DRAFT Proposed Amendments to the Regional Centre Land Use By-law

1. Section 23(2) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

Non-Conforming Structures

23 (2) In any zone, on a lot that contains a **non-conforming** structure that is primarily used for residential purposes, the restrictions in the Charter respecting non-conforming structures are relaxed by allowing ~~them~~ **the non-conforming structure** 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 this By-law.~~

(a) retains and incorporates a substantial portion of the habitable components of the existing structure;

(b) does not further increase a non-conformity with a requirement of this Bylaw; and

(c) does not further increase the height or volume of the structure within any required yard, setback, or separation distance, except where the structure is used for a single-unit dwelling use, semi-detached dwelling use, duplex apartment use, or two-unit dwelling use.

2. Clause 29(1)(j) is repealed.

3. Clause 29(1)(az) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(az) Schedule 45: ~~Maitland~~ **Skokomul** Street Waterfront View Corridor;

4. Clause 30(2)(at) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(at) Wright Avenue ~~(WA)~~ **(WR)**; and

5. Table 1A is amended:
   a. by deleting the row entitled “Commercial recreation use”;
   b. by adding a new row entitled “Major commercial recreation use” immediately after the row “Local drinking establishment use” under the heading “Commercial”;

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c. by adding a new row entitled “Minor commercial recreation use” immediately after the row “Micro-distillery use” under the heading “Commercial”;

d. by adding a black dot (●) on the row entitled “Minor commercial recreation use” in the columns entitled DD, DH, CEN-2, and COR; and

e. by adding a the symbol “③” on the row entitled “Minor commercial recreation use” in the column entitled HR-2.

For convenience, the amendments are shown in **bold** and ~~strikeout~~ below:

Commercial	DD	DH	CEN-2	CEN-1	COR	HR-2	HR-1
Catering Use	●	●	●	●	●	③	③
~~Commercial recreation use~~							
Cruise ship terminal use	●	●					
Dealership use							
Drinking establishment use	●	●	●				
Financial institution use	●	●	●		●	③	
Fitness centre use	●	●	●	①	●	③	
Garden centre use	●	●	●	●	●		
Grocery store use	●	●	●		●	③	
Hotel use	●	●	●		●		
Kennel use							
Local commercial use	●	●	●	●	●	③	③
Local drinking establishment use	●	●	●		●	③	
Major commercial recreation use							
Makerspace use	●	●	●	●	●	③	③
Micro-brewery use	●	●	●		●	③	
Mirco-distillery use	●	●	●		●	③	
Minor commercial recreation use	●	●	●		●	③	
Office use	●	●	●	①	●	③	

6. Table 1B is amended:

a. by striking out the symbol “㉖” on the row entitled “Multi-unit dwelling use” in the column entitled “ER-2”;

b. by deleting the Row “Commercial recreation use”;

c. by adding a new row entitled “Major commercial recreation use” immediately after the row entitled “Local drinking establishment use” under the heading “Commercial”;

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d. by adding a new row entitled “Minor commercial recreation use” immediately after the row entitled “Micro-distillery use” under the category Commercial;

e. by striking out “, and a multi-unit dwelling use that contains more than 8 units is permitted in the ER-3 zone in accordance with Section 63 or Subsection 233(3)” in footnote (22);

f. by adding “that contains up to 8 dwelling units” after “and multi-unit dwelling use” and by striking out “Section 63 or Subsection 233(3)” after “in accordance with” and replacing it with “Section 231.4” in footnote (26); and

g. by striking out “63” in footnote (6) and replacing it with “231.4”.

For convenience, the amendments are shown in **bold** and ~~strikeout~~ below:

Residential	ER-3	ER-2	ER-1	CH-2	CH-1
Multi-unit dwelling use	⑮ ㉒	⑭ ⑮ ㉖	⑭		
Commercial	**ER-3**	**ER-2**	**ER-1**	**CH-2**	**CH-1**
Catering Use					
~~Commercial recreation use~~					
Cruise ship terminal use					
Dealership use					
Drinking establishment use					
Financial institution use					
Fitness centre use					
Garden centre use					
Grocery store use					
Hotel use					
Kennel use					
Local commercial use					
Local drinking establishment use					
Major commercial recreation use					
Makerspace use					
Micro-brewery use					
Mirco-distillery use					
Minor commercial recreation use					
Office use					

⑥ Excluding heritage conservation districts, an existing building in the Young Avenue (YA) Special Area, as shown on Schedule 3C, may undergo an internal conversion for

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no more than a three-unit dwelling use in compliance with the requirements of Section ~~63~~ **231.4**.

