation **Policies** Z-2, **Z-27, Z-28 and Z-29 (RC-Aug 9/22;E-Sep 15/22)** .

   a) Within the Residential Designation on the Generalized Future Land Use Map, a development agreement may be considered for the following uses:
      i) the addition of an apartment unit to a single unit dwelling within established residential areas, other housing options as identified in Policies R-18 and R-19. Apartment units added within single unit dwellings shall not exceed 700 sq. ft. in area and detached garden flats shall not exceed 700 sq. ft. in area (Policy R-8);
      ii) construction of dwellings on existing vacant lots within the residential development boundary which do not have frontage on a public street (Policy R-28);
      iii) to permit excavation or in-filling to within 35 feet of any watercourse or water retention identified on the map showing environmentally sensitive areas in the Town (Policy E-4);
      iv) the creation of flag lots (Policy R-27) **and the creation of lots with reduced frontage (Policy R-27A) (RC-Jan 13/09;E-Feb 28/09)**;
      v) a single multiple unit building in accordance with Policy R-29 on the properties known as 25, 27, and 35 Dartmouth Road that does not comply with the zone requirements; (RC-Jan 15/02;E-Feb 2/02)
      vi) a multiple unit dwelling on the former Crestview CCDD site (Policy R-31).
   b) Within the Residential Comprehensive Development District designation on the Generalized Future Land Use Map, a development agreement may be considered for a mixed residential development including **shared housing with special care, (RC-Aug 9/22;E-Sep 15/22)** mobile home parks and/or subdivisions (Policy R-9 and R-13);
   c) Within the Commercial Designation on the Generalized Future land use Map, a development agreement may be considered for the following uses:
      i) office buildings in the Sunnyside area and within the CSC Zone which are in excess of the permitted height specified by the zone (Policy C-4);
      ii) new shopping centres (Policy C-5);

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iii) drinking establishments outside of the areas identified in Policy C-30 (Policy C-31);
iv) adult entertainment uses (Policy C-32);
v) multi-purpose convention centre (Policy C-18);
vi) highway commercial uses (Policy C-6).
vii) **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** (Policy C-7)
viii) **residential dwelling units in excess of 50% of the gross floor area of a commercial/residential mix use building located at 1091-1095 Bedford Highway (C-21); and**
ix) **new multiple unit dwellings or renovations and expansions to existing multiple unit dwellings within the CMC Zone (C-21(a)). (RC-Jul 8/03;E-Aug 16/03)**
iix mixed use commercial/residential development on the south corner of the Bedford Highway and Moirs Mill Road (C-4a) (RC-Aug 8/06;E-Sep 9/06)

d) Within the Commercial Comprehensive Development District designation on the Generalized Future Land Use Map, a development agreement may be considered for mixed commercial and residential development as provided for in Policies C-7 to C-15.

e) Within the Mainstreet Commercial designation on the Generalized Future Land Use Map, a development agreement may be considered to permit the modification of front and sideyard setbacks as well as front yard parking provisions in cases involving the redevelopment of existing buildings (Policy C-20). A development agreement also may be considered for residential uses per Policy C-29-A and C-20.;

f) Within the WFCDD designation on the Generalized Future Land Use Map, a development agreement may be considered for a mixed use development which includes residential, commercial, institutional, and recreational land uses (Policy WF-20 to WF-22);

g) Within the Industrial designation on the Generalized Future Land Use Map, a development agreement may be considered for the following uses:
i) commercial office uses permitted within the CGB General Business District Zone in Atlantic Acres Industrial Park, the Bedford Business park, and the southern portion of the Bedford Industrial Park [Policy I-2 (a)];
ii) salvage yards in areas zoned Heavy Industrial (Policy I-4);
iii) structures associated with pits and quarries in areas designated industrial and zoned IHI Heavy Industrial (Policy I-7);
iv) industrial uses which produce, use, or store hazardous materials (Policy E-45);

h) Within areas identified as environmentally sensitive, a development agreement may be considered to permit the development of environmentally sensitive lands consistent with the zoning on the property, subject to an environmental study being undertaken (Policy E-14);

i) **Removed (RC-Apr29/25;E-May26/25)**

ia) **Subject to Policy E-12I, a development agreement may be considered to permit additional development within the Floodplain Designation; (RC-Apr29/25;E-May26/25)**

j) Within all designations on the Generalized Future Land Use Map, a development agreement may be considered for a multi-service centre or **shared housing with special care (RC-Aug 9/22;E-Sep 15/22)** for 11 or more persons (Policy S-7**, S-7.4**

and S-7.5 (RC-Aug 9/22;E-Sep 15/22));

k) Within all designations on the Generalized Future Land Use Map except Residential, a development agreement may be considered for a hospital (Policy S-7);

l) Within areas designated Industrial on the Generalized Future Land Use Map a development agreement may be considered for a correctional centre (Policy S-7);

m) Within all commercial zones and the ILI, IHI, and **SI** Zones, a development agreement may be considered to permit the erection of a commercial, **institutional,** industrial, or multiple unit residential structure or excavation or in-filling of land within 100 feet but not less than 50 feet of any watercourse or water retention area identified on the map showing environmentally sensitive areas in the Town, following the completion of an environmental study (Policy E-8); **(RC-Mar 18/03;E-May 10/03)**

n) Within any designation on the Generalized Future Land Use Map, a development agreement may be considered to permit a use which would not normally be permitted by a zone, but falls within the potentially permitted uses of the Generalized Future Land Use categories as shown on Table III within the Municipal Planning Strategy (Policy Z-2).

o) Within the Bedford South Secondary Planning Strategy Designation on the Generalized Future Land Use Map, a development agreement may be considered in accordance with the applicable policies of the Bedford South Secondary Planning Strategy. (RC-Jul 9/02;E-Aug 31/02)

p) Within the Bedford West Secondary Planning Strategy Designation on the Generalized Future Land Use Map, a development agreement may be considered in accordance with the applicable policies of the Bedford West Secondary Planning Strategy. (NWCC-Mar 24/11;E-Apr 9/11)

q) Pursuant to Policy Z-27, where there is enabling policy to consider the development, by development agreement, of multiple unit dwellings or the expansion of existing multiple unit dwellings, such policy may be used to consider the development of shared housing uses at a larger scale than what is permitted by the Land Use By-law. (RC-Aug 9/22;E-Sep 15/22)

4. Notwithstanding anything in this by-law, in areas designated Rural Commuter under the Regional Municipal Planning Strategy for Halifax Regional Municipality, the following uses may be considered by development agreement:

(a) Conservation Design Developments in accordance with policies S-14A, S-14B, S-15A, S-15B, S-16A, S-17A(RC-Oct 11/22;E-Nov 16/22) , S-17B, and S-17C of the Regional Municipal Planning Strategy, as applicable. (RC-Jun 25/14;E-Oct 18/14)

5. Development that is not otherwise permitted in this By-law may be permitted by development agreement on a registered heritage property, in accordance with Policy CH-7A of the Halifax Regional Municipal Planning Strategy. (RC-Oct 11/22;E-Nov 16/22)

6. Notwithstanding any other provision of this By-law, within lands designated as a Special Planning Area, early tree removal, blasting, and earthworks may be considered, subject to the provisions of a development agreement in accordance with policy G-11A

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of the Regional Municipal Planning Strategy. (Special Planning Task Force/Municipal Affairs-Jul 04/23;E-Jul 17/23)

7. Notwithstanding any other provisions of this By-law, development proposals for residential or mixed-use buildings that provide primarily residential uses within the Suburban area may be permitted by development agreement in accordance with Policies SA-2B, SA-3B, and SA-4B of the Regional Municipal Planning Strategy.

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PART 5: GENERAL PROVISIONS FOR ALL ZONES

1. Administration

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

b) The Development Officer of the Town of Bedford or any of his assistants are hereby authorized to enter, at all reasonable times, into or upon any property within the Town of Bedford for the purposes of any inspection necessary in connection with the administration of the Land Use By-law.

c) Any person who violates a provision of this By-law shall be subject to prosecution as provided for in Section 120 of the Planning Act (R.S.N.S, Chapter 346, 1989).

d) This By-law shall take effect when approved by the Minister of Municipal Affairs.

2. Scope

a) Nothing in this By-law shall exempt any person from complying with the requirements of the Building By-law or any other by-law in force within the Town or to obtain any license, permission, permit, authority or approval required by this or any other By-law of the Town of Bedford.

b) Nothing in this By-law shall prevent the strengthening or restoring to a safe condition of any building or structure, provided in the case of a non-conforming use the provisions of Section 93 (b) of the Planning Act of Nova Scotia shall prevail.

c) Where the provisions in this By-law conflict with those of any other municipal or provincial regulations, by-laws, or codes, the higher or more stringent requirement shall prevail.

3. Development Permits

a) No building or structure shall be erected or altered, nor the use of any building, structure or lot be changed unless a development permit has been issued and no development permit shall be issued unless all the provisions of this by-law are satisfied.

b) No building, residential or otherwise shall be moved within or into the area covered by this By-law without obtaining a development permit from the Development Officer.

c) A development permit application shall be signed by the registered owner of the lot or by the owner's agent duly authorized thereunto in writing and shall set forth in detail the current and proposed use of the lot and each building or structure, or part of each building or structure, together with all information necessary to determine whether or not every such proposed use of land, building or structure conforms with the requirements of this by-law.

d) Except for applications for permits for developments which are to have one (1) or two (2) residential units on one lot (including any existing units at the time of the application) applications for development permits shall be accompanied by a site plan properly drawn to scale showing the following:

   i) accurate dimensions of the site;

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ii) the location and dimensions of all existing and proposed buildings and accessory structures;

iii) identification and location of all parking areas including driveways, entrances and exits to parking areas, manoeuvring areas for vehicles, service areas, visitors parking and loading areas; the location of garbage receptacles;

iv) the existing and proposed elevations of the lot and the elevations of roof levels related to the site elevations;

v) identification and location of any significant natural and historic features of the site;

vi) any additional information related to the site, buildings, or adjoining properties as may be required by the Development Officer to determine if the proposal conforms to the provisions of this By-law of the Town.

vii) where the Development Officer is unable to determine whether the proposed development conforms to this By-law he may require that the plans submitted under Section 28 be based upon an actual survey by a Provincial Land Surveyor.

e) Any development permit issued shall expire twelve (12) months from the date of issue of such permit should no development begin within the aforementioned time period. The expiry date of a development permit shall not be extended beyond the initial twelve months. A new application for a development permit may be completed.

3A. Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning. (RC-Jun 27/06;E-Aug 26/06)

3B. An accessory hen use is exempt from the requirement to obtain a development permit (RC- Oct 05/21;E-Jan 08/22).

3C. A short-term rental of an entire dwelling unit in an operator's primary residence is exempt from the requirement to obtain a development permit. (RC-Feb 21/23;E-Sep 1/23)

3D. Provided the rental is not a short-term bedroom rental, a rental of 3 or fewer bedrooms in a dwelling unit shall not require a development permit. (RC-Feb 21/23;E-Sep 1/23)

GENERAL PROVISIONS: USES

4. Multiple Uses and Zones

a) Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be satisfied. Where there is conflict such as in the case of lot size or lot frontage, the higher standard shall prevail.

b) More than one zone may be applied to any given area within the Town and when

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land is zoned in this manner, the regulations under the zone appropriate to the proposed use shall be applied.

5. Non-Conforming Uses

Non-conforming uses shall be subject to Sections 90 - 94 of the Planning Act of Nova Scotia, Chapter 346 of the Revised Statutes, 1989.

6. Temporary Construction Uses Permitted

Nothing in this By-law shall prevent the use of land **on or near a worksite for** ~~or~~ the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(a) A rock crusher may be used at the site of a demolition of a structure or building, the site of construction of primary or secondary services pursuant to the Regional Subdivision By-law, or at the site of development permitted pursuant to this By-law, provided a development permit has been issued for such use.

(i) Where temporary buildings or structures are permitted near a worksite, the building or structure shall be located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot where the development permit has been issued.

(b) A development permit may only be issued for the temporary use of a rock crusher.

(c) A development permit issued for the use of a temporary rock crusher accessory to demolition of a structure or building pursuant to this By-law or a development pursuant to this By-law shall be valid for any period specified not exceeding sixty (60) days. A development permit issued under this clause may be renewed for a period not to exceed thirty (30) days at a time, if a development officer determines that an extension of the period is necessary. No rock crusher shall be located or used within three (3) metres of any property boundary.

(d) A development permit issued for the use of a temporary rock crusher accessory to the construction of primary or secondary services pursuant to the Regional Subdivision By-law shall be valid for any period which does not exceed the construction time schedule specified in the subdivision agreement. No rock crusher for which a permit has been issued under this clause shall be located or used within sixty (60) metres of any building used for residential or institutional purposes; with the exception of fire stations, police stations, public works facilities, cemeteries, historic sites and monuments, and recreational trails where no rock crusher shall be located or used within three (3) metres of any property boundary.

(e) Notwithstanding any other provision of this By-law, a temporary rock crusher accessory to construction in progress shall not be used to process material for

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export to another site nor to process material imported to the site.

(f) A temporary rock crusher may be used as an accessory to demolition in progress to process demolished material for export to another site subject to disposal in accordance with the requirements of this By-law and the C&D Materials Recycling and Disposal License By-law.
(RC-Jan 20/09;E-Feb 7/09)

7. Temporary Commercial Uses Permitted

Nothing in this By-law shall prevent the use of land or the erection of a temporary building or structure including a sales or rental office incidental to construction in progress until such construction has been finished or discontinued for a period of thirty days and provided that such temporary structures or buildings are located on an approved building lot and meet the zone setbacks; or the temporary use of land for such purpose as midways, circuses, fairs, festivals, the display of artwork and crafts, or artistic performances provided that such remain in place no longer than five (5) days. Christmas tree sales are permitted in all zones for a maximum period of thirty (30) days per year. Mobile vendors and canteens are permitted in all zones except Residential Zones in conjunction with a special event including but not limited to, recreational events, Town events, community events, for a maximum period of four (4) days, per event. Mobile vendors and canteens also require a license pursuant to the Town's Trade and Licensing By-law. Flea Markets shall be considered as an accessory uses within the Shopping Centre (CSC) Zone and conducted within enclosed buildings. **Temporary ice cream stands are permitted within the Mainstreet Commercial (CMC) Zone and CGB(General Business) Zones and shall be exempt from landscaping general and zone specific landscaping, fencing and roof design and siding requirements. Temporary ice cream stands shall also be exempt from zone yard requirements and shall have a minimum 20 foot front yard and 8 foot rear and side yards. Temporary ice cream stands shall be permitted for a maximum period of six (6) months per year. Temporary uses are not required to connect to municipal services provided they have adequate measures in place for sanitation as approved by the Municipality and any other regulatory agency with jurisdiction. (NWCC-Jul 7/05;E-Dec 5/05)** Any development permit issued for a special use under this section shall be in force for a maximum period of one (1) year from the date of issue and any permit may be reissued upon request, subject to review by the Development Officer.

8. Home Occupations

A home occupation shall be permitted in any dwelling in an RSU, RTU, RMU, RMH, RR, RTH**, CHR (RC-Dec 10/19;E-Feb 15/20)** or RCDD zone provided:

a) it shall be conducted by the resident occupant in his or her residence; **(NWCC-Mar 24/05;E-Apr 2/05)**
b) it shall be clearly accessory and incidental to the use of the dwelling as a residence;
c) it shall be conducted within the enclosed living areas of the dwelling; **(NWCC-Mar 24/05;E-Apr 2/05)**
d) no alterations shall be made which would change the physical character of the dwelling as a residence;

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e) no outside storage of any kind shall be associated with the home occupation;

f) there shall be no exterior evidence of the conduct of a home occupation except for a business identification plate or sign of a maximum two (2) square feet in area **which shall not be backlit**; **(NWCC-Mar 24/05;E-Apr 2/05)**

g) the maximum size of any home occupation [excluding **day cares facilities (RC-Mar 3/09;E-Mar 21/09)**] shall be not more than 25% of the total floor area of the dwelling unit to a maximum of 500 square feet;

h) one off-street parking space, other than those required for the dwelling, shall be provided for each 250 square feet of floor space occupied by the home occupation;

i) it shall not be an objectionable use;

j) no stock in trade, except articles produced by members of the immediate family esiding in the dwelling shall be displayed or sold within the dwelling; **(NWCC-Mar 24/05;E-Apr 2/05)** and,

k) the following are deemed not to be home occupations and are not permitted within the residential zones:

   i) automotive repair shop
   ii) autobody repair shop
   iii) auto paint shop
   iv) machine shop
   v) welding
   vi) retail sales outlets, except articles produced by members of the immediate family in the dwelling; **(NWCC-Mar 24/05;E-Apr 2/05)**
   vii) restaurants
   viii) amusement centre
   ix) except for an accessory hen use (RC- Oct 05/21;E-Jan 08/22) any use involving the care of animals (NWCC-Mar 24/05;E-Apr 2/05)
   l) Deleted (RC-Feb 21/23;E-Sep 1/23)

9. Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)

Day care facilities **(RC-Mar 3/09;E-Mar 21/09)** and after school care shall be permitted in any dwelling in any RSU, RTU, RMU, RCDD, RR, **CHR (RC-Dec 10/19;E-Feb 15/20)** and RTH Zone provided that:

a) it shall be conducted by the resident occupants in their residence who may employ as well not more than two employees; (NWCC-Mar 24/05;E-Apr 2/05)

b) the maximum number of children in each facility shall not exceed 14;

c) the building must be occupied as a dwelling unit;

d) there is clear sight distance for 200 feet on either side of the driveway(s), except on a cul-de-sac;

e) these facilities must be located no closer than 500 feet to one another;

f) a maximum of 50% of the dwelling floor area may be devoted to the child care use;

g) there is a minimum street distance of 500 feet between daycare facilities; and

h) subject to b),c),d),e),and f), of Section 8 pertaining to home occupations.

Notwithstanding (a) and (h), outdoor play areas and play equipment shall be permitted. (NWCC-Mar 24/05;E-Apr 2/05)

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10. Boarders and Lodgers (Deleted: RC-Feb21/23;E-Sep 1/23)

11. Mobile Homes (Repealed: RC-Oct 11/22;E-Nov 16/22)

12. Truck, Bus, and Coach Bodies

No truck, bus, coach or streetcar body, or railway car, or structure of any kind other than a mobile home**, shipping container** or dwelling unit erected and used in accordance with this and all other By-laws of the Town shall be used for human habitation within the Town of Bedford, whether or not it is mounted on wheels. **For clarity, a shipping container is not considered a vehicle body.**

12A. Public Transit Facilities

Public transit facilities shall be permitted in all zones and shall not be required to conform to any zone requirements. (RC-Oct 11/22;E-Nov 16/22)

12B. Public Transit Facilities within the 1991 Floodway Zone (FW) and 2024 Floodway Overlay Zone (FWO) (RC-Apr29/25;E-May26/25)

Notwithstanding Section 12A, within the Floodway Zone (FW) and 2024 Floodway Overlay Zone (FWO) (RC-Apr29/25;E-May26/25), public transit facilities shall be limited to transit shelters and stops, and for greater certainty shall excludes transit terminals. (RC-Jun 25/14; M-Sep 16/14; E-Oct 18/14)

12C. Cannabis-Related Uses (RC-Sep18/18; E-Nov 3/18)

Notwithstanding any other provisions of this By-law, cannabis retail sales and cannabis lounges are only permitted if such facilities are operated by the Nova Scotia Liquor Corporation (NSLC).

12D. SHORT-TERM RENTALS (RC-Feb 21/23;E-Sep 1/23)

a) Short-term Rentals accessory to a residential use shall be permitted in all zones provided that the dwelling unit is the primary residence of the short-term rental operator.

b) Short-term Bedroom Rentals accessory to a residential use shall be permitted in all zones, subject to the following additional provisions:

- **i) The short-term bedroom rental shall be wholly contained within the dwelling unit which is the primary residence of the operator of the rental;**
- **ii) Not more than three (3) bedrooms, or the maximum number of bedrooms specified in the zone, may be rented as a short-term bedroom rental at the same time;**
- **iii) The operator of the short-term bedroom rental resides on site while any**

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bedrooms are rented;

iv) No window display and not more than one (1) business sign shall be permitted and no such sign shall exceed four (4) square feet (0.4 m^2) in area; and

v) One off-street parking space in addition to that required for the dwelling shall be provided for each bedroom to be rented.

GENERAL PROVISIONS: LOTS AND YARDS AND OTHER STANDARDS

13. Buildings To Be Erected On A Lot

No person shall erect or use any building unless such building is erected upon a lot.

14. Frontage On A Street

Except as provided for within the Bedford West Business Campus (BWBC) Zone *or Cushing Hill Residential (CHR) Zone (RC-Dec 10/19;E-Feb15/20)*, no building, structure or use shall be permitted unless the lot or parcel of land intended to be used or upon which the building or structure is to be erected abuts and fronts upon a public street; except for alterations, renovations and additions to existing structures located on private streets or for construction of dwellings on existing, vacant lots as per Policy R-28. (NWCC-Sep 28/06;E-Oct 14/06)

15. One Main Building On A Lot

No person shall erect more than one (1) main building on a lot in a RSU, RTU, RMU, RTH, RCDD, or RR zone.

16. Existing Vacant Undersized Lots

Notwithstanding anything else in this By-law regarding lot area and frontage, a vacant lot held in separate ownership, prior to September 1982, from adjoining parcels having frontage on a public street which is less than the minimum frontage or area required by this By-law, may be used for a purpose permitted in the zone in which the lot is located and a building may be erected on the lot provided that all other applicable provisions in this By-law are satisfied. Developments located in areas where municipal central sewer and water services are not available shall be referred to the Town of Bedford Board of Health.

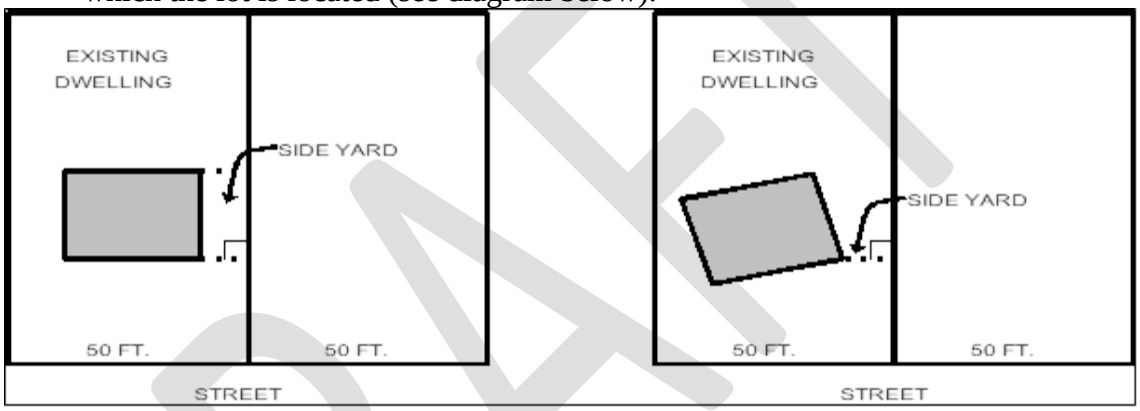
17. Reduced Lot Frontage and Area Requirements

Lots which have been granted Subdivision approval under the following criteria as per Section 11.2.3 of the Subdivision By-law may be used for a purpose permitted in the zone in which the lot is located and a building may be erected on the lot, provided that all other applicable provisions in this By-law are satisfied.

a) The subdivision of a vacant lot located within a RSU and RTU zone held in separate

ownership from adjoining parcels prior to October 9, 1991, having less than one hundred twenty (120) feet of frontage, which has been subdivided to create two lots, each of which shall have a frontage of not less than fifty (50) feet and an area of not less than six thousand (6,000) square feet, provided that each lot created is serviced with municipal central sewer facilities and water service.

b) The subdivision of a lot created within a RSU or RTU zone containing an existing dwelling and held in separate ownership from adjoining parcels prior to October 9, 1991, which was subdivided to create two lots, each of which shall have a frontage of not less than fifty (50) feet and an area of not less than six thousand (6,000) square feet, provided that each lot created is serviced with municipal central sewer facilities and water service, and the common lot is located no closer than a hypothetical line extending from the front lot line to the rear lot line drawn perpendicular to the nearest main wall of the existing dwelling or attached garage at a distance specified by the minimum applicable yard requirement for the zone in which the lot is located (see diagram below).



c) Notwithstanding anything else in this By-law, the minimum lot frontage for unserviced lots within an RR Zone may be reduced to one hundred twenty (120) feet and the minimum lot area reduced to one (1) acre where the following conditions are met:

i) the original parcel of land contains a dwelling which was constructed on or before October 9, 1991; and,

ii) the lot completely fronts on a street which was public on or before October 9, 1991.

d) Notwithstanding the Lot Frontage and Lot Area requirements of any zone, a lot containing a cemetery in existence on the effective date of this amendment may be subdivided and a development permit issued provided that:

(i) the cemetery lot does not contain a dwelling and/or buildings other than accessory buildings or structures;

(ii) where a cemetery lot does not abut a public street or highway or private road, a right-of-way or easement of access of a minimum width of twenty (20) feet, extending from the cemetery lot to its point of intersection with the public street or highway or private road shall be shown on the plan of subdivision;

(iii) the easement or right of way appurtenant to the cemetery lot, shall be provided by the subdivider concurrently with the conveyance of the cemetery lot;

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(iv) notwithstanding the requirements of any zone, accessory buildings and structures permitted in conjunction with cemetery lots shall be subject to the provisions of Part 5, Section 28-29A of the this By-law;

e) **the remaining lands meet the requirements of the applicable zone. (NWCC-Dec 18/03;E-Jan 11/04)**

18. Existing Buildings

Where a building other than a building containing a non-conforming use has been erected on or before the effective date of this By-law on a lot having less than the minimum frontage or area, or having less than the minimum setback or side yard or rear yard required by this By-law, the building may be enlarged, reconstructed, repaired or renovated provided that:

a) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard or rear yard that does not conform to this By-law;
b) all other applicable provisions of this By-law are satisfied.

18A EXISTING NON-RESIDENTIAL USES (RC-Apr29/25;E-May26/25)

Where uses are permitted as existing non-residential uses within PART 24 - 1991 Floodway (FW) Zone and PART 24A – 2024 Floodway Overlay (FWO) Zone, they shall be considered as fully conforming uses and as such are permitted to change in use to a use permitted in the zone, resume operation if discontinued, or be replaced, or rebuilt if destroyed, on the lot which they occupied [coming in force date of this section] subject to the requirements of the zone. An existing non-residential use includes a non-residential use that existed on or before [coming in force date of this section].

19. Setbacks In Residential Zones

Notwithstanding anything else in the By-law, in any Residential Zone, structures built between existing buildings within two hundred (200) feet [measured between buildings] on the same block shall be built with a setback equal to the average setback of the adjacent buildings, but this depth shall not be less than ten (10) feet from the front lot line and need be no greater than setback regulations prescribed in the zone in which it is situated.

20. Special Requirements: Corner Lots

On a corner lot, a fence, sign, hedge, shrub, bush or tree, or any other structure or vegetation which obstructs vision shall not be erected or permitted to grow to a height greater than two (2) feet above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of twenty (20) feet from their point of intersection.

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21. Watercourse Setbacks and Buffers (RC-Jun 25/14;E-Oct 18/14)

(1) (a) No development permit shall be issued for any development within 20m of the ordinary highwater mark of any watercourse.

(b) Where the average positive slopes within the 20m buffer are greater than 20%, the buffer shall be increased by 1 metre for each additional 2% of slope, to a maximum of 60m.

(c) Within the required buffer pursuant to clauses (a) and (b), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.

(d) Within the required buffer pursuant to clauses (a) and (b), activity shall be limited to the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m^2 or a combination of an accessory structure and attached deck not exceeding 20 m^2 , fences, boardwalks, walkways and trails not exceeding 3 metres in width, wharfs, boat ramps, marine dependent uses, fisheries uses, conservation uses, parks on public lands, historic sites and monuments, and public road crossings, driveway crossings and wastewater, storm and water infrastructure, and water control structures.

(e) Notwithstanding clause (a), the required buffer for construction and demolition operations shall be as specified under the applicable CD Zone.

(f) Within the buffer required pursuant to clause (e), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.

(g) Notwithstanding clause (a), multiple unit dwellings, and commercial buildings shall be setback a minimum of 30.5 m from any watercourse or water retention area shown on the Environmentally Sensitive Areas map or as determined by the Province of Nova Scotia under the Environment Act and no excavation or infilling shall be permitted within this buffer area except by development agreement.

(h) Notwithstanding clause (a), in all commercial zones and the ILI and IHI industrial zones, and the SI institutional zone, no building structure or use shall be permitted within 30.5 m of any watercourse or water retention area shown on the Zoning or Environmentally Sensitive Areas Map or as determined by the Province of Nova Scotia under the Environment Act, and no excavation or infilling within this area shall be permitted, except possibly through the provisions of a development agreement through the provisions of Policy E-8. The 30.5 m area shall be maintained with existing vegetation or shall be landscaped. Single unit, two unit and townhouses within the CCDD Zone shall be regulated by (a) above.

(i) Activity within the required buffer pursuant to clauses (g) and (h), shall be limited to the placement of board walks, walkways and trails, conservation uses, parks on public lands, historic sites and monuments, public roads and wastewater, storm and water infrastructure, and water control structures.

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(2) Notwithstanding subsection (1), where an existing residential building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.

(3) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.

(4) Notwithstanding subsection (1), nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

(5) Notwithstanding subsection (1), the selective removal of vegetation to maintain the overall health of the buffer may be authorized by the Development Officer where a management plan is submitted by a qualified arborist, landscape architect, forester or forestry technician.

(6) Every application for a development permit for a building or structure to be erected pursuant to this section, shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and contours and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the requirements of this section.

(7) Subsection (1) does not apply to lands within the area designated on the Generalized Future Land Use Map in the Regional Municipal Planning Strategy as Harbour.

21A. Coastal Areas (RC-Jun 25/14;E-Oct 18/14)

(1) No development permit shall be issued for any dwelling on a lot abutting the coast of the Atlantic Ocean, including its inlets, bays and harbours, within a 3.8 metre elevation above Canadian Geodetic Vertical Datum (CGVD 28).

(2) Subsection (1) does not apply to any residential accessory structures which do not contain backyard suites (RC-Sep 1/20;E-Nov 7/20), marine dependant uses, open space uses, parking lots and temporary uses permitted in accordance with this by-law. (HW, HEMD and NWCC–Dec 11/18;E-Dec 29/18)

(3) Notwithstanding subsection (1), any existing dwelling situated less than the required elevation may expand provided that such expansion does not further reduce the existing elevation.

(4) Every application for a development permit for a building or structure to be erected pursuant to this section, shall be accompanied by plans drawn to an appropriate scale showing the required elevations, contours and lot grading information to determine that the proposed building or structure will meet the requirements of this section.

22. Natural Hazards And Yard Requirements

Where in this by-law a front yard, side yard or rear yard is required and part of the area of the lot is usually covered by water or marsh, or is beyond the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment having a slope of 20% or more from the horizontal, then the required yard shall be measured from the nearest main wall from the main building or structure on the lot to the edge of the said area covered by water or marsh, or to the rim of the said river bank or watercourse, or to the top of the said cliff or embankment if the said area is closer than the lot line.

23. Permitted Encroachments in Yards

Except for accessory buildings, every part of any yard required by this By-law shall be open and unobstructed by any structure from the ground to the sky, provided, however, that those structures listed in the following table shall be permitted to project for the specified distances and yards indicated as follows:

STRUCTURE	YARD IN WHICH PROJECTION PERMITTED	MAXIMUM PROJECTION INTO REQUIRED YARDS
Cornices, eaves, gutters, chimneys, pilasters, footings	Any Yard	2 feet
Exterior staircase (landing and stairs)	Any Yard	4 feet
Patio decks	Rear Yard	10 feet
	Side Yard	4 feet
Canopies, awnings	Any Yard	4 feet
Mobility Disabled Access Ramps	**Any Yard**	**No required setback**

(NWCC-Apr 8/03;E-Apr 12/03)

24. Abutting Zone Requirements

Where a commercial or industrial zone abuts existing residential uses and/or zones, or park uses and/or zones, in order to provide a visual and noise barrier between these uses, the following shall apply to the abutting yards:

a) the minimum distance between the main buildings shall be 40 feet, except for shopping centres where the minimum distance shall be 60 feet;

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b) no open storage nor outdoor display shall be permitted in the required abutting yard in the Commercial or Industrial Zone;
c) where parking spaces are provided in an abutting yard in any commercial zone such parking spaces shall be screened by a buffer, fence, or combination thereof;
d) in addition to the provisions of Part 5, Section 38, signs located in an abutting yard shall be subject to the following requirements:
   i) all signs shall be non-illuminated;
   ii) only directional or business identification signs shall be permitted;
   iii) the maximum sign area shall be twenty (20) square feet;
   iv) the maximum height of a ground sign from the grade level to the highest part of the sign (including the sign structure) shall be fifteen (15) feet;
   v) all signs shall be setback at least ten (10) feet from the abutting property line.
e) objectionable uses shall not be located in abutting yards.

25. Height Regulations

The height regulations of this By-law shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, solar panels, ventilators, skylights, **satellite dishes (NWCC-Apr 8/03;E-Apr 12/03),** chimneys or clock towers.

26. Illumination

No person shall erect any illuminated sign or shall illuminate an area outside any building unless such illumination is directed away from adjoining properties and any adjacent streets.

27. Repealed (RC-Apr29/25;E-May26/25)

27A. Modified Floodproofing Area Special Requirements

No building, structure, or use shall be permitted within the area identified on the Zoning Map as areas requiring modified floodproofing unless the following special requirements are met:

a) All habitable floorspace shall be constructed above the nearest upstream 1-in-100-year flood elevations outlined on Schedule K or above the site-specific 1-in-100-year flood elevation as determined by a professional engineer or licensed Nova Scotia land Surveyor;
b) All electrical and mechanical equipment within a building must be located above the 1-in-100 flood level unless designed by a professional engineer to withstand a flood; and
c) All structures that extend below the 1-in-100-year flood elevation must be designed and certified by a professional engineer to withstand a flood.

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GENERAL PROVISIONS: ACCESSORY BUILDINGS OR STRUCTURES

28. Accessory Uses Permitted

Where this By-law provides that any land may be used or a building or structure may be erected or used for a purpose the purpose includes any accessory use thereof.

29. Accessory Buildings

a) Accessory uses, buildings and structures shall be permitted in any zone within the Town but shall not:
   i) be used for human habitation**, except where backyard suites are permitted (RC-Sep 1/20;E-Nov 7/20)**;
   ii) be located within the required front yard of a lot;
   iii) be built closer than four (4) feet to any lot line except for common semi-detached garages which may be centred on the mutual side lot line or boat houses and boat docks which may be built to the lot line when the line corresponds to the high water mark of the Bedford Basin;
   iv) exceed **twenty-five (25) feet (7.7 metres) (RC-May 23/24;E-June 13/24)** in height in any Residential Zone;
   v) exceed **a footprint of 1000 square feet (93 square metres)** ~~in gross~~ **(RC-May 23/24;E-June 13/24)** ~~floor area~~ in any Residential Zone, except for public buildings and uses *and* swimming pools;
   vi) be built within six (6) feet of the main building;
   vii) be considered an accessory building if attached to the main building in any way or be considered an accessory structure if located completely underground.

b) Notwithstanding anything else in this by-law, drop awnings, clothes poles, flag poles, garden trellises, fences, **children play structures, satellite dishes (NWCC-Apr 8/03;E-Apr 12/03),** uncovered decks no higher than 2 (two) feet and retaining walls shall be exempted from any requirements for accessory uses under subsection (a.)

c) Garbage collection bins and stalls shall be subject to the accessory building provisions of this section and shall be fenced or otherwise enclosed by a structure so as not to be visible from any street or adjacent residential property.

d) Swimming pools shall be completely enclosed with fencing, a minimum of five (5) feet in height.

e) ~~**Notwithstanding anything else in this by-law, an**~~ **An enclosed or internal staircase or elevator leading to a dwelling unit within an accessory structure is exempted from the maximum** ~~**floor area**~~ **footprint requirements for accessory buildings or structures. (RC-May 23/24;E-June 1324)**

f) The accessory use building or structure may be located on a lot which directly abuts the lot containing the main building or use it is intended to serve. (RC-May 23/24;E-June 13/24)

29A. ~~Shipping Containers as Accessory Buildings (NWCC-Jul 11/02;E-Aug 4/02)~~

~~a) Shipping containers may not be used as accessory buildings to a residential use or in a commercial zone, with the exception of backyard suites (RC-Oct 11/22;E-Nov 16/22).~~

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~~Shipping containers may be used as accessory buildings only in an industrial zone, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Where a shipping container intended for non-recreational or non-residential use (RC-Oct 11/22;E-Nov 16/22) is to be placed on an property which abuts a residential, park, or institutional zone, the shipping container shall be fully screened from view from any such property through the use of landscaping, opaque fencing or a combination of fencing and landscaping.~~

~~b) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.~~

29AB. Shipping Containers

(a) Shipping containers may be used as a dwelling, subject to the applicable zone standards for dwellings.

(b) Shipping containers may be used as a building for indoor agriculture, subject to the applicable zone standards for main buildings.

(c) Shipping containers are not permitted as accessory buildings in any zone except for industrial zones, and must meet the following requirements:

(i) Shipping containers must meet all applicable requirements for accessory buildings.

(ii) Shipping containers may not be placed in the front or flanking yard of any lot, or between the main building and any street.

(iii) Where the shipping container is to be placed on a property which abuts a residential, park, or institutional zone, the shipping container shall be fully screened from view from any such property through the use of landscaping, opaque fencing or a combination of fencing and landscaping.

(d) Notwithstanding subsection 29AB(c), shipping containers are permitted as an accessory building in a residential zone when used as a backyard suite, subject to the applicable requirements for backyard suites.

29B. Secondary Suites and Backyard Suites (RC-Sep 1/20;E-Nov 7/20)

(a) Secondary Suites

Secondary suites shall be permitted accessory to a single detached dwelling, a mobile home, a two-unit dwelling, a duplex dwelling, a linked dwelling, a semi-detached dwelling, or a rowhouse/townhouse dwelling subject to the following provisions:

(i) No more than one secondary suite (RC-May 23/24;E-June 13/24) shall be permitted on a lot;

(ii) The floor area of a secondary suite shall not exceed 80.0 square metres;

(iii) A two unit dwelling that contains a secondary suite shall not be considered a multiple unit dwelling;

(iv) Notwithstanding the parking requirements of Part 5 Section 34, additional off-street parking shall not be required; and

(v) A secondary suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone. (RC-May 23/24;E-June 13/24)

(b) Backyard Suites

Backyard suites shall be permitted accessory to a single detached (RC-May 23/24;E-June 13/24) dwelling, a mobile home, a two-unit dwelling, a duplex dwelling, a linked dwelling, a semi-detached dwelling, a duplex dwelling, a rowhouse/townhouse dwelling, or an Apartment containing only 3 dwelling units (RC-May 23/24;E-June 13/24) subject to the following provisions:

(i) No more than one backyard suite shall be permitted on a lot;

(ii) A backyard suite is not considered a separate main building or main dwelling;

(iii) The backyard suite shall meet the accessory buildings requirements as set out in Part 5 Sections 28 and 29;

(iv) Repealed (RC-May 23/24;E-June 13/24);

(v) Notwithstanding the parking requirements of Part 5 Section 34, additional off-street parking shall not be required;

(ix) A backyard suite shall be permitted accessory to a non-conforming structure for residential use, except where no residential uses are permitted in the zone; (RC-May 23/24;E-June 13/24)

(x) A backyard suite must be located on the same lot as the main dwelling unit; ~~and,~~

(xi) A backyard suite shall have unobstructed access that

(A) connects the backyard suite to a street or shared private driveway;

(B) is located on the same lot on which the backyard suite is located; and

(C) has a minimum width of 1.1 metres.

(RC-May 23/24;E-June 13/24)

(xii) ~~Notwithstanding Subsection (iv), an~~ An accessory non-conforming structure may be converted to a backyard suite if the floor area of the backyard suite does not exceed 1,000 square feet (93 square metres). (RC-May 23/24;E-June 13/24); and

(xiii) The floor area of a backyard suite shall not exceed 1,000 square feet (93 square metres).

29C. ACCESSORY HEN USE (RC- Oct 05/21;E-Jan 08/22)

An accessory hen use is permitted in conjunction with a residential use in all zones subject to the following provisions:

(a) The maximum number of hens permitted on a lot shall be:

i. a maximum of 10 hens on lots less than 4,000 square metres in size;

ii. a maximum of 15 hens on lots 4,000 square metres and over but less than 6,000 square metres in size;

iii. a maximum of 20 hens on lots 6,000 square metres and over but less than 10,000 square metres in size;

iv. a maximum of 25 hens on lots 10,000 square metres or greater in size;

(b) Hens shall be contained within an accessory building or a fenced area that:

i. is located in a rear yard;

ii. is setback the minimum distance that is required for a main building, on the subject lot, from a wetland or watercourse;

iii. subject to 29C(b)(iv), meets the requirements for accessory buildings under this by-law; and

iv. is setback a minimum of 1 metre from any side or rear lot line.

