

CHAPTER 10: IMPLEMENTATION

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10.0 INTRODUCTION

The Regional Plan guides the Municipality's planning and decision-making and represents the vision of the community. Through open, transparent and inclusive dialogue, the Municipality has the responsibility of achieving the Plan's vision through actions using available planning tools. Planning is not a static practice, it is iterative process evaluating and reporting on actions and successes and adapting to changing situations. The success of this Plan depends on aligning all policies and programs throughout HRM to achieve the vision and objectives of this Plan.

10.1 OBJECTIVES

1. **Provide for the effective implementation of the policies outlined in this Plan;**
2. **Engage citizens in the development of policies, programs and services as the basis for building healthy, strong and inclusive communities;**
3. **Monitor the effectiveness of policies and programs of this Plan;**
4. **Undertake periodic reviews of this Plan to assess whether changes are needed; and**
5. **Ensure that HRM policies and programs are aligned to achieve the vision and objectives of this Plan.**

10.2 COMMUNITY ENGAGEMENT

Since 2016, Planning and Development has been continually updating and reviewing engagement practices, policies and processes. Some of these improvements include lessening the dependence on public information meetings by encouraging open house-style meetings, using a range of mediums to allow residents to engage, developing more user-friendly outreach, and redesigning notifications and signage, as well as updating virtual engagement as a response to the COVID-19 pandemic.

10.2.1 PUBLIC PARTICIPATION FOR PLANNING APPLICATIONS AND PLANNING DOCUMENTS

A public participation policy is legislatively required to guide how the opinions of the public are sought on proposed planning documents, as described under the *Halifax Regional Municipality Charter*. In 2023,

Regional Council is considering approval³¹ of a proposed Administrative Order 2023-002-ADM and the accompanying Planning and Development Public Engagement Guidebook (Guidebook). The Guidebook was developed following Regional Council's direction in 2016 to update HRM's engagement processes to establish an updated and consistent approach to designing engagement practices. The purpose of the Guidebook is to support staff to pro-actively address public engagement with influence, impact, inclusion, and accessibility as primary and core considerations. The Administrative Order establishes minimum standards for public participation and establishes a method for engagement with abutting municipalities, as required by the *Charter*.

I-1 A public participation policy shall be adopted by Council as an Administrative Order. This Administrative Order:

- a) shall, in accordance with section 219 of the *Halifax Regional Municipality Charter*, establish the ways and means of seeking the opinions of the public;**
- b) shall, in accordance with section 219A of the *Halifax Regional Municipality Charter*, establish a method for engaging with abutting municipalities respecting a new Municipal Planning Strategy or amendments to them;**
- c) may identify additional methods for public participation, including the use of a Public Engagement Guidebook for additional or different public participation, and for the removal of barriers to participation; and**
- d) may provide for public participation for certain planning applications other than planning documents.**

10.3 PLANNING TOOLS

10.3.1 SECONDARY MUNICIPAL PLANNING STRATEGIES

Various community plans, formally called secondary municipal planning strategies, were adopted prior to amalgamation and prior to this Plan being adopted. These plans present visions, objectives and policies of a community which may not be consistent with this Plan. Over time HRM will use the Community Planning Program to achieve consistency in all its planning documents and programs to ensure that they are consistent with this Plan and supporting Priority Plans and that they reflect current community issues and desires for future change.

As part of the Community Planning program, the Municipality will engage with communities to understand their visions in relation to the overarching goals of the Regional Plan. Where Community Visions were approved in principle by HRM in 2006, these may be considered and updated as part of the Community Planning program.

³¹ Please Note: As of the writing of this Draft Regional Plan, Administrative Order 2023-002-ADM has been presented to Regional Council but not yet adopted. Should Regional Council choose not to approve this AO, this section will be adjusted.

- I-2 Existing secondary municipal planning strategies, identified in Appendix B to this Plan, shall remain in effect until amended or repealed by the Municipality.**
- I-3 When evaluating amendments to Land Use By-laws or development agreement applications, in the event of conflict between the policies of this Plan and a Secondary Planning Strategy, the more stringent shall prevail.**
- I-4 Where minimum setbacks from watercourses established under secondary municipal planning strategies and land use by-laws differ from the minimum thirty (30) meter setback specified by this Plan, the more stringent shall prevail.**
- I-5 When new secondary municipal planning strategies or amendments to existing secondary planning strategies are brought forward for approval, the Municipality shall consider whether the proposed objectives and policies are consistent with or further achieve the objectives and policies of this Plan.**
- I-6 The Community Visioning statements approved by HRM for the Bedford Waterfront; Fall River; Musquodoboit Harbour; Middle/ Upper Sackville/ Lucasville; Spryfield; Penhorn/ Woodlawn; Woodside and Upper Tantallon shall be considered and may be updated when preparing secondary municipal planning strategies.**
- I-7 Given the strategic importance of regional objectives in mitigating climate change and protecting the future health of the municipality, new secondary planning strategies or amendments to existing secondary planning strategies, shall organize land use or management of land in a manner, including the scale, location, density and form of development, so that:**
 - a) the protection of environmental or cultural features of significance on the lands is considered, including wildlife corridors, the urban forest, wet areas, wetlands and watercourses;**
 - b) the integrity of regional parks or federal and provincial wilderness areas adjacent to the lands are maintained, including the functioning of shared environmental, recreational or cultural features;**
 - c) the movements of pedestrians and transit service are prioritized over car-oriented design, including the connections to surrounding community;**
 - d) the future rapid transit corridors are considered as key locations for residential and mixed-use intensification, particularly within 500m of the corridor; and**
 - e) the design includes community-scale or site-level green infrastructure, renewable energy and other climate mitigation design elements.**