㉒ A multi-unit dwelling use that contains up to 8 dwelling units is permitted in the ER-3 zone, in accordance with Section 231.3~~, and a multi-unit dwelling use that contains more than 8 units is permitted in the ER-3 zone in accordance with Section 63 or Subsection 233(3)~~.

㉖ A three-unit dwelling use, four-unit dwelling use, and multi-unit dwelling use **that contains up to 8 dwelling units** are permitted in the ER-2 zone, in accordance with ~~Section 63 or Subsection 233(3)~~ **Section 231.4**.

7. Table 1C is amended:
   a. by deleting the row entitled “Commercial recreation use”;
   b. adding the symbol “㉜” on the row titled “hotel use” in columns UC-1 and UC-2;
   c. by adding a new row entitled “Major commercial recreation use” immediately after the row entitled “Local drinking establishment use” under the heading “Commercial”;
   d. by adding a new row entitled “Minor commercial recreation use” immediately after the row “Micro-distillery use” under the heading “Commercial”;
   e. by adding a solid dot on the row “Minor commercial recreation use” in columns CLI and LI;
   f. by adding a black dot (●) on the row entitled “Major commercial recreation use” in the columns entitled CLI and LI; and
   g. by adding footnote (32) immediately after footnote (31) with the following text “㉜ Use is permitted as an accessory use only within post-secondary institution owned and operated student housing facilities”:

For convenience, the amendments are shown in **bold** and ~~strikeout~~ below:

Commercial	CLI	LI	HRI	INS	UC-2	UC-1	DND	H	PCF	RPK	WA
Catering use	●	●	⑦	⑫							
~~Commercial recreation use~~	~~●~~	~~●~~									
Cruise ship terminal use			●						●		
Dealership use	●	●									
Drinking establishment use	●		⑦			●	●				
Financial institution use	●			⑧			●				
Fitness centre use	●	●		⑧	●	●	●	●			

Garden centre use	●	●	⑦								
Grocery store use	●				⑪	⑪					
Hotel use	●		⑦	⑧	㉜	㉜					
Kennel use	●	●									
Local commercial use	●	●	⑦	⑧	●	●	●	●			
Local drinking establishment use	●		⑦			●	●				
Major commercial recreation use	●	●									
Makerspace use	●	●	⑦	●	●	●					
Micro-brewery use	●	●	⑦								
Micro-distillery use	●	●	⑦								
Minor commercial recreation use	●	●									
Office use	●		⑦	⑧			●				

㉜ Use is permitted as an accessory use only within post-secondary institution owned and operated student housing facilities

8. Table 1D is amended:
   a. by deleting the row entitled “Commercial recreation use”;
   b. by adding a new row entitled “Major commercial recreation use” immediately after the row entitled “Local drinking establishment use” under the heading “Commercial”;
   c. by adding a new row entitled “Minor commercial recreation use” immediately after the row entitled “Micro-distillery use” under the heading “Commercial”; and
   d. by striking out “(WA)” and replacing it with “(WR)” after “Wright Avenue” in footnote (20):

   For convenience, the amendments are shown in **bold** and ~~strikeout~~ below:

Commercial	HCD-SV
Catering use	
~~Commercial recreation use~~	
Cruise ship terminal use	

Dealership use	
Drinking establishment use	
Financial institution use	
Fitness centre use	
Garden centre use	
Grocery store use	
Hotel use	
Kennel use	
Local commercial use	⑲
Local drinking establishment use	
Major commercial recreation use	
Makerspace use	
Micro-brewery use	
Micro-distillery use	
Minor commercial recreation use	
Office use	

⑳ Use is permitted in the Wright Avenue ~~(WA)~~ **(WR)** Special Area, as shown on Schedule 3F.

9. Subsection 56(1) is amended by adding the text as shown below in **bold:**

Backyard Suite Uses

56 (1) If a backyard suite use is permitted in Tables 1A, 1B, 1C, or 1D, a lot may contain only one backyard suite use**,** within the rear yard only **except on a through lot in accordance with 56 (1.5)**, in conjunction with:

10. Section 56 is amended by adding subsection 56(1.5) immediately following subsection 56(1) as shown below in **bold**:

(1.5) A backyard suite use on a through lot may be:

(a) located in an accessory structure in a flanking yard; and

(b) located in an accessory structure that is closer to the streetline than the main building.

11. Subsection 57(1) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

Except as provided in Subsections 57(2), **and** 57(3), ~~and 57(4),~~ on a lot zoned ER-3 or ER-2, the following are the maximum number of bedrooms permitted by land use:

…

12. Subsection 57(4) is repealed.

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13. Section 63 is repealed.