(c) The following are not permitted:

i. On-site slaughtering or euthanizing of hens; and

ii. The sale of eggs, meat or hens

30. Repealed (RC-May 23/24;E-June 13/24)

31. Restrictions On Outdoor Storage/Outdoor Display and Sales

a) Except for **CHC (RC-Dec 10/19;E-Feb 15/20),** CHWY, ILI, IHO, and IHI Zones, no outdoor storage shall be permitted. Except for **CHC (RC-Dec 10/19;E-Feb 15/20),** CHWY, CSC, ILI, IHO, and IHI, no outdoor display and sales shall be permitted.

b) Where a lot is to be used primarily for outdoor storage or outdoor display and sales, the following restrictions shall apply:

i) no outdoor storage or outdoor display and sales shall be permitted within any required front yard of a lot; and

ii) the area devoted to outdoor storage or outdoor display and sales shall not exceed fifty (50) per cent of the total lot area.

c) Notwithstanding section a) outdoor storage associated with garden markets is permitted within the CSC Zone providing it is screened with opaque screening, excluding chain-link or any other type of open fencing.

GENERAL PROVISIONS: LANDSCAPING AND ARCHITECTURAL GUIDELINES

32. Landscaping Requirements For Commercial Zones

In all commercial zones except the Mainstreet Commercial CMC Zone, there shall be a landscaped area of at least fifteen (15) feet in depth that runs the length of and directly abuts the front lot line, excluding driveway openings, and such land within this required landscaped area shall be grassed (or other appropriate vegetation ground cover) and trees and shrubs shall be planted or existing trees and shrubs shall be maintained at a minimum rate of one (1) plant per each ten (10) feet of frontage.

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33. Architectural Requirements For Commercial Uses

In all commercial zones, except the Mainstreet Commercial (CMC) Zone, the Shopping Centre Zone (CSC) and excluding office tower uses, the following architectural requirements shall be observed:

a) The architectural requirements shall apply to only those facades which are visible from the street on which the building fronts. In the case of a building generally parallel or perpendicular to the street, this shall include the front and side facades.
b) Windows, except for commercial storefronts at grade, shall be treated as individual openings in the wall surface; continuous bands of horizontal glazing will not be permitted except for storefronts at grade. For square and rectangular windows the height of window sashes shall exceed the width. Total window area per building face shall not exceed 50%. Windows shall be accentuated by design details (i.e.arches, hoods, mouldings, decorative lintels, pediments, sills).
c) The predominant roof slope shall be pitched with a minimum slope of 10 degrees. Mansard roofs shall not project beyond the face of the wall below except to permit eaves for ventilation. The upper floor of any structure shall be articulated with a roof design which incorporates features such as dormers, bay windows, sheds, roof windows, roof terraces. Every effort shall be made to have roof mounted mechanical equipment or other protrusions housed in an enclosure which is visually integrated into the roof design.
d) Building lines shall be generally parallel and perpendicular to the street line.
e) Replaced by Part 5 Section 35 (o)

GENERAL PROVISIONS: PARKING AND LOADING FACILITIES

34. Parking Requirements

a) For every building or structure to be erected or enlarged, off-street parking located within the same zone as the use and having unobstructed access to a public street shall be provided and maintained in conformity with the following schedule:

TYPE OF BUILDING	PARKING REQUIRED
A dwelling containing not more than three (3) dwelling units	**0 (RC-May 23/24;E-June 13/24)** parking spaces for each dwelling unit.
All other dwellings	**0.33 (RC-May 23/24;E-June 13/24)** spaces for each dwelling unit.
Churches, church halls,	Where there are fixed auditoria seats one (1) parking space for every (5) five seats, or ten (10) feet benchspace. Where there are no fixed seats, one (l) parking space for each one hundred (100) square feet of floor area devoted to public use.

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Elementary schools	One and one-half (1.50) parking spaces per each teaching classroom.
High schools	Four (4) parking spaces for each teaching classroom.
Hospitals	One (1) parking space for each two (2) beds or each four hundred (400) square feet of floor area, whichever is the greater.
Hotels, motels, staff houses, **and short-term bedroom rentals (RC-Feb 21/23;E-Sep 1/23)**	One (1) parking space per tourist cabins, guest houses bedroom plus parking spaces as per the listed requirements for accessory uses such as restaurants, lounges, retail space, etc.
Ice Cream Stand	**Five (5) spaces or five (5) spaces per thousand (1000) square feet of floor area devoted to public use, whichever is greater. (NWCC-July7/05;E-Dec5/05)**
General Retail	Four and one half (4.5) parking spaces per thousand (1000) square feet of gross leasable floor area.
Office Commercial	Three and one half (3.5) parking spaces per thousand (1000) square feet of gross leasable floor area.
Shopping Centres	Five and one half (5.5) parking spaces per thousand (1000) square feet of gross leasable floor area.
Shared Housing Use (RC-Aug 9/22;E-Sep 15/22)	**No parking shall be required.**
Restaurants	
Full Service	One (1) space for every four (4) seats provided or 20 spaces per thousand (1000) square feet of floor area devoted to public use, whichever is greater.
Drive-in/Fast Food	Twenty-seven (27) spaces per thousand (1000) square feet of floor area devoted to public use.
Take out	Sixteen (16) spaces per thousand (1000) square feet of floor area devoted to public use.
Medical/Dental	**Two (2) spaces per consulting room (RC-Aug 5/08;E-Aug 23/08)**
Banks and Trust Companies	Five (5.0) parking spaces per thousand (1000) square feet of gross leasable area.
Entertainment/Recreational	One (1.0) parking spaces per six (6) seats.
All other commercial uses	Four and one half (4.5) parking spaces per thousand (1000) square feet of gross leasable space.
Industrial Uses	One (1) parking space for every one thousand (1000) square feet of gross floor area, plus

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	parking space as per Subsection (h) for any office space.
Warehouses	One (1) parking space for every three thousand (3000) square feet of gross floor area, plus parking space as per the requirements for any office space.
Day Care Facilities	**1.5 spaces per 400 square (37.2 m²) of gross (NWCC-Apr 8/03;E-Apr 12/03)floor area**

(RC-Mar 3/09;E-Mar 21/09)

b) Handicapped parking stalls shall be provided at a ratio of four (4) percent of the total required in each lot with a minimum of one (l) stall per lot where required parking is for five (5) stalls or greater. These spaces shall be located near building entrances which shall be wheelchair accessible.

c) The parking requirements for multiple occupancy buildings which contain a mix of different uses shall be determined by calculating the sum of the parking requirements for each use and then reducing the number by twenty percent to allow for the shared usage of spaces by building occupants.

d) Notwithstanding subsections (a), (b), and (c), there shall be no required parking for residential uses within the Urban Service Area.

35. Standards For Parking Areas

Where parking facilities for more than three (3) vehicles are required or permitted:

a) all parking areas including individual parking spaces, visitors and service spaces, shall be clearly marked;

b) individual parking spaces shall be 9' x 18' except in the case of handicapped parking. Handicapped parking spaces shall be 13' feet wide unless two are located together in which case a total width of 21' is acceptable. Parking stalls for small cars, where provided, shall be 8' x 15' and shall not exceed 25% of the total parking spaces provided. Curb parking shall be 8' x 21. All parking areas including driveways and manoeuvring areas shall be maintained with a permanent hard surface and shall be defined by a concrete curb, ornamental brick, planting or other landscaped feature.

c) all parking areas must provide for ingress and egress of motor vehicles to a street or highway by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted;

d) curbs or other appropriate methods of delineating a pedestrian right of way shall be provided to ensure safety between pedestrian and vehicular movements in all parking lots that have greater than ten (10) parking stalls;

e) no parking area shall be immediately adjacent to doors or passage ways from buildings;

f) all parking areas shall provide manoeuvring areas to permit vehicles to leave the property in a forward motion;

g) all parking layouts shall make provision for the stock-piling of snow in a manner which will not reduce the amount of required parking space available; or reduce visibility within corner vision triangles of adjacent street intersections as defined in Section 21 of this Part and corner vision triangles at the intersection of the driveway(s) with the street.

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h) where a parking area for a multiple-unit residential building, a commercial building, or an industrial building abuts existing or designated residential uses, such parking areas shall be screened by a buffer, fence, or combination thereof;

i) where windows and doors exist on the ground floor of a residential building, no parking shall be located within twenty (20) feet of such windows and doors;

j) for institutional and commercial land uses, if off street parking is available on a permanent basis within three hundred (300) feet of the building and is zoned commercial or institutional, as well as being clearly signed to indicate the use it is intended to serve, the parking requirements shall be deemed to be satisfied.

k) the approaches or driveways shall not be closer than fifty (50) feet from the limits of the right-of-way at a street intersection;

l) entrance and exit ramps to parking areas shall not exceed two (2) in number and each such ramp shall be a maximum width of twenty-five (25) feet at the street line and edge of pavement; said ramps shall not be contiguous;

m) the width of a driveway leading to a parking or loading area, or aisle in a parking area, shall be a minimum width of ten (10) feet for one-way traffic and twenty (20) feet for two-way traffic, unless the driveway is fulfilling the function of a fire access in which case the driveway shall be a minimum width of twenty (20) feet.

n) in all parking lots with twenty (20) or more parking spaces, such parking lots shall have ten (10) percent of their area landscaped with vegetation such that the parking lots do not have groups of parking stalls greater than twenty (20) in an uninterrupted area, except for parking lots in CGB and CMC zones where all parking is located in rear yards and/or side yards.

o) in all commercial zones except Mainstreet Commercial (CMC) Zones and the Shopping Centre (CSC) Zones parking shall be in the rear yard and side yards, however, not more than 25% of the parking shall occur in the side yard. All rear parking lots shall be illuminated with lighting directed away from abutting residential properties. All side yard parking lots shall be screened with a natural vegetative buffer along the front property line adjacent the road way. Commercial parking lots are subject to this landscaping requirement. These requirements are not exclusive of any other requirements containing this by-law, including the abutting zone requirements on Part 5, Section 24.

36. Commercial Motor Vehicles In Residential Zones

a) For the purpose of this Part, "Commercial Motor Vehicles" shall mean any motor vehicle which is used for a commercial purpose, including but not limited to, ambulances, hearses, motor buses, tractors, panel vans, transport and dump trucks, whether or not it displays commercial licenses or signage.

b) Not more than one commercial motor vehicle shall be kept in a Residential Zone and this vehicle shall be owned or operated by the occupant of the lot, and parked on the lot.

37. Loading Spaces

a) In any zone, no person shall erect or use any building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or

passenger terminal, hotel, hospital, or other uses involving the frequent shipping, loading or unloading of animals or goods, unless there is maintained on the same premises with every such building, structure or use:

Gross Floor Area	No. of Spaces
Less than 4999 sq. ft.	0
5000-14,999 sq. ft.	1
15,000-34,999 sq. ft.	2
More than 35,000 sq. ft.	3

b) Each loading space shall be at least twelve (12) feet by forty (40) feet with a minimum of fourteen (14) feet height clearance. No such loading spaces shall be located within any required front yard or be located within any required yard which abuts a Residential or Park Zone.

c) Each loading space shall not be obstructed by any other parking space or accessory structure;

d) The requirements in a), b), and c) above may be waived if it is indicated that the uses which are to occupy a building do not require loading space(s).

37A Bicycle Parking Facilities (RC-Jun 25/14;E-Oct 18/14)

(1) For the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	**0.5 spaces per dwelling unit** **80% Class A, 20% Class B**
Hotels/ Motels/Inns	**1 space for every 20 rooms** **80% Class A, 20% Class B** **Minimum 2 Class B spaces**
General Retail, Trade and Service, **Food Store, Shopping Centre,** **Restaurants**	**1 space per 300m² GFA** **20% Class A/ 80% Class B** **Minimum 2 Class B spaces**
General Office, Banks, Medical **Clinics, Institutional Uses,** **Government Buildings**	**1 space per 500m² GFA** **50% Class A/ 50% Class B** **Minimum 2 Class B spaces**
Auditoriums, Theatres, Stadiums, **Halls**	**1 space for every 20 seats** **20% Class A/ 80% Class B** **Minimum of 2 Class B spaces** **Maximum of 50 spaces**
Schools, Colleges, Universities	**1 space for every 250m² GFA** **20% Class A/ 80% Class B**
Recreation Facilities,	**1 space per 200m² GFA**

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Community Centres, Libraries	**20% Class A/ 80% Class B** **Minimum of 2 Class B spaces**
General Industrial Uses	**1 space per 1000 m² GFA** **80% Class A/ 20% Class B** **Minimum of 2 Class B spaces** **Maximum of 20 spaces**
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	**5% of motor vehicle parking provided** **Minimum of 2 Class B spaces** **Maximum of 50 spaces**
Any Uses Not Specified Above	**1 space per 500 m² GFA** **50% Class A/ 50% Class B**

(2) Bicycle parking requirements shall not be required for the following land uses:

single, two and three unit dwellings, townhouses, shared housing use, (RC-Aug 9/22;E-Sep 15/22) self storage facilities, car washes, cemeteries and funeral homes.

(3) Each Class B bicycle parking space shall:

(a) be a minimum of 0.6m wide and 1.8m long;
(b) have a minimum overhead clearance of 2.0m;
(c) be located a minimum of 0.6m from any wall or other obstruction.

(4) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside or between each row of bicycle parking.

(5) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

37B Location of Bicycle Parking (RC-Jun 25/14;E-Oct 18/14)

(1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.

(2) Class A bicycle parking may be located up to 200m from an entrance.

(3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.

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(4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

37C Special Bicycle Parking Facility Requirements (RC-Jun 25/14;E-Oct 18/14)

(1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.

(2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.

(3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

37D Appendix C - Areas of Elevated Archaeological Potential (RC-Jun 25/14;E-Oct 18/14)

Where excavation is required for a development on any lot identified on Appendix C attached to this by-law, a development permit may be issued and the application may be referred to the Nova Scotia Department of Communities, Culture and Heritage, Heritage Division for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

37E Appendix D – Wetlands (RC-Jun 25/14;E-Oct 18/14)

Every application for a development permit shall be accompanied by plans, drawn to an appropriate scale, showing the location of all wetlands identified on Appendix D attached to this by-law, within and adjacent to the lot. Notwithstanding any other provision of this by-law, no development of any kind shall be permitted within any such wetland.

GENERAL PROVISIONS: SIGNS

38. Signs

1. General

a) No person shall erect a sign without first obtaining a development permit from the Development Officer;
b) All signs shall be located on the lot containing the business being advertised;
c) Not more than two signs per business shall be permitted;
d) The following sign provisions in Subsections 4, 5, 6, and 7 do not apply to the CMC

Mainstreet Commercial Zone.

e) Notwithstanding c) above not more than one ground sign per lot shall be permitted except for Bedford Place Mall, Sunnyside Mall and Sobey's Mill Cove Shopping Centre where not more than two ground signs per lot shall be permitted.

f) Notwithstanding b), c) and 38.3(h) the *Northgate Retail Complex (as shown on Schedule B) (NWCC-Nov 25/10;E-Dec 11/10)* shall be permitted to contain two shared ground signs in addition to all other permitted signs. These ground signs shall be located adjacent to the main entrance on Duke Street and adjacent Highway 102. No more than one sign shall be permitted in either location. (NWCC-May 25/06;E-Jun 16/06)

1A. Temporary Signage

(a) This By-law shall not apply to any sign regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs); and

(b) Any sign provision within this By-law referring to temporary signage, as regulated under HRM By-law S-800, is superceded. (RC-Sep 26/06;E-Nov 18/06)

2. Signs Permitted In All Zones

The following signs shall be permitted in all zones;

a) name and street number of residential and non-residential buildings;

b) "No Trespassing" signs and other such signs regulating the use of a property, provided said sign does not exceed two (2) square feet in area;

c) "For Sale" or "For Rent" signs, provided such signs do not exceed six (6) square feet per face in any residential zone and thirty-two (32) square feet per face in any non-residential zone;

d) signs regulating traffic within the lot or giving direction or identifying the function of part or all of a building, provided that such signs do not exceed five (5) square feet in area;

e) signs erected by a governmental body or public authority such as traffic signs, railroad crossing signs, signs identifying public properties and buildings without limitation as to the maximum sign areas, and lists of electors;

f) memorial signs or tablets and signs denoting the date or erection of a building as well as signs identifying historic sites;

g) flag, pennant, or insignia of any government or religious, charitable, or fraternal organization;

h) signs which are incidental to construction and are located on the same lot, provided that such sign shall not exceed sixty-four (64) square feet in area;

i) notices of religious or patriotic demonstrations and public exhibitions.

3. Signs Prohibited In All Zones

The following signs shall not be permitted or erected in any zone, notwithstanding anything else contained in this By-law:

a) signs having flashing or moving illumination which varies in intensity or colour, signs having moving parts, whether caused by mechanical apparatus, electrical pulsation, or normal wind current;
b) portable signs except for once per business for a maximum period of sixty (60) continuous days for new business openings;
c) any sign which creates a hazard to public safety;
d) any sign proximate to a roadway or driveway which obstructs the vision of vehicular drivers whether by virtue of its sign location, appearance or illumination or which obscures or obstructs any traffic control sign or device of any public authority;
e) any sign which obstructs access to or from a fire escape, door, window, or other required fire exit;
f) signs which resemble traffic control signs of any public authority, whether by shape, colour, message or location which would interfere with or confuse traffic along a public road;
g) any sign which advertises a product which is no longer sold or a business which is no longer in operation;
h) signs which are not located on the same lot as the commercial establishment, which state the name of the said establishment and the type of business or products of said establishments;
i) signs on public property or public rights-of-way unless erected by a public authority or specifically permitted by the Town;
j) string lights, other than for temporary holiday decoration whose illumination is unshielded from adjacent properties;
k) searchlights, pennants, spinners, banners, and streamers, except for temporary uses such as grand openings and exhibitions;
l) signs located on or affixed to the roof of any structure;
m) signs affixed to natural objects (trees, stones).

4. Facial Wall Signs

No facial wall sign shall:

a) extend above the top of the wall on which it is affixed;
b) extend beyond the extremities of the wall on which it is affixed;
c) include more than one message for each business premise in the building on which it is affixed where the building contains multiple occupancies;
d) have an area which exceeds ten (10) percent of the area of the wall on which it is attached;
e) within the Northgate Retail Complex, no single facia sign shall exceed 10 percent of the area of the wall on which it is attached and the total area of all facia signs on a wall shall not exceed 15 percent of the area of the wall to which it is attached. For the purposes of this section all facia wall signs shall count as one sign. Signs on an individual building may contain more than one message per business premise. (NWCC-May 25/06;E-Jun 16/06)

5. Projecting Wall Signs

No projecting wall sign shall:

a) project over a public right-of-way unless otherwise provided for in this By-law;
b) project more than six (6) feet from the wall on which it is attached;
c) project above the eaves, parapet or roof line of a building;
d) be erected below a height of ten (l0) feet above grade;
e) have a single face area greater than sixteen (16) square feet;
f) canopies and awnings incorporating signage are not subject to subsections a), c), d), and e);
g) within the Northgate Retail Complex, canopies and awnings incorporating signage shall be considered facia wall signs. (NWCC-May 25/06;E-Jun 16/06)

6. Ground Signs Or Free Standing Signs

No ground sign shall:

a) exceed a height of fifteen (15) feet from the grade to the highest part of the sign;
b) be set back less than five (5) feet from the front lot line, or the flankage lot line of a corner lot, in any commercial zone, subject to Section 20, Part 5;
c) notwithstanding a) and b) the Northgate Retail Complex (near Duke Street and Highway 102), no sign shall exceed 35 feet in height or exceed 250 square feet in size per face for buildings greater than 20,000 square feet or greater in size. No sign shall be set back less than ten (10) feet from the front lot line, or the flankage lot line of a corner lot, subject to Part 5, Section 20. Furthermore the supporting structure of such ground sign shall not include exposed metal pole(s) or beams, but should be surrounded by a decorative cover or wrap which includes architectural elements compatible with the sign. Pole covers shall be made of a shell of stone, brick, ornamental metal or similar materials.
d) notwithstanding a) the Northgate Retail Complex (near Duke Street and Highway 102), no sign shall exceed 20 feet in height or exceed 250 square feet in size per face for buildings smaller than 20,000 square feet in size. No sign shall be set back less than five (5) feet from the front lot line, or the flankage lot line of a corner lot, subject to Section 20, Part 5. (NWCC-May 25/06;E-Jun 16/06)

6A. Shared Ground Signs (Northgate Retail Complex) (NWCC-May 25/06;E-Jun 16/06)

No shared ground sign enabled under Section 38. 1. f) shall:

a) exceed 60 feet in height or 500 square feet in area, adjacent to Highway 102;
b) exceed 40 feet in height or 500 square feet in area, adjacent to Duke Street.

Furthermore the supporting structure of such ground sign shall not include exposed metal pole(s) or beams, but should be surrounded by a decorative cover or wrap which includes architectural elements compatible with the sign. Pole covers shall be made of a shell of stone, brick, ornamental metal or similar materials.

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7. Signs In A Residential Zone

Unless otherwise regulated in this By-law, no sign in any Residential Zone shall exceed three (3) square feet in sign area or be higher than five (5) feet from grade to the top of the sign in the case of a ground sign.

39. GENERAL PROVISIONS: WIND ENERGY FACILITIES (RC-Jun 25/14;E-Oct 18/14)

The use of windmills or wind turbines to produce electricity or for any other purpose shall be regulated in accordance with the provisions of this Section.

I DEFINITIONS

For the purposes of this Section, certain terms are defined as follows:

a) "Habitable Building" means a dwelling unit, hospital, hotel, motel, shared housing use (RC-Aug 9/22;E-Sep 15/22) or other building where a person lives or which contains overnight accommodations.

b) "Nacelle" means the frame and housing at the top of the tower that encloses the gearbox and generator.

c) "Nameplate Capacity" means the manufacturer's maximum rated output of the electrical generator found in the nacelle of the wind turbine;

d) "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;

e) "Tower Height" means the distance measured from grade at the established grade of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation, or in the case of a roof mounted wind turbine the distance measured from the lowest point of established grade at the building's foundation to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation;

f) "Turbine" means a wind energy conversion system, the purpose of which is to produce electricity, consisting of rotor blades, associated control or conversion electronics, and other accessory structures.

g) "Wind Energy Facility" means a wind energy conversion system, the purpose of which is to produce electricity, consisting of one or more roof mounted turbines or turbine towers, with rotor blades, associated control or conversion electronics, and other accessory structures including substations, meteorological towers, electrical infrastructure and transmission lines:

i) "Micro Facility" means a wind energy facility consisting of a single turbine designed to supplement other electricity sources as an accessory use to existing buildings or facilities and has a total rated capacity of 10 kW or less, and is not more than 23 metres (75 feet) in height.

ii) "Small Facility" means a wind energy facility which has a total rated capacity of more than 10 kW but not greater than 30 kW. A Small Facility has a stand alone design, on its own foundation, or may be supported by guy

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wires, is not roof mounted, and the tower of which is not more than 35 metres (115 feet) in height.

iii) "Medium Facility" means a wind energy facility which has a total rated capacity of more than 30 kW but not greater than 300 kW. A Medium Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are not more than 60 metres (197 feet) in height.

iv) "Large Facility" means a wind energy facility which has a total rated capacity of more than 300 kW. A Large Facility has a stand alone design, on its own foundation, or may be supported by guy wires, is not roof mounted, and the towers of which are greater than 60 metres (197 feet) in height.

II ZONES

For the purpose of this section the following zones apply as shown on the attached Appendix E - Wind Energy Zoning Map. Such zones are:

(UW-1) Urban Wind Zone
(RW-2) Rural Wind Zone
(R) Restricted Zone

a) URBAN WIND ZONE (UW-1)

i) All Wind Energy Facilities, except Large Facilities, are permitted in the Urban Wind Zone (UW-1).

ii) All turbine towers in the UW-1 Zone shall have a minimum distance between turbines equal to the height of the tallest tower.,

iii) All turbine towers in the UW-1 Zone shall be set back a minimum distance of 1.0 times the tower height from any adjacent property boundary,

iv) Turbine towers of Micro Facilities in the UW-1 Zone shall be set back a minimum distance of 3.0 times the tower height from any habitable building on an adjacent property.

v) Turbine towers of Small Facilities in the UW-1 Zone shall be set back a minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property.

vi) Turbine towers of Medium Facilities in the UW-1 Zone shall be set back a minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property.

b) RURAL WIND ZONE (RW-2)

i) All Wind Energy Facilities are permitted in the Rural Wind Zone (RW-2).

ii) All turbine towers shall have a minimum distance between turbines equal to the height of the tallest tower.

iii) Turbines towers of Micro Facilities in the RW-2 Zone shall have the following set back requirements:

1) A minimum distance of 3.0 times the tower height from any habitable building on an adjacent property;

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2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

iv) Turbines towers of Small Facilities in the RW-2 Zone shall have the following set back requirements:

1) A minimum distance of 180 metres (590 feet) from any habitable building on an adjacent property;

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

v) Turbines towers of Medium Facilities in the RW-2 Zone shall have the following set back requirements:

1) A minimum distance of 250 metres (820 feet) from any habitable building on an adjacent property;

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

vi) Turbines towers of Large Facilities in the RW-2 zone shall have the following set back requirements:

1) A minimum distance of ~~1000 metres (3281 feet)~~ **of the greater of the following** from any habitable building on an adjacent property~~;~~**:**

(a) 4 times the wind turbine height; or

(b) the distance required to ensure that

(i) sound levels from the wind turbine do not exceed 40 dBA at the exterior of a residential dwelling, and

(ii) a residential dwelling receives less than 30 minutes per day or 30 hours per year of shadow flicker.

2) A minimum distance of 1.0 times the tower height from any adjacent property boundary.

c) RESTRICTED ZONE (R)

i) Wind Energy Facilities shall not be permitted in the Restricted Zone.

III PERMIT APPLICATION REQUIREMENTS

All Wind Energy Facilities require a development permit. The permit application shall contain the following:

a) a description of the proposed Wind Energy Facility, including an overview of the project, the proposed total rated capacity of the Wind Energy Facility;

b) the proposed number, representative types, and height or range of heights of wind turbines towers to be constructed, including their generating capacity, dimensions, respective manufacturers, and a description of accessory facilities;

c) identification and location of the properties on which the proposed Wind Energy Facility will be located;

d) at the discretion of the Development Officer, a survey prepared by a Nova Scotia Land Surveyor, a surveyor's certificate, or a site plan showing the planned location of all wind turbines towers, property lines, setback lines, access roads, turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all structures

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and land parcels, demonstrating compliance with the setbacks and separation distance where applicable;

e) at the discretion of the Development Officer, proof of notification to the Department of National Defense, NAV Canada, Natural Resources Canada and other applicable agencies regarding potential radio, telecommunications, radar and seismoacoustic interference, if applicable, to Transport Canada and the *Aviation Act;* and,

f) any other relevant information as may be requested by the Halifax Regional Municipality to ensure compliance with the requirements of this By-law.

IV ADDITIONAL PERMIT REQUIREMENTS

a) The Development Permit application shall be reviewed by a Municipal Building Official to determine if design submissions are required from a Professional Engineer to ensure that the wind turbine base, foundation, or guy wired anchors required to maintain the structural stability of the wind turbine tower(s) are sufficient where a wind turbine is:

i) not attached to a building and is not connected to the power grid;

ii) attached to an accessory building in excess of 215 square feet and is not connected to the power grid.

b) A minimum of 60 days before the date a development permit application is submitted, an applicant shall send a notice to all assessed property owners of property that is within the following distances from the boundary of the property upon which any Micro, Small, Medium and Large wind energy facility is proposed:

i)	**Micro**	**140 metres (460 ft)**
ii)	**Small**	**360 metres (1180 ft)**
iii)	**Medium**	**500 metres (1640 ft)**
iv)	**Large**	**2000 metres (6560 ft)**

c) The notice pursuant to section b) shall include the following information:

i) a site plan that includes property boundaries and the location of the proposed wind energy facility;

ii) a description of the type of wind energy facility; and

iii) the applicant's contact information which shall include a mailing address.

V EXCEPTIONS

Notwithstanding Section II a) and II b) the setback requirements from any Wind Energy Facility to a property boundary may be waived where the adjoining property is part of and forms the same Wind Energy Facility. All other setback provisions shall apply.

a) Wind Energy Facilities shall not be permitted in the following zones of the Bedford Land Use By-law:

i) RPK (Regional Park) Zone.

VII INSTALLATION AND DESIGN

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a) The installation and design of a Wind Energy Facility shall conform to applicable industry standards.

b) All structural, electrical and mechanical components of the Wind Energy Facility shall conform to relevant and applicable local, provincial and national codes.

c) All electrical wires shall, to the maximum extent possible, be placed underground.

d) The visual appearance of the Wind Energy Facility shall at a minimum:

- **i) be a non-obtrusive colour such as white, off-white or gray;**
- **ii) not be artificially lit, except to the extent required by the *Federal Aviation Act* or other applicable authority that regulates air safety; and,**
- **iii) not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer, facility owner and operator.**

VIII MISCELLANEOUS

a) Micro Wind Facilities shall be permitted on buildings subject the requirements in Section II a) Urban Wind Requirements and Section II b) Rural Wind Requirements.

b) The siting of Wind Energy Facilities is subject to the requirements for Watercourse Setbacks and Buffers as set out in the Land Use By-law.

c) The siting of all accessory buildings are subject to the general set back provisions for buildings under this By-law

IX SCHEDULES/ APPENDICES

a) Appendix E – Wind Energy Zoning Map.

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PART 6: RESIDENTIAL SINGLE DWELLING UNIT (RSU) ZONE

No development permit shall be issued in a Residential Single Dwelling Unit (RSU) Zone except for one or more of the following uses:

a) single detached dwelling units;
aa) all uses permitted in the RTU Zone within the Urban Service Area, subject to the RTU Zone requirements; (RC-May 23/24;E-June 13/24)
b) neighbourhood parks;
c) **shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit; (RC-Aug 9/22;E-Sep 15/22)**
d) uses accessory to the foregoing uses.
e) **Repealed (RC-May 23/24;E-June 13/24)**

ZONE REQUIREMENTS RSU

In any Residential Single Dwelling Unit (RSU) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....6,000 Sq. Ft. serviced;
Minimum Lot Frontage..... 60 Ft.
Minimum Front Yard.....Local and Collector Streets 15 Ft.; 30 Ft. Arterial Streets
Minimum Rear Yard..... 20 Ft.
Minimum Side Yard ..... 8 Ft.
Minimum Flankage Yard.....15 Ft. Local and Collector Streets; 30 Ft. Arterial Streets
Maximum Height of Building..... 35 Ft.
Maximum Number of Dwelling Units on Lot
(**not including secondary or backyard suites) (NWCC-Mar 8/21;E-Mar 27/21)** 1
Maximum Lot Coverage 35%

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PART 7: RESIDENTIAL TWO DWELLING UNIT (RTU) ZONE

No development permit shall be issued in a Residential Two Dwelling Unit (RTU) Zone except for one or more of the following uses:

a) **single detached dwelling units (RC-May 23/24;E-June 13/24)**;
b) a semi-detached dwelling;
c) a duplex dwelling;
d) a linked dwelling;
e) **repealed (RC-May 23/24;E-June 13/24)**;
ea) an Apartment containing 3 or 4 dwelling units within the Urban Service Area (RC-May 23/24;E-June 13/24);
f) **shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit; (RC-Aug 9/22;E-Sep 15/22)**
g) neighbourhood park;
h) uses accessory to the foregoing uses.

ZONE REQUIREMENTS RTU

In any Residential Two Dwelling Unit (RTU) Zone, no development permit shall be issued except in conformity with the following requirements:

	Single Detached Dwellings, Apartments, Duplex Dwellings & Singles with Basement Apartment	Each Semi-Detached Unit or Linked Dwelling Unit
Minimum Lot Area	6,000 Sq.Ft.	3,000 Sq.Ft.
Minimum Lot Frontage	60 Ft.	30 Ft.
Minimum Front Yard	15 Ft. on Local and Collector Streets; 30 Ft. on Arterial	15 Ft. on Local and Collector Streets; 30 Ft. on Arterial
Minimum Rear Yard	20 Ft.	20 Ft.
Minimum Side Yard	8 Ft.	8 Ft.
Minimum Common Side Yard For Link Homes	N/A	2.5 Ft.
Minimum flankage yard	15 Ft. on Local and Collector Streets; 30 Ft. on Arterial	15 Ft. on Local and Collector 30 Ft. on Arterial
Maximum Height of Building	35 Ft.	35 Ft.
Maximum Lot Coverage	35%	35%

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PART 8: RESIDENTIAL MULTIPLE DWELLING UNIT (RMU) ZONE

No development permit shall be issued in a Residential Multiple Dwelling Unit (RMU) Zone except for one or more of the following uses:

a) apartment building;
b) **shared housing use; (RC-Aug 9/22;E-Sep 15/22)**
c) neighbourhood parks;
d) uses accessory to the foregoing uses.

ZONE REQUIREMENTS RMU

In any Residential Multiple Dwelling Unit (RMU) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	10,000 Sq.Ft.
Minimum Lot Frontage	100 Ft.
Minimum Front Yard	30 Ft.
Minimum Rear Yard	40 Ft.
Minimum Side Yard	15 feet minimum or 1/2 the height of the building, whichever is greater
Flankage Yard	30 Ft.
Maximum Height of Main Building	~~35 Ft.~~ **3 storeys**
Maximum Number of Dwelling Units/Lot	36 Units
Lot Coverage	35%

	Type of Dwelling Unit	Lot Area Required Per Dwelling Unit
Density	Bachelor, Bedsitting & One Bedroom	1,500 Sq.Ft
	Two or more Bedrooms	2,000 Sq.Ft.
Recreation Space	One Bedroom, Bachelor or Bedsitting	200 Sq.Ft
	Two Bedroom	575 Sq.Ft.
	Three Bedroom	950 Sq.Ft.
	Four or More Bedrooms	1,325 Sq.Ft.

Where shared housing use is provided, a minimum of 500 Sq.Ft. of lot area shall be required for each bedroom, and a minimum of 200 Sq.Ft. of recreation space shall be required for each bedroom. (RC-Aug 9/22;E-Sep 15/22)

A recreational space shall be a space set aside for recreational purposes such as common recreational areas: play areas, recreational rooms, roof decks, swimming pools and tennis courts. A recreational space shall have no dimension less than thirty (30) feet and a minimum of 50 percent of the outdoor recreational space shall have grades between 0-8 percent.

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PART 9: RESIDENTIAL TOWNHOUSE (RTH) ZONE

No development permit shall be issued in a Residential Town House (RTH) Zone except for one or more of the following uses:

a) rowhouse or townhouse dwelling;
b) **shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit; (RC-Aug 9/22;E-Sep 15/22)**
c) neighbourhood parks
d) uses accessory to the foregoing uses;

<u>ZONE REQUIREMENTS RTH</u>

In any Residential Townhouse (RTH) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	2,000 sq. ft. per unit
Minimum Lot Frontage	20 ft. per unit
Minimum Front Yard	15 ft. on local or collector streets where a garage is within or attached to the dwelling or where off-site parking is provided; 30 ft. on arterial streets
Minimum Rear Yard	20 ft.
Minimum Side Yard	10 ft.
Flankage Yard	15 ft. on local and collector streets; 30 ft. on arterial streets
Maximum Height of Building	35 ft.
Number of Dwelling Units Per Lot **(not including secondary or backyard suites) (NWCC-Mar 8/21; E-Mar 27/21)**	1
Lot Coverage	35%

The maximum density of Rowhouse or Townhouse units permitted in this zone shall be 15 units per net acre.

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PART 9A: CUSHING HILL RESIDENTIAL (CHR) ZONE (RC-Dec 10/19;E-Feb15/20)

No development permit shall be issued in a Cushing Hill Residential (CHR) Zone except for one or more of the following uses:

a) single detached dwelling units;
b) semi-detached dwelling;
c) duplex dwelling;
d) rowhouse or townhouse dwelling;
e) repealed (RC-May 23/24;E-June 13/24);
ea) Apartments containing 3 or 4 dwelling units within the Urban Service Area (RC-May 23/24;E-June 13/24);
f) Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit; (RC-Aug 9/22;E-Sep 15/22)
g) neighbourhood parks; and
h) uses accessory to the foregoing uses.

ZONE REQUIREMENTS CHR

In any Cushing Hill Residential (CHR) Zone, no development permit shall be issued except in conformity with the following requirements:

SINGLE DETACHED, SEMI-DETACHED AND DUPLEX DWELLINGS ON INDIVIDUAL LOTS

1. Buildings to be occupied or developed as a single detached dwelling, a semi-detached dwelling, an apartment (RC-May 23/24;E-June 13/24) or a duplex on individual lots shall conform with the following requirements:

(a)	**Minimum lot frontage**	**9.75 metres (32 feet) for Apartment, (RC-may 23/24;E-June 13/24) single unit dwellings and duplexes** **7.62 metres (25 feet) per unit for semi-detached**
(b)	**Minimum lot area**	**315.9 square metres (3,400 square feet) for single unit dwellings and duplexes** **232.3 square metres (2,500 square feet) per unit for a semi-detached dwelling**
(c)	**Maximum height**	**10.67 metres (35 feet)**
(d)	**Maximum lot coverage**	**40 percent**
(e)	**Minimum front yard**	**6.1 metres (20 feet)**
(f)	**Minimum rear yard**	**6.1 metres (20 feet)** **Where parking is located in the rear yard, the minimum rear yard setback shall be 9.14 metres (30 feet)**
(g)	**Minimum side yard**	**1.22 metres (4 feet) or 0 metres for the common lot line between semi-detached dwellings units**

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(h)	**Minimum yard along the Bedford Highway**	**9.14 metres (30 feet)**

ROWHOUSES/TOWNHOUSES ON INDIVIDUAL LOTS

2. Buildings to be developed or occupied as rowhouses or townhouses on individual lots shall comply with the following requirements:

(a)	**Minimum lot frontage per unit**	**6.1 metres (20 feet) per unit**
(b)	**Minimum lot area**	**50.04 square metres (1,615 square feet)**
(c)	**Maximum height**	**10.67 metres (35 feet)**
(d)	**Maximum lot coverage**	**40 percent**
(e)	**Minimum front yard**	**6.1 metres (20 feet)**
(f)	**Minimum rear yard**	**7.62 metres (25 feet)**
(g)	**Minimum side yard**	**3.05 metres (10 feet) for end units**
(h)	**Maximum number of units per building (not including secondary or backyard suites) (NWCC-Mar 8/21; E-Mar 27/21)**	**8 units**
(i)	**Deleted (RC-Aug 22/23;E-Sep 28/23)**	
(j)	**Minimum yard along the Bedford Highway**	**9.14 metres (30 feet)**

DWELLING UNITS ON A SHARED LOT

3. Buildings to be occupied or developed as a single detached dwelling, a semi-detached dwelling or a duplex, and rowhouses or townhouse on a common lot shall conform with the following requirements:

(a)	**Minimum Lot Frontage**	**7.62 m (25 feet)**
(b)	**Minimum Lot Area**	**1486.4 sq. m. (16,000 sq. ft.)**
(c)	**Minimum Lot Area Per Dwelling Unit**	**Single Detached** **315.9 square metres (3400 square feet)** **Semi Detached/Duplex** **232.3 square metres (2,500 square feet)** **Rowhouse/Townhouse** **167.2 square metres (1800 square feet)**
(d)	**Minimum yard along Oakmount Drive**	**6.1 metres (20 feet)**
(e)	**Minimum yard along the Bedford Highway**	**9.14 metres (30 feet)**
(f)	**Minimum Rear Yard**	**6.1 metres (20 feet)**
(g)	**Minimum Side Yard**	**3.05 metres (10 feet)**
(h)	**Maximum Height of Building**	**10.67 metres (35 feet)**

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(i)	**Maximum Lot Coverage**	**40 percent**
(j)	**Deleted (RC-Aug 22/23;E-Sep 28/23)**	
(k)	**Maximum number of rowhouses/ townhouses units per building**	**8**
(l)	**Maximum number of dwelling units per lot (not including secondary or backyard suites) (NWCC-Mar 8/21; E-Mar 27/21)**	**24**
(m)	**Minimum distance between Buildings**	**3.7 m (12 feet)**
(n)	**Minimum distance between a shared private driveway and building**	**3.05 metres (10 feet)**

<u>SPECIAL CARE FACILITIES</u> (Deleted: RC-Aug 9/22;E-Sep 15/22)

4. Deleted (RC-Aug 9/22;E-Sep 15/22)

<u>OTHER REQUIREMENTS</u>

<u>Site Design</u>

5. Dwelling units on a shared lot shall provide a single or shared pedestrian walkway from the street to each dwelling unit.

6. Where common accessory structures or buildings are provided for recreational uses on a shared lot, a walkway from all dwelling units shall be provided to the accessory structure or building. Such walkways shall be a minimum of 1.5m (5 feet) in width and be constructed of hardscaping.

<u>General Building Design Requirements</u>

7. Propane tanks and electrical transformers and all other exterior utility boxes shall be screened by means of opaque fencing, structural walls or suitable landscaping.

8. Electrical power, telephone, cable and similar utilities shall be brought from the public street to any building by underground conduit.

9. All dwelling units in a townhouse building shall have a front door that faces the street or shared driveway.

10. Townhouse buildings shall feature variation between dwelling units through the use of at least one of the following:

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(a) changes in colour;
(b) changes in material; or
(c) projections and recesses of a minimum of 0.5 metres (1.6 feet).