10.3.2 PRIORITY PLANS

Since the adoption of this Plan in 2014, Regional Council has approved several priority plans including the Integrated Mobility Plan, Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy

2022-2027. This Plan provides detailed policies related to these plans. For clarity, this Plan supports the priority plans which are actively used by staff to guide ongoing work.

I-8 In considering development agreements or amendments to development agreements, or any proposed amendments to the Regional Plan, secondary planning strategies, or land use by-laws, in addition to the policies of this Plan, the Municipality shall consider the objectives, policies and actions of the priorities plans approved by Regional Council since 2014, including:

- a) The Integrated Mobility Plan;**
- b) Halifax Green Network Plan;**
- c) HalifACT;**
- d) Halifax's Inclusive Economic Strategy 2022-2027;**
- e) Sharing Our Stories³²; and**
- f) any other priority plan approved by Regional Council while this policy is in effect.**

10.3.3 DISCRETIONARY APPLICATIONS

Discretionary applications include proposed amendments to this Plan, secondary municipal planning strategies, or land use by-laws, and proposed development agreements or amendments to development agreements, that require approval by Regional Council. This section outlines the circumstances and policy criteria that must be considered by Council when reviewing such proposals.

I-9 In considering a secondary municipal planning strategy amendment or development agreement applications pursuant to the provisions of this Plan or any Secondary Municipal Planning Strategy, in addition to all other criteria as set out in various policies of this Plan, Council shall consider that:

- a) the proposal is appropriate and not premature by reason of:**
 - i. the financial capacity of the Municipality to absorb any costs relating to the development;**
 - ii. the adequacy of municipal wastewater facilities, stormwater systems or water distribution systems;**

³² Please note that as of the writing of this Draft Regional Plan, Regional Council has not yet adopted Sharing Our Stories. The plan is forthcoming, and the draft policies within this chapter reflect the proposed policies within the draft Sharing Our Stories Plan. Significant community engagement has been undertaken to support the development of Sharing Our Stories, however, should Regional Council choose to not adopt Sharing Our Stories, or choose to adopt an alternative policy, this chapter will be adjusted.

- iii. the proximity of the proposed development to schools, parks, and community facilities, and the capability of these services to absorb any additional demands;
 - iv. the adequacy of transportation infrastructure for pedestrians, cyclists, public transit and vehicles for travel to and within the development; and
 - v. the impact on registered heritage buildings, heritage streetscapes, and heritage conservation districts;
 - b) the subject lands are suitable for development in terms of the steepness of grades, soil and geological conditions, locations of watercourses, wetlands, and susceptibility to flooding;
 - c) that development regulations in the proposed development agreement will adequately mitigate potential conflict between the proposed development and nearby land uses, by reason of:
 - i. type of use(s);
 - ii. built form of the proposed building(s);
 - iii. impacts on adjacent uses, including compatibility with adjacent residential neighbourhoods, parks, community facilities, and railway operations;
 - iv. traffic generation, safe access to and egress from the site, and parking;
 - v. open storage and signage; and
 - vi. impacts of lighting, noise, fumes and other emissions.
- I-10 Further to Policy I-9, at the time of application, proposals for development agreements shall identify any of the following conditions which are not suitable for development and development shall be directed away from these areas which include:**
- a) environmental features, including but not limited to aquatic, coastal, and riparian habitats, wetlands, and areas with steep slopes;
 - b) areas prone to flooding;
 - c) critical environmental features located within an Essential Corridor Special Area; and
 - d) areas that directly connect to adjacent Essential Corridor Special Areas.
- I-11 Further to Policy I-10, opportunities to enhance or restore degraded environmental features shall be identified and considered as part of the development proposal where possible.**

I-12 Provided other policies of this Plan are satisfied and the proposed development is limited in scale, for the purpose of providing for the development of similar uses on properties which abut one another or share a common street line, the Municipality may consider the following development agreements or amendments to the applicable Land Use By-laws, for lands which are located where land use designations abut one another, as shown on the Regional Land Use Structure Map (Map 2):

- a) amendments within a designation to provide for the development of uses which are uses permitted within the abutting designation;
- b) amendments within a designation to provide for the development of uses which are uses permitted by the zone on the abutting property within the abutting designation;
- c) development agreements within a designation which are extensions of development agreements in effect on the abutting property within the abutting designation.