14. Subsection 67(1) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~,

> 67(1) Subject to subsection 67(5), any new building containing a high-density dwelling use that has at least 40 units shall be required to provide amenity space that is consistent with all of the following:
> (a) at least 5.0 square metres per dwelling unit;
> (b) for use by the building's residents; ~~and~~
> (c) at least 50% of the amenity spaces be provided indoor~~.~~**; and**
> **(d) the primary access to any indoor amenity space shall not be provided through a parking structure.**

15. Subsection 67(2) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~,

> 67(2) Subject to subsection 67(5), **where** an addition **containing at least 40 units is added** to ~~a~~ **an existing** building containing a high-density dwelling use**,** ~~that has at least 40 units shall be required to provide~~ amenity space **shall be provided**, for the addition only, ~~at a rate of 5.0 square metres per dwelling unit, for use by the building's residents. No less than 50% of all required amenity space shall be provided within the building.~~ **that is consistent with all of the following:**
> **(a) at least 5.0 square metres per dwelling unit;**
> **(b) for use by the building's residents;**
> **(c) at least 50% of the amenity spaces be provided indoor; and**
> **(d) the primary access to any indoor amenity space shall not be provided through a parking structure.**

16. Table 4 is amended" by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

Table 4: Minimum lot area requirements for Schmidtville Heritage Conservation District

Area	Use	Minimum lot area
Lots located within the Wright Avenue ~~(WA)~~ **(WR)** Special Area	Townhouse dwelling unit	92.0 square metres
	All other uses	167.0 square metres

17. Table 7 is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

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Area	Use	Minimum lot frontage	Maximum lot frontage per streetline
All lots within the Schmidtville Heritage Conservation District	Townhouse dwelling units	6.096 metres	32.0 metres
Lots located within the Wright Avenue ~~(WA)~~ **(WR)** Special Area	All uses, excluding townhouse dwelling units	6.096 metres	32.0 metres

18. Subsection 94.5(1) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(1) **Subject to Subsection 103(2.51), all** ~~All~~ of the following structures may encroach into a required setback, stepback, or separation distance:

(a) a patio that is less than 0.6 metres in height, access ramps, walkways, lifting devices, **and** uncovered steps~~, and staircases~~;

(b) a sill, eave, gutter, downspout, cornice, chimney, fireplace, stove bump out, railing system, canopy, awning, or another similar feature, if an encroachment is no more than 0.6 metres;

(c) a solar collector, if an encroachment is no more than 1.0 metre; ~~and~~

~~(d) a window bay that is no wider than 4.0 metres and is located no closer than 2.5 metres to any other window bay on an exterior wall of the main building, if an encroachment is no more than 1.0 metre.;~~

(e) staircases, except that in an ER-3, ER-2, or ER-1 zone:

(i) staircases accessing storeys above the ground floor shall not encroach into a required front or flanking setback;

(ii) staircases shall not encroach closer than 0.6 metres to a side or rear lot line; and

(f) in the ER-3 zone, projections provided as a Design Feature to satisfy Clauses 366.6(2)(a), (b), and (c) may encroach up to 0.6 metres into a required front or flanking setback.

19. Subsection 94.5(2) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

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(2) A portion of an enclosed porch may encroach into a required front or flanking setback, if the portion is
(a) in an ER-3, ER-2, ER-1, CH-2, or CH-1 zone;
(b) at least ~~0.5~~ **0.6** metres away from a streetline;
(c) at least 2.0 metres away from another enclosed porch;
(d) not greater than ~~4.0~~ **4.5** square metres;
(e) and one storey in height.

20. Subsection 94.5(4) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

94.5(4) Subject to Subsection 94.5(5)**,** ~~and~~ Section 96~~,~~ **and Subsection 103(2.51),** a balcony or unenclosed porch may encroach into a required setback, step back, or separation distance by no more than

21. Part V, Chapter 1 is amended by adding Section 101.5 following Section 101 and before Section 102 by adding the text as shown below in **bold**:

General Requirement: Transportation Facility Use Waterfront View Corridors

101.5 A Transportation Facility Use that is operated by the Municipality or the Province of Nova Scotia may protrude into a Waterfront View Corridor, as shown on Schedules 29 to 47.

22. Subsection 103(1) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

Excluding any low-density dwelling uses, cluster housing uses, ~~or~~ any main buildings within the Young Avenue Sub-Area A (YA-A), **or any multi-unit dwelling use in the ER-2 and ER-3 zone,** as provided in Subsections 103(7) to 103(9), Table 8 regulates the height, coverage, and setback of building features located on the rooftops of any main building, even if the feature does not exceed the maximum height for the main building.