11. End dwelling units having a flanking yard shall have a minimum of 30% architectural treatment on the wall so as not to create a solid wall. Such features shall include a minimum of one window on each floor and a minimum of one of the following:

(a) changes in colour;
(b) changes in material; or
(c) projections and recesses of a minimum of 0.5 metres (1.6 feet).

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<u>Landscaped Recreation Space</u>

12. a minimum of 13.94 square metres (150 square feet) of outdoor recreation space shall be provided for use by each dwelling unit.

13. Outdoor amenity space may be located in any front yard, rear yard, side yard, deck, balcony, terrace or patio, or any combination thereof.

<u>Accessory Buildings</u>

14. A maximum of one accessory building shall be permitted per dwelling unit, subject to the requirements of Part V, Section 29.

<u>Lot Frontage on Oakmount Drive</u>

15. Lands identified in Appendix F shall be exempt from the requirement to have lot frontage on a public street provided:

(a) permission to access the parcels over Nova Scotia Transportation and Infrastructure Renewal (NSTIR) lands is provided by NSTIR; and
(b) the width of any existing lots or proposed lots at the property line closest to Oakmount Drive is equal to or greater than the minimum required lot frontage identified above.

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PART 10: RESIDENTIAL COMPREHENSIVE DEVELOPMENT DISTRICT (RCDD) ZONE

1) No Development Permit shall be issued for a development in a Residential Comprehensive Development District (RCDD), unless the proposed development is in conformance with a development agreement which has been approved by a resolution of Council.

2) The following uses may be permitted in a RCDD zone:

   a) Single Detached Unit dwellings;
   b) Two Unit attached;
   c) Townhouse dwellings;
   d) Multiple Unit dwellings;
   e) Repealed (RC-Oct 11/22;E-Nov 16/22);
   f) Shared housing use; (RC-Aug 9/22;E-Sep 15/22)
   g) Neighbourhood convenience stores;
   h) Neighbourhood Commercial Uses (see definition);
   i) Institutional Uses;
   j) Parks and Recreational Uses;
   k) Any uses accessory to the foregoing.

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PART 10A: BEDFORD SOUTH COMPREHENSIVE DEVELOPMENT DISTRICT (BSCDD) ZONE (RC-Jun 20/06;E-Jul 29/06)

1) No development permit shall be issued for a development with a Bedford South Comprehensive Development District (BSCDD) Zone except in accordance with a development agreement approved pursuant to policies contained in the Bedford South Secondary Planning Strategy.

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PART 10B: BEDFORD WEST COMPREHENSIVE DEVELOPMENT DISTRICT (BWCDD) ZONE (RC-Jun 20/06;E-Jul 29/06)

1) No development permit shall be issued for a development with a Bedford West Comprehensive Development District (BWCDD) Zone except in accordance with a development agreement approved pursuant to policies contained in the Bedford West Secondary Planning Strategy.

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PART 11: RESIDENTIAL RESERVE (RR) ZONE

No development permit shall be issued in a Residential Reserve (RR) Zone except for one or more of the following uses:

a) single unit dwellings;
b) neighbourhood parks;
c) **Shared housing use with 10 or fewer bedrooms in conjunction with a permitted dwelling unit; (RC-Aug 9/22;E-Sep 15/22)**
d) uses accessory to the foregoing uses.

ZONE REQUIREMENTS RR

In any Residential Reserve (RR) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area ..... 5 acres
Minimum Lot Frontage.....360 feet
Minimum Front Yard..... 30 ft. setback
Minimum Rear Yard..... 50 ft.
Minimum Side Yard ..... 8 ft.
Maximum Height of Building..... 35 ft.
Maximum Number of Dwelling Units on Lot **(not including secondary or backyard suites) (NWCC-Mar 8/21;E-Mar 27/21)** 1
Lot Coverage 10%

SPECIAL REQUIREMENTS - UNSERVICED LOTS

Notwithstanding anything else in this By-law, the minimum lot frontage for unserviced lots within as RR zone may be reduced to one hundred twenty (120) feet and the minimum lot area reduced to one (1) acre where the following conditions are met:

a) the original parcel of land contains a dwelling which was constructed on or before October 9, 1991 by-law: and,
b) the lot completely fronts on a street which was public on or before October 9,1991.

Notwithstanding anything else in this By-law, for 700 Kearney Lake Road (PID 40648370), the minimum lot frontage is reduced to one hundred fifty (150) feet and the minimum lot area is reduced to two (2) acres. (RC-Apr 24/01;E-May 25/01)

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PART 12: GENERAL BUSINESS DISTRICT (CGB) ZONE

No development permit shall be issued in a General Business District (CGB) Zone except for one or more of the following uses:

a) Office Uses
b) Private Clubs (social)
c) Full- Service Restaurants
d) Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)
e) Neighbourhood Convenience Stores
f) General Retail exclusive of mobile home dealerships
g) Personal and Household Services, exclusive of massage parlours
h) Commercial Photography
i) Lounges & Taverns (Taverns not exceeding 1,500 Sq.Ft. gross area)
j) All Age/Teen Clubs
k) Hotels, Motels, Cabins, Guest Houses
l) Recycling depots
m) Drycleaning Depots
n) Commercial parking lots
o) Funeral Homes
p) Institutional (SI) uses, excluding cemeteries
q) Ice cream stands (NWCC-Jul 7/05;E-Dec 5/05)
r) Veterinary clinics (NWCC-Sep 27/07;E-Oct 13/07)
s) Banks and Financial Institutions (NWCC-Jul 8/13;E-Jul 27/13)
t) Short-term Rentals (RC-Feb 21/23;E-Sep 1/23)
u) Short-term Bedroom Rentals (RC-Feb 21/23;E-Sep 1/23)
v) Uses accessory to the foregoing uses (NWCC-Jul 8/13;E-Jul 27/13)

ZONE REQUIREMENTS CGB

In any General Business District (CGB) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area ..... 10,000 Sq.Ft.
Minimum Lot Frontage ..... 60 Ft.
Minimum Front Yard ..... 15 Ft. setback
Minimum Rear Yard ..... 0 Ft.; Except 40 Ft. where abutting Residential Zoned property
Minimum Side Yard ..... 0 Ft.; Except 20 Ft. or half the height of the building, whichever greater, where abutting Residential Zoned land
Maximum Height of Building ..... 3 floors above established grade
Units on Lot 0
Lot Coverage 50%
Access ..... 1 driveway access for each 150 feet of lot frontage

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PART 13: SHOPPING CENTRE (CSC) ZONE

No Development Permit shall be issued in a Shopping Centre (CSC) Zone except for one or more of the following uses:

a) Shopping Centres containing any of the following uses;
   i) Banks and Financial Institutions
   ii) Offices
   iii) Dressmaking and Tailoring
   iv) Medical Clinics
   v) Movie Theatres
   vi) Restaurants, Taverns and Lounges
   vii) All Age/Teen Clubs
   viii) Billiard/Snooker Club
   ix) Drycleaning Depots
   x) Garden Markets
   xi) Retail Stores
   xii) Service and Personal Service Shops
   xiii) Taxi and Bus Stations
   xiv) Amusement Centre
   xv) Recycling depots
b) Uses permitted in the CGB Zone
c) Office towers in excess of the permitted height by development agreement
d) Uses accessory to the foregoing uses.

ZONE REQUIREMENTS CSC

In any Shopping Centre (CSC) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area ..... 5 Acres
Minimum Lot Frontage..... 500 Ft.
Minimum Front Yard.....30 Ft.Setback
Minimum Rear Yard.....0 Ft., except 40 Ft. where abutting a residential zone
Minimum Side Yard .....0 Ft., except 40 Ft. where abutting a residential zone
Maximum Height ..... 52 Ft.(Four floors above grade)
Lot Coverage Maximum 50%

SPECIAL REQUIREMENTS - TAVERNS AND LOUNGES

a) Drinking establishments located within shopping centres shall not exceed an area of 3300 square feet devoted to public use.

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PART 14: MAINSTREET COMMERCIAL (CMC) ZONE

No development permit shall be issued in a Mainstreet Commercial (CMC) Zone except for one or more of the following uses:

a) dwelling units**, including shared housing uses, (RC-Aug 9/22;E-Sep 15/22)** ~~not to exceed 50% of the gross floor area and not to be located fronting on a street on the first floor~~
b) day care facilities (RC-Mar 3/09;E-Mar 21/09)
c) business and professional offices
d) medical, veterinary, and health service clinics; (NWCC-Nov 25/10;E-Dec 11/10)
e) Deleted (RC-Feb 21/23;E-Sep 1/23)
f) inn and country inn establishments not exceed**ing (RC-Aug 9/22;E-Sep 15/22)** ten (10) units per establishment
g) full Service Restaurant
h) food stores not to exceed 5,000 sq.ft. per business
i) post office
j) general retail stores not to exceed 5,000 square feet per business (excluding mobile home dealers)
k) personal and household service shops (exclusive of massage parlours)
l) banks and financial institutions
m) commercial parking lots
n) pub, lounge to a maximum of 800 sq. feet devoted to public use
o) all age/teen clubs
p) recycling depots
q) drycleaning depots
r) uses accessory to the foregoing uses
s) existing residential uses
t) existing motel, inn, hotel uses
u) funeral homes
v) existing uses located at 1067, 1111, 1180, 1189, 1239, 1312 and 1350 Bedford Highway as described in Appendix B
w) Ice cream stands (NWCC-Jul 7/05;E-Dec 5/05)
x) short-term rentals (RC-Feb 21/23;E-Sep 1/23)
y) short-term bedroom rentals (RC-Feb 21/23;E-Sep 1/23)

<u>ZONE REQUIREMENTS CMC</u>

In any Mainstreet Commercial (CMC) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....4,000 sq. ft
Minimum Lot frontage ..... 40 ft.
Minimum Rear Yard ..... 40 ft.
Minimum Front Yard ..... 0 ft.
Minimum Sideyard .....0 feet; 25 ft. corner vision triangle required for corner lots.
Maximum Height of Building.....2 ~~floors~~ **storeys** above Bedford Highway
Maximum Lot Coverage ..... 50 %

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Driveway Opening Width ..... 25 ft. maximum (curb cut)
Number of Driveway Openings ..... Maximum number of driveway openings is one per lot for lots having less than 150 ft. of frontage. Additional driveways (maximum width of 20 ft.) shall be based on one per 150 ft. of additional frontage. Shared driveways are encouraged.

SPECIAL REQUIREMENT: DWELLING UNITS

a) Dwelling units, including shared housing uses, shall not exceed 50% of a building's gross floor area, and
b) Dwelling units, including shared housing uses, shall not be located fronting a street on the first floor.
c) Notwithstanding clause (b), grade-related dwelling units may front up to 80% of the streetline for multiple unit residential buildings that begin construction before April 1, 2028.

SPECIAL REQUIREMENT: PARKING

a) Parking within the front yard shall not be permitted. Parking shall be permitted in the rear and side yard.
b) Where parking is provided in the side yard all parking lots shall be screened with a natural vegetative buffer along the front property line adjacent the street.
c) Where Commercial parking lots are permitted in the zone all parking lots shall be screened with six (6) feet of natural vegetative buffer along the front property line adjacent the street.

SPECIAL REQUIREMENTS: LANDSCAPING

Front yards, if provided are to be landscaped. No asphalt other than for driveways and parking areas shall be permitted.

SPECIAL REQUIREMENTS: ARCHITECTURAL GUIDELINES

a) Building Requirements — Buildings of over 50 feet width measured parallel to the street shall have the appearance of two or more buildings by altering the appearance of the facade and/or roof in increments no greater than 50 feet.

b) Roof Design Requirements — Pitched roofs shall have a minimum slope of 10 degrees. Dormers and gables are permitted. Mansard roofs shall not project beyond the face of the wall below, except to permit eaves for ventilation.

c) Exterior Cladding — bricks, wood shingles, wood siding, wood clapboard, stone **and acceptable equivalent, however no vinyl siding shall be permitted**. **(NWCC-Apr 3/03;E-Apr 12/03)** .

d) Windows — Windows, except for commercial storefronts at grade, shall be treated as individual openings in the wall surface; continuous bands of horizontal glazing will not be permitted except for storefronts at

grade. For square and rectangular window openings, the height of window sashes shall exceed the width. Total window area per building face shall not exceed 50% of the area of the building face (in order to maintain the visual emphasis on the wall surface). Windows shall be accentuated by design details (i.e. arches, hoods, mouldings, decorative lintels, pediments, sills);

e) Additions to existing buildings — Additions to the fronts and sides of existing buildings are to conform to these design standards.

SPECIAL REQUIREMENTS: SIGNS

Signs in the Mainstreet Commercial Zone shall be subject to the following general provisions:

1. Permitted signs include signboards, facial wall signs, projecting wall signs, ground signs, window signs, or as an integral part of a canopy, awning or similar device.
2. Signs are to be constructed of wood or have a wood-like appearance, with exterior shielded illumination.
3. Signs shall not obstruct the corner vision triangle at street intersections.
4. The maximum number of permitted signs is 2 per facade, or one (1) per each business in a multiple occupancy building.
5. Signs within the Mainstreet Commercial zone shall also be subject to sub-sections 1, 2, and 3 of Section 38 of the General Provisions.

Signboards
Signboards shall form an integral part of the building facade by being located between the top of the ground floor windows and the bottom of the second storey windows. Signboards shall not exceed a height of 3 feet and shall extend the entire length of the facade.

Facial Wall Signs
Facial wall signs shall not exceed twenty (20) square feet in area and shall not extend beyond the top and extremities of the wall on which it is affixed.

Projecting Wall Signs
Projecting wall signs shall not: a) project more than four feet over a public sidewalk; b) project more than six feet from the building to which it is attached; c) hang closer than nine feet above a sidewalk or public right of way; d) exceed an area of 16 sq. ft.

Ground Signs
Ground signs shall not: a) exceed a height of eight feet; b) exceed an area of 20 sq. ft. per side; c) be within 2 feet of the street right-of-way; d) be within 10 feet of a side property line or driveway.

Sandwich Boards - deleted (RC-Sep 26/06;E-Nov 18/06)

Canopies/Awnings

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Canopies and awnings attached to walls shall not project more than 4 feet over a public sidewalk. Canopies and awnings shall be self supporting and shall be placed a minimum height of 9 feet above a sidewalk. Signage may be included as an integral part of an awning or canopy.

Mobile Signs - deleted (RC-Sep 26/06;E-Nov 18/06)

Window Signs
Window signs shall not: a) exceed 25% of the window area; b) exceed 25% of the glass area of a door; area shall be calculated on the basis of the smallest geometric shape which will contain all of the message.

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PART 15: HIGHWAY ORIENTED COMMERCIAL (CHWY) ZONE

No development permit shall be issued in a Highway Oriented Commercial (CHWY) Zone except for one or more of the following uses:

a) service stations
b) automotive vehicles, parts, & accessories sales and services
c) clinics
d) drive-in and take-out restaurants
e) garden markets
f) motels, hotels, guest homes
g) trailer/mobile home sales
h) neighbourhood convenience stores
i) commercial parking lots
j) display or model homes
k) public garages
l) general retail and rental shops
m) drycleaning depots
n) funeral homes
o) veterinary clinics
p) recycling depots
q) office uses
r) short-term rentals (RC-Feb 21/23;E-Sep 1/23)
s) short-term bedroom rentals (RC-Feb 21/23;E-Sep 1/23)
sa) residential uses subject to the requirements of the RTU (Residential Two Dwelling Unit) Zone
t) uses accessory to the foregoing uses. (NWCC-Aug 9/07;E-Sep 1/07)

ZONE REQUIREMENTS CHWY

In any Highway Oriented Commercial (CHWY) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area ..... 20,000 sq. feet
Minimum Lot Frontage ..... 100 ft.
Minimum Front Yard ..... *15 ft. setback*
Minimum Rear Yard .....0 ft., except 40 ft. from property zoned residential
Minimum Side Yard .....0 ft., except 40 ft. from property zoned residential
Maximum Height of Building..... 35 ft.
Maximum Number of Dwelling Units/Lot 0
Lot Coverage 50%

SPECIAL REQUIREMENTS: OFFICE USES

Where office uses are not accessory to other permitted uses in this zone, they shall not be located on the ground floor of any building.

PART 15A: CUSHING HILL COMMERCIAL (CHC) ZONE (RC-Dec 10/19;E-Feb 15/20)

No development permit shall be issued in a Cushing Hill Commercial (CHC) Zone except for one or more of the following uses:

a) service stations
b) automotive vehicles, parts, & accessories sales and services
c) clinics
d) drive-in, take-out and full-service restaurants
e) garden markets
f) motels and hotels
g) trailer/mobile home sales
h) neighbourhood convenience stores
i) commercial parking lots
j) display or model homes
k) public garages
l) general retail and rental shops
m) drycleaning depots
n) funeral homes
o) veterinary clinics
p) recycling depots
q) office uses
r) private clubs (social)
s) general retail
t) personal and household services, exclusive of massage parlours
u) commercial photography
v) lounges & taverns (taverns not exceeding 1,500 Sq.Ft. gross area)
w) banks and financial Institutions
x) multiple unit dwelling in conjunction with and subordinate to a hotel
y) short-term rentals (RC-Feb 21/23;E-Sep 1/23)
z) short-term bedroom rentals (RC-Feb 21/23;E-Sep 1/23)
aa) residential uses subject to the requirements of the RTU (Residential Two Dwelling Unit) Zone
~~a~~ab) uses accessory to the foregoing uses.

<u>ZONE REQUIREMENTS CHWY</u>

In any Cushing Hill Commercial (CHC) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....25,000 sq. feet
Minimum Lot Frontage..... 100 ft.
Minimum Front Yard…….....20 ft. setback

Minimum Rear Yard…….....8 ft., except 40 ft. from property zoned residential
Minimum Side Yard.....8 ft., except 40 ft. from property zoned residential
Maximum Height of Building .....60 ft above the Bedford Highway
Maximum Number of Dwelling Units/Lot .....……32
Lot Coverage 50%

SPECIAL REQUIREMENTS: OFFICE USES

Where office uses are not accessory to other permitted uses in this zone, they shall not be located on the ground floor of any building.

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PART 16: COMMERCIAL COMPREHENSIVE DEVELOPMENT DISTRICT (CCDD) ZONE

1) No development permit shall be issued for a development in a CCDD Zone unless the proposed development is in conformance with a development agreement which has been approved by a resolution of Council.

2) The following uses maybe permitted in a CCDD Zone:

   a) single unit dwellings
   b) two unit dwellings
   c) townhouse dwellings;
   d) multiple unit buildings;
   da) shared housing use; (RC-Aug 9/22;E-Sep 15/22)
   e) neighbourhood commercial uses;
   f) office buildings;
   g) Central Business District uses (CGB Zone uses);
   h) convention facilities;
   i) institutional facilities (SI Zone uses);
   j) parks and recreational uses;
   k) existing uses, as follows: Traveller's Motel, Esquire Motel, Clearwater Lobsters Ltd., and residential uses at Civic # 1763 to 1805 Bedford Highway;
   l) recycling depot
   m) billiard/snooker club
   n) any uses accessory to the foregoing uses.

3) A CCDD Zone shall be applied only to sites identified CCDD on the Generalized Future Land Use Map.

4) In the event Council approves the proposal, approval shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into an agreement with Council containing such terms and conditions as Council may direct. This agreement shall be registered with the land and be binding on any subsequent owners of the land. Council may discharge the agreement upon the completion of particular phases of the development pursuant to Policy C-9 of the Municipal Planning Strategy.

5) Notwithstanding anything in this By-law, the lot size, front yard, side yard, rear yard and height restrictions shall be described in the Development Agreement made between Council and the developer pursuant to Sections 66 and 67 of the Planning Act and policies C-7 to C-15 of the Municipal Planning Strategy.

6) <u>SPECIAL REQUIREMENTS FOR EXISTING USE: 757 BEDFORD HIGHWAY</u> (NWCC-Jul 9/18;E-Jul 28/18)

Notwithstanding Clauses (1) to (5) of this Part, the following shall apply to the property at 757 Bedford Highway:

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a) In this Clause, "building" means the building legally in place on July 9, 2018;
b) The building and lands shall be used only for the purposes of retail and wholesale sales of seafood products and associated office and service space;
c) Retail uses are permitted only on the ground floor and must face the Bedford Highway;
d) The second, third and fourth floors shall be used for office space;
e) On the portion of 757 Bedford Highway zoned CCDD, the building may be expanded to extend within the Halifax Plan Area, subject to the requirements of the Halifax Mainland Land Use By-law. No addition within the CCDD Zone shall be closer to the front property line than the building, nor shall the addition be taller than the building;
f) Outdoor storage in any service area shall be screened with a combination of shrubs and an opaque fence.

Any development on 757 Bedford Highway other than the uses permitted under Clause (6) of this Part shall comply with the requirements of Clauses (1) to (5) of this Part.

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PART 17: LIGHT INDUSTRIAL (ILI) ZONE

No development permit shall be issued in a Light Industrial (ILI) Zone except for one or more of the following uses:

a) warehouses and storage and distribution centres
b) manufacturing, processing, assembly, recycling, or warehousing operations which are not objectionable uses;
c) parking and or storage of industrial or heavy commercial vehicles, equipment and similar goods;
d) trade centres
e) building supplies sales
f) auto service and supplies centres/outlets
g) uses permitted in the Shopping Centre Zone (CSC);
h) wholesalers
i) full service and take-out restaurants
j) furniture stores
k) uses permitted in the CGB Zone, except office buildings, subject to CGB Zone provisions
l) day care facilities; (RC-Mar 3/09;E-Mar 21/09)
m) dry cleaning depot
n) recycling depot
o) uses permitted in the SU Zone
p) bingo halls
q) billiard/snooker club
qa) Auto body repair shops on properties identified on Schedules C-1 and C-2 **(NWCC-Mar 21/16; E-Apr 2/16)**
qb) **Service stations and gas bars on properties identified on Schedule C-3 (RC-Sep5/17;E-Oct21/17)**
qc) cannabis production facilities (RC-Sep 18/18;E-Nov 3/18)
qd) pet daycare uses (NWCC-Sep 09/24;E-Sep 24/24)
qe) automotive vehicles, parts, & accessories sales and services (NWCC-Feb10/25;E-Feb25/25)
r) any uses accessory to the foregoing uses.

<u>ZONE REQUIREMENTS ILI</u>

In any Light Industrial (ILI) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area ……5,000 sq. ft.
Minimum Lot Frontage.....50 ft.
Minimum Front Yard.....30 ft. setback
Minimum Rear Yard..... 0 ft. except 40 ft. where abutting a residential zone
Minimum Side Yard ..... 0 ft. except 40 ft. where abutting a residential zone
Maximum Height of Building.....52 ft.
Maximum Lot Coverage..... 70%

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SPECIAL REQUIREMENTS: LANDSCAPING/ OUTDOOR DISPLAY AND STORAGE

a) There shall be a landscaped area of at least 15 feet in depth running the length of and directly abutting the front lot line. This landscaped area shall extend the length of the front lot line and of the flankage lot line for a corner lot. Landscaping shall consist of existing vegetation and/or plantings as per *Part 5, Section 32*.

b) A buffer 40 feet wide, beginning at the property line, shall be required for the for side or rear yards in an Industrial Zone which abut an existing residential use, vacant land zoned for residential use, or a Park or Institutional Zone.

c) No outdoor storage shall be located:
   i) within any required yard; nor
   ii) within any yard which abuts lands fronting on an arterial road; except where a fence or other visual barrier is provided to completely screen the use.

d) Outdoor display may be permitted provided it does not occur on the required 15 Ft. landscaped area described above and required abutting yards as per Part 5, Section 24 b).

e) External fuel storage tanks shall be screened unless located at the rear of the building.

SPECIAL REQUIREMENTS: CANNABIS PRODUCTION FACILITIES (RC-Sep 18/18;E-Nov 3/18)

(a) Where a lot containing a cannabis production facility abuts a lot
   (i) zoned or used for residential purposes, or
   (ii) that is used for a daycare, community centre, school, religious institution, public park or playground,

such facility, including any building or outdoor area used as a cannabis production facility, shall be set back a minimum 230 feet (70 metres) from the abutting lot line.

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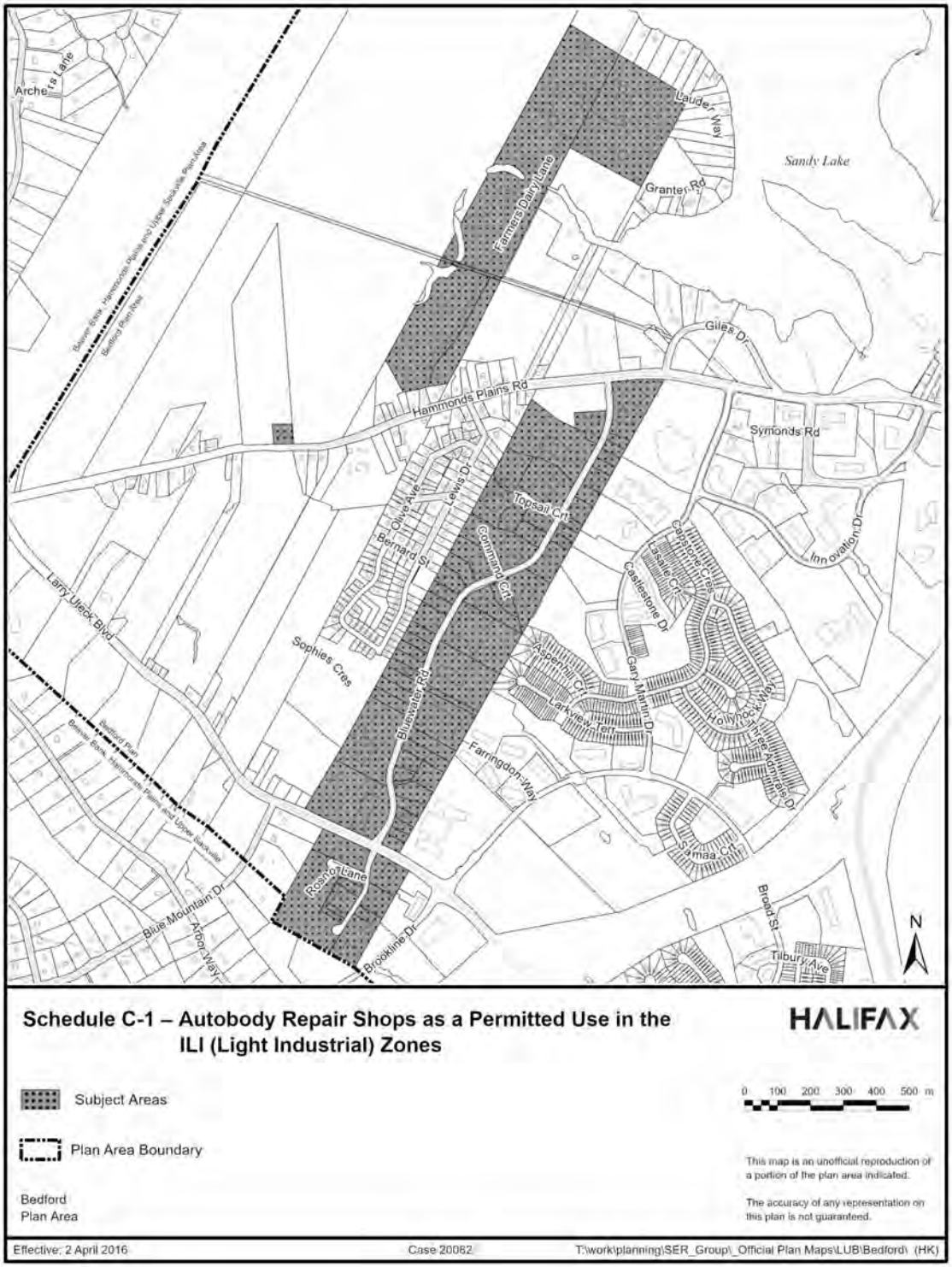
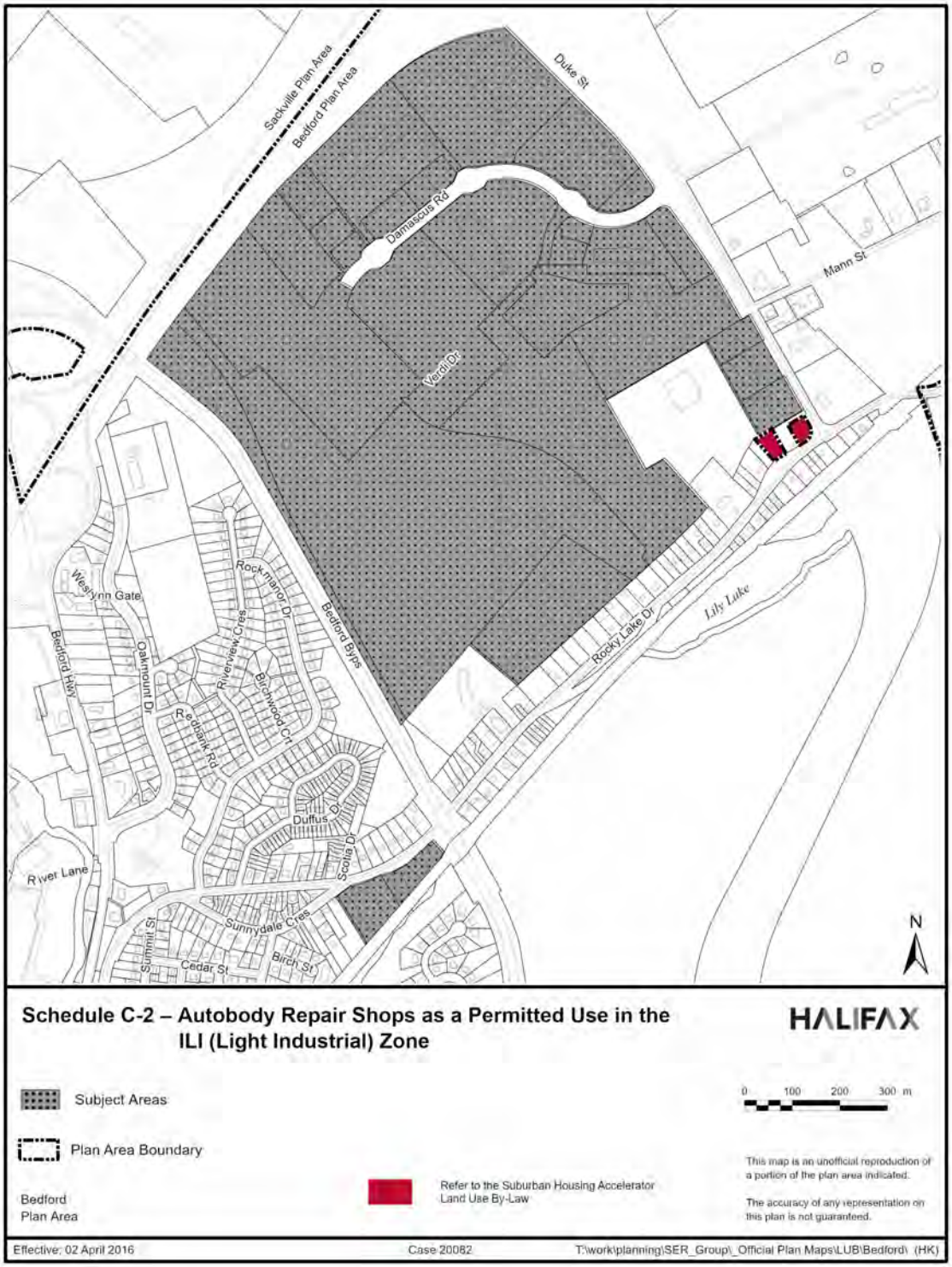
SCHEDULE C-1: Auto Body Repair Shops as Permitted Use in the ILI (Light Industrial) Zone (NWCC-Mar 21/16; E-Apr 2/16)



SCHEDULE C-2: Auto Body Repair Shops as Permitted Use in the ILI (Light Industrial) Zone (NWCC-Mar 21/16; E-Apr 2/16)



SCHEDULE C-3: Service Stations as Permitted Use on ILI (Light Industrial) Zone (RC-Sep5/17;E-Oct21/17)

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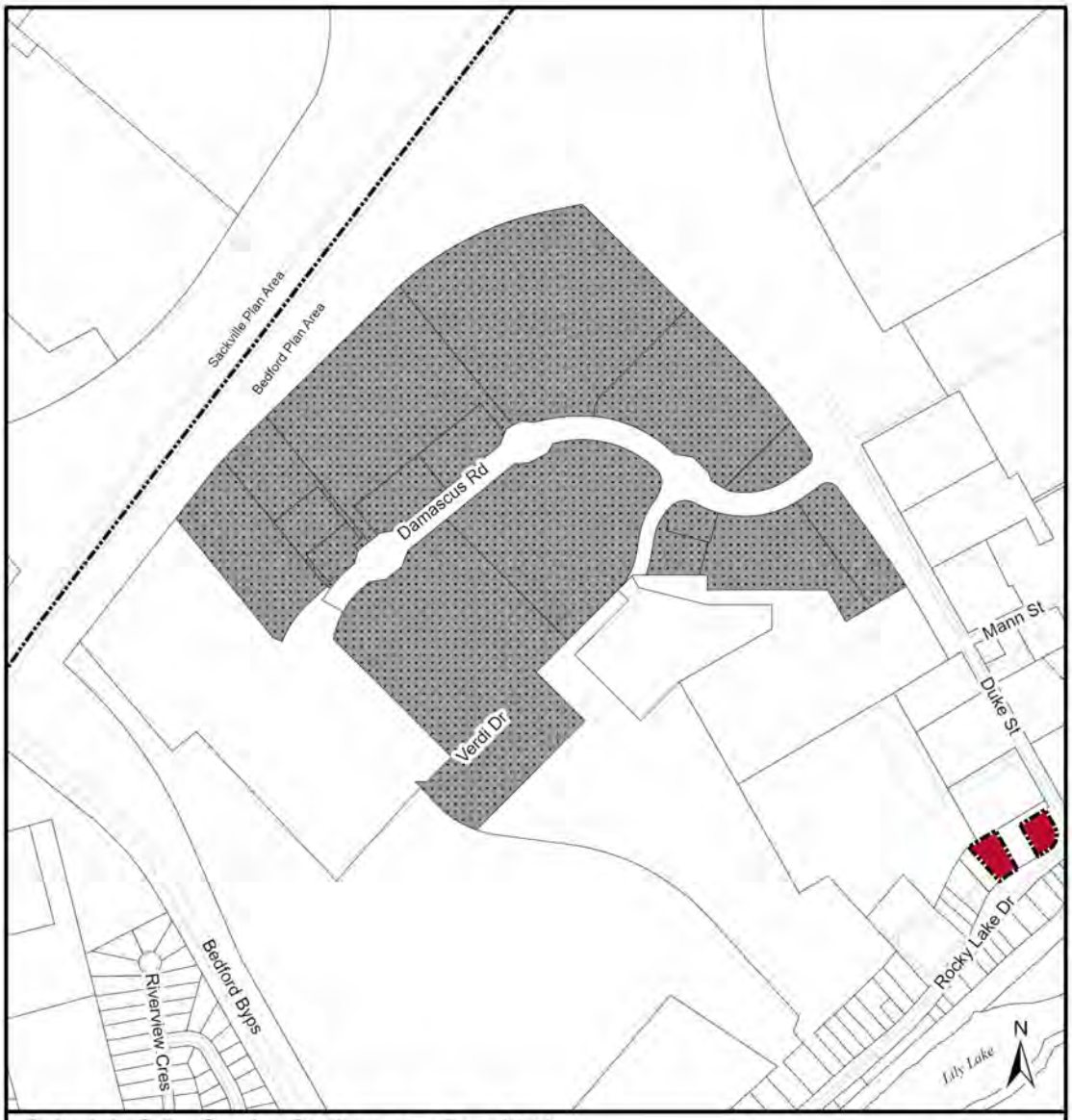

Schedule C-3 – Service Stations as a Permitted Use in the ILI (Light Industrial) Zone

HALIFAX

Land Where Service Station Use is Permitted

0 100 200 m

Bedford Plan Area

Refer to the Suburban Housing Accelerator Land Use By-Law

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

Effective: 21 Oct 2017 Case 20211 T:\work\planning\SER_Group_Official Plan Maps\LUB\Bedford\ (IAHG)

PART 18: HARBOUR ORIENTED INDUSTRIAL (IHO) ZONE

No development permit shall be issued in a Harbour Oriented Industrial (IHO) Zone except for one or more of the following uses:

a) industrial uses requiring direct access to salt water;
b) construction, maintenance and repairs of marine vessels;
c) marine technology and research;
d) handling and storage of bulk containers or general cargo;
e) recreational uses;
f) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS IHO

In any Harbour Oriented Industrial (IHO) Zone, no development permits shall be issued except in conformity with the following requirements:

Minimum Lot Area ..... 1 acre
Minimum Lot Frontage ..... 100 ft.
Minimum Front Yard ..... 30 foot setback
Minimum Rear Yard ..... 0 ft., except 40 ft. where abutting a residential zone
Minimum Side Yard ..... 0 ft., except 40 ft. where abutting a residential zone
Maximum Height of Building ..... 52 ft.
Maximum Number of Units/Lot 0

SPECIAL REQUIREMENTS: LANDSCAPING/ OUTDOOR DISPLAY AND STORAGE

a) There shall be a landscaped area of at least 15 feet in depth running the length of and directly abutting the front lot line. This landscaped area shall extend the length of the front lot line and of the flankage lot line for a corner lot. Landscaping shall consist of existing vegetation and/or plantings as per *Part 5, Section 32.*
b) A buffer 40 feet wide, beginning at the property line, shall be required for the for side or rear yards in an Industrial Zone which abut an existing residential use, vacant land zoned for residential use, or a Park or Institutional Zone.
c) No outdoor storage shall be located:
   i) within any required yard; nor
   ii) within any yard which abuts lands fronting on an arterial road; except where a fence or other visual barrier is provided to completely screen the use.
d) Outdoor display may be permitted provided it does not occur on the required 15 Ft. landscaped area described above and required abutting yards as per Part 5, Section 24 b).
e) External fuel storage tanks shall be screened unless located at the rear of the building.

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PART 19: HEAVY INDUSTRIAL (IHI) ZONE

No development permit shall be issued in a Heavy Industrial (IHI) Zone except for one or more of the following uses:

a) warehouse and storage distribution centres;
b) manufacturing, processing, assembly or warehousing;
c) railway uses;
d) parking and/or storage of industrial or heavy commercial vehicles, equipment and similar goods;
e) trade centres, building supplies sales and wholesalers,
f) recycling facilities;
g) construction industries;
h) concrete, brick and asphalt plants;
i) utilities
j) bulk storage facilities
k) drycleaning establishments;
l) local solid waste transfer stations
la) Auto body repair shops **(NWCC-Mar 21/16; E-Apr 2/16)**
m) uses permitted in the ILI Zone, subject to the ILI Zone provisions
n) uses accessory to the foregoing uses.

ZONE REQUIREMENTS IHI ZONE

In any Heavy Industrial (IHI) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....5,000 sq. ft.
Minimum Lot Frontage.....50 feet
Minimum Front Yard .....30 feet
Minimum Side Yard .....15 feet
Maximum Lot Coverage 70%

SPECIAL REQUIREMENTS: LANDSCAPING/ OUTDOOR DISPLAY AND STORAGE

a) There shall be a landscaped area of at least 15 feet in depth running the length of and directly abutting the front lot line. This landscaped area shall extend the length of the front lot line and of the flankage lot line for a corner lot. Landscaping shall consist of existing vegetation and/or plantings as per *Part 5, Section 32.*
b) A buffer 40 feet wide, beginning at the property line, shall be required for the for side or rear yards in an Industrial Zone which abut an existing residential use, vacant land zoned for residential use, or a Park or Institutional Zone.
c) No outdoor storage shall be located:
   i) within any required yard; nor
   ii) within any yard which abuts lands fronting on an arterial road; except where a fence or other visual barrier is provided to completely screen the use.
d) Outdoor display may be permitted provided it does not occur on the required 15 Ft.

landscaped area described above and required abutting yards as per Part 5, Section 24 b).

e) External fuel storage tanks shall be screened unless located at the rear of the building.