10.3.4 CONSERVATION DESIGN DEVELOPMENTS

The Conservation Design Development is a development tool that allows for clustered residential development in a manner that helps to preserve significant environmental and cultural features of the landscape. The Conservation Design Development tool was first introduced under the 2006 Regional Plan. These policies are intended to encourage growth within the Rural Growth Centres and to manage growth in between centres. The design process for a Conservation Design Development involves identifying lands that support important environmental functions or pose environmental hazards as primary conservation features. Culturally significant lands or those lands that provide environmental functions are identified as secondary conservation features and should be protected or incorporated as part of the development. Through this process, areas of the site best suited for development are identified and the development is designed to optimize environmental features and mitigate environmental impacts.

There are three (3) types of Conservation Design Development that may be considered for approval by development agreement:

- Lower Density Classic Conservation Design;
- Higher Density Classic Conservation Design; and
- Hybrid Conservation Design.

Classic Conservation Design Form (Lower Density and Higher Density)

The Classic Conservation Design Development form (Lower Density and Higher Density) involves the entire site, inclusive of a shared private driveway, being held in single ownership and requires building sites to be clustered on a portion of the site, conserving a larger connected common open space on the remainder of the site. Within Rural Growth Centres, a higher density option is available as means of supporting residential development within the Rural Growth Centres.

Hybrid Conservation Design Development Form

The Hybrid Conservation Design Development form is similar to a small-scale traditional residential subdivision development where individual lots are created on a new public street. Under this form a higher percentage of lands is conserved as open space on individual lots. This is achieved through restricting site development, inclusive of buildings, individual driveways and lawns, to a small area of the lot and

conserving the remainder of the lot as a non-disturbance area. The overall development is to be designed so that individual non-disturbance areas are contiguous for mutual ecological benefit.

The type of Conservation Design Development enabled is determined based on the location of a site in relation to the Rural Growth Centres. Higher densities are encouraged within the Rural Growth Centres.

I-13 Subject to Policy I-14, the Municipality shall consider the following types of Conservation Design Development by development agreement where one-third or more of an area of land is within a Rural Growth Centre as shown on Map 4:

- a) Lower Density Classic Conservation Design Development;**
- b) Higher Density Classic Conservation Design Development; or**
- c) Hybrid Conservation Design Development.**

I-14 Lands entirely within the Lake Echo Sub-watershed, as generally illustrated on Map 4 shall not be eligible for Conservation Design Development, unless a proponent submits a survey prepared by a Nova Scotia Land Surveyor demonstrating that the subject area of land or a portion of the area of land is outside the Lake Echo Sub-watershed. Where any portion of a subject area of land is within the sub-watershed, the area of land within the watershed may be included for density and the net area calculation.

I-15 Subject to Policy I-16, the Municipality shall consider the following types of Conservation Design Development by development agreement where more than two thirds of the area of land is outside the boundaries of a Rural Growth Centre shown on Map 4:

- a) Lower Density Classic Conservation Design Development to a maximum of 100 dwelling units; or**
- b) Hybrid Conservation Design Development to a maximum of 30 dwelling units.**

I-16 A development agreement under Policy I-15 shall only be considered subject to the following location criteria:

- a) On an area of land within the**
 - i. Rural Commuter Designation; or**
 - ii. Rural Resource Designation; and**
- b) On an area of land outside the:**
 - i. Beaver Bank / Hammonds Plains Growth Control Areas as shown on Schedule J of the Regional Subdivision By-Law,**
 - ii. the Rural Area Designation under the Eastern Passage/Cow Bay Plan Area; and**

- iii. NEF 30 Contour as shown on Map 3 of the Planning Districts 14 & 17 (Shubenacadie Lakes) Municipal Planning Strategy; and
 - c) On an area of land which was in existence as of April 29, 2006 that has a minimum of 20 metres of continuous frontage on a publicly owned and maintained street/road which was in existence as of April 29, 2006.
- I-17 Any Conservation Design Development application made pursuant to policies I-13 and I-15 shall be in accordance with Table I-1 and the following:

Site Studies and Assessments

- a) Where the proposed development is to be serviced by a groundwater supply, a hydrogeological assessment conducted by a qualified professional has determined that there is an adequate supply of groundwater to service the development without adversely affecting groundwater supply in adjacent developments;
- b) The development shall not rely on cisterns for potable water supply, except in special circumstances as may be authorized under an approved secondary planning strategy;

Site Development, Connectivity and Open Space Design

- c) Primary Conservation Areas or Features as defined in Table I-1 are protected and retained as Open Space;
- d) Where an area of land is subject to Policy I-14, proposed streets and building sites shall be located outside the Lake Echo Sub-Watershed.
- e) A private driveway for Low Density Classic Conservation Design Development and High Density Classic Conservation Design Development shall only provide access to a public street for up to 20 dwelling units; and,

Separation Distances

- f) Residential dwellings shall maintain a minimum separation of 800 metres from any permanent extractive facility.

- I-18 For any Conservation Design Development application made pursuant to policies I-13 and I-15, the Municipality shall consider the following criteria:

Site Development, Connectivity and Open Space Design

- a) Secondary Conservation Areas are incorporated as part of the overall Open Space Requirements;
- b) The proposed streets and buildings sites are designed to avoid, where possible, Conservation Areas and Features;

- c) Connectivity of natural networks, including trails, is maintained with any open space on adjacent parcels, as illustrated by the Essential Corridors and High Ecological Value Areas as shown on Map 6;
- d) Where a development pursuant to Policy I-13 is proposed for lands that extend beyond a Rural Growth Centre as illustrated on Map 4, preference shall be given to siting the development within the boundary of the Growth Centre.