23. Subsection 103(7) is amended by adding the text as shown below in **bold**:

(7) Subject to Subsection 103(8), for any low-density dwelling use or cluster housing use **and any multi-unit dwelling use in the ER-2 and ER-3 zone**, the following features may exceed the maximum required height, as shown on Schedule 15, by no more than 3.0 metres:

24. Clause 103(2.5)(c) is amended by adding the text as shown below in **bold**:

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(c) a minimum setback**, stepback or separation distance** requirement or **permitted encroachment** in Part V, Table 8 prevails.

25. Section 103 is amended by inserting the new subsection (2.51) following subsection (2.5) and before subsection (3) by adding the text as shown below in **bold**:

103(2.51) **(1) Subject to 103(2.51)(2), Section 94.5 shall not apply to a minimum roof edge setback identified in Columns 3 and 4 of Table 8.**

(2) Access ramps, walkways, lifting devices, uncovered steps, staircases, and railing systems may encroach into a minimum roof edge setback by up to 2.0 metres.

26. Subsection 104(1.3) is amended by deleting the text as shown below in ~~strikeout~~:

Within any ~~ER-3,~~ CH-2, or CH-1 zone, a sloped roof of a main building may exceed the maximum required height, as shown on Schedule 15, by no more than 3.0 metres.

27. Section 228 is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

Minimum Front or Flanking Setbacks

228 (1) Subject to Subsection 228(2) **and 228(3)**, any portion of a main building, either above or below grade, shall have a minimum required front or flanking setback as specified on Schedule 18.

(2) If a minimum required front or flanking setback has not been specified on Schedule 18, the minimum required front or flanking setback shall be 3.0 metres.

(3) A main building exceeding 3 storeys in height shall have a minimum required front setback of 3.0 metres or the setback as specified on Schedule 18, whichever is greater.

28. Clause 229(1)(c) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(c) 1.~~25~~**5** metres elsewhere.

29. Section 231 is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

Maximum Lot Coverage

231 (1) Subject to Subsections 231(2) ~~and~~**,** 231(3), **231(4) and 231(5),** and Section 234, the maximum required lot coverage shall be:

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(a) ~~for a single-unit dwelling use, 40%~~ **40% if a lot is greater than 325.0 square metres**; or

(b) ~~for all other uses,~~

~~(i) if a lot is larger than 325.0 square metres, 50%, or~~

~~(ii) if a lot is 325.0 square metres or smaller, 60%.~~

50% if a lot is 325.0 square metres or less.

(2) Subject to Subsection 231(3), the maximum required lot coverage for Established Residential Special Areas, as shown on Schedule 3C, are listed in Table 10 as follows:

Table 10: Maximum required lot coverage for Established Residential Special Areas

Established Residential Special Area	Maximum Required Lot Coverage (%)
Grant Street (GS)	35%
Young Avenue (YA)	35%
North End Halifax 2 (NEH-2)	50%

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

(4) Subject to Subsection 231(5), the following features shall not count towards the maximum permitted lot coverage under Subsection 231(1):

(a) covered or enclosed porches and covered balconies facing a streetline to a maximum of 20 square metres, or

(b) an internal staircase or elevator leading to a dwelling unit to a maximum of 20 square metres, provided every unit has internal access to a ground floor exit.

(5) If the combined total lot coverage of the features listed in Subsection 231(4) exceeds 10%, the portions greater than 10% shall be counted towards the maximum permitted lot coverage.

30. Part V, Chapter 9 is amended by adding a new section 231.4 after Section 231.3 as shown below in **bold**:

Conversion of an Existing Building in the ER-2 Zone

231.4 (1) Subject to 231.4(2), in the ER-2 zone, a main building may be converted to a three-unit dwelling use, four-unit dwelling use, or multi-unit dwelling use if the building satisfies all of the following:

(a) the building existed on the coming into force date of this By-law;

(b) there is no increase in the height or volume of the building except there may be a rear addition which shall:

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(i) be located entirely in a rear yard;
(ii) not exceed the width the existing building;
(iii) not have a footprint that exceeds the footprint size of the existing building; and
(iv) not exceed the height of the existing building; and

(c) excluding the replacement of an existing exterior staircase, no new exterior staircase shall be erected in a front yard.

(2) In an ER-2 zone, a multi-unit dwelling use shall contain no more than:

(a) 4 dwelling units if a lot is less than 375.0 square metres;
(b) 5 dwelling units if a lot is at least 375.0 square metres but less than 450.0 square metres;
(c) 6 dwelling units if a lot is at least 450.0 square metres but less than 525.0 square metres;
(d) 7 dwelling units if a lot is at least 525.0 square metres but less than 600.0 square metres; or
(e) 8 dwelling units if a lot is at least 600.0 square metres.