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PART 19A: BEDFORD WEST BUSINESS CAMPUS (BWBC) ZONE (RC-Jun 20/06;E-Jul 29/06)

No development permit shall be issued on lands within the "A" Area of the Bedford West Business Campus (BWBC) Zone, as illustrated on Schedule I, except for one or more of the following uses:

a) Educational, research and development, and design facilities, excluding public schools;
b) Laboratories and accessory research and processing facilities;
c) Offices
d) Data processing and computer centres, including service and maintenance of electronic data processing equipment;
e) Legal, medical, veterinarian, engineering, surveying, accounting, architectural, scientific and similar professional offices;
f) Radio and television broadcasting stations as well as activities related to telecommunications research and development;
g) Assembly, warehousing and distribution operations;
h) Utility and public service facilities and uses needed to service the immediate vicinity;
i) Recreational facilities;
j) Hotels and motels;
k) Day care facilities (RC-Mar 3/09;E-Mar 21/09);
l) Shared housing with special care; (RC-Aug 9/22;E-Sep 15/22)
m) Park and ride facilities;
n) Restaurant Full-Service, Restaurant Take-Out, and retail uses in association with any other permitted uses;
o) Accessory buildings and use, including assembly operations limited to the development of prototypes, which are customarily incidental or specifically related to a principal permitted use are permitted.
p) Short-term Rentals (RC-Feb 21/23;E-Sep 1/23)
q) Short-term Bedroom Rentals (RC-Feb 21/23;E-Sep 1/23)

No development permit shall be issued on lands within the "B" Area of the Bedford West Business Campus (BWBC) Zone, as illustrated on Schedule I, except for one or more of the following uses:

a) all uses permitted within the "A" Area;
b) retail stores;
c) food stores not exceeding 5,000 square feet of gross floor area per business;
d) personal and household service shops
e) medical, veterinary and health service clinics; (NWCC-Nov 25/10;E-Dec 11/10)
f) banks and financial institutions;
g) dry cleaning depots;
h) automotive service and supplies centre/outlet;
i) welding, plumbing and heating, electrical and other trade contracting or sales and Service shops
j) outdoor display and sales, excluding automobile sales;
k) funeral homes;

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l) amusement centres;
m) garden markets;
n) billiards and snooker clubs;
o) full service, take out and drive through restaurants;
p) commercial recreation uses such as fitness clubs and other similar recreation uses; and
q) gas bars (RC-May 20/14;E-Jun 14/14)

SUBDIVISION AND BUILDING REQUIREMENTS

In any Bedford West Business Campus (BWBC) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area…….. 2,023 m² (0.5 acres or 21,780 sq.ft.) (NWCC-Sep 27/12;E-Oct 20/12)
Maximum Lot Area for Area "B"…….2 Hectares (5 Acres)
Minimum Front Yard or Flankage Yard.....6 m (20 ft.) or a distance which is equal to the height of the building to a maximum of 15.8 m (52 ft.) whichever is greater (NWCC-Sep 27/12;E-Oct 20/12)
Minimum Rear Yard ..... 6 m (20 ft.)
Minimum Side Yard .....6 m (20 ft.)
Minimum Common Side Yard for Multi-Commercial Buildings…….N/A (NWCC-Sep 27/12;E-Oct 20/12)
Maximum Height of Building .....15.8 m (52 ft.)
Maximum Impervious Surface Coverage…….....75%

Where the "A" uses are permitted within the "B" area, the Maximum Lot Area requirements of this section shall not apply. (NWCC-Sep 28/06;E-Oct 14/06)

SPECIAL REQUIREMENTS

1. Restaurants and Retail Uses

Within the "A" Area, no restaurant or retail use shall occupy more than ten percent (10%) of the gross floor area of a building except that a restaurant in association with a hotel or motel may occupy a maximum of twenty percent (20%) of the gross floor area of a building

2. Height

Notwithstanding the Maximum Height of Building Requirements in the Subdivision and Building Requirements section, within the "A" area the maximum height for a hotel, motel or office may be increased to 120 ft. where the separation distance of at least the height of the building is maintained from any residentially zoned property line. (NWCC-Sep 28/06;E-Oct 14/06)

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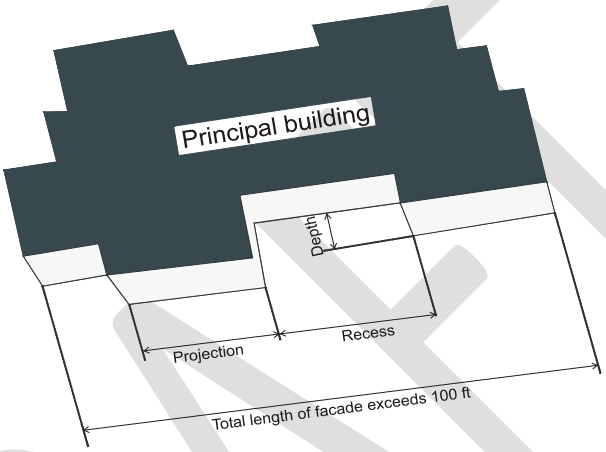
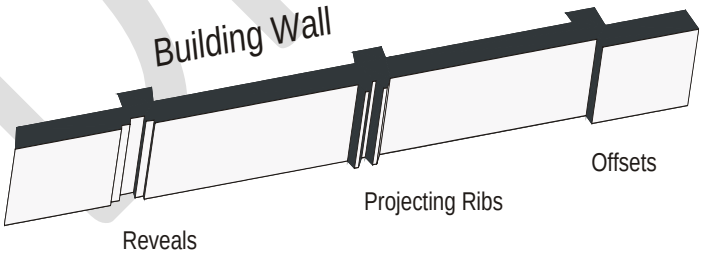
3. Architectural Requirements

a) A combination of arcades, display windows, entry areas, awnings or other such features shall be incorporated into all building facades along not less than 60% of their horizontal length facing a public street.





b) No interrupted length of any facade facing a public street shall exceed 30.5 horizontal metres (100 feet). Wall plane projections or recesses shall be incorporated into all facades greater than 30.5 horizontal metres (100 feet) in length, measured horizontally, having a depth of at least 3 of the length of the facade and extending at least 20% of the length of the f acade. This clause shall not apply to office buildings *that are over three storeys or 35' in height*. (NWCC-Sep28/06;E-Oct14/06)

c) One clearly defined, visible entrance way shall be provided on the facade oriented to

the public street shall be provided. The entrance way and front facade shall include no less than three of the following elements:

- **i canopies or porticos**
- **ii overhangs**
- **iii recesses/projections**
- **iv arcades**
- **v raised corniced parapets over the door**
- **vi peaked roof forms**
- **vii display windows**
- **viii architectural details such as tile work, and moldings which are integrated into the building**
- **ix integral planters or wing walls that incorporate landscaped areas and sitting places; and**
- **x or any other similar architectural treatment deemed to be an acceptable equivalent;**

d) Rooftop equipment, including, but not limited to, satellite and other telecommunication equipment, air handling units, elevator equipment, cooling towers and exhaust fans shall to be screened (visually). The screening shall include but not limited to parapets and enclosures. Building screens shall be part of the architectural design with similar detailing and materials and not appear as add-ons.

4. <u>Landscaping</u>

a) A minimum of 25% of the property shall be landscaped. Landscaping shall include the retention of natural vegetation.

b) At least 50% of the area between the street(s) and buildings shall be landscaped. Trimming and selective cutting of natural vegetation is permitted.

c) A 15 foot landscape strip shall be installed along all street property lines, exclusive of driveways, walks and railroads rights-of-way. When the 15 foot landscape strip occurs between a parking area or vehicle manoeuvring area, loading area and the street, a landscape shrub screen of at least 50% opaqueness and a minimum of four feet in height within one year after installation is required. Mature trees at a maximum spacing of twenty feet may be substituted for or combined with a scrub screen. The landscaping may be calculated as part of the 25% landscaping requirement in (a) above.

d) All other landscaped areas shall be grassed, or alternatively, natural ground covers such as water features, stone (washed or flat), mulch, perennials, annuals, may be utilized. Within the landscaped area, trees, walls made of natural materials, planters, and shrubs shall be utilized and shall be planted at a rate of one (1) tree (minium of 45mm caliber) and three (3) shrubs per 4.6 metres (15 feet) of lot frontage. Tree Species from Appendix A shall be utilized. Planting of one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet of lot frontage shall reflect a natural setting thereby grouping of trees and shrubs is encouraged.

e) Existing trees and shrubs may be incorporated into the 6.1 metres (15 foot) landscaped strip, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet requirement specified under clause d).

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5. <u>Accessory Uses/Storage</u>

a) All permitted uses and accessory activities, including the storage of equipment or supplies used in any production or assembly shall be confined within an enclosed building. Accessory activities involving toxic or flammable products which cannot be located within an enclosed building shall be screened from view from all adjacent properties and public streets.

b) External fuel storage tanks utilized as part of the heating equipment of an establishment or bulk storage of any materials used in any production or assembly shall be screened from view from all adjacent properties and public streets.

c) All refuse shall be collected and stored in containers which shall be screened from view from all adjacent properties and public streets.

d) Utility and public service facilities and uses need to service the immediate vicinity shall be screened from view from all adjacent properties and public streets.

6. <u>Driveway Access</u>

No use located within the "B" Area shall be permitted to have driveway access to the Hammonds Plains Road as illustrated on Schedule I. (NWCC-Feb 28/08;E-Mar 15/08)

7. <u>Parking</u>

No parking spaces may be located within required yards, except that an area equivalent to not more than 50% of the total area of all required parking spaces may be located within a required yard for use as parking space for visitors, selected personnel and minor deliveries.

8. <u>Loading</u>

Notwithstanding the general loading space regulations in Part 5, Section 37, (General Provisions), the following shall apply:

a) All loading must be on site and no on-street loading is permitted.

b) Truck loading facilities shall be at the rear or side of the building and shall be screened from view from any adjacent residential property.

c) Loading space areas, including driveways leading to such area, shall be paved with a dust free all-weather surface, be well drained and be of a strength adequate for the truck traffic expected.

9. <u>Signage</u>

Notwithstanding the general signage regulations in Part 5, Section 38, (General Provisions), the following shall apply:

a) No more than two signs per business shall be permitted.

b) Signs shall be restricted to advertising only the person, firm, company, or

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corporation operating the use conducted on the site or products sold therein.

c) Signs shall have an area not to exceed one (1) square feet of surface for each one (1) foot of lineal frontage of building. However, no sign shall exceed one hundred (100) square feet per face.

d) No more than one free-standing or ground mounted sign may be permitted per lot.

e) Ground signs shall not exceed eight (16) feet above grade in vertical height and shall be setback a minimal of 10 feet from any street line.

f) Businesses located in multiple tenant buildings may have a maximum of two (2) signs with a maximum of one (1) sign for each facade. Each sign shall not exceed an area equal to ten (10) percent of the business face upon which it is located. However, no sign shall exceed thirty-five (35) square feet in area.

g) Directory listing signs: Detailed signs for multi-tenant buildings may list building tenants. The portion of the sign area devoted to such a listing shall be limited to 60% of the total permitted sign area, and the tenant listing shall be uniform in size, type, and lettering. It is understood, however, than tenant "logos" are permitted to be depicted on such signs, the size of the logo to be appropriate to the size of the sign lettering. Each sign shall not exceed twenty (20) feet in height.

h) One temporary announcement/construction sign per lot is permitted during active construction of building. Announcement/construction signage shall not exceed 200 square feet in area per face.

i) No signs shall be located on the roof of a building and billboards shall be prohibited.

<u>Business Park Identification and Directory Signs</u>

j) Identification Sign: One identification sign with the park logo at each entrance or along each street abutting the boundaries of the tract shall be permitted. The maximum area of each sign face shall be one hundred and fifty (150) square feet.

k) Directory Signs: Signs identifying companies in the research and development park shall be permitted within 300 feet from the maximum of two (2) major arterial streets. The sign(s) shall have a maximum height of twelve (12) feet and shall not exceed one hundred and fifty (150) square feet per face.

l) A map locator directory sign identifying companies in a research and development park shall be permitted. A maximum of two (2) such signs shall be permitted within 300 feet from the maximum of two (2) major arterial streets. The sign (s) shall have a maximum height of twelve (12) feet and shall not exceed one hundred and fifty (150) square feet per face.

m) Spaces on such directory signs allocated for company identification shall be of equal area, and letters and typeface must be of equal value and uniform throughout the sign.

n) There shall be a maximum of two (2) directory signs.

9A. <u>Additional Requirements for Gas Bars</u> (RC-May 20/14;E-Jun 14/14)

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o) **All buildings and pump islands shall be designed so that all sides are a consistent architectural style.**
p) **Transparent windows and doors for retail buildings shall be provided between the store, the pump islands and surrounding streets along not less than 50% of their horizontal length.**
q) **Where driveways or stacking lanes cross walkways, pavement markings shall be provided to identify the walkway crossing.**
r) **Where stacking lanes are adjacent a residential use, a solid board wood or equivalent opaque type fence no less than five feet and no greater than six feet in height shall be provided.**
s) **Access points for stacking lanes shall be located such that queued vehicles do not block traffic along public streets or the movement of other vehicles on site.**
t) **Where two drive-through uses facilities exist on the same site, separate stacking lanes shall be provided for each use.**
u) **Stacking lanes shall be separated from parking areas and driveways by a combination of landscaped islands, decorative pavement, pervious islands and painted lines.**
v) **On-site circulation shall be designed to facilitate unobstructed forward movement by tanker trucks and the safe unloading of fuels.**
w) **Walkways shall be distinguished from driving surfaces by a raised curb and by paving material.**
x) **Bicycle parking shall be located in a manner that does not impede pedestrian movement.**

10. <u>Site Plan Approval</u>

Site plan approval shall be required for any new development, excluding internal renovation or change in occupancy with no external renovations, within the Bedford West Business Campus (BWBC) Zone and no site plan approval shall be granted unless the following criterion are satisfied:

a) **no outdoor storage or outdoor display and sales shall be permitted within the "A" Area and any outdoor waste containers shall be screened in both Areas;**
b) **open spaces are integrated into the layout and where feasible, larger trees are retained;**
c) **landscaping is introduced to all areas disturbed during construction;**
d) **preference is given to limiting parking spaces between a building and the front lot line and no loading bays shall be located on the building facade facing a public street;**
e) **natural vegetation, landscaping or screening is employed around parking areas and measures are taken to allow for safe and convenient pedestrian access to public entrances of buildings;**
f) **bicycle storage facilities are provided near the main entrances to the building or in designated public spaces;**
g) **walkways shall extend from the entrances of buildings to a public sidewalk in front of the building and to any public trail system abutting the property and, unless otherwise not possible, shall not cross any driveways or parking areas;**

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h) buildings, structures and parking lots are located on a lot so as to minimize the alteration of natural grades and to minimize the area of impervious surfaces; and

i) a storm water management plan has been prepared by a Professional Engineer with any measures required to prevent the contamination of watercourses and, where possible, allows surface water flows to be directed to permeable surfaces.

(RC-Jun 20/06;E-Jul 29/06)

11. <u>Pedway</u>

Notwithstanding the required minimum side yard setbacks of the BWBC zone, a pedway connecting existing buildings at 123 Gary Martin Drive (PID 41257593) and 185 Gary Martin Drive (PID 41466723) may be permitted. For the purposes of constructing a pedway, the minimum side yard setback is reduced to 0 feet" (NWCC-Apr 25/22;E-May 12/22)

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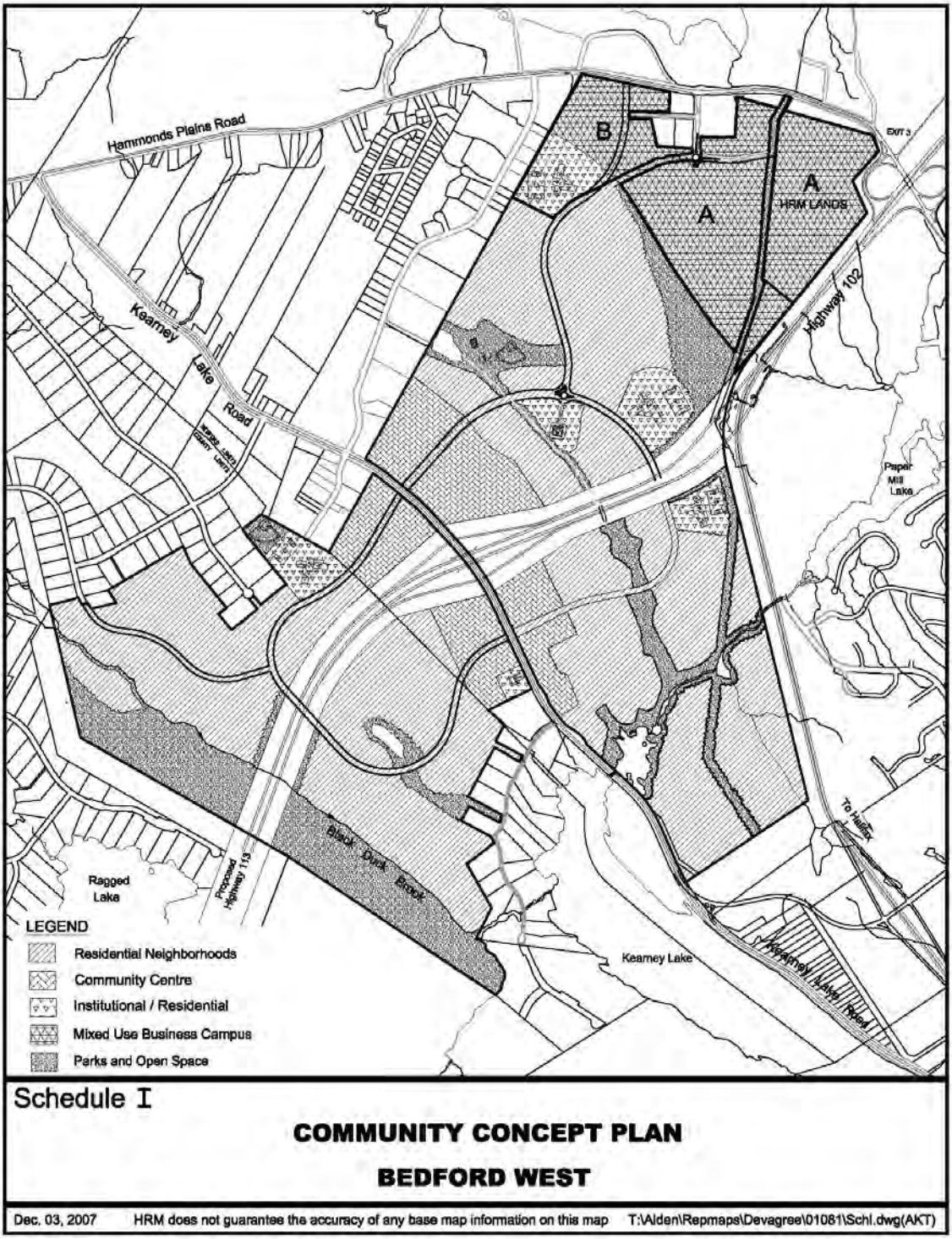
Schedule I: Bedford West Community Concept Plan (RC-Jun 20/06;E-Jul 29/06 & NWCC-Feb 18/08;E-Mar 15/08)



PART 20: INSTITUTIONAL (SI) ZONE

No development permit shall be issued in an Institutional (SI) Zone except for one or more of the following uses:

a) churches;
b) schools;
c) cemeteries;
d) fire stations;
e) libraries;
f) police stations;
g) public buildings;
h) post offices;
i) private recreational facilities and clubs;
j) museums
k) P and POS uses, subject to the P and POS Zone requirements
l) **shared housing with special care; (RC-Aug 9/22;E-Sep 15/22)**
la) Shared housing use with 10 or fewer bedrooms; (RC-Aug 9/22;E-Sep 15/22)
m) day care facilities (RC-Mar 3/09;E-Mar 21/09);
n) recycling depot
o) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS SI

In any Institutional (SI) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....10,000 sq. ft
Minimum Lot Frontage..... 100 ft.
Minimum Front Yard..... Local Street 20 ft; Collector or Arterial 30 ft.
Minimum Rear Yard..... 20 ft.
Minimum Side Yard .....8 ft., or half the height of the building, whichever is greater
Flankage Yard ..... Local Street 20 ft; Collector or Arterial 30 ft.
Maximum Height of Building..... 35 ft.
Lot Coverage 35%

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PART 21: UTILITIES (SU) ZONE

No development permit shall be issued in a Utilities (SU) Zone except for one or more of the following requirements:

a) telephone switching stations;
b) electrical substations;
c) public water reservoirs,
d) public sewage treatment plants;
e) natural gas facilities;
f) highway utilities;
g) telecommunications towers;
h) recycling depot
i) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS SU

In any Utilities (SU) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area .....6,000 sq. ft.
Minimum Lot Frontage..... 60 ft.
Minimum Front Yard.....Local Street 20 ft., Collector or Arterial 30 ft.
Minimum Rear Yard ..... 20 ft.
Minimum Side Yard ..... 8 ft.
Minimum Flankage Yard.....Local Street 20 ft, Collector or Arterial 30 ft.
Maximum Height of Building..... 35 ft.
Lot Coverage 35%

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PART 22: PARK (P) ZONE

No development permit shall be issued in a Park (P) Zone except for one or more of the following uses:

a) community and recreational centres;
b) playgrounds, playing fields;
c) recreational uses;
d) public parks;
e) uses of a similar nature to the foregoing;
f) any uses accessory to the foregoing uses including a refreshment booth or pavilion;

ZONE REQUIREMENTS P

In any Park (P) Zone, no development permit shall be issued for a building except in conformity with the following requirements:

Minimum Lot Area .....6,000 sq. ft.
Minimum Lot Frontage..... 60 ft.
Minimum Front Yard..... Local Street 20 ft.; Collector or Arterial 30 ft.
Minimum Rear Yard ..... 20 ft.
Minimum Side Yard .....8 ft. or half the height of the building, whichever is greater
Minimum Flankage Yard..... Local Street 20 ft.; Collector or Arterial 30 ft.
Maximum Height of Building..... 35 ft.
Maximum Lot Coverage 35%

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PART 23: PARK OPEN SPACE (POS) ZONE

No Development Permit shall be issued in a Park Open Space (POS) Zone except for one or more of the following uses:

a) public parks for passive recreational activities;
b) nature trails and educational trails;
c) picnic parks;
d) uses of a similar nature to the foregoing; and,
e) uses accessory to the foregoing uses, including washrooms, refreshment booth, or pavilion/interpretative centre.

ZONE REQUIREMENTS POS:

In any Park Open Space (POS) Zone, no development permit shall be issued for a building except in conformity with the following requirements:

Minimum Lot Area .....20,000 sq. ft.
Minimum Lot Frontage..... 60 ft.
Minimum Front & Flankage Yards..... Local Street 20 ft.; Collector or Arterial 30 ft.
Minimum Rear Yard ..... 20 ft.
Minimum Side Yard ..... 8 ft.
Maximum Height of Building..... 20 ft.
Maximum Lot Coverage 10%

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PART 23A: REGIONAL PARK (RPK) ZONE (RC-Jun 25/14;E-Oct 18/14)

RPK USES PERMITTED

23A.1 No development permit shall be issued in a Regional Park (RPK) Zone except for one or more of the following uses:

Recreation uses
Conservation uses
Uses accessory to the foregoing uses

RPK ZONE REQUIREMENTS

23A.2 In any Regional Park (RPK) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Front or Flankage Yard:	**20m**
Minimum Side or Rear Yard:	**20m**
Maximum Lot Coverage:	**50% for lots less than 4 ha in area, or 5% for lots 4 ha or more in area**

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PART 24: 1991 (RC-Apr29/25;E-May26/25) FLOODWAY (FW) ZONE

No development permit shall be issued in any Floodway (FW) Zone except for one or more of the following uses:

1. a) public and private parks and playgrounds
   b) playing fields
   c) outdoor tennis courts
   d) roadways which permit access to the foregoing uses
   e) parking areas, provided the land is not filled or altered or the capacity of the floodway is not reduced
   f) uses of a similar nature to the foregoing
   g) uses accessory to any of the foregoing uses including, but not limited to, benches, bleachers, lighting structures, playground, equipment
   h) conservation related uses~~.~~
   i) water control structures (RC-Jun 25/14;E-Oct 18/14)
   j) wastewater, storm water and water infrastructure. Treatment facilities for wastewater, storm water and water infrastructure shall be limited to those facilities that existed on or before, June 25, 2014. (RC-Jun 25/14; M-Sep 16/14; E-Oct 18/14)
   k) roads and public utilities; and (RC-Apr29/25;E-May26/25)
   l) Non-residential uses that existed on or before [coming in force date of clause k and l]. (RC-Apr29/25;E-May26/25)

2. <u>SPECIAL REQUIREMENTS: ERECTION OF STRUCTURES</u>

   a) No structure shall be erected or constructed to be used for human habitation, whether permanent or temporary, in any FW Zone.
   b) A structure or structures, if permitted, shall be constructed and placed on the site so as to offer the minimum obstruction to the flow of flood waters and shall be firmly anchored to prevent floatation.

3. <u>SPECIAL PROVISIONS: ALTERATION OF LAND LEVELS</u>

   a) Within the 1 in 20 year floodway, and unless otherwise permitted in this Part, no alteration of land levels or filling in of the floodplain is permitted for the purpose of erecting a permanent structure or building.
   b) Within the 1 in 20 year floodway no alteration of land levels or filling in of the floodplain is permitted which affects the capacity of the floodway or increases flood heights.
   c) Such fill and other materials shall be stabilized through the use of landscaping or other appropriate means to prevent erosion.

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PART 24A: 2024 FLOODWAY OVERLAY(FWO) ZONE (RC-Apr29/25;E-May26/25)

1. FWO USES PERMITTED

No development permit shall be issued in any FWO Zone except for the following:

Existing Uses
Non-residential uses that existed on or before [coming in force date of this section]

Open Space Uses
Public and private parks and playgrounds
Recreation uses
Boathouse accessory to an existing residential use
Conservation related uses

Other Uses
Public utilities, trails, and roadways
Parking areas

Change in use permitted uses
Subject to section 24A.8, an existing non-residential use may change in use to a use permitted in the underlying zone except for any of the following:

Automotive Repair
Heavy equipment services
Gas Stations
Dry cleaners
Industrial uses
Construction & Demolition uses
Any use for the storage, distribution, or manufacturing of hazardous materials
Medical Facilities and hospitals
Daycares
Shared Housing
Hotels and motels

2 FWO ZONE REQUIREMENTS: OPEN SPACE USES

In any FWO Zone, where uses are permitted as Open Space Uses, no development permit shall be issued except in conformity with the provisions of Sections 24A.3, 24A.4, 24A.5 of Part 24A and Part 22 and 23.

3 OTHER REQUIREMENTS: PROHIBITED USES AND STRUCTURES

Notwithstanding the provisions of Section 24A.1,

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a) no structure shall be used or constructed to be used for human habitation, whether permanent or temporary, in any FWO Zone;
b) no structure shall be used for the storage, distribution, or manufacturing of hazardous materials; and
c) any structures must be designed by a professional engineer to withstand a flood and to allow flow through.

4. RESTRICTION: PLACEMENT OF OFF-SITE FILL

The placement of off-site fill or alteration of grades is prohibited within the FWO Zone, except for road construction and public utilities. The placement of off-site fill or alteration of grades will only be permitted for road construction or public utilities where a professional engineer undertakes a hydrotechnical study to certify that the fill will not contribute to flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, or result in a change to flood water flow patterns.

5. OTHER REQUIREMENTS: GRADE ALTERATION FOR FLOODPROOFING

Notwithstanding Section 24A.4, alteration of grades is permitted for floodproofing required under Sections 24A.6 and 24A.7 subject to the following:
a) grade alteration is limited to the existing building footprint with associated slope stabilization to floodproof a building or structure;
b) a grading plan has been prepared by a professional engineer or Licensed Nova Scotia Land Surveyor showing the final grade is above the nearest upstream 1-in-100-year elevation shown on Schedule K or above a site-specific elevation above the 1-in-100-year elevation as determined by a professional engineer or Nova Scotia Land Surveyor;
c) a professional engineer, through a hydrotechnical study, certifies that the grading will not contribute to flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, or result in a change to flood water flow patterns; and
d) all other grading legislation is met.

6. OTHER REQUIREMENTS: EXISTING USES EXPANSION

Notwithstanding Sections 24A.1, where a hydrotechnical study undertaken by a professional engineer certifies that an expansion to an existing use will not contribute to increased flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, result in a change to flood water flow patterns, existing uses permitted under Section 24 A. 1 are permitted to expand provided the expansions are for
a) alterations and expansions to entranceways needed for accessibility purposes; or
b) alterations and expansions to loading areas.

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7 OTHER REQUIREMENTS: EXISTING USE RECONSTRUCTION AND FLOODPROOFING

Existing uses permitted under Section 24A.1, are permitted to be reconstructed provided the structure is constructed in the same location and to the same extent as the existing building, there is no increase in the building footprint, and a hydrotechnical study, carried out by a qualified person, shows that the proposed development will not contribute to increased flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, or result in a change to floodwater flow patterns. Where an existing use is permitted to be reconstructed, the following floodproofing conditions must be met:

a) All floors must be constructed above the nearest upstream 1-in-100-year flood elevation outlined on Schedule K or above the site-specific 1-in-100-year flood elevation as determined by a professional engineer or Nova Scotia land surveyor.

b) All electrical and mechanical equipment within a building must be located above the 1-in-100-year flood elevation unless designed by a qualified professional engineer to withstand a flood.

c) Any structure constructed below the 1-in-100-year flood elevation must be designed by a professional engineer to withstand a flood and allow for flow through.

8. OTHER REQUIREMENTS: EXISTING NON-RESIDENTIAL USES CHANGE

An existing non-residential use may change to another non-residential use permitted in the underlying zone subject to the following requirements:

a) there is no expansion of the structure(s);

b) the change in use is not for any residential institutions such as hospitals, shared accommodations, or daycares as outlined in Section 24A.1; and

c) the change in use is not for commercial or industrial uses involving the use or storage of hazardous materials.

9. PARKING

The minimum parking requirements in section 34 shall not apply to any use permitted in the Floodway Zone.

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PART 24B: 2024 Flood Fringe Overlay (FFO) Zone (RC-Apr29/25;E-May26/25)

In addition to the regulations of the underlying zone, development in the 2024 Flood Fringe Overlay (FFO) Zone shall be subject to the following requirements:

1. <u>PROHIBITED USES</u>

Notwithstanding the uses permitted in the underlying zone, the following uses are prohibited:

Automotive Repair
Heavy equipment services
Gas Stations
Dry cleaners
Industrial uses
Construction & Demolition uses
Any use for the storage, distribution, or manufacturing of hazardous materials
Medical Facilities and hospitals
Daycares
Shared Housing
Hotels and motels

2. <u>FLOODPROOFING BUILDING REQUIREMENTS</u>

All new or expanded structures are permitted subject to the following floodproofing requirements:

a) all floors must be constructed above the nearest upstream 1-in-100-year flood elevation outlined on Schedule K or above the site-specific 1-in-100-year flood elevation as determined by a professional engineer or Nova Scotia land surveyor, except for a parking area that may be constructed below the 1-in-100-year flood elevation if designed by a professional engineer to allow flow-through of floodwaters and to withstand a flood;
b) all electrical and mechanical equipment within a building must be located above the 1-in-100-year flood elevation unless designed by a professional engineer to withstand a flood; and
c) all below-grade parking or other structures below the 1-in-100-year flood elevation must be designed by a professional engineer to withstand a flood and to allow flow through.

3. <u>RESTRICTION: OFF-SITE FILL FOR FLOODPROOFING</u>

The placement of off-site fill shall not be permitted unless it is required for floodproofing subject to the following:

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a) **the placement of off-site fill is limited to the building footprint and associated slope stabilization to place the building above the nearest upstream 1-in-100-year flood elevation outlined in Schedule K or the site-specific 1-in-100-year elevation as determined by a professional engineer or Licensed Nova Scotia Land Surveyor;**
b) **a grading plan has been prepared by a professional engineer or Licensed Nova Scotia Land Surveyor that clearly shows the final grade is above the nearest upstream 1-in-100-year flood elevation shown on Schedule K or at an elevation certified by a professional engineer or Licensed Nova Scotia Land Surveyor to be above the 1-in-100-year elevation at this site;**
c) **a professional engineer certifies, through a hydrotechnical study, that the infill and grading will not contribute to flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, or result in a change to flood water flow patterns; and**
d) **all other grading legislation is met.**

4. <u>RESTRICTION: GRADE ALTERATION</u>

Alterations of topography shall be permitted to allow for necessary grading for permitted uses, provided the following conditions can be met:
a) **a grading plan has been prepared by a professional engineer or Licensed Nova Scotia Land Surveyor that clearly shows the final grade is above the nearest upstream 1-in-100-year flood elevation shown on Schedule K or at an elevation certified by a professional engineer or Licensed Nova Scotia Land Surveyor to be above the 1-in-100-year flood elevation at the site;**
b) **a professional engineer certifies and confirms, through a hydrotechnical study, that the grading will not contribute to increased flooding on adjacent properties, increased upstream or downstream flooding, increased flood elevations, or result in a change to flood water flow patterns; and**
c) **all other grading legislation is met.**

5. <u>SECONDARY SUITES AND BACKYARD SUITES</u>

Where a residential use is located within the 2024 Flood Fringe Overlay (FFO) Zone, the following conditions shall be applied to Secondary Suites and Backyard Suites in addition to the requirements of Section 29B:
a) **the habitable floorspace of a secondary suite shall not be permitted unless it is above the nearest upstream 1-in-100-year flood elevation outlined on Schedule K or above a site-specific 1-in-100-year flood elevation as determined by a professional engineer or Licensed Nova Scotia Land Surveyor after (insert date of First Notice).**
b) **a new backyard suite constructed after (insert date of First Notice) shall be floodproofed as per the floodproofing requirements of 24B.2 of the 2024 Flood Fringe Overlay (FFO) Zone.**

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PART 25: WATERFRONT COMPREHENSIVE DEVELOPMENT DISTRICT (WFCDD) ZONE

1) The purpose for which land in a WFCDD Zone is to be developed shall be to achieve a mixed-use urban waterfront development containing public spaces and activities with residential, commercial, cultural, accommodation and institutional uses.

2) Subject to Policies WF-l through WF-23 inclusive of the Municipal Planning Strategy, the following uses are permitted if provided for by a development agreement:

a) Townhouse dwellings:
b) Multiple Unit dwellings (to a max. 8 storeys);
c) **Shared housing use;**
(RC-Aug 9/22;E-Sep 15/22)
d) Neighbourhood convenience stores
e) Retail commercial uses;
f) Commercial Entertainment Uses;
g) Commercial Service;
h) Food and Beverage uses;
i) Office uses;
j) Convention facilities;
k) Hotel facilities;
l) Institutional (SI/SU)
m) Parks and Recreational
n) Cultural uses;
o) Marine related uses;
p) Any uses accessory to the foregoing uses;

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PART 26: C&D MATERIALS TRANSFER STATIONS (CD-1) ZONE (RC-Sep 10/02; E-Nov 9/02)

26.1 CD -1 USES PERMITTED

No development permit shall be issued in any CD-1 (Transfer Stations) Zone except for the following, pursuant to the Site Plan Approval process:
Construction and Demolition Materials Transfer Stations
Uses accessory to permitted use

26.2 CD-1 ZONE REQUIREMENTS

In any CD-1 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**3,716 square metres (40,000 square feet) - central services**
	11,148 square metres (120,000 square feet) - on-site services
Minimum Frontage	**15 metres (49.2 feet) - central services**
	30 metres (98.4 feet) - on-site service
Minimum Front Yard	**25 metres (82.0 feet)**
Minimum Side Yard	**30 metres (98.4 feet)**
Minimum Rear Yard	**30 metres (98.4 feet)**
Maximum Lot Coverage	**50 %**
Maximum Height	**11 metres (36.0 feet)**

26.3 OTHER REQUIREMENTS: C&D Materials Transfer Stations

No development permit shall be issued for a C&D Materials Transfer Station except in compliance with the following provisions:

a) any building or structure shall meet the following separation distances:
- **i) from any property line — 30 metres (98.4 feet)**
- **ii) from the nearest residential dwelling or institutional use — 60 metres (196.9 feet)**
- **iii) from a watercourse — 30 metres (98.4 feet)**

b) notwithstanding Section 26.3(a), where a building or structure is not to be located within 250 metres of a residential or institutional use or building, the building setback from any property line may be reduced to 10 metres (32.8 feet).

c) notwithstanding Section 26.3(a), any C&D Materials Transfer Station which is to be totally enclosed within a building (no outdoor storage of material, product, or equipment) setback from any property line may be reduced to 10 metres (32.8 feet).

26.4 General Requirements: C&D Materials Operations

No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

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a) no operation shall be permitted, result in, causes or produces any of the following effects discernible outside any building or structure or affecting any adjacent property:

i) noise or sound which is obnoxious because of its volume, duration, intermittent beat, frequency, or shrillness;

ii) dissemination of smoke, fumes, gas, dust, odour, or any atmospheric pollutant; or

iii) discharge of any waste material whatsoever into a watercourse or water resource except in accordance with the applicable government requirements.

b) notwithstanding any other provisions of this by-law, C&D Materials Operation may occur either inside or outside of a building;

c) there shall be a landscaped area of at least 4.5 metres (14.8 feet) in depth that runs the length of and directly abuts the front lot line, excluding driveway openings, and such land within this required landscaped area shall be grassed (or other appropriate vegetation ground cover) and trees and shrubs shall be planted (trees shall be a minimum of 1.8 metres (6 feet) in height) or existing trees and shrubs shall be maintained at a minimum rate of one (1) plant per each 2 metres (6.6 feet) of frontage;

d) notwithstanding Section 26.4(c), if the front yard area is treed, the landscaped area is not required but all vegetation within 10 metres of the front lot line shall be retained and maintained;

e) no portion of the operation shall be located within any side, rear, or front yard setback;

f) no operation shall have direct access to either a local or subdivision road, as determined by the Municipality's Traffic and Transportation Services Division and any access road for such operations shall not occur through lands zoned for residential (RSU, RTU, RMU, RCDD, and RR) or community use (SI, SU, P, POS, and FW); and

g) no portion of the operation shall be located within a 1:100 year floodplain.

26.5 <u>General Requirements: Site Plan Approval</u>

All C&D operations are subject to approval of a site plan. The Development Officer shall approve a site plan where the following matters have been addressed:

a) driveway access to the site shall be located in such a manner to minimize land use impacts on adjacent land uses;

b) separation distances shall be provided from any structure on the site and abutting residential or community facility properties to ensure the development does not negatively impact upon surrounding properties;

c) all off-street loading and unloading areas, stockpiles, processing areas, and parking facilities shall be located on the site such that no aspect impacts upon adjacent uses or streets and screening can be in the form of fencing, berms, vegetation, or a combination of elements;

d) a landscaping plan shall be prepared that protects and minimize land use impacts

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on adjoining lands and the plan shall indicate the type, size, and location of all landscaping elements including the landscaping along the front of the property, to achieve the objective of the plan;

e) within any designated side and rear yards, existing vegetation shall be retained unless it does not provide for adequate screening measures;

f) all outdoor lighting shall be oriented such that it is directed away from adjacent properties;

g) all solid waste storage containers shall be screened from view from adjacent properties and streets;

h) impact of the location, number and size of signs;

i) measures, including but not limited to lot grading, berms, shall be required to adequately address the management of stormwater and surface water; and

j) provisions are established to ensure the operation and any required site improvements are maintained to a high standard.

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PART 27: C&D MATERIALS PROCESSING FACILITIES (CD-2) ZONE (RC-Sep 10/02; E-Nov 9/02)

27.1 CD-2 USES PERMITTED

No development permit shall be issued in any CD-2 (C&D Recycling) Zone except for the following, pursuant to the Site Plan Approval process:

Construction and Demolition Materials Processing Facilities
All CD-1 Zone uses
Uses Accessory to permitted uses, excluding construction and demolition disposal
Accessory dwelling unit which are provided for the purposes of safety, security, or maintenance

27.2 CD-2 ZONE REQUIREMENTS

In any CD-2 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**3,716 square metres (40,000 square feet) central services**
	11,148 square metres (120,000 square feet) on-site services
Minimum Frontage	**15 metres (49.2 feet) central services**
	30 metres (98.4 feet) on-site services
Minimum Front Yard	**30 metres (98.4 feet)**
Minimum Side Yard	**30 metres (98.4 feet)**
Minimum Rear Yard	**30 metres (98.4 feet)**
Maximum Lot Coverage	**50 %**
Maximum Height	**11 metres (36.0 feet)**

27.3 OTHER REQUIREMENTS: C&D Materials Transfer Stations

In any CD-2 Zone, no development permit shall be issued for any C&D Materials Transfer Stations except in conformity with the provision for such a use as contained within the CD-1 Zone.

27.4 OTHER REQUIREMENTS: C&D Materials Processing Facilities

No development permit shall be issued for C&D materials processing facility except in compliance with the following provisions:

a) any building, structure or area used for processing shall meet the following separation distances:

i)	**from any property line**	**60 metres (196.8 feet)**
ii)	**from the nearest residential dwelling or institutional use**	**90 metres (295.3 feet)**
iii)	**from a watercourse**	**60 metres (196.8 feet)**

b) notwithstanding Section 27.4(a), where a building or structure is not to be located within 250 metres of a residential or institutional use or building, the building setback from any property line may be reduced to 10 metres (32.8 feet).

c) notwithstanding Section 27.4(a), any C&D Materials Processing Facility which is to be totally enclosed within a building (no outdoor storage of material, product, processing area, or equipment) setback from any property line may be reduced to 10 metres (32.8 feet).

27.5 <u>General Requirements: C&D Materials Operations</u>

No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

a) the operation complies with the general zone requirements as outlined in Section 26.4.

b) notwithstanding Sections 27.2 to 27.4, inclusive, more than one C&D Materials operation is permitted on a site and each use shall be subject to the applicable standards unless the uses are not clearly differentiated than the more stringent requirements shall apply to the permitted uses.

27.6 <u>General Requirements: Site Plan Approval</u>

C&D Materials Operations are subject to approval of a site plan. The Development Officer shall approve a site plan for each use which deals with those matters outlined in Section 26.5.