Parkland Dedication and Additional Considerations

- e) Parkland dedication may be relaxed to a minimum of 5% for the Lower Density and Higher Density Classic Conservation Design Developments; and
- f) Any applicable matter as set out in Policy I-9 of this Plan.

Table I-1: Conservation Design Development Standards

Property Location	Land Use Requirements	
Within Rural Growth Centres	Lower Density Classic Conservation Design Development	
	Maximum Density	1 unit per hectare of net developable area*
	Open Space Requirement	40% of the net developable area as common open space
	Permitted Residential Uses	Single Unit Dwelling, Two Unit Dwelling and Townhouse Dwelling, including Secondary and Backyard Suites
	Higher Density Classic Conservation Design Development	
	Maximum Density	(a) One unit per 0.4 hectares of net developable area where the development is serviced with a municipal water supply; or (b) One unit per 0.5 hectares of net developable area where the development is serviced with a groundwater supply; or (c) Where a secondary planning strategy is adopted after August 29, 2006, the density prescribed by the secondary planning strategy.
	Open Space Requirement	(a) 40% of the net developable area as common open space; or (b) Where a secondary planning strategy is adopted after August 29, 2006, the open space requirement prescribed by the secondary planning strategy.
	Permitted Residential Uses	(a) Single Unit Dwelling, Two Unit Dwelling and Townhouse Dwelling

	(b) Townhouses, shared housing uses, and multiple unit buildings prescribed by a secondary planning strategy adopted after August 29, 2006
	(c) Secondary and Backyard Suites
	Hybrid Conservation Design Development
	Maximum Density 1 unit per hectare of net developable area
	Open Space Requirement 80% of each lot is retained as a site non-disturbance area
Outside Rural Growth Centres	Permitted Residential Uses Single Unit Dwelling and Two Unit Dwellings, including Secondary and Backyard Suites
	Lower Density Classic Conservation Design Development
	Maximum Density 1 unit per hectare of net developable area to a maximum of 100 units
	Open Space Requirement 40% of the net developable area as common open space
	Permitted Residential Uses Single Unit Dwelling and Two Unit Dwelling
	Hybrid Conservation Design Development
	Maximum Density 1 unit per hectare of net developable area to a maximum of 30 units
	Open Space Requirement 80% of each lot is retained as a site non-disturbance area
	Permitted Residential Uses Single Unit Dwelling and Two Unit Dwelling
Inside or Outside Rural Growth Centres	All Types of Conservation Design Development
	Permitted Other Uses Publicly or Privately owned Community Facilities, Home-Based Offices, Day Cares, and small-scale Bed and Breakfasts
	Permitted Open Space Uses Agriculture, passive recreation, conservation-related uses or the placement of wastewater management facilities, community wells or other community facilities designed to service the development.
	Primary Conservation Areas or Features Riparian buffers, wetlands, natural drainage systems, natural detention storage areas, slopes exceeding 30%, and floodplains, environmentally sensitive areas, archaeological sites and other areas of high ecological value.
	Secondary Conservation Areas or Features Mature forests, bare rock, scenic views, trails, historic sites and buildings, and other features of high cultural value.

*Net Developable Area means the gross area of a property excluding riparian buffers and wetlands, floodplains and slopes in excess of 30%.

I-19 Subject to policies I-17 and I-18 of this Plan and notwithstanding the maximum density requirements in I-15 and Table I-1, within Rural Growth Centres as shown on Map 4:

- a) secondary and backyard suites shall be permitted as additional units; and
- b) the Municipality shall permit amendments to existing Conservation Design development agreements to allow for secondary and backyard suites as accessory uses

provided the secondary and backyard suites meet the requirements of the applicable land use by-law.

10.3.4 SPECIAL PLANNING AREAS

In early 2022, the Province of Nova Scotia created an Executive Panel on Housing to address housing challenges in the region. As part of this initiative, the Minister of Municipal Affairs and Housing designated several Special Planning Areas in the Municipality to support the development of as many as 22,600 new residential units. To help accelerate an increase in the supply of housing, as outlined in the *Housing in the Halifax Regional Municipality Act*, the designation of a Special Planning Area allows the Minister to make decisions on planning matters in those areas.

At the time these areas were created, detailed planning for many of the Special Planning Areas had already been underway for some time, and draft policies for several had been well advanced. In instances where policy development has advanced to its late stages, allowing Special Planning Areas to proceed to early site development works concurrent with the resolution of detailed planning matters for the subject sites can help support the current demand for housing,

I-20 Notwithstanding Policy I-9, the Housing Task Force may consider development agreements on lands designated as a Special Planning Area which supersede the Regional Subdivision By-law requirements to enable early tree removal, blasting, and earthworks by development agreement. The intent of this policy is to enable early site works concurrent with the resolution of detailed planning matters for the subject sites. As a requirement of the development agreement, the following drawings prepared by a Professional Engineer must be submitted as a condition of permitting:

- a) Site Disturbance Plan;
- b) Erosion and Sedimentation Control Plan; and
- c) Site Grading and Stormwater Management Plan.