31. Subsection 233(3) is repealed.

32. Clause 328(2)(a) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(a) excluding **through lots, and** the Westmount Subdivision (WS) Special Area~~,~~ as shown on Schedule 3C, not be located closer to any streetline than any main building; or

33. Subsection 329 (1) is amended by adding the text as shown below in **bold**:

329 (1) Subject to Subsections 329(2) and 329(3), **and clause 333(1.6)(b),** accessory structures shall be required to be located a minimum of 1.25 metres from any side or rear lot line.

34. Section 331 is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

331 **Subject to clause 333(1.6) (a), an** ~~An~~ accessory structure's height shall not exceed 7.7 metres. (RCMay23/24;E-Jun 13/24)

35. Clause 333(1)(a) is amended by adding the text as shown below in **bold**:

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(a) subject to Clause 333(1)(b) **and subsection 333(1.6)**, in any DD, DH, CEN-2, CEN1, COR, HR-2, HR- 1, ER-3, ER-2, ER-1, CH-2, or CH-1 zone: 60.0 square metres; or

36. Section 333 is amended by adding subsection (1.6) following subsection (1.5) by adding the text as shown below in **bold**:

(1.6) (a) In any DD, DH, CEN-2, or COR zone, an accessory structure that is a greenhouse used to contain all or part of an urban farm use shall have a maximum permitted footprint of:
(i) 20% lot coverage; or
(ii) 93.0 square metres,
whichever is less; and

(b) Where an accessory structure that is a greenhouse used to contain all or part of an urban farm use exceeds a footprint greater than 60.0 square metres the accessory structure shall:
(i) not exceed a height of 4.5 metres; and
(ii) be required to be located a minimum of 3.0 metres from any side or rear lot line, or the minimum required side or rear setback applicable for the main building in the same zone, whichever is greater.

37. Section 335 is amended by adding subsection (1.5) immediately before subsection 335(2) as shown below in **bold**:

335 (1.5) Subject to 335 (2.4) and (2.5), in any DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1, ER-3, ER-2, ER-1, CH-2, CH-1, CDD-2, CDD-1, or INS zone, a shipping container shall not be used as a main building, except to contain a dwelling unit.

38. Subsection 335(2) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(2) Subject to Subsection 336(2), a shipping container shall not be used to contain an office use~~.~~**, except for an office use associated with a Temporary Construction Use.**

39. Subsection 348 (3) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(3) For any new lot created after November 3, 2018 and that is located within the Wright Avenue ~~(WA)~~ **(WR)** Special Area, as shown on Schedule 3F, the minimum required rear setback for any main building shall be 1.22 metres.

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40. Section 354 is amended by adding the text as shown below in **bold**:

Applicability of the Design Requirements for Additions **and Renovations**

354 **(1)** For any addition to a main building that requires the applicability of the design requirements, the design requirements shall only apply to the addition.

(2) **For any renovation of a main building that requires the applicability of the design requirements, the design requirements shall only apply to the renovated portion of the building.**

41. Section 355(1)(b) is amended by adding "the text as shown below in **bold**:

Applicable Design Requirements by Zone

355 (1) The applicable design requirements by zone are set out in:

(a) Table 11 for new main buildings; or

(b) Table 12 for additions **or renovations** to existing main buildings.

42. Table 11 is amended:

a. by striking out the text "Multi-Unit Dwelling Use" and replacing it with the text "Glazing" in the row immediately after the row entitled "Ground Floor Transparency (Section 366)";
b. by adding a new row entitled "Façade Articulation in the ER Zones (Section 366.6) immediately before the row entitled "Weather Projections for Entrances (Section 367)" in the column entitled "Design Requirements"; and
c. by adding a solid dot in column "ER-3" of the row "Façade Articulation in the ER Zones (Section 366.6)":

For convenience, the amendments are shown in **bold** and ~~strikeout~~ below:

Design Requirements	DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1 Zones	CLI Zone	ER-3 Zone	ER-2 Zone	CH2, CH1 Zone	INS Zone	UC-2, UC-1 Zones	PCF, RPK Zones

Ground Floor Transparency (Section 366)	①	①				①	①②	①
~~Multi-Unit Dwelling Use~~ **Glazing** in the ER Zones (Section 366.5)			●					
Façade Articulation in the ER Zones (Section 366.6)			●					
Weather Protection for Entrances (Section 367)	●	●				●	②	●

43. The heading for Table 12 in Section 355 is amended by adding the text as shown below in **bold**:

> Table 12: Design requirements by zone for additions **or renovations** to existing buildings

44. Table 12 is amended:
    a. by striking out the text “Multi-Unit Dwelling Use” and replacing it with the “Glazing” in the row immediately after the row entitled “Ground Floor Transparency (Section 366)”; and
    b. by adding a new row entitled “Façade Articulation in the ER Zones (Section 366.6)” immediately before the row entitled “Weather Projections for Entrances (Section 367)”:

For convenience, the amendments are shown in **bold** and ~~strikeout~~ below:

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Design Requirements	DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1 Zones	CLI Zone	ER-3 Zone	ER-2 Zone	CH2, CH1 Zone	INS Zone	UC-2, UC-1 Zones	PCF, RPK Zones
Ground Floor Transparency (Section 366)	①④	①④				①④	①②④	①④
~~Multi-Unit Dwelling Use~~ **Glazing** in the ER Zones (Section 366.5)								
Façade Articulation in the ER Zones (Section 366.6)								
Weather Protection for Entrances (Section 367)	④	④				④	②④	④

45. Subclause 356(2)(b)(iii) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(iii) canopies or awnings ~~on facades~~ that **project a minimum of 2 metres from the façade and** abut the outdoor amenity space,

46. Subclause 356(2)(b)(iv) is amended by adding the text as shown below in **bold**:

(iv) a recessed entrance or facade **by a minimum of 2 metres** that abuts the outdoor amenity space, or

47. Section 366.5 is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

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Design Requirement: ~~Multi-Unit Dwelling Use~~ **Glazing** in the ER Zones

366.5 (1) **A minimum of 10% of the area of any** ~~A~~ streetwall of a **four-unit dwelling use or** multi-unit dwelling use must consist of clear glass glazing, which may be located in a door~~,~~**.**

~~(a) for at least 25% of the length of the streetwall along a front lot line; and~~

~~(b) for at least 15% of the length of the streetwall along a flanking lot line.~~

~~(2) For a multi-unit dwelling use that has a building width greater than 10.0 metres, at least two of the following are required:~~

~~(a) at least one balcony is provided on the façade facing a front lot line for each storey that is above the ground floor;~~

~~(b) at least 20% of the façade facing a front lot line is recessed by additional 0.6 metres from rest of the streetwall;~~

~~(c) a projection of up to 1.0 metre for a window bay, subject to Clause 94.5(1)(d);~~

~~(d) a covered porch with an area of at least 2.0 square metres is provided on the ground floor of a façade facing a front lot line.~~

48. Part VII, Chapter 3 is amended by adding the following Section 366.6 after Section 366.5 as shown below in **bold**:

Design Requirement: Façade Articulation in the ER Zones

366.6 (1) For a four-unit dwelling or multi-unit dwelling in the ER-3 zone, the following is required:

(a) any streetwall a minimum of 6 metres to no greater than 10 metres in width shall provide a minimum of 1 Design Feature as described in Subsection 366.6(2);

(b) any streetwall greater than 10 metres to no greater than 15 metres in width shall provide a minimum of 2 different Design Features as described in Subsection 366.6(2); and

(c) any streetwall greater than 15 metres in width shall provide a minimum of 3 different Design Features as described in Subsection 366.6(2).

(2) Design Features that satisfy the requirements of Subsection 366.6(1) include:

(a) projections or recesses that are no less than 0.6 metres deep and extend from the ground to at least half of streetwall height for a minimum of 25% of the streetwall width;

(b) projections or recesses that are no less than 0.3 metres deep and extend from the ground to at least half of streetwall height for a minimum of 33% of the streetwall width;

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(c) a material and colour change for a minimum of 25% of the streetwall area;

(d) a material or colour change, if applied to the entirety of a projection or recess provided in accordance with clause (a) or (b);

(e) a balcony or balconies with a minimum depth of 1.5 metres for a minimum combined width of 33% of the streetwall; or

(f) a covered porch or porches, or enclosed porch or porches, with an area of at least 2.0 square metres and minimum depth of 1.5 metres on the ground floor for a minimum combined width of 33% of the streetwall.

(3) Projected and recessed portions described in Subsection 366.6(2) shall include portals, but exclude balconies and recessed pedestrian entrances

49. Section 373 is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(c) locating a portico, arcade, or archway on the building; ~~or~~

(d) locating public art or a cultural artifact on a portion of the streetwall, or in an at- grade open space (Diagram 17)~~.~~**;**

(e) adding a cornice line at the top of the streetwall that:

(i) projects at least 0.25 metres from the streetwall;

(ii) uses different materials than the those used elsewhere on the streetwall; and

(iii) employs changes in ornamentation such as the use of brackets, dentils, or other alternating geometric patterns; or

(f) locating a pedestrian entrance on the building that is:

(i) bordered on all sides by a different material from any other material used on the streetwall;

(ii) projected from or recessed into the streetwall by a minimum of 0.6 metres; and

(iii) has a canopy, awning or overhang directly over the pedestrian entrance a minimum of 2.0 metres in depth.