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PART 28: C&D MATERIALS DISPOSAL SITES (CD-3) ZONE (RC-Sep 10/02; E-Nov 9/02)

28.1 CD-3 USES PERMITTED

No development permit shall be issued in any CD-3 (C&D Disposal) Zone except for the following, pursuant to the Site Plan Approval process:

Construction and Demolition Materials Disposal Sites
All CD-2 zone uses
Uses Accessory to permitted uses
Accessory dwelling unit which are provided for the purposes of safety, security, or maintenance

28.2 CD-3 ZONE REQUIREMENTS

In any CD-3 Zone, no development permit shall be issued except in conformity with the following:

Minimum Lot Area	**11,148 square metres (120,000 square feet)**
Minimum Frontage	**15 metres (49.2 feet) central services**
	30 metres (98.4 feet) on-site services
Minimum Front Yard	**50 metres (164 feet)**
Minimum Side Yard	**50 metres (164 feet)**
Minimum Rear Yard	**50 metres (164 feet)**
Maximum Lot Coverage	**50 %**
Maximum Height	**11 metres (36.1 feet)**

28.3 OTHER REQUIREMENTS: CD-1 and CD-2 Zone Uses

In any CD-3 Zone, no development permit will be issued for any:

a) C&D Materials Processing Facility except in conformity with the provision for such a use as contained within the CD-2 Zone; and
b) C&D Materials Transfer Station except in conformity with the provision for such a use as contained within the CD-1 Zone.

28.4 OTHER REQUIREMENTS: C&D Materials Disposal Sites

No development permit shall be issued for C&D disposal site except in compliance with the following provisions:

a) no portion of the operation shall be located within 60 metres (196.8 feet) of any side or rear property line abutting a residential or community facility use;
b) any building or structure used in conjunction with a disposal operation shall meet the following separation distances:
    i) from any property line 50 metres (164 feet)

ii)	**from the nearest residential dwelling or institutional use**	**90 metres (295.3 feet)**
iii)	**from a watercourse**	**60 metres (196.8 feet)**

28.5 <u>GENERAL REQUIREMENTS: C&D Materials Operations</u>

No development permit shall be issued for a C&D Materials Operation except in compliance with the following provisions:

a) the operation complies with the general zone requirements as outlined in Section 26.4.

b) Notwithstanding Sections 28.2 to 28.4, inclusive, more than one C&D Materials operation is permitted on a site and each use shall be subject to the applicable standards unless the uses are integrated than the more stringent requirements shall apply to the permitted uses.

28.6 <u>GENERAL REQUIREMENTS: Site Plan Approval</u>

C&D Material Operations are subject to approval of a site plan. The Development Officer shall approve a site plan for each use which deals with those matters as outlined in Section 26.5.

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PART 29: INFRASTRUCTURE CHARGE HOLDING (ICH) ZONE (RC-May 7/02;E-Jun 29/02)

29.1 ICH USES PERMITTED

No development permit shall be issued in any ICH Zone except on lots in existence on the date of adoption (July 2, 2002) of this zone for the following:
Single Unit Dwellings
Open Space Uses

29.2 ICH ZONE REQUIREMENTS

In any ICH Zone, no development permit shall be issued except in conformity with the requirements of the RSU Zone.

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PART 30: URBAN RESERVE (UR) ZONE (RC-Jun 25/14;E-Oct 18/14)

30.1 UR USES PERMITTED

No development permit shall be issued in an Urban Reserve (UR) Zone except for one or more of the following uses:

Single unit dwellings, on existing lots provided that a private on-site sewage disposal system and well are provided on the lot

Passive recreation uses

Uses accessory to the foregoing uses

30.2 UR ZONE REQUIREMENTS

In any Urban Reserve (UR) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Front or Flankage Yard:	**9.1m**
Minimum Side Yard:	**2.5m**
Minimum Rear Yard:	**2.5m**
Maximum Lot Coverage:	**35%**
Maximum Height of Main Building:	**11m**

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PART 31: URBAN SETTLEMENT (US) ZONE (RC-Jun 25/14;E-Oct 18/14)

31.1 US USES PERMITTED

No development permit shall be issued in an Urban Settlement (US) Zone except for one or more of the following uses:

Single unit dwellings, on lots on an existing road(s) provided that a private on-site sewage disposal system and well are provided on the lot
Public parks and playgrounds
Uses accessory to the foregoing uses

31.2 US ZONE REQUIREMENTS

In any Urban Settlement (US) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Frontage:	**110 m**
Minimum Lot Area:	**2 ha**
Minimum Front or Flankage Yard:	**9.1m**
Minimum Side Yard:	**2.5m**
Minimum Rear Yard:	**2.5m**
Maximum Lot Coverage:	**35%**
Maximum Height of Main Building:	**11m**

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APPENDIX A: EXISTING USES WITHIN CMC ZONE

Civic Address	LIMS	Owner	Name of Business	Use
1350 Bedford Highway	00428565	R & S Realty Ltd.	Atlantic Fabrics	Office Uses
1312 Bedford Highway	00428490	Charles Chediac	Bedford Discount Meats	convenience store
			Claddagh Cleaners depot	drycleaning
			Ambassador Pizza	takeout restaurant
1239 Bedford Highway	00429159	Thomas Michael	Video Difference Needs	rental store convenience store
			Bagel Obsession	take out restaurant
1189 Bedford Highway	00429217	Aref Jebailey	Dino Pizza	take out restaurant
			Bailey's Meat Market	convenience store
			Scissors Hair Salon	personal service
1180 Bedford Highway	00428870	Richmond Row Dev.	Martial Art Academy	personal service
			Tabrizi Oriental Rug	general retail
			Hair Styling Salon	personal service
			MindWorks	general retail
			Heating Ventation	office space
1111 Bedford Highway	00429225	Ultramar Canada Inc.	Ultramar Service Station	service station
1067 Bedford Highway	40307936	Nova Scotia Ltd.	Stardust Motel	motel

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APPENDIX B: Hierarchy of Zones

FW - Floodway Zone **Most Restrictive**
RR - Residential Reserve
ICH - Infrastructure Charge Holding Zone
RSU - Single Dwelling Unit Zone
RTU - Two Dwelling Unit Zone
RTH - Townhouse Zone
RMU - Multiple Dwelling Unit Zone
RCDD - Residential Comprehensive Development District
BSCDD - Bedford South Comprehensive Development District
SI - Institutional Zone
CMC - Mainstreet Commercial Zone
CGB - General Business District Zone
CCDD - Commercial Comprehensive Development District
WFCDD - Waterfront Comprehensive Development District
CSC - Shopping Centre Zone
CHWY - Highway Oriented Commercial Zone
ILI - Light Industrial Zone
SU - Utilities Zone
IHO - Harbour Oriented Industrial Zone
ITR - Information, Technology, and Research Zone
IHI - Heavy Industrial Zone **Least Restrictive**
(RC-Dec 10/02; Eff-Jan 18/03)

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APPENDIX C: Areas of Elevated Archaeological Potential (RC-Jun 25/14;E-Oct 18/14) (RC-Mar 18/25; EFF Apr 23/25)

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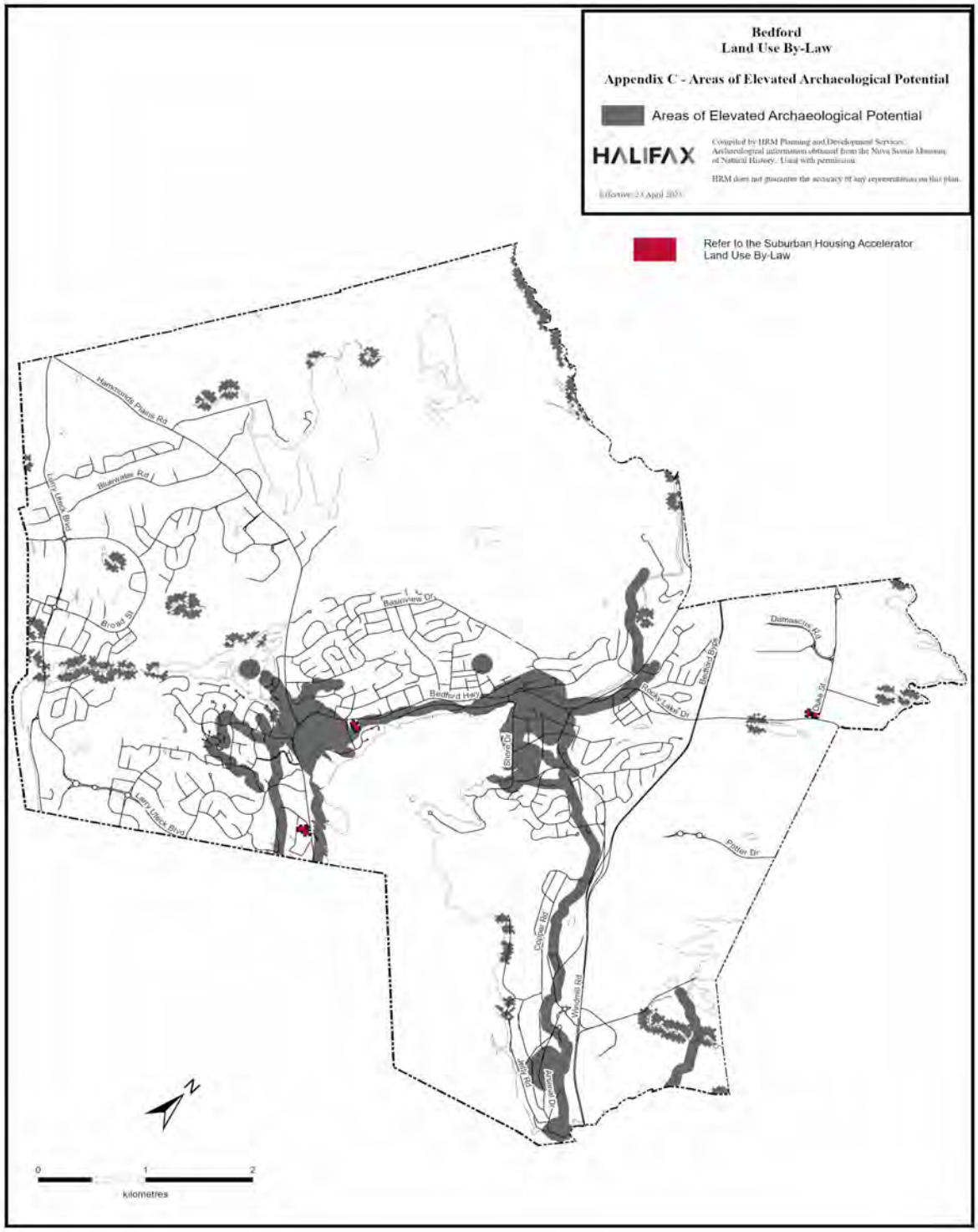
Bedford
Land Use By-Law
Appendix C - Areas of Elevated Archaeological Potential
Areas of Elevated Archaeological Potential
HALIFAX
Refer to the Suburban Housing Accelerator
Land Use By-Law
Hammonds Plains Rd
Bluewater Rd
Larry Uteck Blvd
Broad St
Basinview Dr
Bedford Hwy
Rocky Lake Dr
Bedford Bypass
Damascus Rd
Duke St
Shore Dr
Larry Uteck Blvd
Potter Dr
Copper Rd
Windmill Rd
Jetty Rd
Anchor Dr
N
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1
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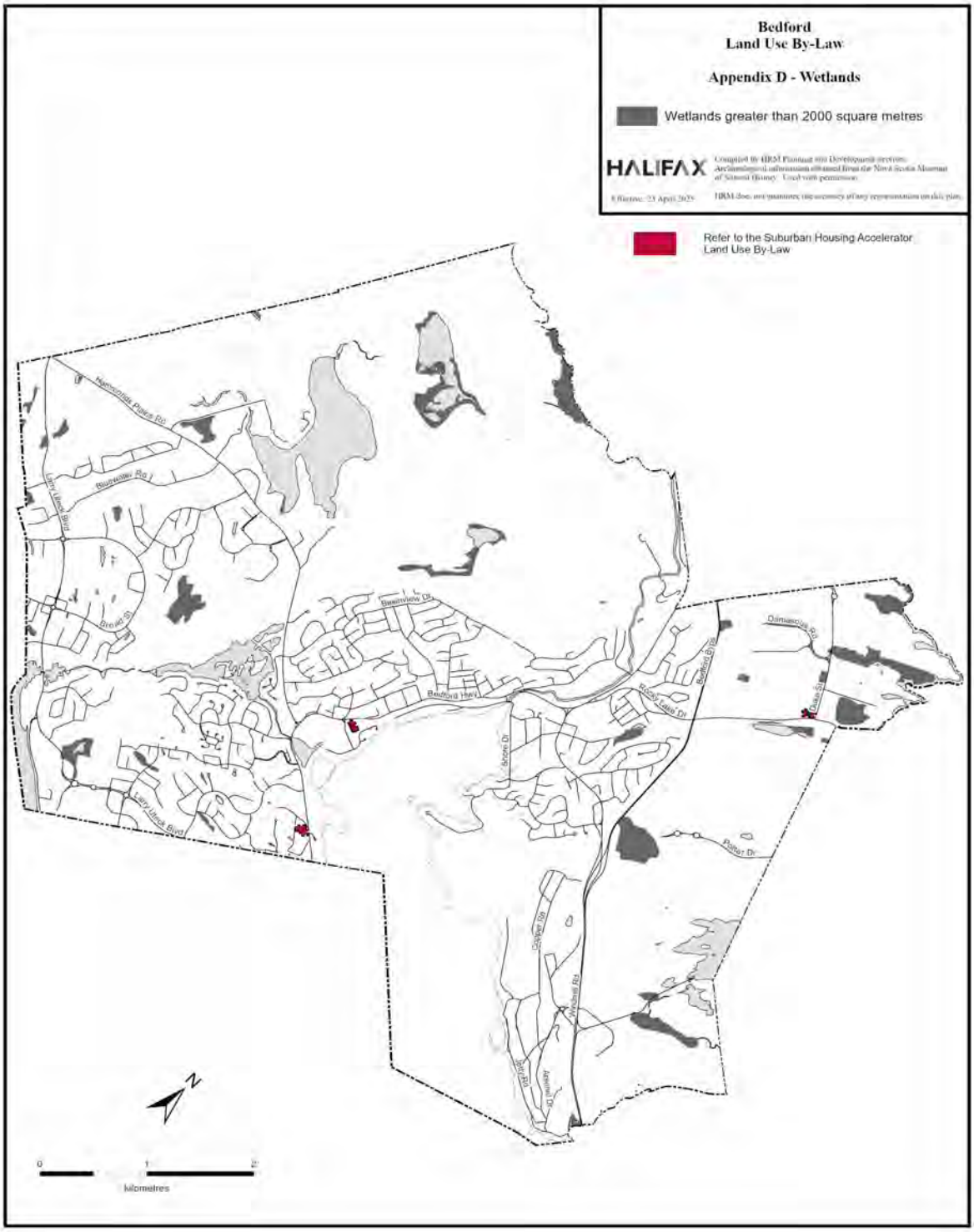
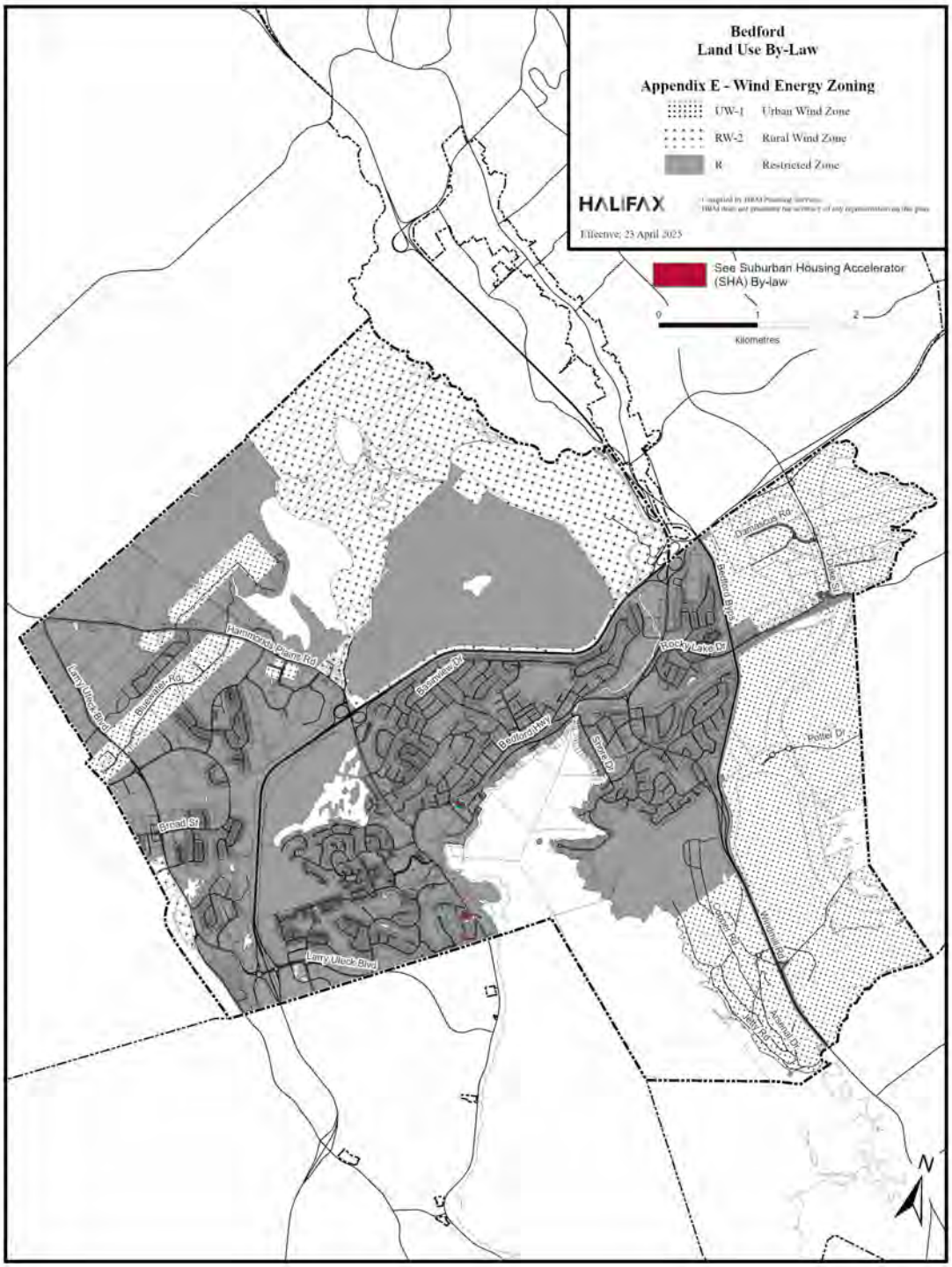
kilometres

APPENDIX D: Wetlands (RC-Jun 25/14;E-Oct 18/14) (RC-Mar18/25; EFF Apr 23/25)



APPENDIX E: Wind Energy Zoning Map (RC-Jun 25/14;E-Oct 18/14) (RC-Mar 18/25; EFF Apr 23/25)



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APPENDIX F: Lands Exempt From Lot Frontage Requirements (RC-Dec 10/19;E-Feb 15/20)

APPENDIX G: Interim Bonus Zoning Requirements for Applicable Plan Amendment Applications (RC-Mar 21/23; E-Apr 19/23)

Definitions

1. For the purpose of Appendix G and Schedule C the following definitions shall apply:

(a) ACCESSORY STRUCTURE means a structure that is:
- **(i) subordinate, incidental, and devoted to a main use or structure, and**
- **(ii) not attached to any main building;**

(b) AFFORDABLE COMMUNITY OR CULTURAL INDOOR SPACE means premises used for community and cultural purposes by a not-for-profit organization or registered Canadian charitable organization, such as offices, meeting rooms, recreational facilities, educational facilities, art and cultural spaces, performance, rehearsal and exhibition spaces, galleries, daycare uses, and other social services;

(c) APPLICANT means any person, including an owner, applying for a development permit, or development agreement;

(d) APPRAISER means an individual who holds the Accredited Appraiser (AACI) designation of the Appraisal Institute of Canada.

(e) BUILDING means every continuous enclosed area with exterior walls on a lot that:
- **(i) is built, erected, and framed of a combination of materials,**
- **(ii) is either portable or fixed,**
- **(iii) has a roof,**
- **(iv) forms a structure for the shelter of persons, animals, or property, and**
- **(v) is located, in whole or in part, above or below grade;**

(ea) CERTIFICATE OF OCCUPANCY means an occupancy permit as issued pursuant to B-201, the *Building By-law*, and *the Nova Scotia Building Code Act;* (NWCC-Feb 20/24;E-Mar 6/24)

(f) 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:
- **(i) unenclosed space outside any exterior walls or located on a rooftop, such as balconies and patios,**
- **(ii) any floor area below a ground floor of a building or parking structure,**
- **(iii) elevator shafts,**
- **(iv) accessory structures,**
- **(v) rooftop greenhouses,**
- **(vi) any space open to a floor below, and**
- **(vii) pedways;**

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(g) **GREENHOUSE means a structure constructed primarily of transparent materials, for the protection and cultivation of plants, such as vegetables, fruits, herbs, sprouts, ornamental plants, and flowers;**

(h) **INCENTIVE OR BONUS ZONING means the requirements that permit the relaxation of certain requirements if an applicant exceeds other requirements or undertakes other action, in the public interest, as specified in the requirements;**

(i) **INCENTIVE OR BONUS ZONING AGREEMENT means a contract between an owner and the Municipality that describes the public benefit to be provided by the applicant in exchange for incentive or bonus zoning;**

(j) **NOT-FOR-PROFIT ORGANIZATION MEANS:**

- **(i)** **a society incorporated pursuant to the Societies Act,R.S.N.S.1989 c.435, as amended,**
- **(ii)** **a non-profit association incorporated pursuant to the Co-operative Associations Act, R.S.N.S.1989 c. 98, as amended,**
- **(iii)** **a non-profit association to which the Co-operative Associations Act applies,**
- **(iv)** **a not-for-profit corporation incorporated pursuant to the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, or**
- **(v)** **a non-profit organization incorporated as a non-profit organization pursuant to its own Act of the Nova Scotia Legislature;**

(k) **PARKING STRUCTURE 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;**

(l) **PEDWAY means an elevated enclosed walkway that connects two or more buildings and is used exclusively for pedestrian traffic;**

(m) **PREMISES means a structure or portions of a structure occupied by a use;**

(n) **PROFESSIONAL ARTIST means an artist who:**

- **(i)** **has proven, specialized training in an artistic field,**
- **(ii)** **is recognized as a professional by their peers who are working in the same artistic tradition, and**
- **(iii)** **has a history of public presentation or publication;**

(o) **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;**

(p) **REGISTERED CANADIAN CHARITABLE ORGANIZATION means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act;**

(q) **REGISTERED HERITAGE BUILDING means a building on a registered heritage property that:**

- **(i)** **has been registered pursuant to the *Heritage Property Act*, and**
- **(ii)** **contributes to the character-defining elements on the registered heritage property; and**

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(r) REGISTERED HERITAGE PROPERTY means an area of land that is a registered heritage property pursuant to the *Heritage Property Act*.

<u>Requirement to Provide a Public Benefit for Bonus Zoning</u>

2. In accordance with the Regional Municipal Planning Strategy Policies G-16A to G-16G but subject to Section 3, incentive or bonus zoning shall be required for developments identified on Schedule C: Lands Subject to Interim Bonus Zoning Requirements.

3. Incentive or bonus zoning shall not be required for developments identified on Schedule C if the Development Officer is satisfied that:

(a) upon the date of application for a development permit, the applicant for the development permit is a registered not-for-profit organization or registered Canadian charitable organization, and have been registered for at least 1 year prior to the date the complete application is received by the Municipality;

(b) the provision of affordable housing is included in the mandate or programs and activities of the registered not-for-profit organization or the registered Canadian charitable organization;

(c) a minimum of 60% of the development is for housing; and

(d) the property that is the subject of the application is solely owned by one or a combination of the following:

(i) the applicant,

(ii) the Municipality,

(iii) the Provincial Government,

(iv) the Federal Government, or

(v) an agent of the Provincial or Federal Government.

4. For any development agreement or development as specified in Section 8, the Development Officer may require the applicant to enter into an incentive or bonus zoning agreement.

5. Subject to section 3, no development permit shall be issued where an incentive or bonus zoning agreement is required, until the incentive or bonus zoning agreement is executed by all parties and filed in the Provincial Land Registration Office.

(b) Deleted (NWCC-Feb 20/24;E-Mar 6/24)

5A. Subject to section 3, no certificate of occupancy shall be issued until the full amount of the money-in-lieu is paid to the Municipality or as specified in the applicable development agreement. (NWCC-Feb 20/24;E-Mar 6/24)

<u>Public Benefit Value</u>

6. (1) Where an applicant is required to provide incentive or bonus zoning, the value of the public benefits shall be determined in accordance with Section 7 or Section 8.

(2) The applicant shall submit a public benefit value calculation with their application for a development permit, in a format acceptable to the Development Officer.

7. Except for lands that are greater than 10 hectares under section 8, the minimum required public benefit value shall be calculated by multiplying Factor #1 by Factor #2, and then multiplying the product by Factor #3, where:

(a) Factor #1 is the new floor area in square metres that exceeds 2,000 square metres;
(b) Factor #2 is 0.20; and
(c) Factor #3 is the bonus zoning rate, in dollars per square metre, as specified in Section 11.

8. (1) For lands that are greater than 10 hectares that are developed by development agreement, the public benefit shall be determined based on the appraised market value of the site once the proposed plan amendment and associated development agreement is approved by Council, and then multiplied by a coefficient of 0.12.
(2) The appraised market value is not the market value of the completed project, but the value that the applicant could expect to receive if they sold the site with the development agreement in place.
(3) Any appraisal under this section shall be completed by an appraiser that is hired by the Municipality.
(4) The cost of any appraisal shall be paid for by the applicant.
(5) The terms of reference for the appraisal shall be determined solely by the Municipality.
(6) Where the Municipality or applicant disagrees with the appraised value determined in the appraisal, the disagreeing party may, at the applicant's expense, have a second appraisal done, and the appraisal is subject to the same terms of reference as the initial appraisal.

9. The appraised market value for the purposes of the public benefit value is:

(a) where there is one appraisal, the monetary value of the land from that appraisal; or
(b) where there are two appraisals, the average monetary values of the land from the two appraisals.

<u>Deadline to Complete Public Benefit</u>

10. Any required public benefit shall be completed by the applicant prior to certificate of

occupancy being issued or as specified in the applicable development agreement. (NWCC-Feb 20/24;E-Mar 6/24)

(a) Repealed (NWCC-Feb 20/24;E-Mar 6/24)
(b) Repealed (NWCC-Feb 20/24;E-Mar 6/24)

<u>Bonus Zoning Rate</u>

11. The bonus zoning rate for the area identified on Schedule C is $195/ square metre, as of April 2022 and shall be adjusted in accordance with Sections 12, 13, and 14.

<u>Bonus Zoning Rate Adjustments</u>

12. (1) The bonus zoning rate specified Section 11 shall be adjusted annually on April 1st in accordance with changes to the *Halifax All-Items Consumer Price Index* released by Statistics Canada.

(2) The bonus zoning rate shall be adjusted using the method specified as follows:

<u>Step 1:</u> The percentage change in the Halifax All-Items Consumer Price Index (CPI) shall be determined by

(a) using the formula:
(A/B x 100) minus 100 = percentage change in CPI

(b) where:

(i) "A" is the previous year's Halifax All-Items Consumer Price Index, and

(ii) "B" is the Halifax All-Items Consumer Price Index for the base year in which this Appendix was adopted, or the year where the bonus zoning rate was last updated through a formal rate update by a trained valuation professional, whichever is later.

<u>Step 2:</u> The percentage change in CPI determined under Step 1 shall then be multiplied by the bonus zoning rate under Section 11.

<u>Step 3:</u> The product of Step 2 shall then be added to the bonus zoning rate, with the resulting sum becoming the new bonus zoning rate for the current bonus rate year.

13. If the *Halifax All-Items Consumer Price Index* declines or remains unchanged in a given year, there shall be no change in the bonus zoning rate for that year.

14. (1) The bonus zoning rate for the calculation of the required public benefit value shall be the bonus zoning rate at the time a complete application for a development permit is received by the Municipality.

(2) Where the development permit expires and an application for a new development permit is made for the same development, the value of the public benefit shall be the difference between the bonus zoning rate at the time the

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new complete application is received and the bonus zoning rate previously paid.

<u>Public Benefit: Money-in-Lieu for Affordable Housing</u>

15. (1) A minimum of 60% of the required public benefit shall be in the form of money-in-lieu for affordable housing.

(2) Money-in-lieu accepted for affordable housing shall be required to be used within the Municipality for:

(a) the rehabilitation of existing affordable housing units, including building assessments, provided by a not-for-profit organization or registered Canadian charitable organization;

(b) the acquisition of buildings, housing units, or properties for affordable housing;

(c) the creation of new affordable housing units by a not-for-profit organization or registered Canadian charitable organization;

(d) a housing agreement permitted in Clause 73(b) of the Halifax Regional Municipality Charter; or

(e) any combination of Clauses (a) to (d).

<u>Public Benefit Categories</u>

16. The remaining required public benefits shall be in the form of one or a combination of the following public benefits:

(a) additional money-in-lieu for affordable housing;

(b) the conservation of a registered heritage building, or a building within a heritage conservation district, that is located on the site of the development;

(c) money-in-lieu for the conservation of a registered heritage building; or

(d) the conservation of a building located within a heritage conservation district;

(e) money-in-lieu for the acquisition or improvement of municipal parks;

(f) money-in-lieu for affordable community or cultural indoor space;

(g) money-in-lieu for public art; or

(h) public art on the site of the development.

<u>Public Benefit: Conservation of Registered Heritage Buildings or a Building within a Heritage Conservation District</u>

17. (1) Notwithstanding Sections 15 and 16, on registered heritage property or on a property within a heritage conservation district, 90% of the public benefit shall be allocated to the conservation of:

(a) a registered heritage building that is on the site of the development; or

(b) a building within a heritage conservation district that is on the site of the development.

(2) The remaining 10% of the public benefit shall be in the form of money-in-lieu

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for affordable housing.

18. The applicant shall register a waiver in title of the property that, without the approval of the Municipality, the registered heritage property or the property within a heritage conversation district shall not be altered or demolished under Section 18 of the *Heritage Property Act*.

<u>Public Benefit Requirement: On-Site Public Art</u>

19. Where the required public benefit includes public art under Clause 16(h), the public art shall:

- **(a) be located on the site of the development, and allow direct public access or viewing of the public art;**
- **(b) be designed by a professional artist; and**
- **(c) have a minimum cost of $100,000.**

20. The following items shall not qualify as public art under Clause 16(h):

- **(a) interpretive, wayfinding, or other functional signage;**
- **(b) branding or promotional projects;**
- **(c) plaques and supporting infrastructure;**
- **(d) stock and mass-produced items;**
- **(e) memorials, where:**
  - **(i) the memorial commemorates a single individual not previously approved through the Municipality's Commemorative Asset Naming Program,**
  - **(ii) the memorial has not been designed and created by a professional artist, or**
  - **(iii) the primary component or element of design involves benches, picnic tables, playgrounds or other park infrastructure, trees, or other ornamental landscape elements; or**
- **(f) landscape design, landscape gardens, or any garden features including fountains, garden furnishings, or other infrastructure, unless those elements have been conceived of by a professional artist independently or in collaboration with other design professionals and are an integral component of an artwork.**

<u>Incentive or Bonus Zoning Agreement</u>

21. An incentive or bonus zoning agreement required by a Development Officer shall contain terms respecting:

- **(a) the identification of the development site;**
- **(b) design drawings, provided by the applicant, for any required or provided public benefit;**
- **(c) where required by the Development Officer, detailed construction**

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drawings, site plans, specifications, cost estimates, or appraisals prepared by an appraiser for any required or provided public benefit;

(d) the identification of any conditions required by the Municipality before the public benefit is accepted;

(e) where required, provisions for the auditing and reporting of public benefits; and

(f) any other terms or conditions the Development Officer requires.

22. An incentive or bonus zoning agreement shall be signed by the owner.

23. Subject to Sections 24 and 25, and in accordance with Section 31A of the Charter, Council delegates to the Development Officer the authority to:

(a) enter into an incentive or bonus zoning agreement, or an amendment to an incentive or bonus zoning agreement, on behalf of the Municipality;

(b) discharge an incentive or bonus zoning agreement, in whole or in part, in accordance with the terms of the incentive or bonus zoning agreement or with the concurrence of the property owner, and

(c) sign the discharge, including a discharge agreement, on behalf of the Municipality.

24. In accordance with Subsection 31A(5) of the Charter, where an incentive or bonus zoning agreement entered into by the Development Officer commits the Municipality to any expenditure, the agreement has no force or effect until approved by Council.

25. In accordance with Subsection 31A(4) of the Charter, an incentive or bonus zoning agreement entered into by the Development Officer, or an amendment to such an agreement, shall be signed by the Mayor and the Municipal Clerk on behalf of the Municipality.

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SCHEDULE PG: PLANNED GROWTH SCHEDULE (Municipal Affairs-Housing -Nov 21/23;E-Dec 19/23)

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PART I: ADMINISTRATION

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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.

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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.

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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.

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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

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(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:

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(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

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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.

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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.

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(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.

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Part I, Chapter 4: Variances

Variances

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

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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.

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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.

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PART II: ZONES

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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;

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(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.

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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.

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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				

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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.

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PART III: LAND USE

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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

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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.

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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:

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(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

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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;

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(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:

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(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.

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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.

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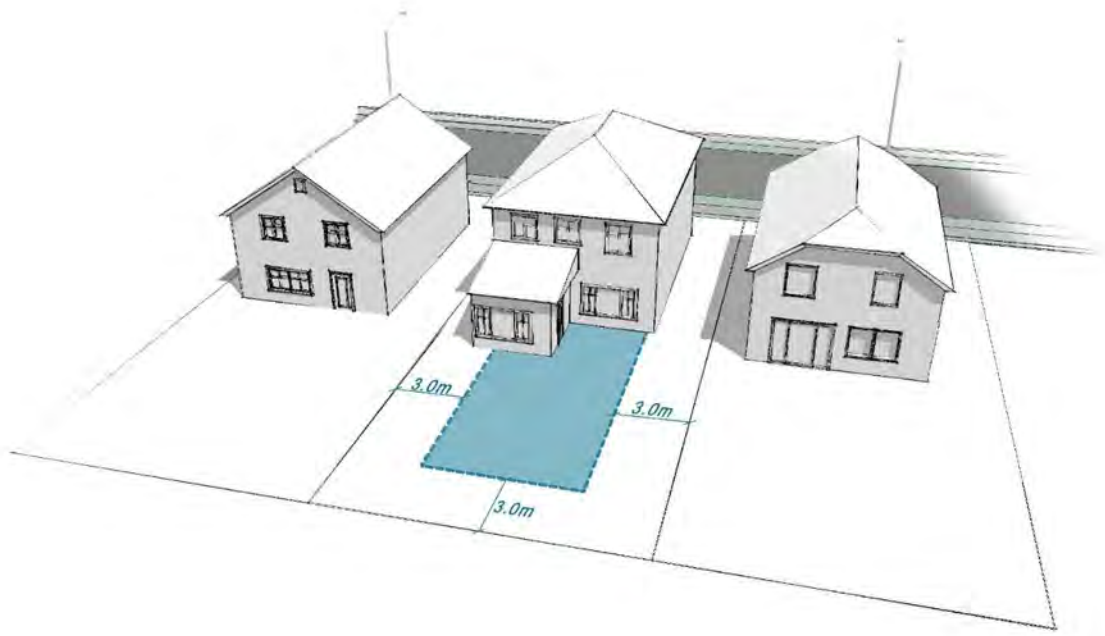

Diagram PG-1: Shaded area denotes where beehives are permitted at grade, per Subsection PG-50(2)

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.

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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).

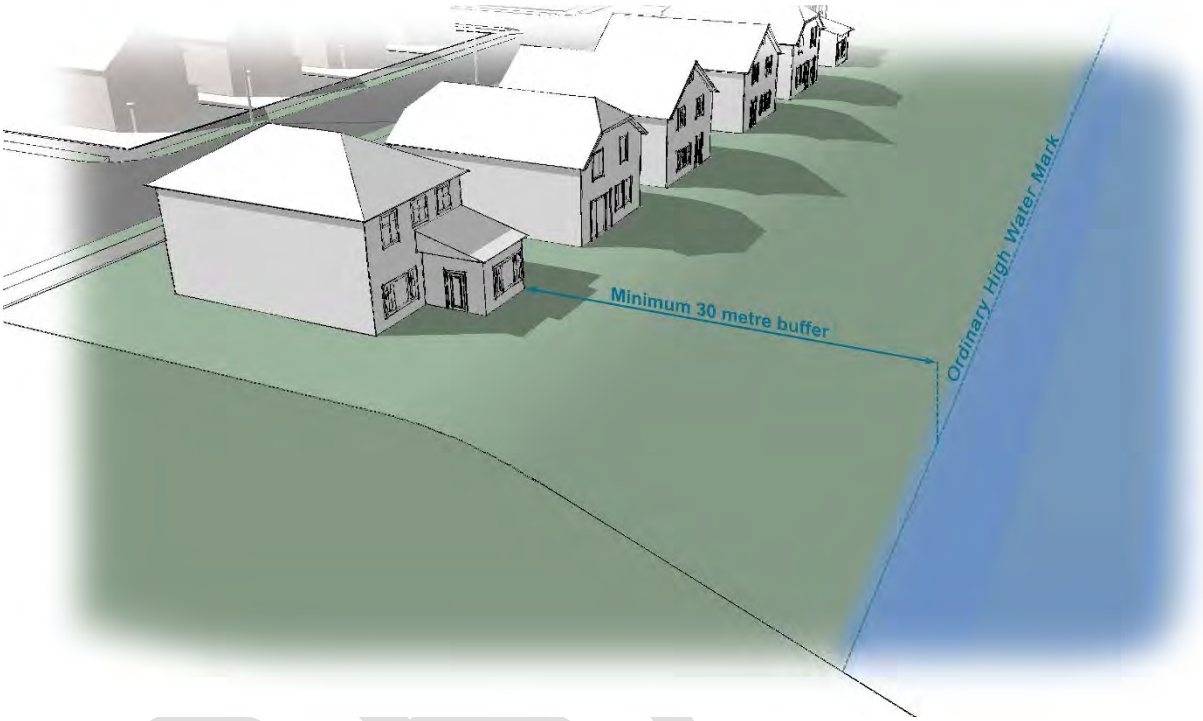

Diagram PG-2: Minimum required watercourse buffer, per Subsection PG-52(1)

(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.

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PART IV: LOT REQUIREMENTS

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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.

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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

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(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.

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PART V: DENSITY CONTROLS

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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.

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PART VI: BUILT FORM AND SITING REQUIREMENTS

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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.

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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.

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(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.

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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 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;

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(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.

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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

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(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).

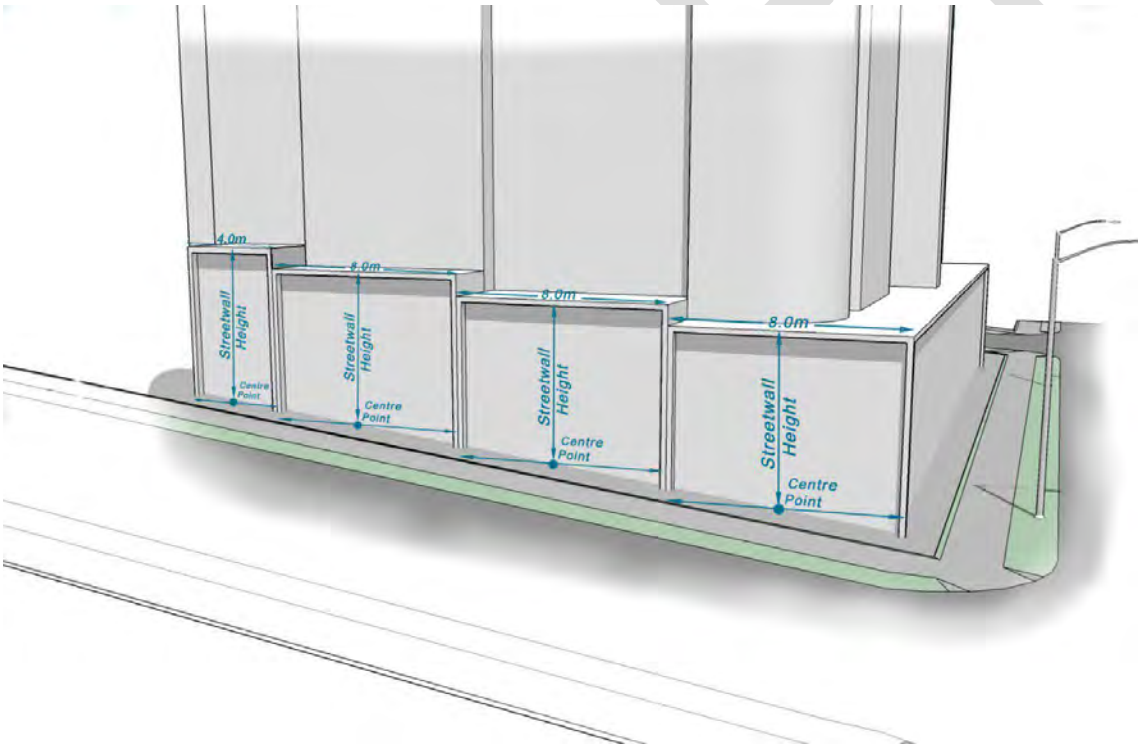

Diagram PG-3: Method for determining streetwall height, per Section PG-72

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).