10.3.5 REGIONAL OPPORTUNITY SITES

The Regional Plan Review considered several requests for mixed-use development on large parcels of land. These sites present an opportunity for new housing development that is needed to support the significant demand for housing of all types across the Municipality. In other instances new Federal Programs for housing have resulted in site specific amendment to the Regional Plan to enable housing. These property specific rules are outlined in this section.

10.3.5.1 SUBURBAN AREA SITES

I-21 Notwithstanding the provisions of the Planning District 4 Secondary Municipal Planning Strategy, the Municipality may undertake a neighbourhood planning process for the Halifax Exhibition Centre lands (PIDs 40600728, 41457987, and 41432642). When considering this planning process, Council shall consider the following:

- a) applicable direction contained in this Plan and Council approved Priority Plans;
- b) that the proposal envisions a mixed-use neighbourhood that will provide a range of housing types and dwelling unit types, places of employment, and services where daily needs of residents can be met;
- c) that a public participation program provides diverse and inclusive opportunities for public engagement during the planning process;
- d) opportunities to coordinate with the ongoing planning for the expansion of the Ragged Lake Industrial Park, with particular regard to the transportation network and water and wastewater servicing infrastructure;
- e) the relationship of the site to surrounding uses and neighbourhoods, including the Prospect Road area, Long Lake Provincial Park, Western Common Wilderness area, and the Ragged Lake Industrial Park;
- f) if required, a land suitability assessment that identifies vulnerable landforms, sensitive ecological features and climate hazards, including any wetlands, watercourses, flood prone areas, steep slopes, forest cover, contaminated sites, and wildlife habitats and corridors;
- g) if required, a culture and heritage assessment that identifies and evaluates culture and heritage resources located on or adjacent to the opportunity site;
- h) if required, a baseline infrastructure study that assesses existing transportation infrastructure assets and constraints (using a multi-modal level of service analysis), and existing wastewater and water services infrastructure capacity and constraints;
- i) overall site design, development densities and building massing consider all background studies and the Suburban Design Guidelines contained in Appendix C;
- j) the classes of land uses permitted;
- k) phasing of development ensuring a variety of uses are provided within the first buildings constructed on the site;
- l) the use and conservation of energy;
- m) the adequacy of proposed and existing public parks, open spaces and community recreation facilities that meet the objectives of this Plan and the Halifax Green Network Plan;

- n) the development's transportation network prioritizes walking, the easy use of mobility devices, cycling and transit and allows for connections to surrounding neighbourhoods;
- o) provisions for incentive or bonus zoning; and
- p) off-site improvements necessary to integrate the development in the neighbourhood.

I-22 The Municipality may permit mixed-use development in the Bedford Commons area (PIDs 00416222, 41214404, 41214370, 41240276, 00428458). When considering this planning process, Council shall consider the following:

- a) applicable direction contained in this Plan and Council approved Priority Plans;
- b) that the proposal envisions a mixed-use neighbourhood that will provide a range of housing types and dwelling unit types, places of employment, and services where daily needs of residents can be met;
- c) the relationship of the site to surrounding uses and neighbourhoods, including the existing commercial and industrial development in the area;
- d) overall site design, development densities and building massing consider all background studies and the Suburban Design Guidelines contained in Appendix C;
- e) the classes of land uses permitted;
- f) phasing of development;
- g) the use and conservation of energy;
- h) the adequacy of public parks, open spaces and community recreation facilities that meet the objectives of this Plan and the Halifax Green Network Plan;
- i) the development's transportation network prioritizes walking, the easy use of mobility devices, cycling and transit and allows for connections to surrounding neighbourhoods;
- j) provisions for incentive or bonus zoning; and
- k) off-site improvements necessary to integrate the development in the neighbourhood.

10.3.5.2 RURAL AREA SITES

- I-23** The Municipality shall, through the applicable land use by-law, establish a Comprehensive Development District (CDD) Zone to apply to certain lands within the following Rural Growth Centres: Hubbards, Musquodoboit Harbour, Porters Lake and Upper Tantallon. This zone is intended to protect these lands as focal points for development within these centres by requiring development to proceed by development agreement except for the continuation and expansion of existing uses. In considering approval of such development agreements, HRM shall consider the following:
- a) whether the development is designed as part of a focal point for the distribution of services to the outlying area;
 - b) the types of land uses to be included in the development which may include a mix of medium-density residential uses, secondary suites and backyard suites, ground floor commercial, institutional uses, recreation uses and parking facilities;
 - c) where necessary, locations for pedestrian sidewalks;
 - d) architectural details marking the entrance to buildings;
 - e) controls on signage;
 - f) controls on heights, massing, scale and type of development;
 - g) details of the exterior architectural design of new buildings which should be complementary to the traditional building style within the surrounding community;
 - h) where necessary, details concerning preferred traditional building materials;
 - i) appropriate locations of parking for park-and-ride facilities and retail outlets; and
 - j) any applicable matter as set out in policy I-9 of this Plan.