50. Subsection 398(1) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~,

398 (1) **Subject to 101.5, a**~~A~~ development shall not protrude into a view plane, a Halifax Citadel rampart sight line, or a waterfront view corridor.

51. Subsection 398(2)(c) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~,

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(2) An application for a development that could potentially protrude into, abut, or be subject to:

(a) a view plane, as shown on Schedules 26 and 28;

(b) a Halifax Citadel rampart sight line, as shown on Schedule 27A; or

(c) a waterfront view corridor, as shown on Schedules 29 to 47~~;~~**, and Schedule 55;**

52. Clause 401(1)(q) of Part X, Chapter 3 is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(q) Schedule 45: ~~Maitland~~ **Skokomul** Street Waterfront View Corridor;

53. Table 15 is amended by striking out the text “Design Requirements” and replacing it with the text “Use” in the first column of the header row.

For convenience, the amendments are shown in **bold** and ~~strikeout~~ below:

~~Design Requirements~~ **Use**	DD, DH, CEN-2, CEN-1, CDD-2, CDD-1	COR	HR-2, HR-1	ER-3, ER-2, ER-1	CH-2 CH-1	CLI, LI, HRI	INS, UC-2, UC-1	PCF, RPK
Any other residential use not listed within this table	Not required	Not required	Not required	Not required	Not required	Not applicable	Not required	Not applicable

54. Subsection 417(1) is amended by adding the text as shown below in **bold**:

417 (1) Where permitted in Part XIII, an accessory parking lot that is located in a DD, DH, CEN-2, CEN-1, COR, HR-2, HR-1, **ER-3,** CH-2, CH-1, INS, UC-2, UC-1, PCF, or RPK zone, but is not located within an interior courtyard, shall meet the following soft landscaping requirements along any portion of a lot line that runs adjacent to the accessory parking lot:

55. Subsection 444 is amended by adding the subsection 444(1.5) immediately after subsection 444(1) as shown below in **bold**:

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Accessory Parking Lots: All Other Zones

444 (1) Accessory parking lots are permitted in any HR-2, HR-1, INS, or CDD-2 zone, but only in the side yards, rear yards, and internal courtyards.

(1.5) Accessory parking lots are permitted in an ER-3 zone, only in a rear yard.

56. Clause 451(6)(a) is repealed.

57. Clause 451(6)(b) is repealed.

58. Subsection 451(6) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~,

451(6) All indoor Class A bicycle parking spaces shall be required to be~~:~~ **located within one storey of a ground floor and be:**

(a.5) accessible from the street or a ground floor with ramps, which are protected from motor vehicle traffic; or

(b.5) accessible from the street or a ground floor by elevator.

59. Subsection 452(1) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

452 (1) Subject to Subsection 452(6), Class B bicycle parking spaces shall be located outside of a building in a location that is visible and accessible from the street~~.~~**by:**

(a) a pathway;

(b) ramps, which are protected from motor vehicle traffic, or

(c) by elevator.

60. Section 474 is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout:~~

474 **(1) Subject to Subsection 474(2), a**~~A~~n applicant shall complete a public benefit as described in Section 472 before a certificate of occupancy is issued.

(2) A certificate of occupancy may be issued before the completion of a public art public benefit where:

(a) Public art is provided in accordance with 482 and 483;

(b) 484(1)(da) applies;

(c) the incentive or bonus zoning agreement has been executed by all of the parties; and

(d) the owner is in compliance with the incentive or bonus zoning agreement.

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61. Subsection 484(1) is amended by adding a new clause da) following clause d) as shown below in **bold**:

da) the completion date for on-site public art, where:
(i) the only public benefits being provided are money-in-lieu for affordable housing and on-site public art, and
(ii) the development is a phased development;

62. Subsection 499(8) is amended by adding the text as shown below in **bold**:

(8) Amenity Space means non-commercial indoor or outdoor space dedicated for private or shared use by a building's occupants, such as balconies, grade-related dwelling unit patios, courtyards, planters and plots for gardening, rooftop barbeque areas, 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. **Rentable guest suites, laundry rooms, storage rooms and mail rooms shall not count towards amenity space requirements.**

63. Section 499 is amended, by adding two new Subsections 499 (27.5) and 499 (27.6) immediately following Subsection 499(27) and immediately above Subsection 499 (28) as shown below in **bold**:

(27.5) Bicycle Parking Rack means the equipment or structure installed within a bicycle parking space or spaces for the purpose of securing a bicycle.
(27.6) Bicycle Parking Space means an area set aside for the parking of a bicycle.