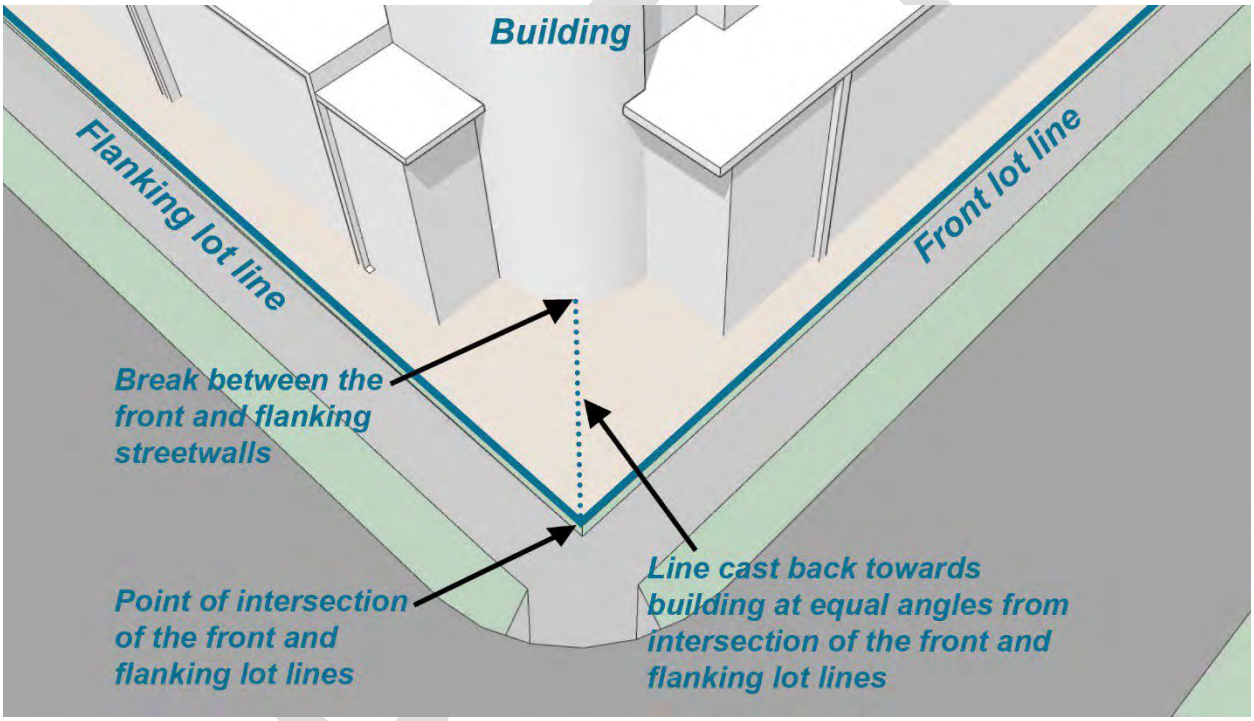

Diagram PG-4: Streetwall break determination where front and flanking lot lines create a 90-degree angle, per Clause PG-73(2)(a)

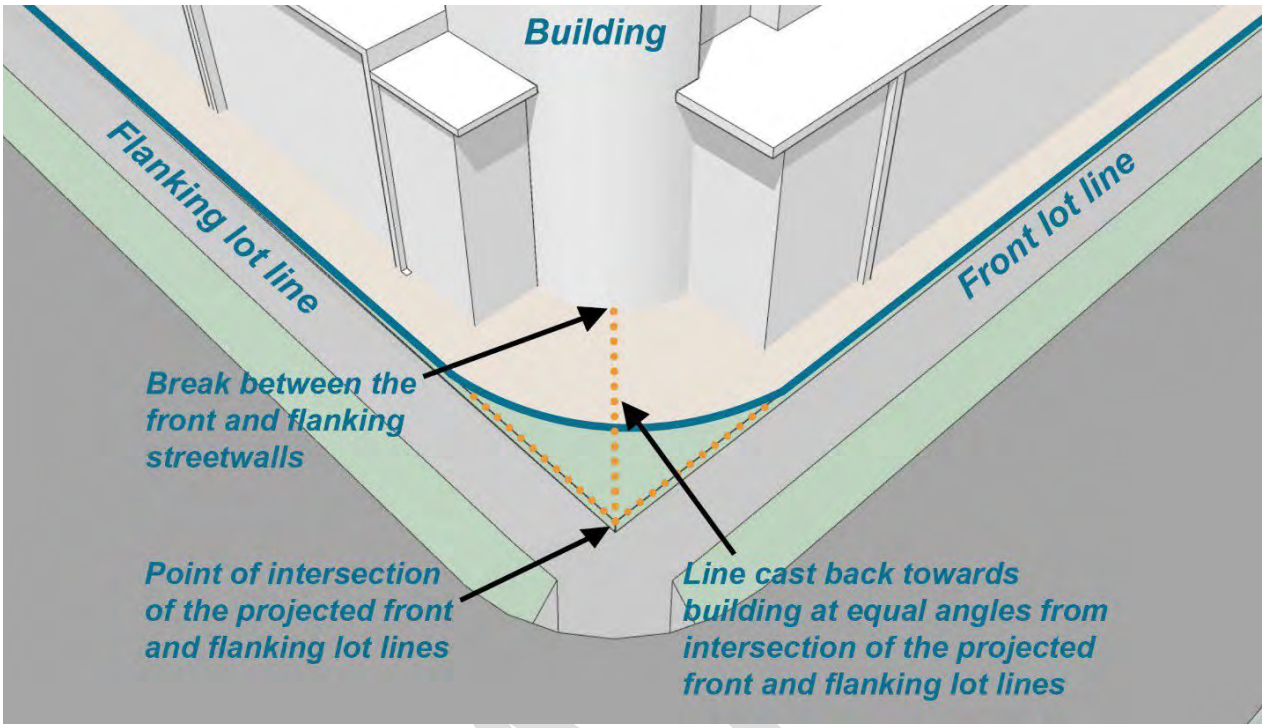

Diagram PG-5: Streetwall break determination where front and flanking lot lines do not create a 90-degree angle, per Clause PG-73(2)(b)

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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.

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(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.

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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.

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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.

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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.

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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

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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:

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(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.

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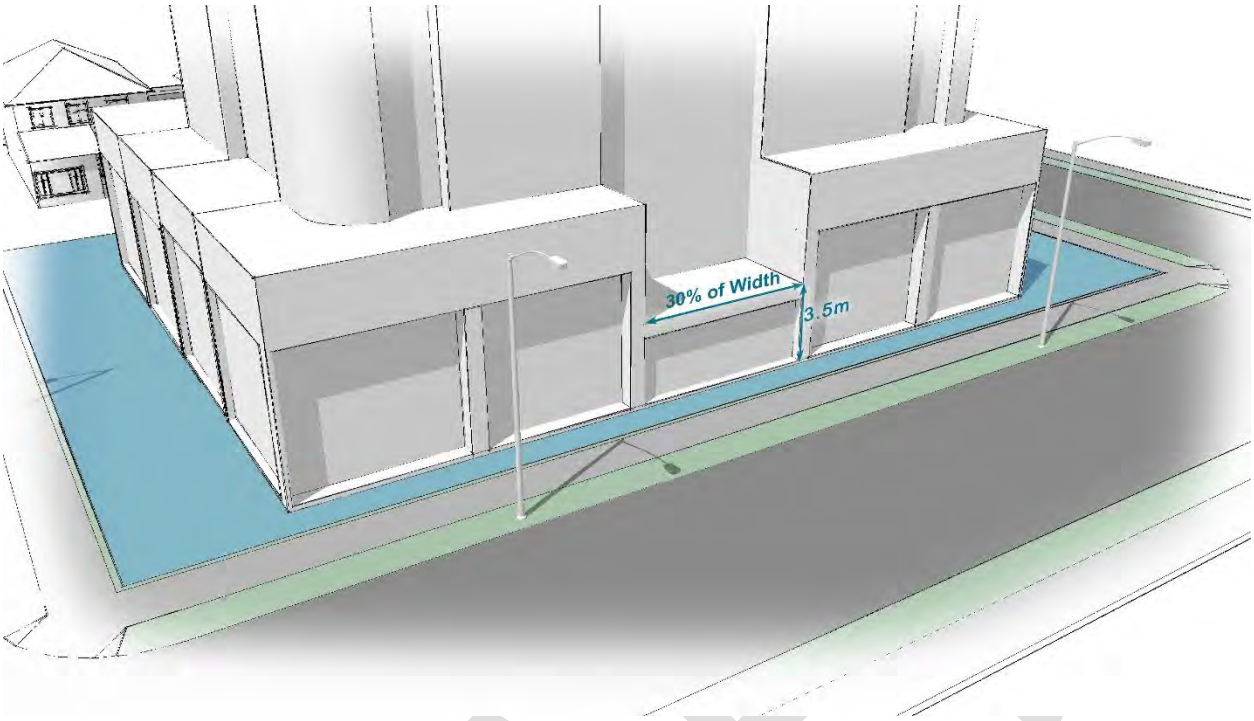

Diagram PG-6: Streetwall height reduction, per Subsections PG-97(2) and PG-114(2)

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

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(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

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(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.

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(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.

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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.

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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.

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(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.

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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%.

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(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.

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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

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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

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

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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

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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.

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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.

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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.

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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.

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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.

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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.

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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.

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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.

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

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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.

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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.

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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.

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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

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playgrounds.

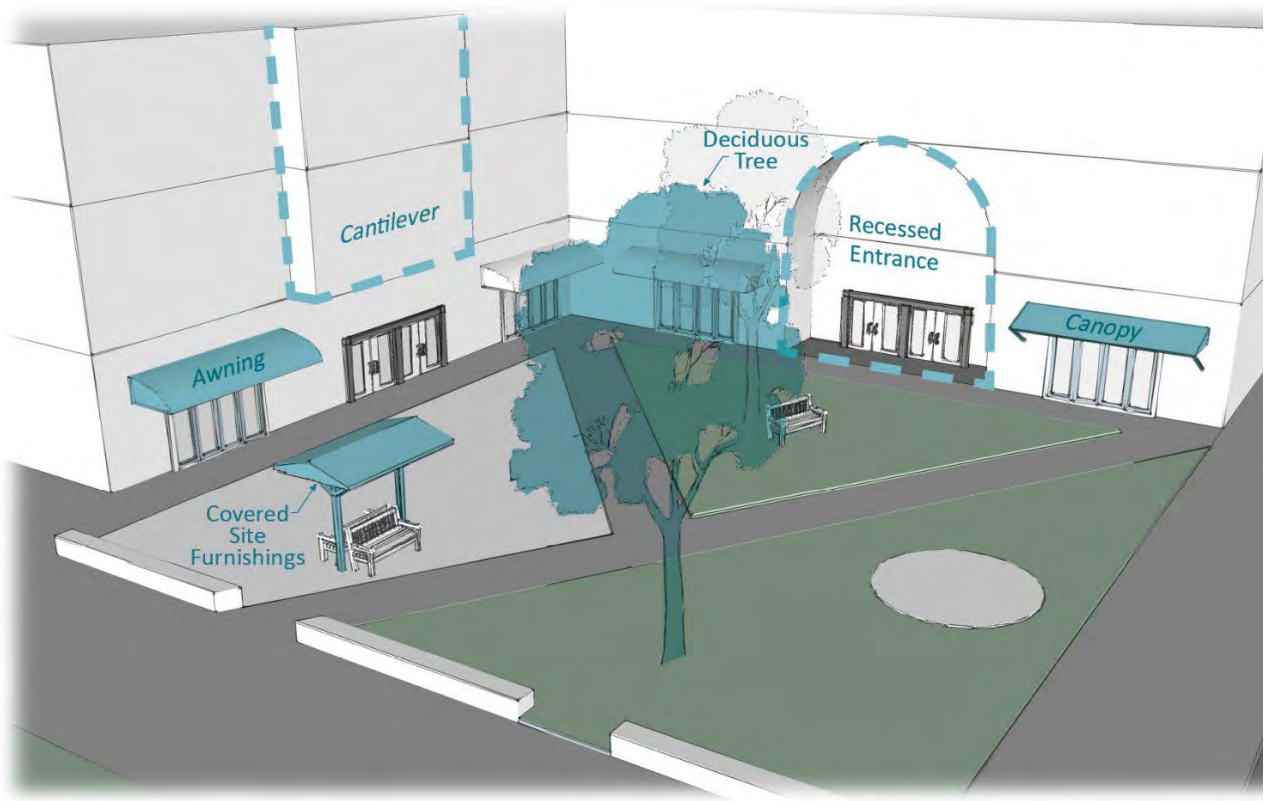

Diagram PG-8: Weather protection for outdoor amenity space, per Clause PG-164(2)(b)

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

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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.

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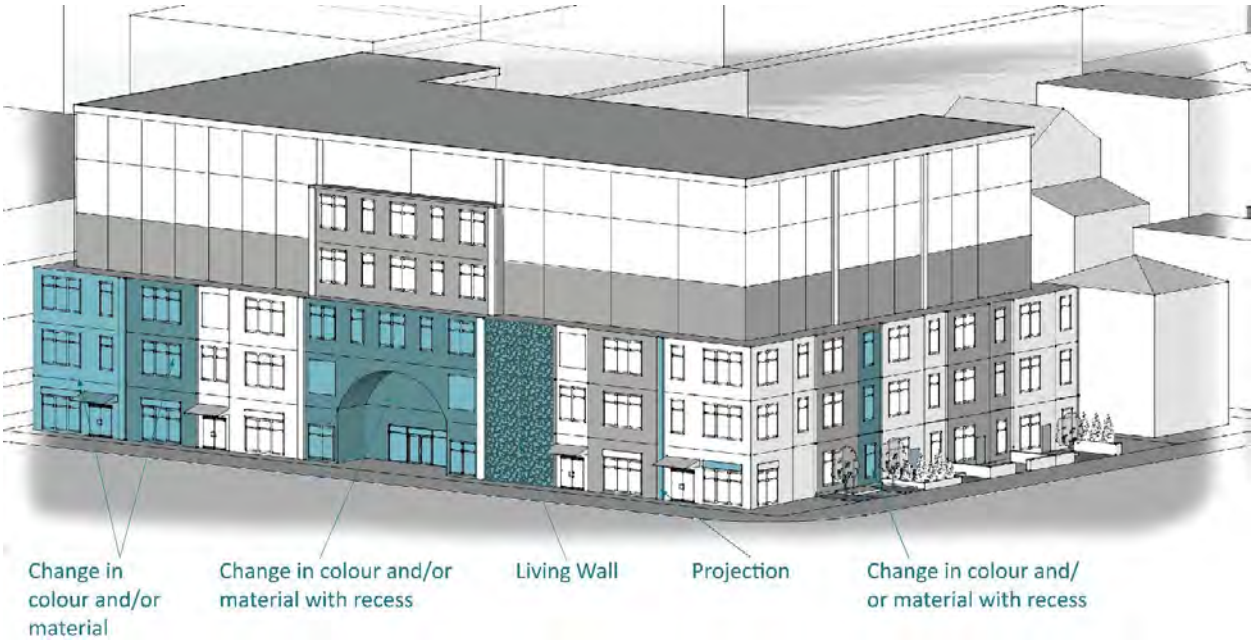

Diagram PG-10: Methods for articulation for streetwalls or exterior walls that abut a front or flanking yard, per Sections PG-166 or PG-167

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.

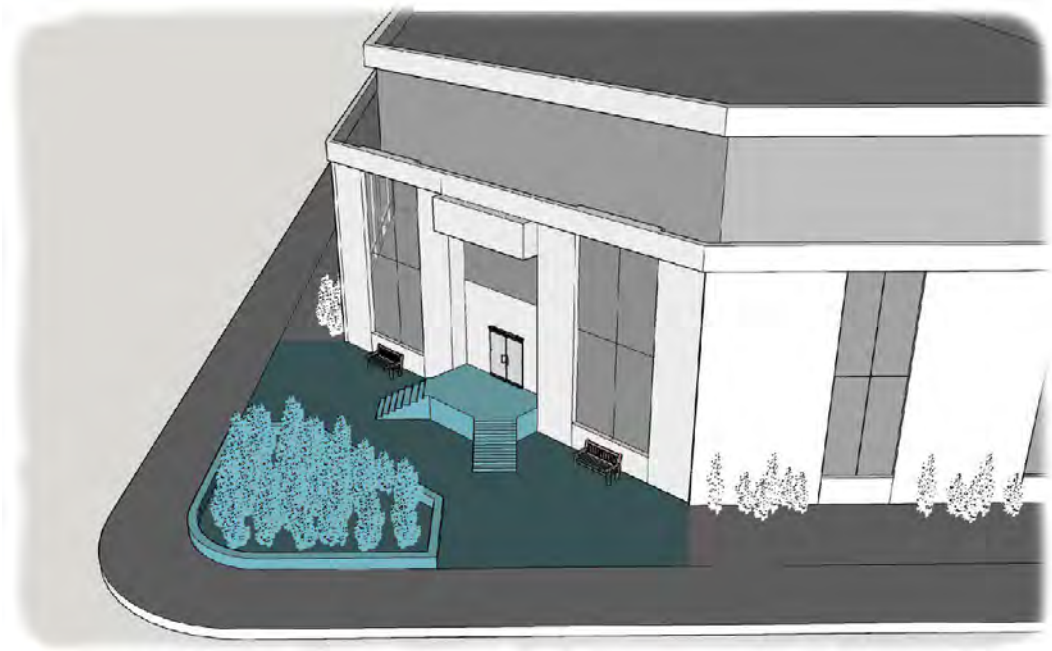

Diagram PG-11: Eroded building corner, per Subclause PG-168(b)(v)

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.

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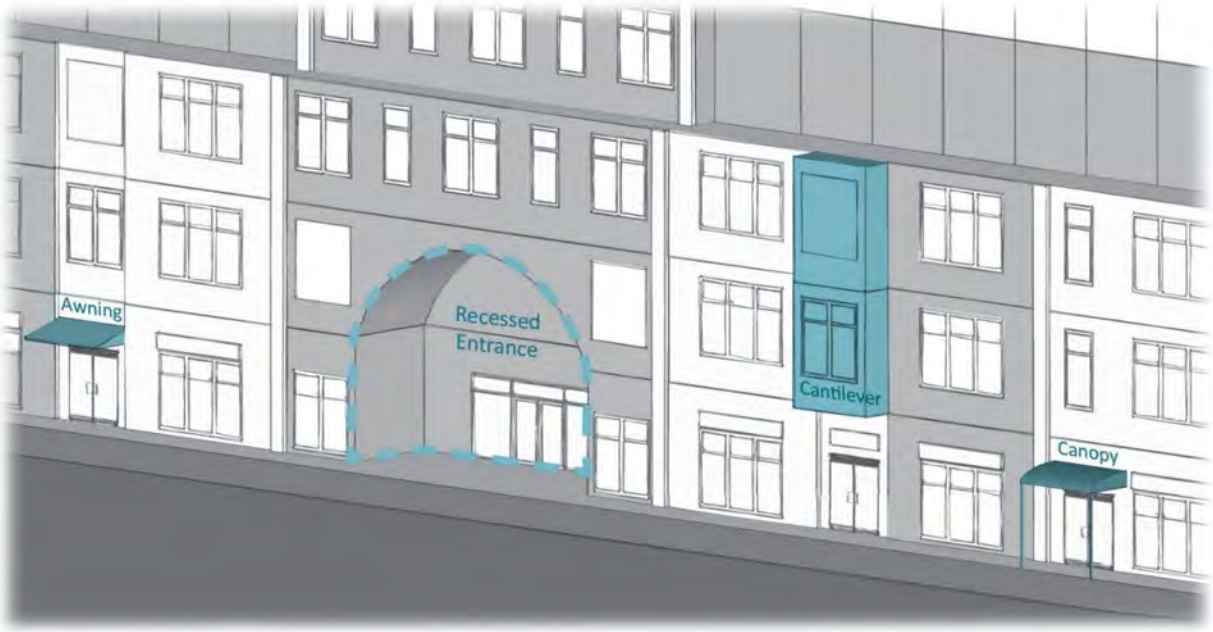

Diagram PG-12: Methods of weather protection for entrances, per Section PG-171

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.

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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.

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PART VIII: WIND ENERGY FACILITIES

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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.

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PART IX: LANDSCAPING

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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.

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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.

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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).

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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.

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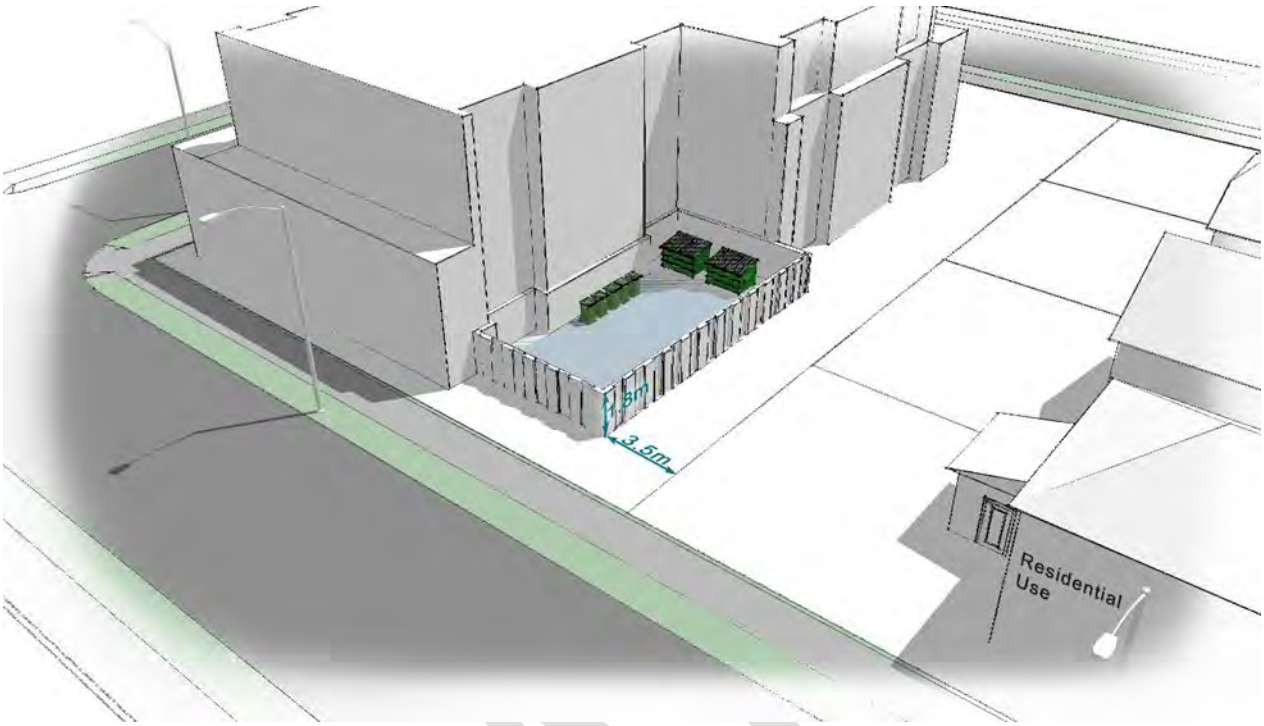

Diagram PG-13: Screening requirements for solid waste management areas, per Section PG-35 and PG-187

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.

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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.

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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.

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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*.

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PART X: PARKING AND OFF-STREET LOADING

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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).

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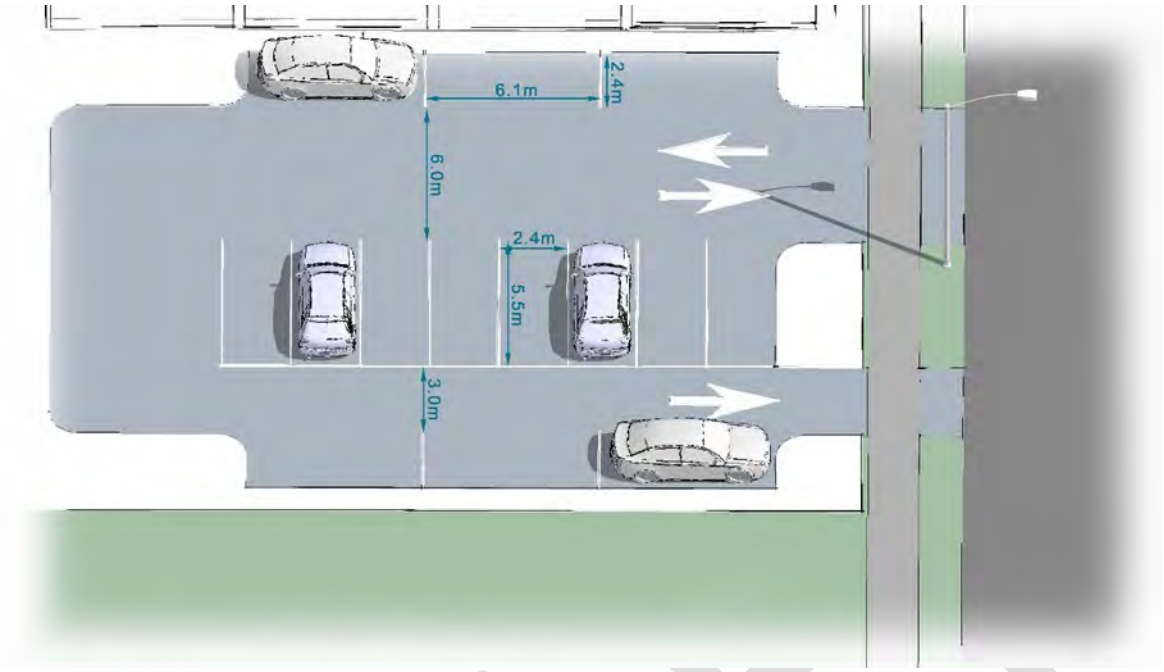

Diagram PG-14: Motor vehicle parking space and driving aisle dimensions, per Section PG-195

(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 institutionuse	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.

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(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).

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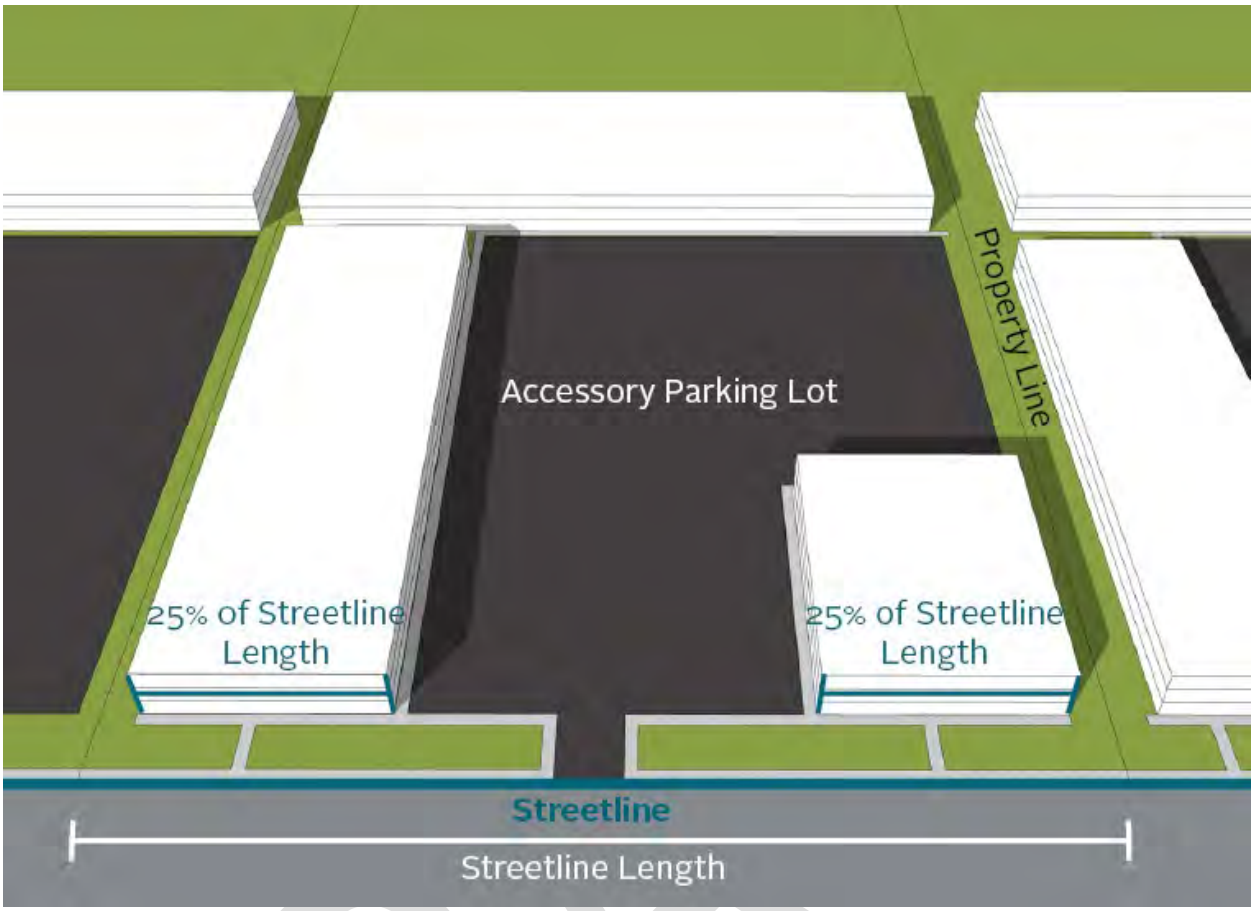

Diagram PG-15: Streetwalls without parking between the streetline and the streetwall extend for a combined 50% of the total streetline length, per Clause PG-205(2)(b)

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.

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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.

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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.

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Table PG-13: Required number of bicycle parking spaces

Use	General requirement	Required percentage of Class A or Class B bicycle parking	Minimum requirement forClass 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

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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.

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(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

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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).

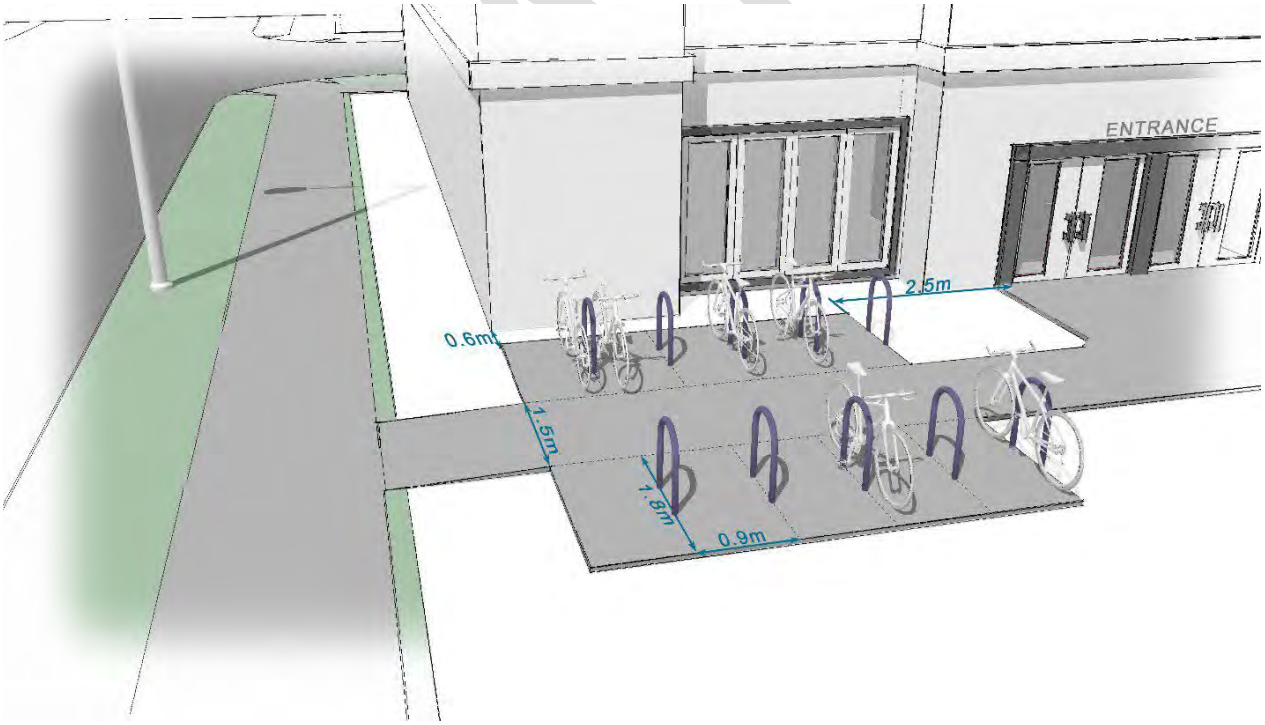

Diagram PG-16: Bicycle parking requirements, per Section PG-215

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 and 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

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(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.

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PART XI: SIGNS

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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;

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(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,

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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.

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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.

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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:

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(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.

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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.

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PART XII: INCENTIVE OR BONUS ZONING

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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*.

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PART XIII: DEVELOPMENT AGREEMENTS

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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*.

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PART XIV: DEFINITIONS

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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.

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(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

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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.

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(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.

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(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

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(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.

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(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).

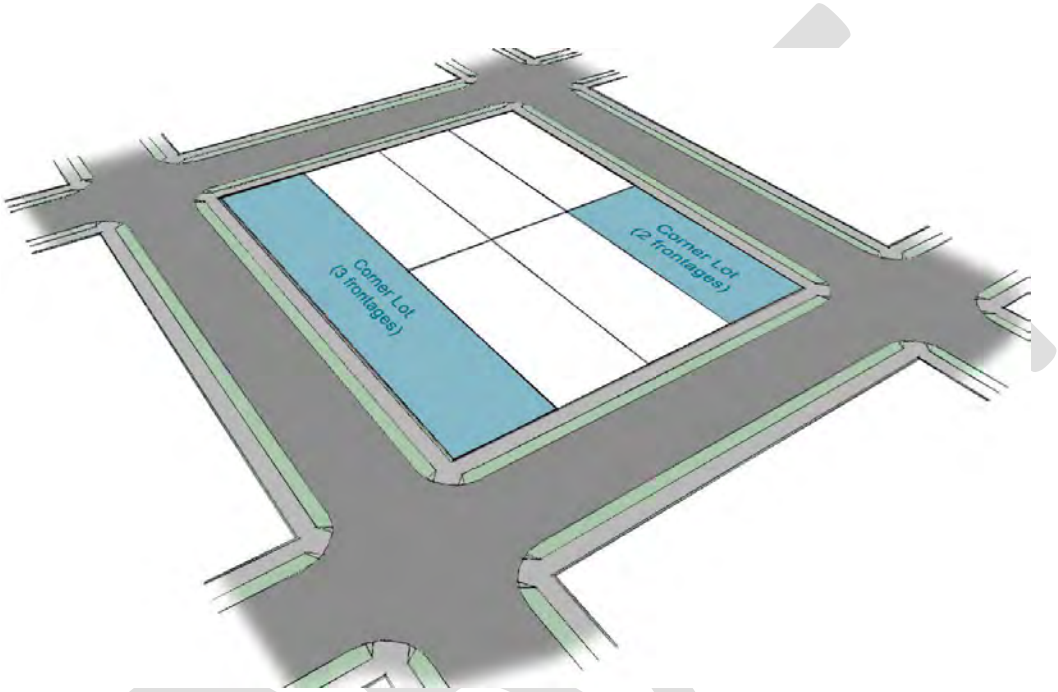

Diagram PG-17: Corner lot, per Subsection PG-238(59)

(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

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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.

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(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

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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:

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(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).

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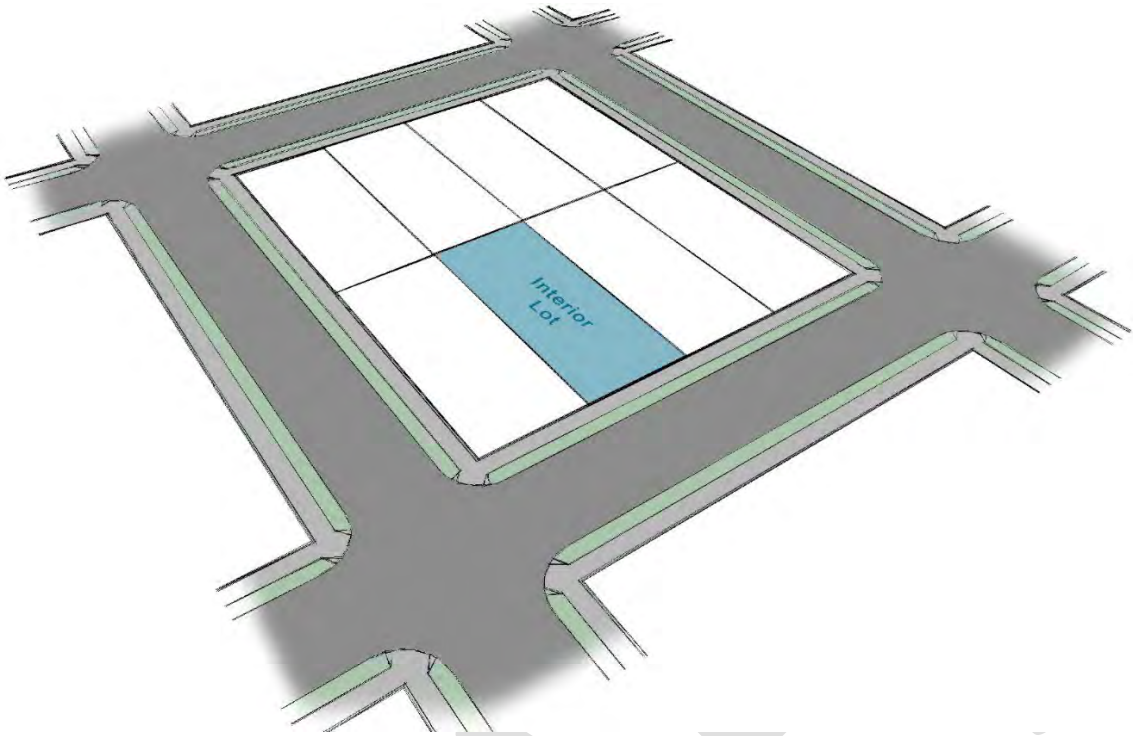

Diagram PG-18: Interior lot, per Subsection PG-238(113)

(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.

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(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

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between the front lot line and the flanking lot line on a through lot (Diagram PG-19).

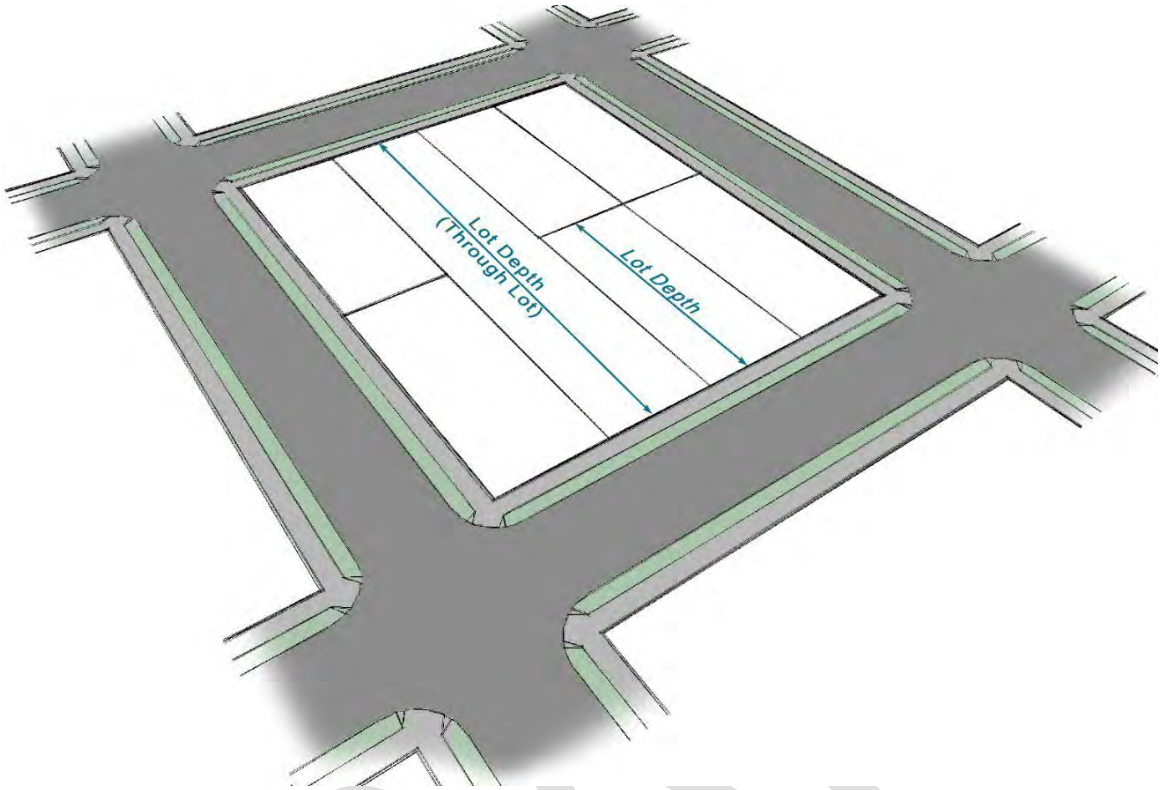

Diagram PG-19: Lot depth, per Subsection PG-238(127)

(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).