10.3.5.3 SITES SUPPORTING AFFORDABLE HOUSING INITIATIVES

- I-24** The Municipality shall, through the applicable land use by-law, permit emergency shelter uses, shared housing uses, multi-unit dwellings uses and community facility uses on 5853 College Street, Halifax, (PID 00125427) to support the development of affordable housing through the Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative. Land use by-law requirements shall ensure that the building scale respects the historic character of the Carlton Street area.
- I-25** The Municipality shall, through the applicable land use by-law, permit a shared housing use and multi-unit dwelling use at PID 40302507 to support the development of affordable housing through the Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative. Land use by-law requirements shall ensure that the building scale respects the character of the surrounding community.

10.4 THE REGIONAL SUBDIVISION BY-LAW

A Regional Subdivision By-law is adopted concurrently to implement the policies of this Plan. This By-law is an effective tool in achieving various objectives of this Plan such as regulating where municipal water and wastewater services will be provided and establishing design standards for municipal streets and parkland acquisitions.

- I-26 When amendments to the Regional Subdivision By-law are brought forward for approval, the Municipality shall consider whether the proposed amendments are consistent with or further achieve the objectives and policies of this Plan, including any plans referenced by policies of this Plan for guidance.**
- I-27 The Regional Subdivision By-law may establish application submission requirements which require electronic document submissions and do not require paper submissions.**

10.4.1 GROWTH MANAGEMENT

To control development outside of rural centres and protect the open space network, this Plan discourages the ongoing development of large-lot residential subdivisions in the rural area. Limited development on existing roads will continue to be permitted in line with existing community plans and land use by-laws.

- I-28 Within the Rural Commuter, Rural Resource, Agricultural and Open Space and Natural Resource designations, the Municipality shall, through the Regional Subdivision By-law, permit the subdivision of lots fronting existing local roads, including existing private roads, to the extent currently provided for under existing Secondary Planning Strategies, and for those roads shown on completed tentative and final subdivision applications submitted on or before August 26, 2006. Within these designations but outside of Water Service Areas, lots fronting on existing non-local roads shall be permitted with wider frontages.**
- I-29 The Municipality shall, through the Regional Subdivision By-law, establish provisions to allow the approval of a maximum of eight lots on new public streets, per area of land with public street frontage in existence on August 26, 2006:**
 - a) within the Rural Commuter Designation, where the proposed road intersects with a local road; and**
 - b) within the Rural Resource Designation, where the proposed road intersects with a local road or non-local road.**
- I-30 The Municipality shall, through the Regional Subdivision By-law, prohibit approval of new private roads throughout the municipality.**
- I-31 The Municipality shall, through the Regional Subdivision By-law, regulate the design of flag lots in new subdivisions such that no more than three flag lots are contiguous to each other except that flag lots shown on tentative or final subdivision applications on file prior to March 13, 2004 are exempted from these requirements.**

- I-32** Where a secondary municipal planning strategy so provides, the Regional Subdivision By-law may permit the creation of additional lots from an area of land which does not meet the minimum lot frontage requirements, providing the lots have access to a road. These provisions may also include the ability to retain lot frontage exemptions for areas of land which have undergone minor alterations that do not increase development potential.
- I-33** Until transportation infrastructure capacity is increased within the Hammonds Plains and Beaver Bank areas, residential subdivision activity shall be limited. The Municipality shall, through the Regional Subdivision By-law, establish special provisions in the Hammonds Plains and Beaver Bank communities to:
- a) limit development within portions of the Hammonds Plains and Beaver Bank communities;
 - b) prohibit the creation of new roads to generate residential development except where new roads can be demonstrated to improve traffic safety or achieve better regional network connectivity; and
 - c) permit approval of one additional lot from any area of land in existence prior to April 29, 2006, which does not meet minimum road frontage requirements.
- I-34** The Municipality shall, through the Regional Subdivision By-law, allow subdivision approvals from concept applications which were filed prior to April 29, 2006 on lands outside of the portions of the Hammonds Plains and Beaver Bank communities identified pursuant to Policy I-33 and within the Beaver Bank, Hammonds Plains and Upper Sackville Secondary Planning Strategy subject to the restriction that where a completed tentative or final subdivision application, for the initial phase of subdivision construction has not been filed by April 29, 2007, no subdivision approvals shall be granted under this exemption.
- I-35** Notwithstanding I-34, the area identified as the Indigo Shores Special Planning Area in accordance with the *Housing for Halifax Regional Municipality Act* and as shown as Schedule I of the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-law, shall be exempt from the restrictions identified in I-34. Further, the development of this area shall proceed by way of applied R-1 (Single Unit Dwelling) Zoning and by way of a development agreement to allow the development of more than 25 lots per year.
- I-36** Before considering any amendment to this Plan or the Regional Subdivision By-law to permit additional serviced development within the Beaver Bank and Hammonds Plains Growth Control Area, or the Middle Sackville community, the Municipality shall complete the Strategic Growth and Infrastructure Priority Plan as outlined in RP-21.

10.4.2 LEGACY SUBDIVISION APPROVALS

Prior to the adoption of the Regional Plan in 2006, applications for subdivision and development were approved that are not aligned with the overall growth management strategy of this Plan. While existing development rights have been acknowledged, should these rights not have been exercised, these rights will be phased out over time to ensure that new development meets the objectives of this Plan.