64. Subsection 499(58) is repealed.

65. Subsection 499 (90.5) is amended by deleting the text as shown below in ~~strikeout~~:

(90.5) Floor Area means:
(a) for the purposes of a FAR calculation and bonus zoning public benefit value calculation, 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:

66. Subsection 499(115) is amended by adding by adding the text as shown below in **bold**:

(115) High-Rise Building means a main building that:
(a) within the DH Zone, exceeds a height of 33.5 metres above the average finished grade;
(b) **Subject to clause 499(252)(c),** within the DD, CEN-2, CEN1, COR, HR-2, or HR-1 Zone, exceeds 10 storeys; or

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(c) in all other areas, exceeds a height of 30.0 metres above the average finished grade.

67. Subsection 499(115.5) is amended by by adding the text as shown below in **bold**:

(115.5) High-Rise Typology means a portion of a main building, above the height of a streetwall, that:

(a) within the DH Zone, exceeds a height of 33.5 metres above the average finished grade to the top of the roof; or

(b) **Subject to clause 499(252.5)(b),** within the DD, CEN-2, CEN-1, COR, HR-2, or HR-1 Zone, exceeds 10 storeys to the top of the roof; or

(c) in all other areas, exceeds a height of 30.0 metres above the average finished grade to the top of the roof.

68. Section 499 is amended by adding a new subsection (146.5) immediately after subsection (146) as shown below in **bold**:

(146.5) Major Commercial Recreation Use means a commercial recreational facility that may be operated indoors or outdoors, such as bingo halls, campgrounds, go-kart tracks, paintball facilities, shooting ranges, racetracks and similar facilities, but excludes a club recreation use, community recreation use, and minor commercial recreation use.

69. Section 499 is amended by adding a new subsection (161.5) immediately after subsection (161) as shown below in **bold**:

(161.5) Minor Commercial Recreation Use means a commercial recreational facility completely contained within a building, such as arcades, archery or axe-throwing ranges, billiard halls, game cafés, bowling alleys, laser tag, escape rooms, rock-climbing, ping pong halls, miniature golf courses, trampoline parks and similar facilities, but excludes a club recreation use, community recreation use, and major commercial recreation use.

70. Subsection 499(162) is amended by by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(162) 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, but excludes convention centre uses, cultural uses, major spectator venue uses, club recreations uses,

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~~commercial recreation uses~~ **major commercial recreation uses**, and community recreation uses.

71. Subsection 499(180) is amended by adding the text as shown below in **bold** and by deleting the text as shown below in ~~strikeout~~:

(180) Park Use means land that is owned or operated by a government entity and primarily used for outdoor recreational purposes, either active or passive, but excludes ~~commercial recreation uses~~ **major commercial recreation uses and minor 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.

72. Section 264 in PART XVII under Chapter 1 is amended by adding the text as shown below in **bold**:

(264) 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, along with accessory uses such as athletic facilities, student and faculty housing, **hotels as an accessory use within post-secondary institution owned and operated student housing facilities,** dining halls, research and development facility uses, and chemical storage facilities.

73. Appendix 2 is repealed and replaced with “Appendix 2 Shadow Impact Assessment Protocol and Performance Standards” as shown on Attachment B-10: Appendix 2.

74. Schedule 2 "Zoning Boundaries" is amended by changing the zoning of PID 00101618 and PID 00101600 from the Established Residential 3 (ER-3) Zone to the Institutional (INS) Zone as shown on Attachment B2 - Schedule 2: Zone Boundaries.

75. Schedule 3A: Downtown Dartmouth Special Areas is amended by removing PID 40497836 from the Portland Street (PS) Special Area, as shown on Attachment B4 – Schedule 3A: Downtown Dartmouth Special Areas.

76. Schedule 3F: Other Special Areas is amended, by replacing the text “WA” wherever it appears with the text “WR”.

77. Schedule 5 “PROCTOR STREET TRANSPORTATION RESERVE” is repealed.

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78. Schedule 15 “Maximum Building Height Precincts” is amended by applying a maximum building height of 7 storeys to PID 40937781 as shown in Attachment B6 - Schedule 15: Maximum Building Height Precincts.

79. Schedule 18 is amended by changing the maximum front setback from 3 metres to 0.5 metre for the portion of PID 00114223 which abuts Portland Street as shown in Attachment B7 - Schedule 18: Minimum Front and Flanking Setbacks.

80. Schedule 45 is amended by changing the title from “Maitland Street Waterfront View Corridor” to “Skokomul Street Waterfront View Corridor” as shown in Attachment B8 – Schedule 45.

81. Schedule 48 “Wind Energy Overlay Zone Boundaries” is amended by applying the Restricted (R) Zone to PID 40937781 as shown in Attachment B9 - Schedule 48: Wind Energy Overlay Zone Boundaries.

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