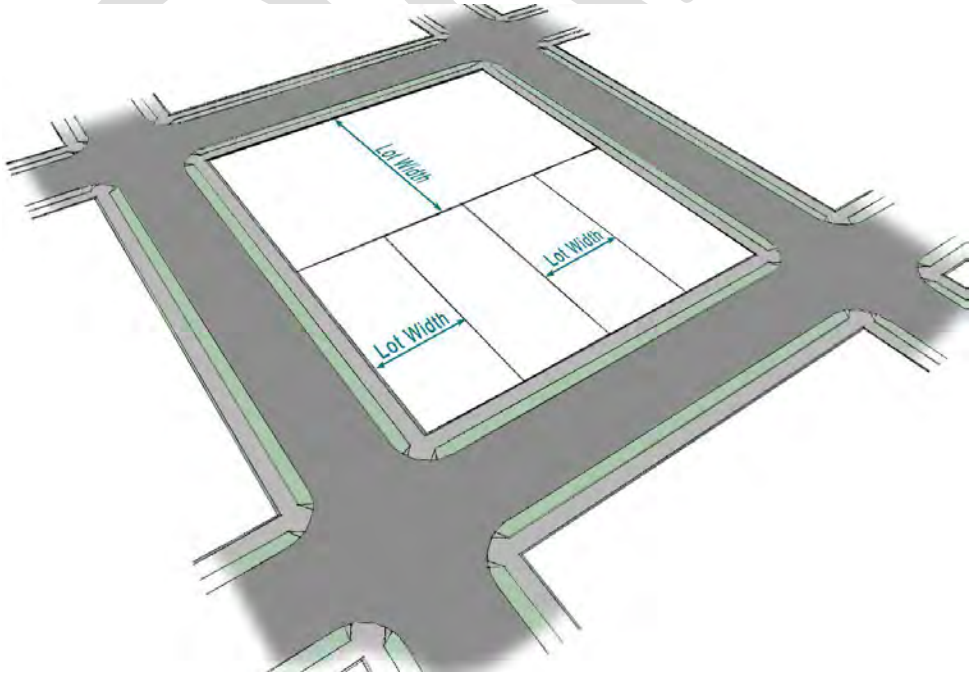

Diagram PG-20: Lot width, per Subsection PG-238(128)

(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.

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(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.

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(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

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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.

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(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).

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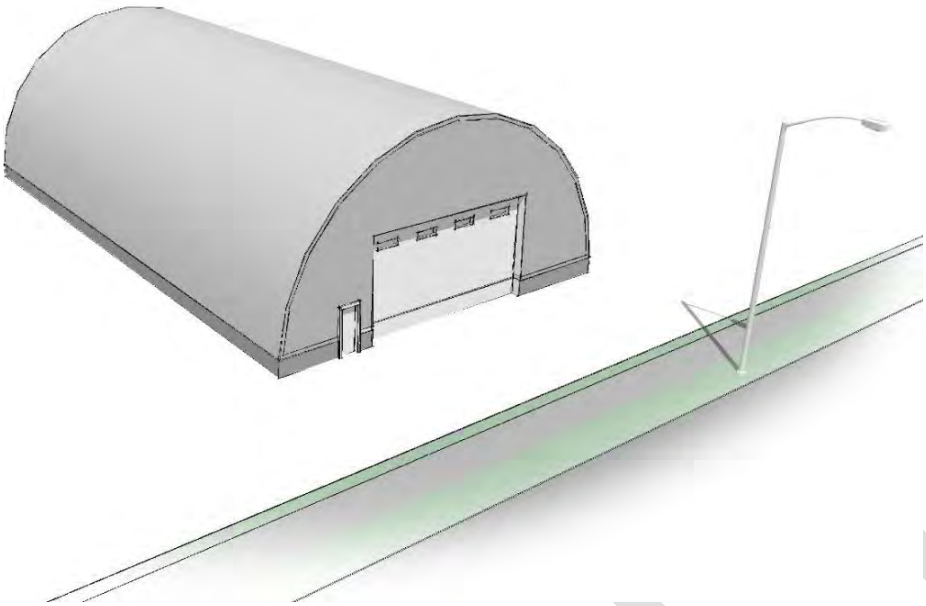

Diagram PG-21: Quonset Hut, per Subsection PG-238(183)

(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.

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(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; and

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may 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).

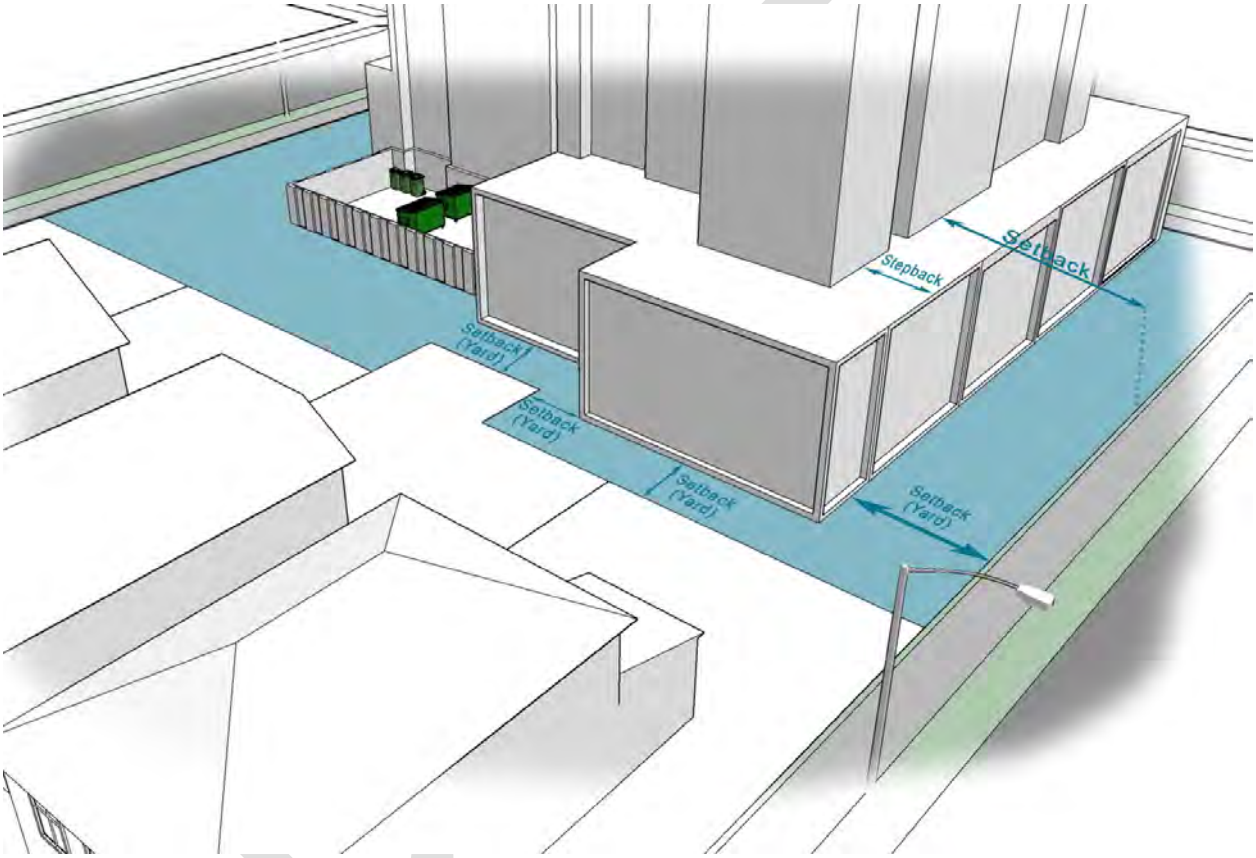

Diagram PG-22: Setback and stepback, per Subsections PG-238(204) and PG-238(224)

(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.

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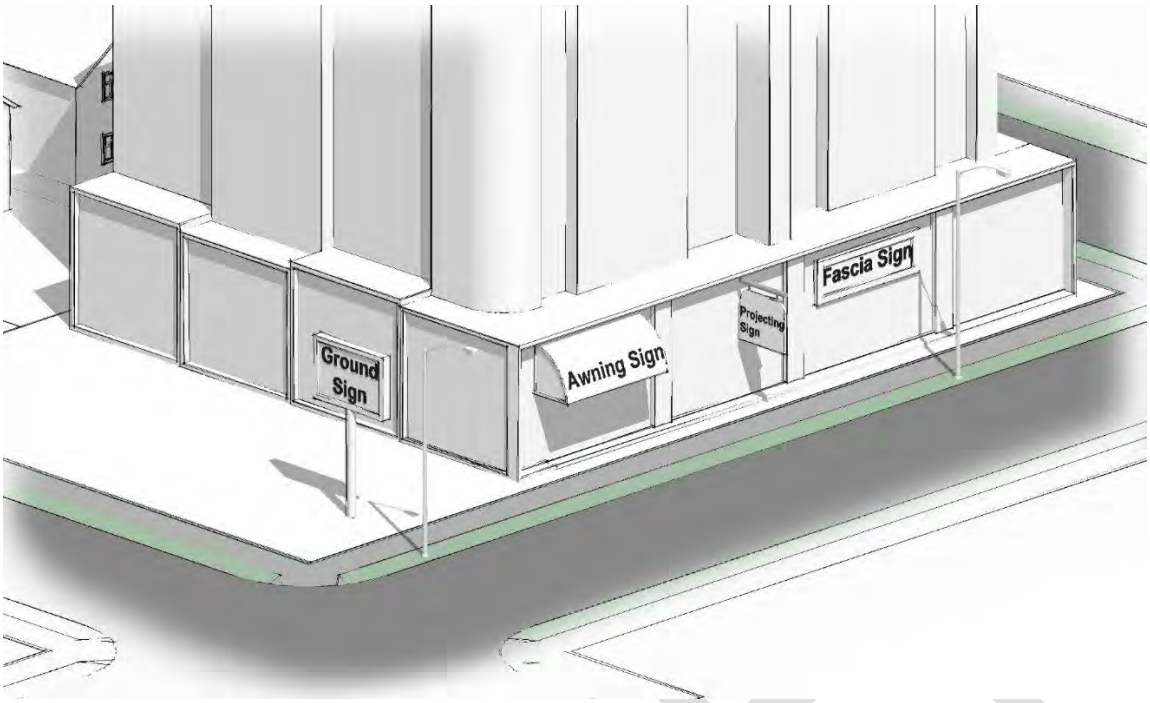

Diagram PG-23: Awning sign, fascia sign, ground sign, and projecting sign, per Subsections PG-238(19), PG-238(78), PG-238(95), and PG-238(179)

(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.

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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).

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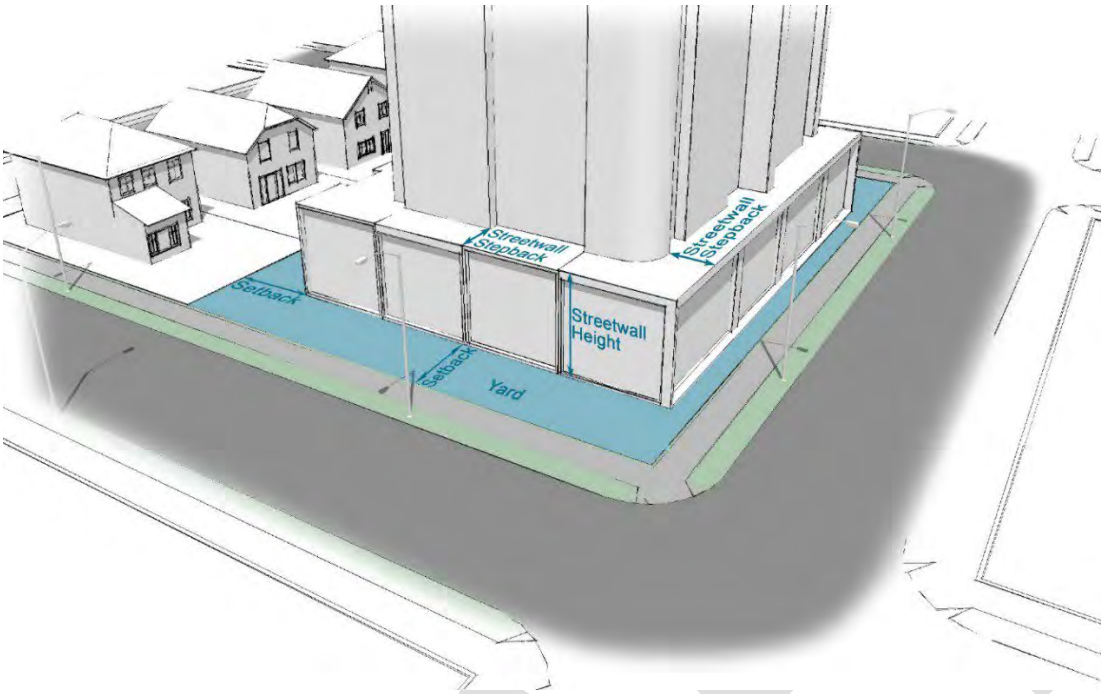

Diagram PG-24: Streetwall height and streetwall stepback, per Subsections PG-238(230) and PG-238(231)

(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).

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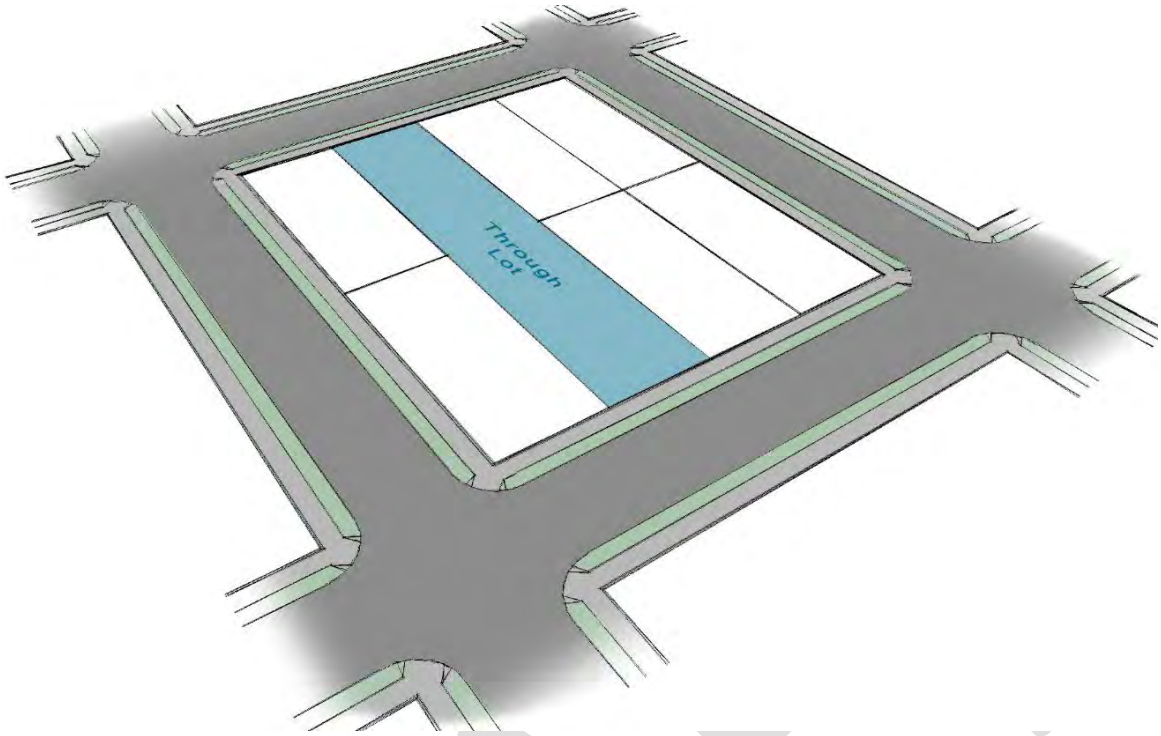

Diagram PG-25: Through lot, per Subsection PG-238(240)

(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.

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(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).

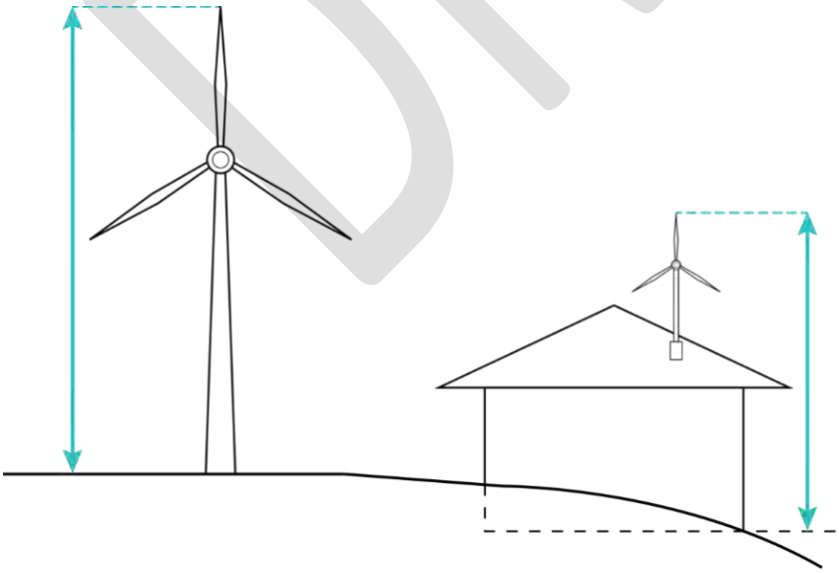

Diagram PG-26: Wind turbine height, per Subsection PG-238(263)

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(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.

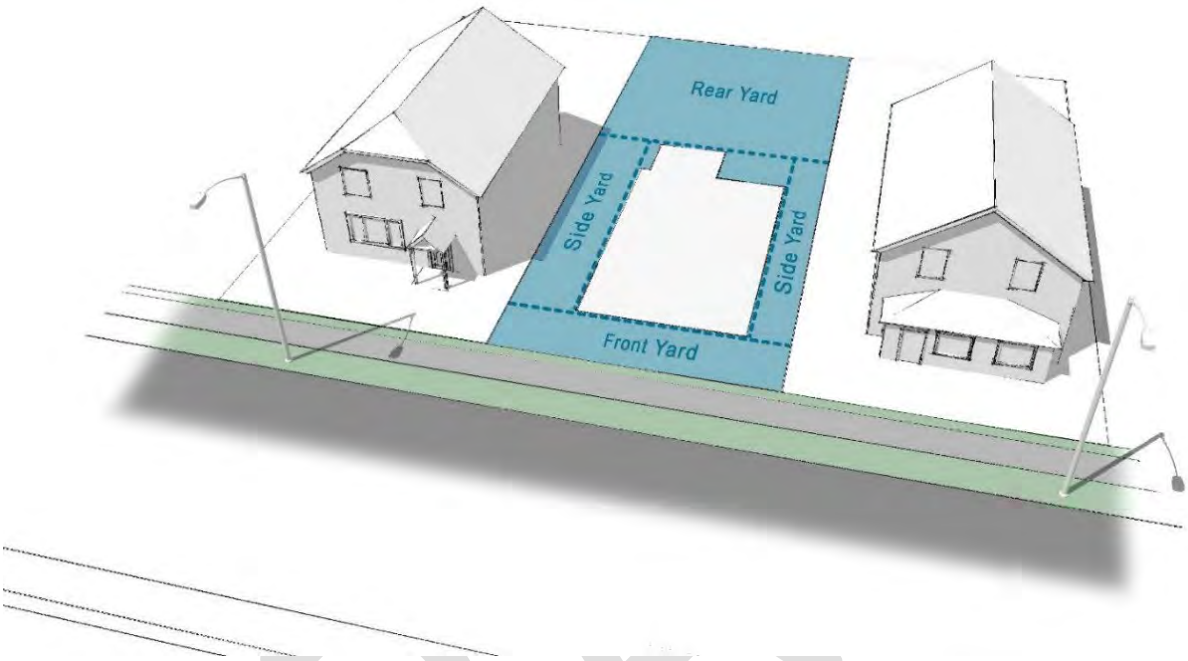

Diagram PG-27: Front yard, side yard, and rear yard, per Subsections PG-238(87), PG-238(185), and PG-238(213)

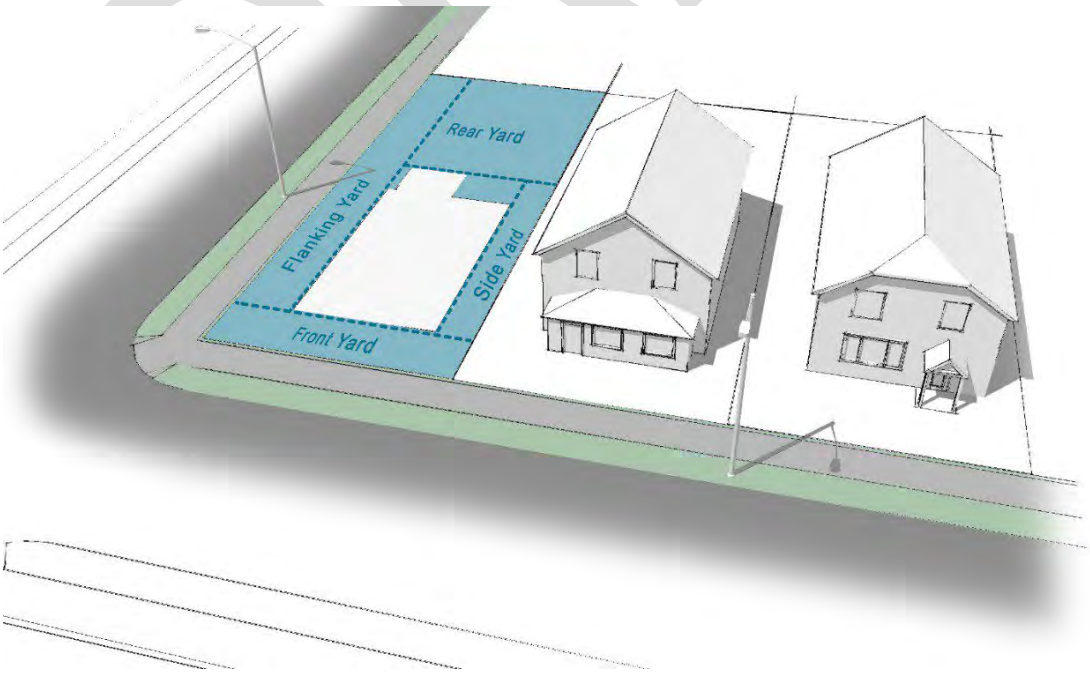

Diagram PG-28: Front yard, flanking yard, side yard, and rear yard, per Subsections PG-238(82), PG-238(87), PG-238(185), and PG-238(213)

(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.

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APPENDICES

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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).

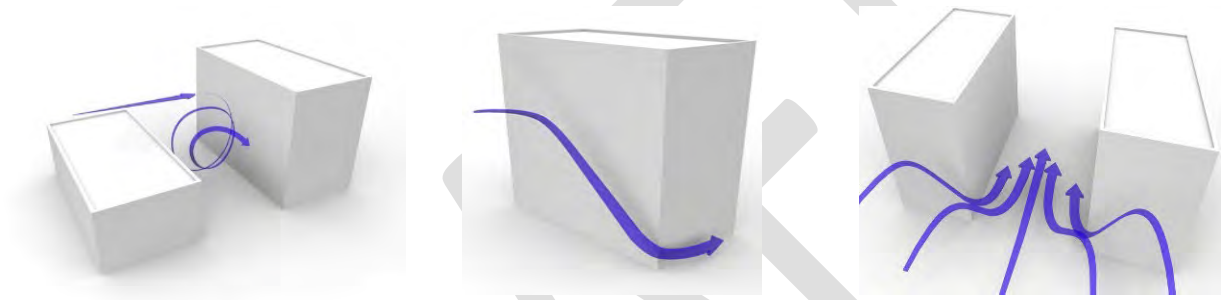

Diagram PGA1-1: Typical wind flow patterns around buildings

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).

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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.

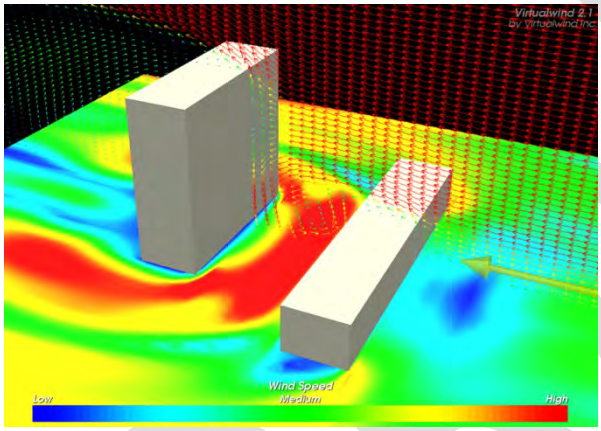

Diagram PGA1-2: An example of computer simulation (CFD) of wind flows around buildings

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.

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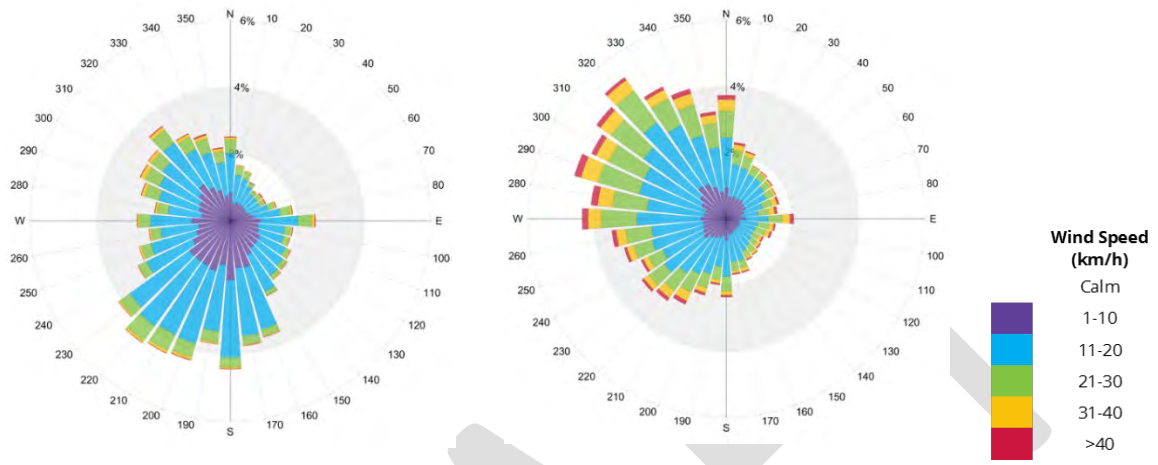
Local Wind Climate Data

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.



Summer (May to October) **Winter (November to April)**

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.

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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.

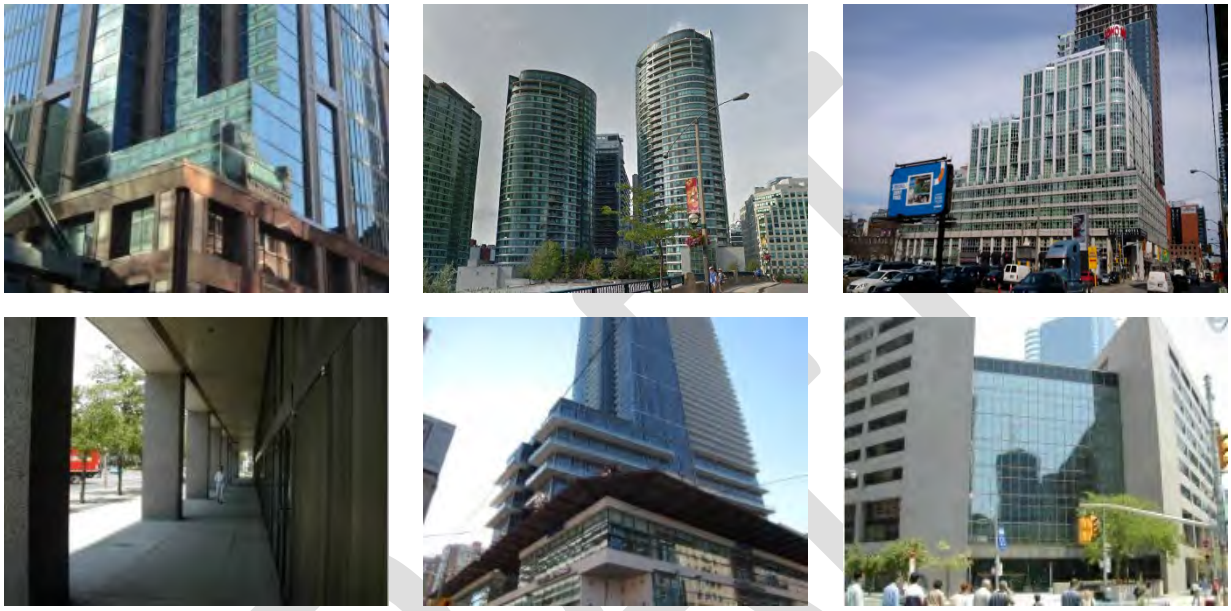

Diagram PGA1-4: Examples of large-scale wind control features

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.

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

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Schedules

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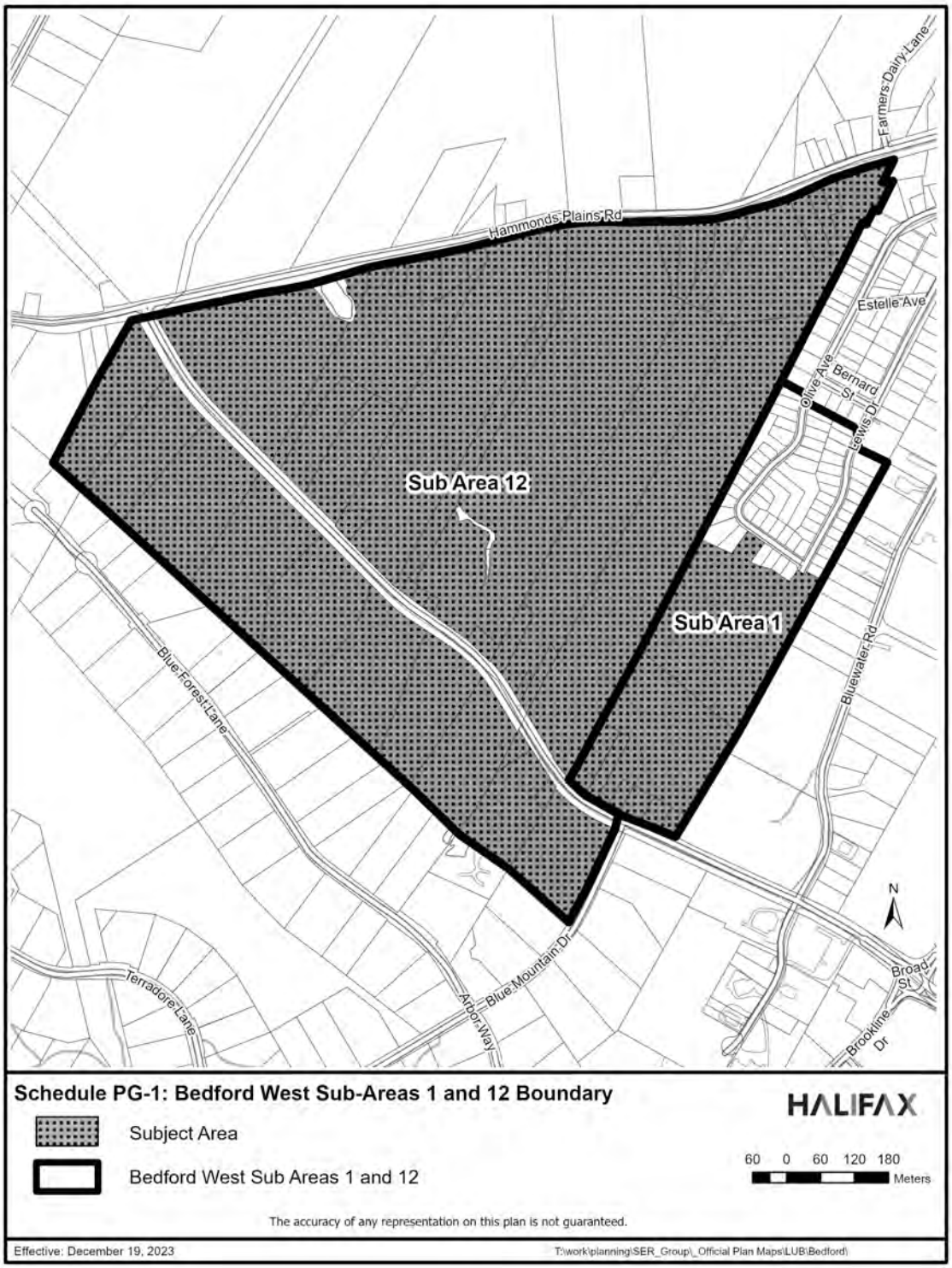
Schedule PG-1 Bedford West Sub-Areas 1and 12 Boundary (Municipal Affairs-Housing-Nov 21/23: E-Dec19/23)



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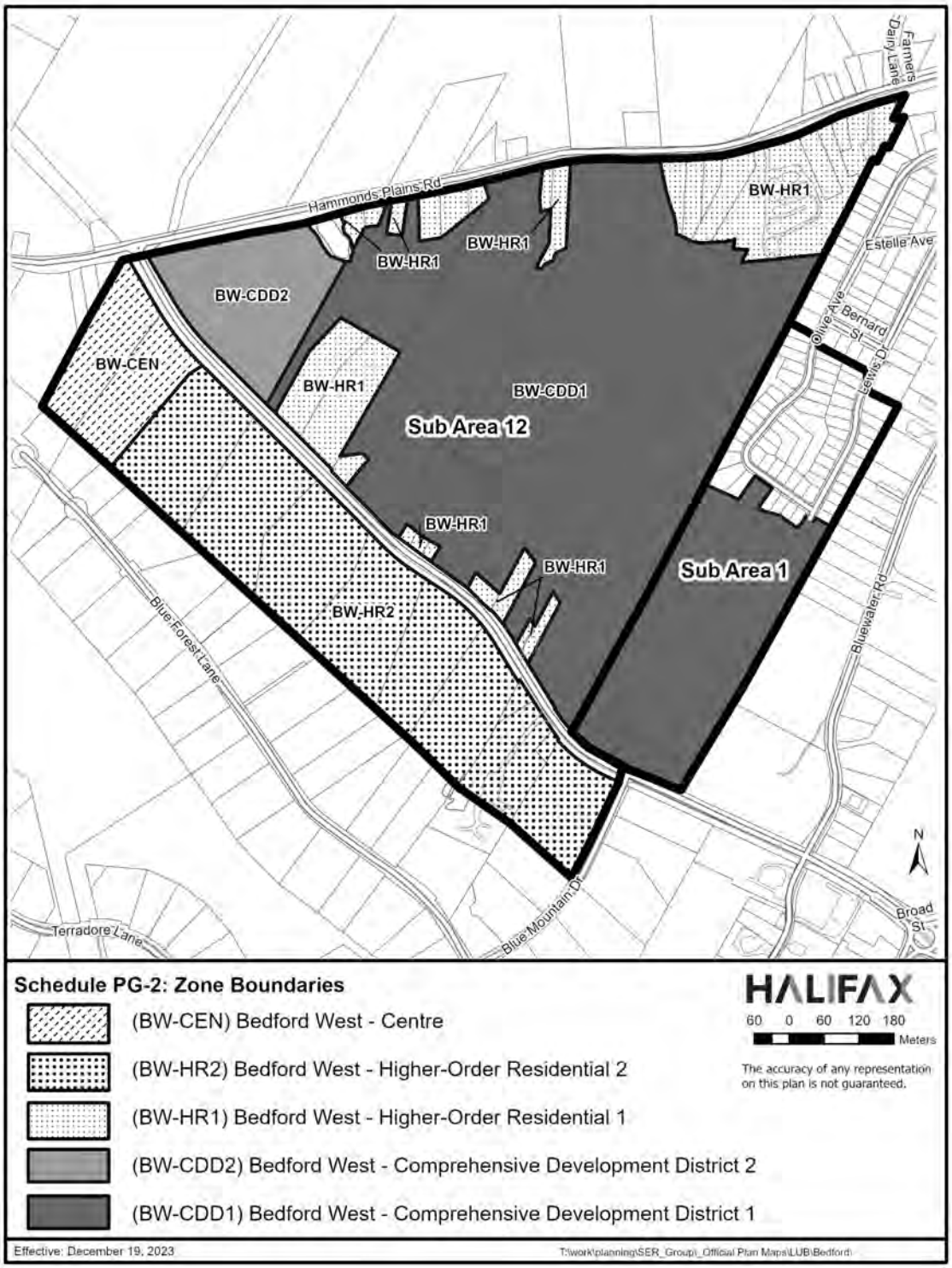
Schedule PG-2:Zone Boundaries (Municipal Affairs-Housing-Nov 21/23: E-Dec19/23)



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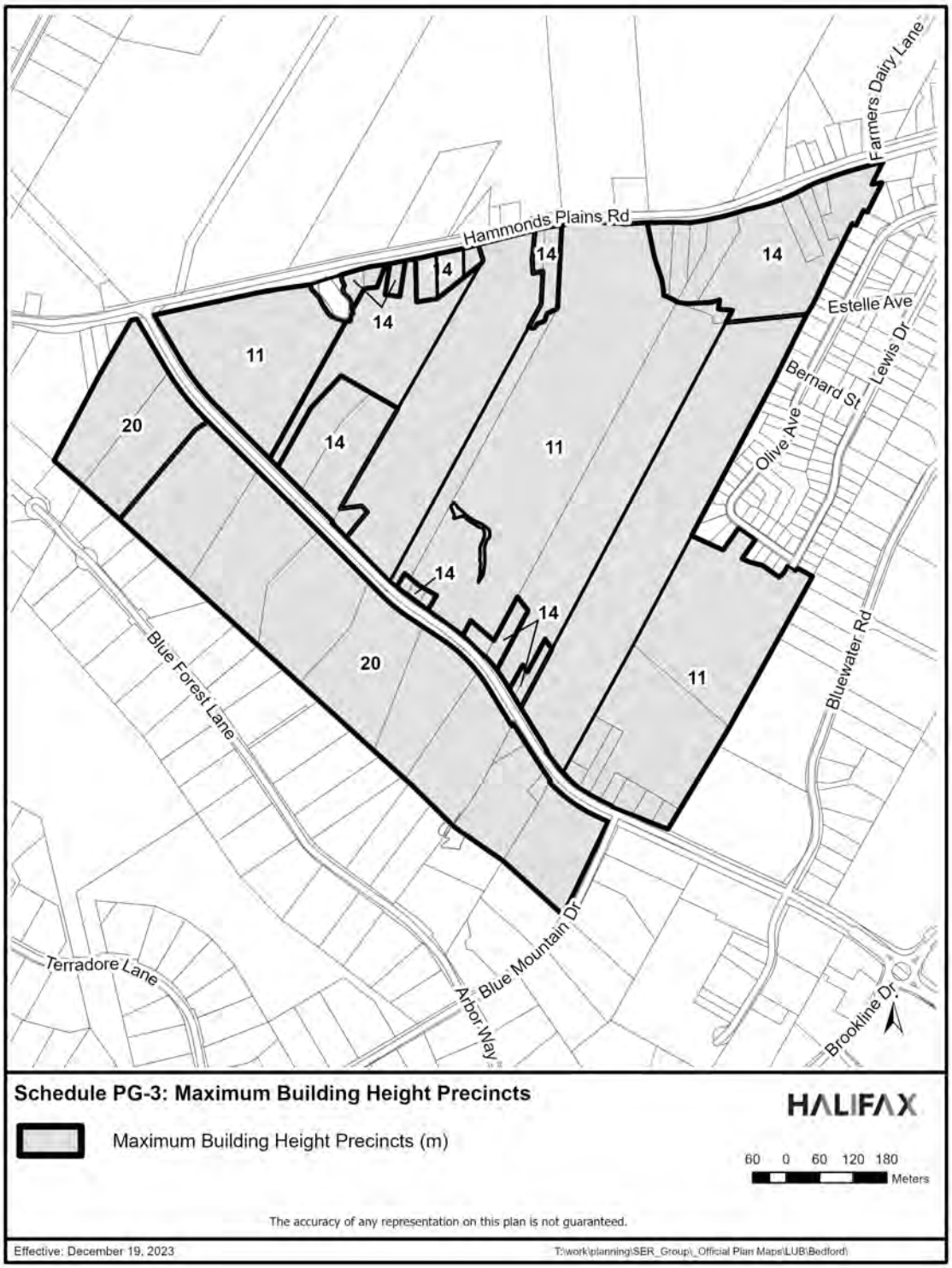
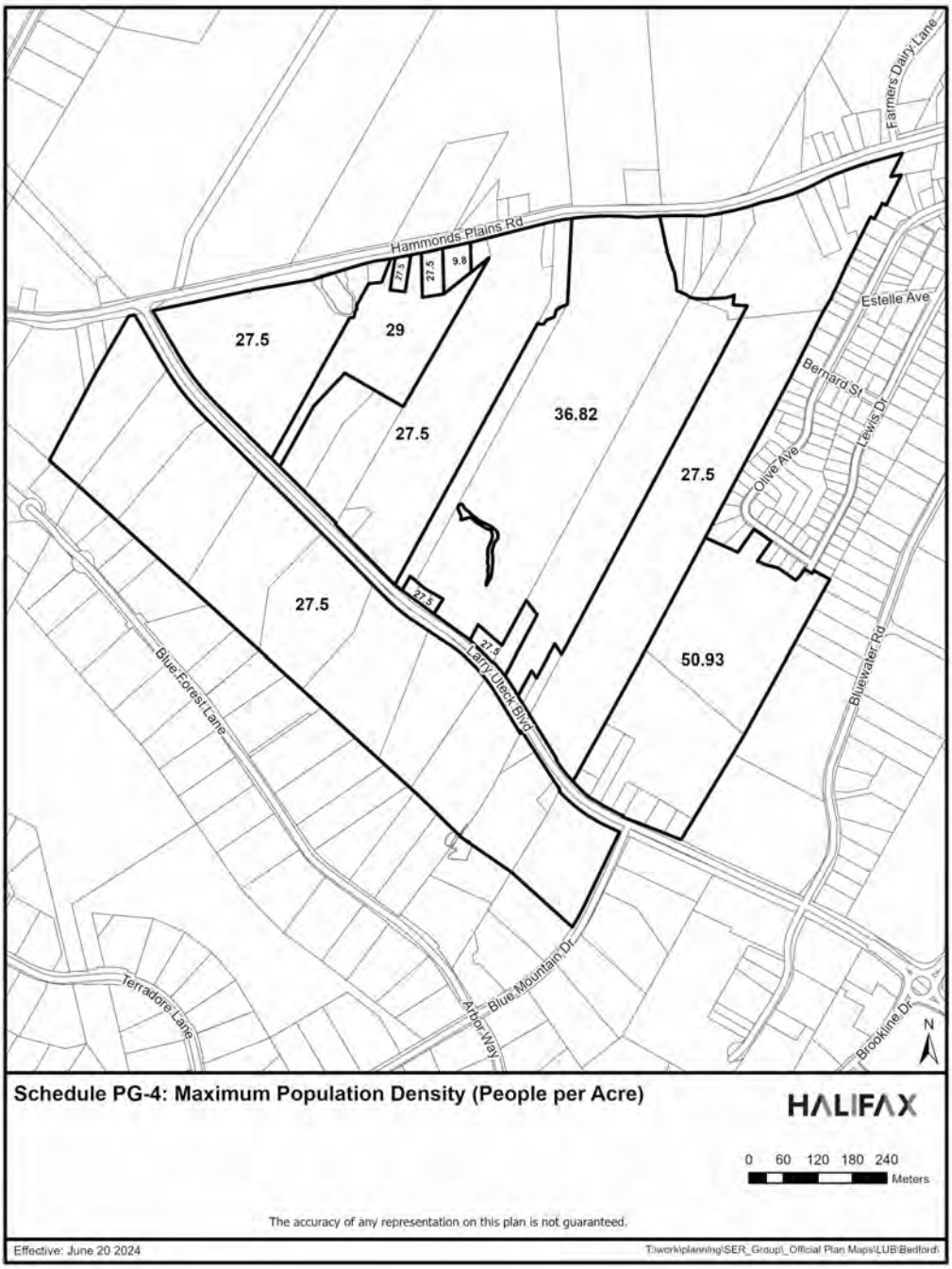
Schedule PG-3: Maximum Building Height Precincts (Municipal Affairs-Housing-Nov 21/23: E-Dec19/23)