- I-37** The Municipality shall, through the Regional Subdivision By-law, establish restrictions on future development resulting from concept applications which were approved pursuant to the Interim Growth Management Controls. Subdivision pursuant to any completed concept application on file prior to January 22, 2004 may be considered for approval subject to the following:
- a) where a tentative or final subdivision application for the initial phase of subdivision construction has not been filed prior to April 29, 2006, subdivision may only be granted in accordance with the provisions of this Plan; and
 - b) where a final subdivision application for the final phase of subdivision has not been filed prior to April 29, 2031, subdivision may only be granted in accordance with the provisions of this Plan.
- I-38** The Municipality shall replace all existing growth management mechanisms contained in secondary municipal planning strategies with the growth management provisions contained in this Plan except that:
- a) the provisions adopted under the Eastern Passage/Cow Bay Secondary Municipal Planning Strategy shall continue to apply; and
 - b) provision shall be made within the Beaver Bank, Hammonds Plains and Upper Sackville Planning Strategy to allow for the development of large-scale subdivisions on lands zoned or under application for rezoning to a Comprehensive Development District prior to April 29, 2006.
- I-39** The Municipality shall, through the Regional Subdivision By-law, establish special provisions to allow for consideration of approval of Lands of J. E. F. Hallett in Fall River (PID No's. 00506857 and 00506840), Lands of Atlantic East Properties Ltd. (Abbecombec Village) in Clam Bay (PID No. 41054024) and Lands of Kellswater Holdings Limited in Lake Echo (PID No's. 40168478 and 40881484) provided that³³:
- a) where a completed tentative or final subdivision application, for the initial phase of subdivision construction, pursuant to a completed concept application has not been filed by April 29, 2007, no subdivision approvals shall be granted under this exemption; and
 - b) where a final subdivision application for the final phase of subdivision has not been filed prior to April 29, 2031, subdivision may only be granted in accordance with the provisions of this Plan.

³³ Please note this policy is an existing policy within the 2014 Regional Plan. The PIDs and property owners identified in this policy may have changed since 2014. This will be reviewed and updated to reflect the correct status of these parcels.

10.4.3 10 HECTARE LOTS

The HRM Charter enables lots that exceed 10 hectares in area to be created outside of the municipal subdivision approval process. This exception is generally intended for resource uses, such as farming or forestry. In recent years, however, it has become more common for people to utilize the exemption with the intent to create such lots for cottage or residential development. Although such lots can be created without meeting land use by-law requirements for road frontage, the lots must meet land use by-law requirements in order to obtain development permits.

To recognize that development permits were issued for a limited number of single unit dwellings on lots created through the 10-hectare exception in the HRM Charter, in 2017 Council approved relaxing the road frontage requirements and allowing the continued development of subdivisions that had received permits for some, but not all lots. The policies in this section represent a one-time exception, intentionally focused on these unique situations to maintain the general intent of this Plan while being fair to affected property owners.

- I-40 The Municipality shall, through the applicable land use by-laws, permit residential uses located on lots that do not meet road frontage requirements and were issued development permits on or before April 1, 2016.**
- I-41 The Municipality shall, through the applicable land use by-laws, permit development on lots that existed on or before April 1, 2016, and do not meet road frontage requirements within identified subdivisions that received development permits for some, but not all, lots located with the same subdivision.**
- I-42 The Municipality shall, through the applicable land use by-law, permit development on ten (10) lots that do not meet road frontage requirements and that existed on or before April 1, 2016 on the east side of Scots Lake in Musquodoboit Harbour.**

10.4.4 PARKLAND DEDICATION

The Municipality relies on a minimum of 10% park dedication for new subdivisions to acquire lands for future local parks. Currently, HRM uses a park classification system (Table 10.2) to guide how parkland dedication is determined. Each type of park has their recreation function, design features and size of community they intend to serve. The number of proposed households are key consideration when calculating the amount of lands needed to be acquired for parkland purposes through subdivision process.

Exemptions for park dedication could potentially detract from HRM's financial ability to carry out the vision of the Regional Plan and acquire lands that have longstanding value to the region for leisure and recreation. Given the pressures of population growth and the need for park infrastructure to support the growing needs of the region, parkland dedication of 10% will be expected, with limited application of a reduction to 5%.

- I-43 Subject to Policy EP-41, the Municipality shall, through the Regional Subdivision By-law, establish a requirement for a minimum of 10% park dedication for new subdivisions.**
- I-44 Further to Policy I-43, the required parkland dedication amount shall be reduced to 5% where a development meets the following conditions:**

- a) Classic Conservation Design Developments as provided for under Section 10.3.4 of this Plan; or
- b) development is on a parcel of land that:
 - i. was in existence on June 16, 2007;
 - ii. the parcel of land is wholly designated Rural Resource, Agricultural, or Open Space and Natural Resources; and
 - iii. the subdivision results in a maximum of two lots, no remainder lots, and cannot be further subdivided.