Schedule PG-4: Maximum Population Density (People per Acre) (Municipal Affairs-Housing-Nov 21/23: E-Dec19/23) (Municipal



Affairs & Housing-Jun 5/24;E-Jun 20/24)

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Schedule PG-5: Bedford West Wind Energy Overlay Zone Boundaries (Municipal Affairs-Housing-Nov 21/23: E-Dec19/23)

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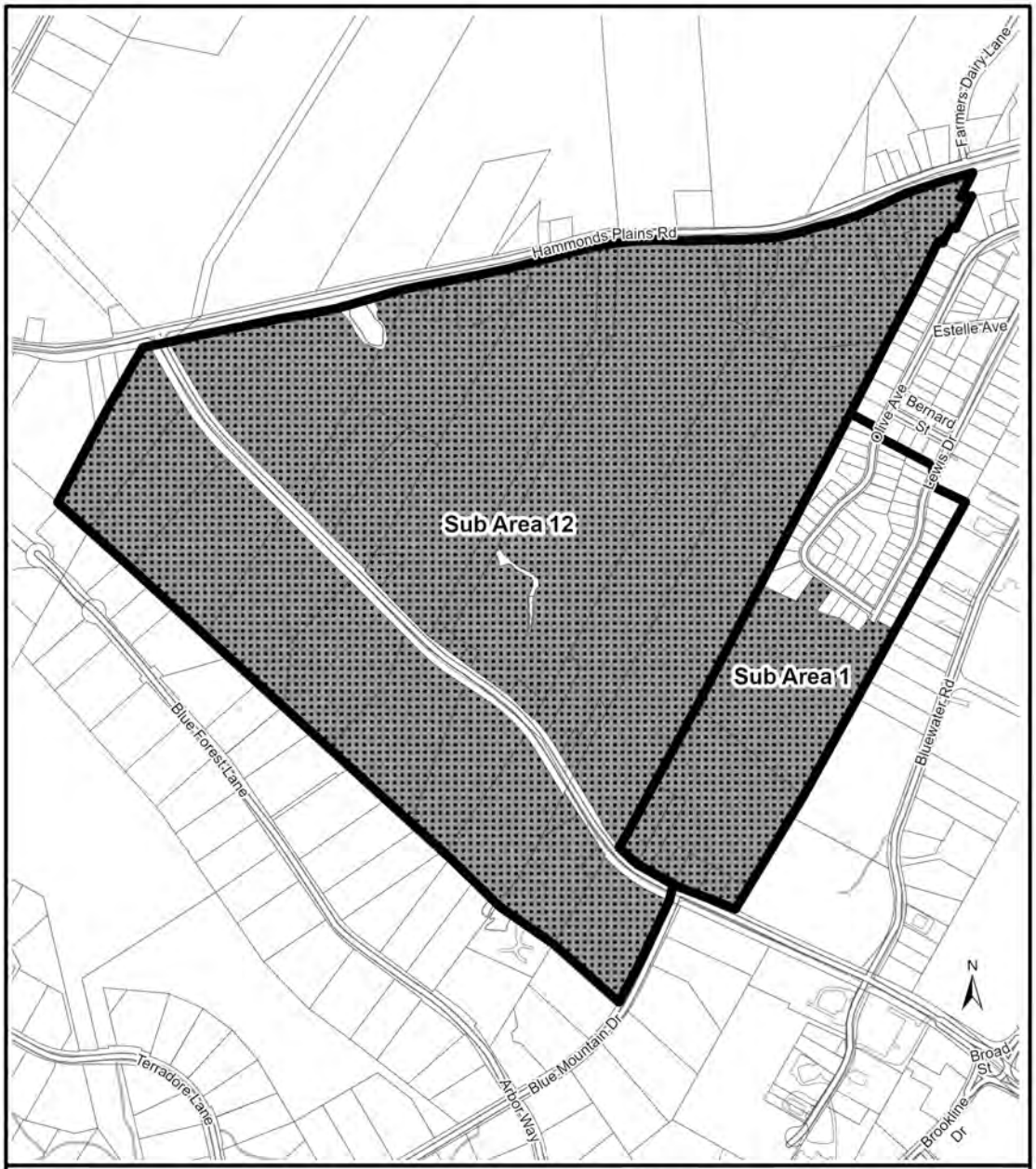


Schedule PG-5: Bedford West Wind Energy Overlay Zone Boundaries

HALIFAX

Restricted Zone (R)

Bedford West Sub Areas 1 and 12

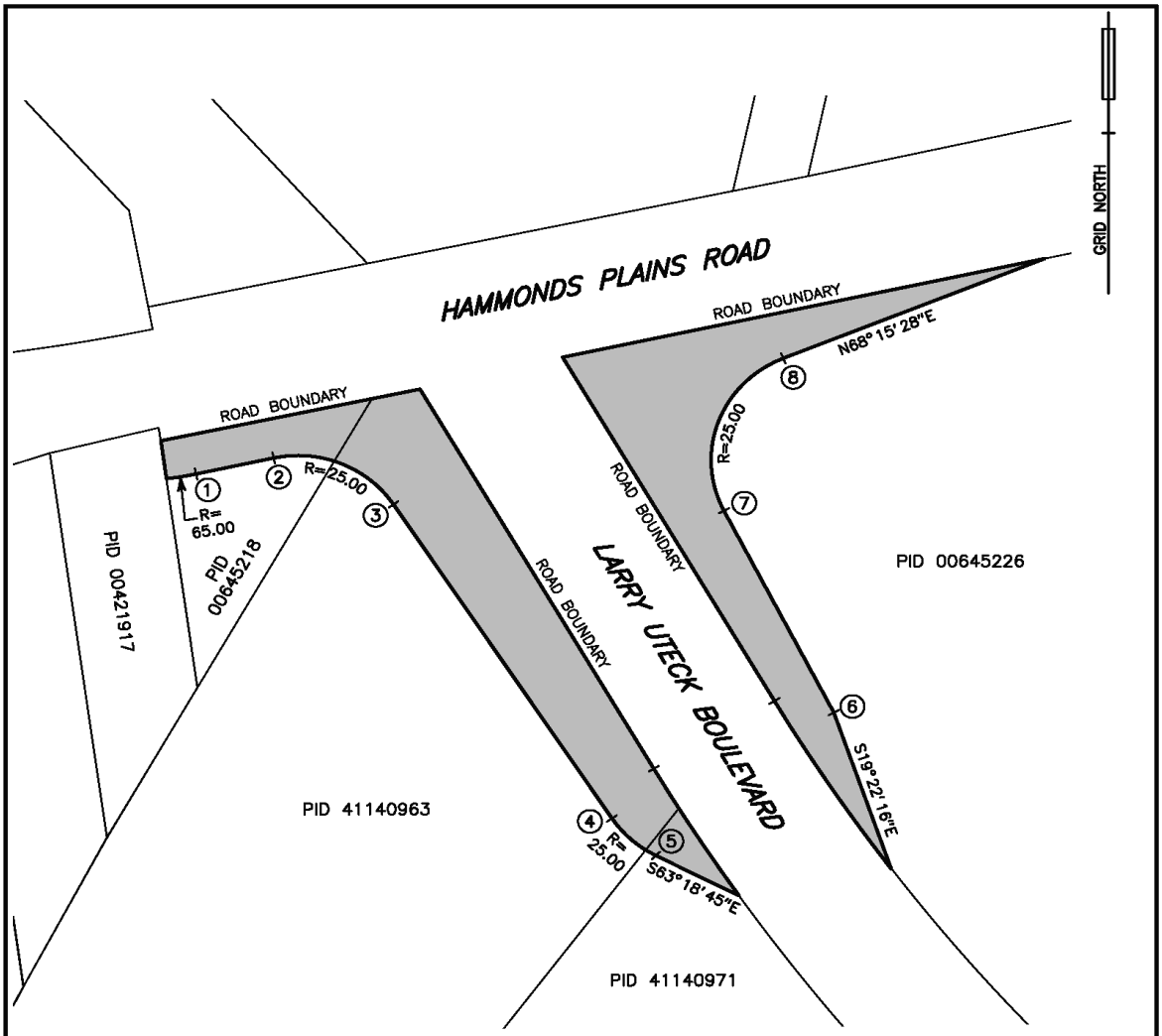
60 0 60 120 180 Meters

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

Effective: December 19, 2023

T:\work\planning\SER_Group_Official Plan Maps\LUB\Bedford\

Schedule PG-6: Larry Uteck Boulevard & Hammonds Plains Road Transportation Reserve (Municipal Affairs-Housing-Nov 21/23: E-Dec19/23)



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

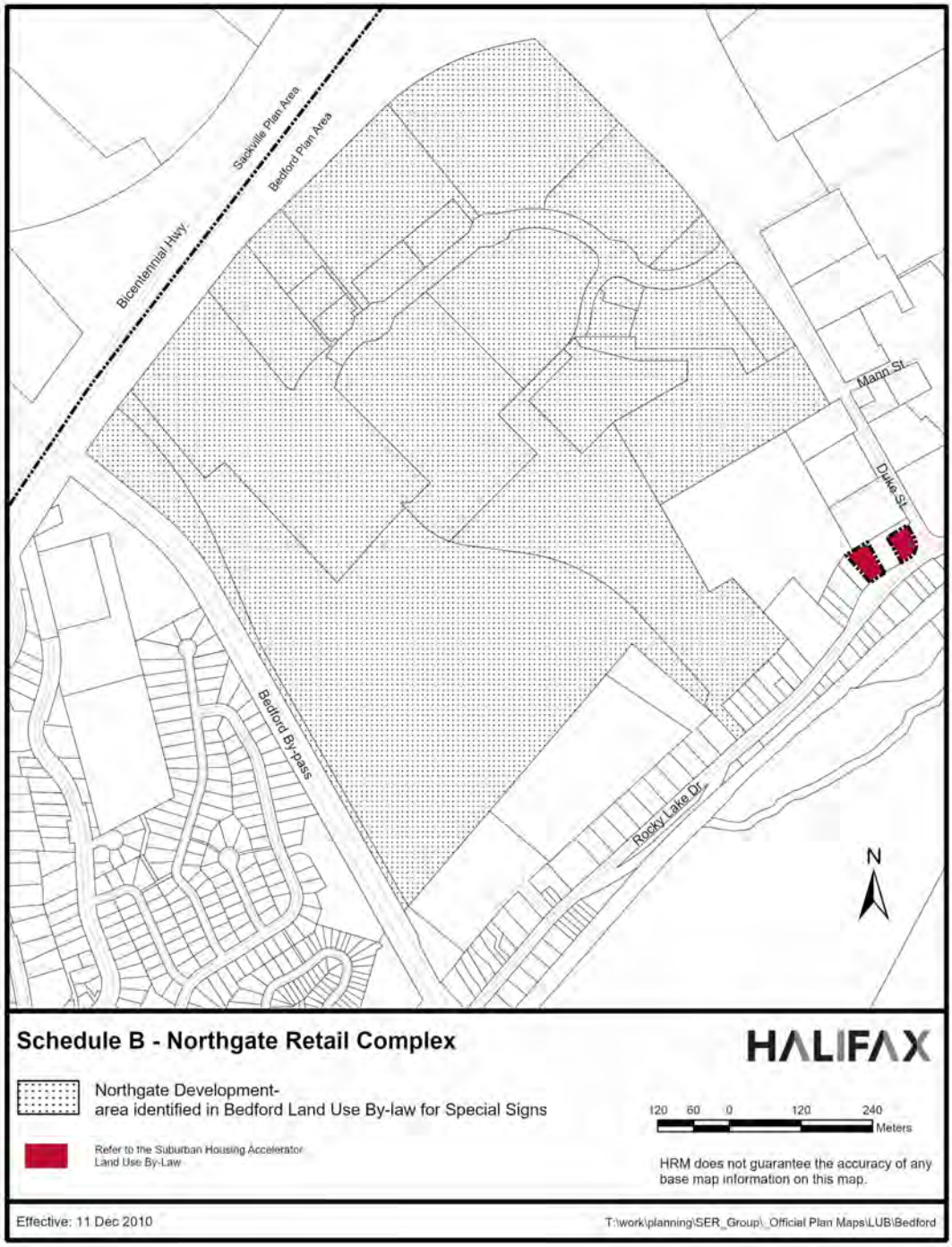
HALIFAX

BEDFORD LAND USE BYLAW

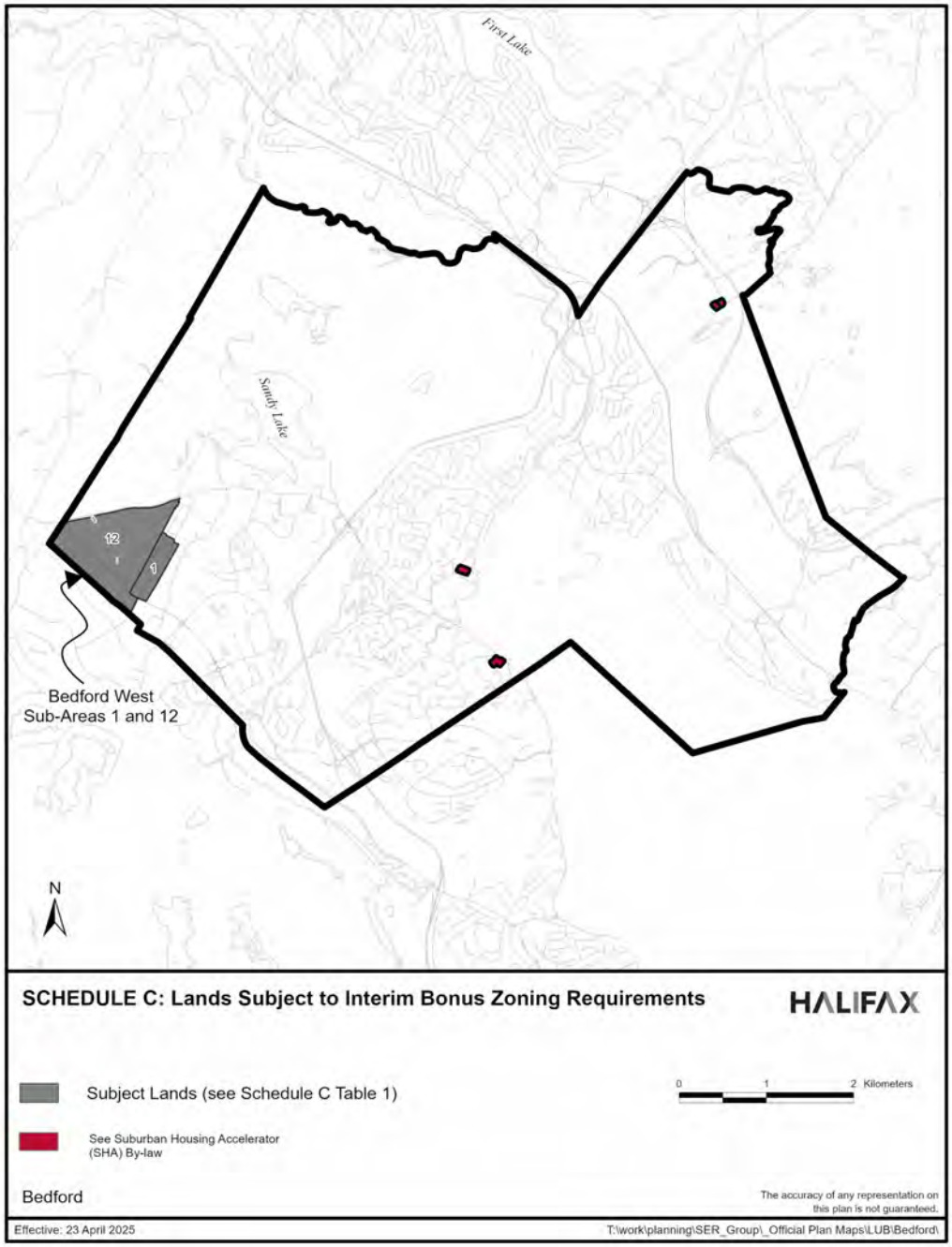
LARRY UTECK BOULEVARD & HAMMONDS PLAINS ROAD TRANSPORTATION RESERVE

DATE 19 April 2023	SCHEDULE	APPROVED
SCALE 1 : 1250	PG-6	FIG. NO.

SCHEDULE B: Northgate Retail Complex (NWCC-Nov 25/10;E-Dec 11/10) (RC-Mar 18/25; EFF Apr 23/25)



Schedule C: Lands Subject to Interim Bonus Zoning Requirements (Municipal Affairs-Housing-Nov 21/23: E-Dec19/23) (RC-Mar 18/25; EFF Apr 23/25)



Schedule C, Table 1: Lands Subject to Interim Bonus Zoning (Municipal Affairs-Housing -Nov 21/23;E-Dec 19/23)

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**

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Schedule K - 1-in-100-year Flood Elevation Markers (RC-Apr29/25;E-May26/25)

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Schedule K – Key 1-in-100-year flood elevations by location

1-in-100-year Flood Elevation Markers by Location (2024) (NAD83 MTM 5, CGVD2013)

Location	ID	Location Description	Northing	Easting	1-in-100-year flood elevation (water level)
Sackville River upstream of confluence	1	McCabe Lake	4959740.8	25560147.4	77.47 m
	2	Webber Lake outlet	4959673.5	25562024.7	76.02 m
	3	Upstream of Lucasville bridge	4959697.4	25562188.1	75.55 m
Little Sackville River upstream of confluence	4	Little Lake	4963191.4	25563512.0	75.38 m
	5	Feely Lake outlet	4962481.1	25563773.9	68.77 m
	6	Barrett Pond outlet	4961756.9	25563773.9	62.33 m
	7	Upstream of Millwood Drive crossing	4961648.0	25563038.7	54.97 m
	8	Upstream of Beaver Bank Cross Road crossing	4960780.9	25563175.8	53.00 m
	9	Upstream of Beaver Bank Road crossing	4960469.0	25563909.5	50.78 m
	10	Upstream of Sackville Drive crossing	4959240.5	25564166.5	40.26 m
	11	Upstream of Sackville Cross Road crossing	4958582.7	25564317.1	29.22 m
Sackville River downstream of confluence	12	Confluence of Sackville River and Little Sackville River	4957321.0	25565858.2	14.32 m
	13	Upstream of Rifle Range Lane crossing	4956550.8	25566466.8	9.96 m
	14	Upstream of Highway 102 crossing	4956130.5	25566575.8	9.87 m
	15	Upstream of River Lane crossing	4955678.0	25566944.6	9.20 m
	16	Upstream of Sunnyside Mall “A”	4955431.8	25566898.5	9.03 m
	17	Upstream of Sunnyside Mall “B”	4955297.1	25566859.6	8.95 m
	18	Upstream of Bedford Highway Crossing	4954860.7	25566374.7	7.44 m
	19	Upstream of Railway Crossing	4954703.5	25566345.6	4.40 m

LAND USE BY-LAW
AMENDMENTS - BEDFORD

Amendment Number	Policies/Maps	Subject	Council Adoption	Effective Date
1	Part 11, Residential Reserve (amended)	Case No. 00261 - 700 Kearney Lake Road	C - April 24, 2001	Effective May 25, 2001
2	Part 4, section 3 a)v (added); Residential Town House	Case No. 00331 - 25, 27 and 35 Dartmouth Road	C - January 15, 2002	Effective February 2, 2002
3	Part 3 amended, Part 29.1 and 29.2 added to include Infrastructure Charge Holding Zone.	Project 00083 - Infrastructure Charges	C - May 7, 2002	E - June 29, 2002
4	Part 2, include definition of "shipping containers"; Part 5, section 29A, shipping containers as accessory buildings; Part 5, section 6, include the words "shipping container".	Case No. 00474 - Districts 20 and 21	C - July 11, 2002	Effective August 10, 2002
5	Amended by adding Capital Cost Contribution: Section 3.1 - add "Infrastructure Charge Zone"; add Part 29.	Project No. 00423	C - July 2, 2002	E - August 17, 2002
6	Amended to include BSCDD - Bedford South Comprehensive Development District Zone; amend Section 3.1; adding clause (o) to Part 4; and amend schedule A (Zoning Map).	Project No. 00086	C - July 9, 2002	E - August 31, 2002
7	Amended to include CD-1, CD-2, & CD-3 Zones; adding Part 26, 27 & 28.	Project No. 00082	C - September 10, 2002	E - November 9, 2002
8	Amended zoning map by zoning lot AB-High St, Bedford (PID41034505), RSU; replacing Part 3, section 4, with section 4 a), b), c), d), and e), and Appendix B; and, amend zoning map by zoning CN Rail Station (PID 40918971) CMC Zone.	Case No. 00490	C - December 10, 2002	E - January 18, 2003
9	Amended be rezoning Sandy Lake Academy from RR to SI (zoning map); zoning Phase II of the Waterfront Development lands (zoning map); and housekeeping amendments to the Land Use By-law.	Case No. 00511	C - April 8, 2003 (NWCC)	E - April 12, 2003
10	Amended by adding Adding Part 3 Section 4 (f) (**Infilled Water Lots along Shore Drive);** amend the Bedford Zoning Map (Schedule A) (1:20 and 1:100 Floodway of the Sackville River); andamend Part 4 Section 3(m) and Part 5 Section 21 (b)**.**	Case No. 00511	C - March 18, 2003	E - May 10, 2003
11	Amended by adding Part 4 Subsection 3(c)(viii) and (ix) (Policy C21 - residential/commercial mixed uses and multiple unit dwellings).	Case No. 00414	C - July 8, 2003	E - August 16, 2003
12	Part 2, add the definition of "cemetery"; add Part 5.17 (d) - reduced lot frontage and area requirements.	Case No. 00499	December 18, 2003 (NWCC)	E - January 11, 2004
13	Part 6, add 20 Emmerson Street.	Case No. 00651	C - July 8, 2004	E - July 10, 2004
14	Part 5, Sections 8 and 9, were amended regarding child care and home occupation uses within residential zones.	Case No. 00660	C - March 24, 2005	E - April 2, 2005

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15	The Bedford Zoning Map was amended by rezoning a portion of 196 Rocky Lake Road (PID #40293052) from SI (Institutional) Zone to LI (Light Industrial) Zone - Map 2.	Case No. 00712	C - April 12, 2005	E - May 28, 2005
16	Part 2, 5, 12 and 14 regarding Ice Cream Stands.	Case No. 00802	July 7, 2005 (NWCC)	E - December 5, 2005
17	Added 38 1f); 38 4e); 38 5g); 38 6c) & d); and 38 6A a) & b); re: signs.	Case No. 00868	C - May 25, 2006	E - June 16, 2006
18	The Zoning maps was amended by rezoning a portion of PID#40698359 from ITR to RSU Zone.	Case No. 00832	C - May 30, 2006	E - July 8, 2006
19	Add Part 10A and Part 10B re: Bedford West; replace Part 19A and amend the zoning map.	Case No. 00382	C - June 20, 2006	E - July 29, 2006
20	Amend Zoning Map; Add Appendices C and D; Add 3 definitions regarding Bicycle Parking, Commercial Recreation Use, Conservation Use; Replace the definition Recreation Use and Watercourse; Add Part 4 Section 3; Replace Part 5 Section 21; Add Part 5 Section 21A, 37A, 37B, 37C, 37D, 37E, Part 23A, Part 30, Part 31.	Regional Plan	C - June 27, 2006	E - August 26, 2006
21	Replace the definition for Personal Service Use; Add the definition for Health and Wellness Centre; Amend Part 4 Section 4.24; Replace the words “Personal Service Shop” with “Personal Service Use”.	Case No. 00723	C - August 8, 2006	E - September 9, 2006
22	Replace Part 5 Section 14; Delete “Min Lot Frontage 100ft” from Part 19A; Add to Part 19A Subdivision and Building Requirements; Replace Part 19A Section 2; Add to Part 19A Section 3(b); Amend Zoning Map for properties on Symonds Rd from BWBC to ILI Zone.	Case No. 00938	NWCC-September 28, 2006	E - October 14, 2006
23	Add Section 38(1A) - Temporary Signage; Replace the definition of Sign; Delete references to “Sandwich Boards” and “Mobile Signs”	Case No. 00327	RC - September 26, 2006	E - November 18, 2006
24	Amended Part 4, Section 3 (Crestview CDD); Amend Zoning Map (PID#’s 00430298, 00430306, 00430363, 40741480, 40787137, 40628901).	Case No. 00690	C - March 6, 2007	E - April 7, 2007
25	Amend Part 15 by replacing Subsection (q) and adding (r); adding a Special Requirements section for Office Uses.	Case No. 00950	NWCC - August 9, 2007	E - September 1, 2007
26	Amend Part 12 by replacing Subsection (r) and adding (s).	Case No. 01038	NWCC - September 27, 2007	E - October 13, 2007
27	Replace Part 19A, Section 6 re: Driveway Access; Replaced Schedule I to show revised location of the Community Collector Road	Case No. 01081	NWCC - February 28, 2008	E - March 15, 2008
28	Amend Schedule B - Zoning Map.	Case No. 00762	C - March 4, 2008	E - April 19, 2008
29	Replace Part 5 Section 34: Parking Requirements.	Case No. 01119	C - August 5, 2008	E - August 23, 2008
30	Amend Part 5 Section 6 re: Temporary Construction Uses Permitted	Case No. 01058	RC - January 20, 2009	E - February 7, 2009

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31	Amend Part 2: Definition for flag lots; Amend Part 4; Section 3 and Part 4, Section 3 Clause a)iv) re: flag lots	Case No. 00790	RC - January 13, 2009	E - February 28, 2009
32	Amend Zoning Map to rezone PID #s 00418145, 00418178, 400454678, 40648404, 40054579, 00417873, 00417881 and 41055534 (Civic 337, 341, 343, 345, 353 and 357 Kearney Lake Road and Civic 36 to 54 Gem Lane) from BWCDD (Bedford West Comprehensive Development District) Zone to RR (Residential Reserve) Zone	Case No. 01193	NWCC - February 26, 2009	E - March 14, 2009
33	Amend Part 2; Part 2, Section 8, Subsection (g); Part 2, Section 9; Part 2, Section 34, Subsection (a); Part 12, Subsection (d); Part 14, Subsection (b); Part 17, Subsection (l); Part 19A, Subsection (k); and Part 20, Subsection (m); re: Day Care Facilities.	Case No. 01074	RC - March 3, 2009	E - March 21, 2009
34	Replace Day Car Facility definition in Part 2.	Case No. 01288	NWCC - September 24, 2009	E - October 17, 2009
35	Amend Zoning Map to rezone 70 Torrington Drive from RSU to POS Zone.	Case No. 01340	NWCC - January 28, 2010	E - February 13, 2010
36	Amend Part 2: Definitions - Kennel and Veterinary Clinic; Delete "**outdoor kennels associated with veterinary clinics are prohibited**" from Part 14 (d) and Part 19A (e)(second one).	Case No. 16196	NWCC - November 25, 2010	E - December 11, 2010
37	Add Part 4, Section 3(p)	Case No. 16727	NWCC - March 24, 2011	E - April 9, 2011
38	Amend Zoning Map to rezone 345 Kearney Lake Road from RR to SI.	Case No. 16643 (formerly Case No. 01307)	RC - March 15, 2011	E - May 28, 2011
39	Amend Part 5 by adding **Section 39 GENERAL PROVISIONS: WIND ENERTY FACILITIES.**	Project No. 00953	RC – August 16, 2011	E – October 29, 2011
40	Amend Part 5, Section 39 IV by adding **b)** and **c)** after a): Wind Energy Facilities.	Project No. 00953	RC – October 18, 2011	E – October 29, 2011
41	Amend the Zoning Map to rezone 1040 Bedford Highway from RSU to SI	Case No. 16792	NWCC – October 20, 2011	E – November 5, 2011
42	Amend Part 3, Section 1: Replace ITR Zone with BWBC Zone; Amend Part 19A by replacing Min. Lot Area, Min. Front Yard or Flankage Yard, and add Min. Common Side Yard for Multi-Comm. Bldgs.	Case No. 17424	NWCC – September 27, 2012	E – October 20, 2012
43	Amend Part 12, CGB Zone, Subsection (s) re: banks and financial institutions; and add Subsection (t).	Case No. 18304	NWCC – July 8, 2013	E – July 27, 2013

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44	Add Gas Bars to Part 2: Definitions; Add **9A – Additional Requirements for Gas Bars** to Part 19A.	Case No. 18423	RC – May 20, 2014	E – June 14, 2014
45	Part 6, Subsection e) insert the following two addresses directly after 20 Emmerson Street: 2**3 Olive Avenue, 165 & 167 High Street**	Case No. 19218/19303	NWCC – September 15, 2014	E – October 11, 2014
46	**Repeal/**Readopt some definitions, Parts of 3.1, 3.3; Part 4, Section 3; Part 5, Section 21, 21A, 37A, 37B, 37C, 37D, 37E, 38; Part 23A, 30, 31; Schedule A, C, D, E; **Add** some definitions; Part 5 Section 12A, 12B; **Amend** Part 4, Section 4; Part 5, Section 21, 21A, 39; Part 24; Appendix C, D, E.	RP+5	RC – June 25, 2014	E – October 18, 2014
47	Added schedules C-1 and C-2, Add Auto Body Repair Shop to Part 2: Definitions; Amend Part 17, by adding Subsection (qa) re: Auto repair shops; and Part 19, by adding Subsection (la) re: Auto body repair shops	Case No. 20082	NWCC – March 21, 2016	E – April 2, 2016
48	Amend Part 17, by adding Subsection (qd) re: Service Stations and gas bars; Amend Part 2, by adding text re: Service Stations and gas bars; Add Schedule C-3	Case No. 20211	RC – September 5, 2017	E – October 21, 2017
49	**Amend** Part 16, by adding Clause (6): 757 Bedford Highway	Case 21094	NWCC – July 9, 2018	E – July 28, 2018
50	**Amend** Zoning Map – Rezone 65 & 79 Shore Dr. & PID 40018079 from CGB to RSU	Case 20976	RC – June 19, 2018	E- August 11, 2018
51	**Amend** several sections to add Cannabis related uses Nov 3/18	Case 21331	RC - September 18, 2018	E- November 3, 2018
52	**Amend section 21A(2)**	Case 21648	HW, HEMD and NWCC – Dec 11, 2018	E – December 29, 2018
53	**Amend** the Bedford Land Use By-law Zoning Map for 425 and 435 Hammonds Plains Rd. from US zone to SI zone	Case 21873	NWCC – May 13, 2019	E – June 1, 2019

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54	**Add** Part 9A: Cushing Hill Residential (CHR) Zone, Part 15A: Cushing Hill Commercial (CHC) Zone. **Amend** Part 3 Section 1 – Residential and Commercial Zone, Part 5 Sections 8, 9, 10, 14 and 31; Zoning map – rezone 122, 128, 134, 136, 144 and 46 Oakmount Drive from CCDD and Residential to CHR; 1763, 1781, 1789, 1749, 1753, 1757, 1761 Bedford Hwy from CCDD to CHC; Appendix F: lands exempt from lot frontage requirements.	Case 17272	RC – December 10, 2019	E – February 15, 2020
55	**Amend** Definitions: Backyard / Secondary Suites; Part 5, Section 21A(2), Section 29(a)(i); **Add** Part 5, Section 29B.	Case 21162 – Secondary / Backyard Suites	RC – September 1, 2020	E – November 7, 2020
56	**Added** 'not including secondary or backyard suites' to sections; Part 6–Zone Requirements RSU; Part 7–Zone Requirements RTU; Part 9 – Zone Requirements RTU; Part 9A, Subsection 2(h); Part 9A, Subsection 3(l) and Part 11-Zone Requirements RR.	Case 23274 – Secondary Backyard Suites Housekeeping Amendments	NWCC – March 8, 2021	E – March 27, 2021
60	**Amended** the Zoning Map to rezone 16 Rutledge St from RTU to RMU	Case 22726	RC – July 20, 2021	E – October 9, 2021
61	**Amend** the zoning map to rezone a portion of 18 Scotia Drive as a RTU	Case 21996	RC – August 31, 2021	E – October 23, 2021
62	**Amend** Part 2 and 5 to include definitions of ACCESSORY HEN USE	Case 22227	RC – October 5, 2021	E – January 8, 2022
63	**Added:** Section 11 Pedway to Part 19A	Case 23824	NWCC – April 25, 2022	E – May 12, 2022

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64	**Amended** Part 4, Uses Permitted by Development Agreement - Section 3, 3(b), 3(c)(vii), 3(j); Part 5, General Provisions for all Zones – Section 10, Clause 34(a), 37A(2), 39I(a); Part 6, RSU Zone – (c); Part 7, RTU Zone – (f); Part 8, RMU Zone – (b); Part 9, RTH Zone – (b); Part 9A, CHR Zone – (f); Part 10, RCDD Zone – 2(f); Part 11, RR Zone – (c); Part 14, CMC Zone – (a), (e), (f); Part 19A, BWBC Zone – (l); Part 20, SI Zone – (l); Part 25, WFCDD Zone – 2(c) **Deleted** Part 2, Definitions – Seniors Residential Complex, Special Care Facilities; Part 9A, CHR Zone – Section 4; Part 14, CMC Zone – (r); **Added** Part 2, Definitions – Shared Housing Use, Shared Housing with Special Care; Part 4, Uses Permitted by Development Agreement – Section 3(r); Part 16, CCDD Zone – 2(da); Part 20, SI Zone – (la)	Case RP16-16 (Shared Housing)	RC – August 9, 2022	E – September 15, 2022
65	**Amend** Schedule A – Rezone 378 Shore Dr. from RMU to RTU	Case 24308	NWCC – October 17, 2022	E – November 1, 2022
66	**Amended** Part 2, Definitions – Dwelling, Single Detached; Part 4, Clause 4(a), 5; Part 5, Section 12A, 29A **Repealed** Part 5, Section 11; Part 10, Section 2(e)	Case 22257	RC – October 11, 2022	E – November 16, 2022
67	**Added** Appendix G, Interim Bonus Zoning Requirements for Applicable Plan Amendments; Schedule C, Lands Subject to Interim Bonus Zoning Public Benefits	Case 24063	RC - March 21, 2023	E- April 19, 2023
68	**Adding:** Part 4, section 6	Case 2023-00799	Minister for Municipal Affairs and Housing for the Province of Nova Scotia – July 4, 2023 – Special Plan Area	E – July 17, 2023

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69	**Added:** Part 2, Definitions, Short-term Bedroom Rental, Short-term Rental; Part 5, Section 3, Subsection 3C., 3D.; Section 12, Subsection 12D. **Amended:** Part 5, Section 34; Part 12; Part 14; Part 15; Part 15A; Part 19A **Deleted:** Part 2, Definitions, Bed & Breakfast/Guest Home Operation; Part 5, Section 8, Subsection l, Section 10;	Case 24526 (Short Term Rentals)	RC – February 21, 2023	E – September 1, 2023
70	**Amended:** Part 9A, Section 2 and 3	Case 24528 (Shared Housing Housekeeping Amendments	RC – August 22, 2023	E – September 28, 2023
71	**Repealed:** Part 3, Clause 7(c),7(d)	Case 2023-002 (Public Participation)	RC – June 20, 2023	E – October 13, 2023
72	**Added:** Part 1.5 Bedford West Sub-Areas 1 & 12; Schedule PG, Appendix PG-1, Appendix PG-2, Schedule PG-1, Schedule PG-2, Schedule PG-3, Schedule PG-4, Schedule PG-5, Schedule PG-6 **Amended:** Schedule C, Table 1 Lands Subject to Interim Bonus Zoning Public Benefits	Case 23307	Minister for Municipal Affairs and Housing for the Province of Nova Scotia – November 21, 2023 – Special Plan Area	E – December 19, 2023
73	**Added** Section 1, (ea); Section 5A. **Amended** Section 10 **Repealed/Deleted** Section 5(b); Section 10(a),(b)	Case 2023-01049	NWCC – February 20, 2024	E-March 6, 2024
74	**Added** Part 2, Definitions – Shared Private Driveway; Part 5, Clauses (e),(f); Clause 29B(b)(xii); Part 6(aa); Part 7(ea); Part 9A(ea) **Amended** Part 5, Clause 29(a)(iv)(v); Clause 29B(a)(i),(v); 29B(b)(i),(ix),(xi);(xii), Clause 34(a); Part 7(a), Zone Requirements RTU; Part 9A, Section 1 **Repealed** Part 5, Clause 29B(a)(iv); Part 5, Section 30; Part 6(e); Part 7(e); Part 9A(e)	MINORREV 2023-01065 (Housing Accelerator Fund (HAF))	RC – May 23, 2024	E – June 13, 2024
75	**Replaced** Schedule PG-4: Maximum Population Density - to transfer population density equivalent to 6 units from 1020 Hammonds Plains Road to PID#00645846	PLPROJ 2024-00295	Minister for Municipal Affairs and Housing for the Province of Nova Scotia – June 5, 2024 – Special Plan Area	E – June 20, 2024

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76	**Amend** Part 17, ILI Zone **Add** Part 2, Definitions – Pet Daycare Use	PLANAPP 2024-00431	NWCC – September 9, 2024	E – September 24, 2024
77	**Amend:** Part 17: (ILI) Zone by adding "qe)"	PLANAPP 2024-01716	NWCC – February 10, 2025	E – February 25, 2025
78	**Amend:** Map1, Schedule A, B, C, C-2, C-3, and Appendix C, D, E	MINORREV-2024-01198	RC- March 18, 2025	E -April 23, 2025
79	**Amend:** Table of Contents, Part 2 – add Floodway/Flood Fridge/Off-site Fill definitions, Part 3, section 3.1, Part 4 Section 3, Part 5 section 12B, Part 24, Schedule A – Zoning Map **Repeal:** Part 5 section 27 **Add:** Part 3 section 8 & 9, Part 5 Section 18A & 27A, Part 24A 7 24B, Schedule K	Case 21405 - Update to the Development Controls along the Sackville and Little Sackville River Floodplains	RC – April 29, 2025	E- May 26, 2025

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