Table 10.2: Parks Classification System

Park Type	Criteria
Regional Parks	Capacity • preserve and protect significant natural or cultural resources • serve the educational, cultural and recreation needs of the population of the entire region as well as for visitors to HRM. Amenity • All amenity categories including open space, wilderness, scenic beauty, flora, fauna, and recreational, archaeological, historical, cultural and/or geological resources Ownership - federal, provincial, municipal, or non-profit conservation organization properties
District Parks	Capacity • serve the recreation needs of several communities with a population in the range of 10,000 people. Amenity • walking and cycling trails, sports fields, picnic areas, supervised beaches, and play facilities for children • intended for passive recreation uses that are left in a predominantly natural state. Ownership - Municipal government

Community Parks	Capacity - to serve the recreation needs of a community comprised of three or four neighbourhoods with a population in the range of 1,200 people. Amenity - may be designed for organized youth and recreational adult level sports but may also include facilities for play by children. - may also be designed for passive recreation and left in a predominantly natural state. Ownership - Municipal government
Neighbourhood – Community Hybrid Parks	Capacity - The hybrid may serve recreational services for in the population range of approximately 1,000 people. Amenity - The Neighbourhood-Community Park Hybrid is an intermediate park that requires more space than a neighbourhood park and may serve the function of a neighbourhood and/or community park. Ownership - Municipal government
Neighbourhood Parks	Capacity - These parks typically provide centrally located recreational services for neighbourhoods of 80 - 120 people. Amenity - primarily designed to provide unorganized play activities for children, quiet seating or rest areas - linear linkages between other municipal parks or open spaces. Ownership - Municipal government

I-45 When the Municipality is acquiring land through parkland dedication through the subdivision process, the following shall be considered:

- a) the park classification system in Table 10.2;
- b) level of service standards for parkland and outdoor amenities;
- c) the anticipated cost to the Municipality of maintenance and operation of the parkland;
- d) connection to existing trails and park systems;
- e) access to coastal areas; and

- f) access to wetlands, lakes and other watercourses.

10.5 WATER AND WASTEWATER SERVICES

10.5.1 URBAN SERVICE AREA

The Municipality works closely with Halifax Water to plan for the Municipality's piped water, wastewater and stormwater infrastructure needs. To effectively support decision-making for long-term growth and infrastructure investments, amendments to the Urban Service Area boundary should be limited. Amendments to the Urban Service Area may be considered if warranted by changes in population or employment growth, or where strategic investments in infrastructure support building healthy and complete communities.

The Municipality will regularly monitor our population and employment projections to inform whether additional lands may be required to accommodate growth within the urban area and may make amendments to the Urban Settlement and Urban Reserve designation during regular reviews of this Plan.

- I-46 The Municipality shall establish an Urban Service Area within the Regional Subdivision By-law to identify those areas where municipal wastewater and stormwater collection and water distribution systems are to be provided. Lands within the Urban Service Area shall only be developed with municipal wastewater and stormwater collection and water distribution systems.**
- I-47 The Municipality shall seek to prevent premature development for residential or mixed-use development with on-site services on lands designated Urban Settlement but not yet within the Urban Service Area by establishing an Urban Settlement Zone over these lands under the applicable land use by-law. This zone shall permit public parks and playgrounds but restrict new development to single unit dwellings serviced with on-site sewage disposal systems and wells on two-hectare lots on existing roads.**
- I-48 The Municipality shall seek to prevent premature development for industrial and other employment uses on lands designated Urban Settlement and within the Business/ Industrial Sub-Designation but not yet within the Urban Service Area by establishing an Urban Settlement Employment Zone over these lands under the applicable land use by-law. This zone shall permit utilities, conservation uses, and public parks and playgrounds.**
- I-49 In considering amendments to include additional lands within the Urban Service Area boundary, the Municipality shall:**
 - a) undertake a planning process for the lands to be included within the Urban Service Area consistent with Policies HC-7 and HC-8, except that this requirement may be waived where, in the opinion of the Municipality and Halifax Water, the proposed amendment represents a minor adjustment to the Area;**
 - b) consider the costs and feasibility of providing municipal services and infrastructure related to the extension;**

- c) consider the need to oversize the water, wastewater or stormwater systems to allow for future development within the Urban Settlement designation; and
- d) consider the need for infrastructure charges to pay for improvements consistent with Policy RP-15 and RP-16 and if it is determined that a charge is required, an infrastructure charge area shall be established or adopted concurrently with the boundary amendment.

10.5.2 WATER SERVICE AREAS

Although this Plan encourages a more compact urban form in which development is serviced with wastewater and water distribution systems, it recognizes that developments already exist that are serviced with a water distribution system and on-site sewage disposal systems.

However, the risk of inadequate performance of on-site sewage disposal systems in areas which are serviced with a central water supply is of concern. There is a higher degree of risk of on-site sewage disposal system failure in areas serviced with central water because the unlimited source of water can cause hydraulic overloading.³⁴

The Municipality will recognize existing lands serviced by municipal water services only, and will only allow for limited extensions in certain circumstances.

- I-50 The Municipality shall, through the Regional Subdivision By-law, establish Water Service Areas where development shall be permitted which is serviced by a public water distribution system but without a municipal wastewater system. Within these areas, a water distribution system shall be required to service all new developments located adjacent to an existing water distribution system where a new or extended public street or highway is proposed. Further, no water distribution system shall be permitted to extend outside of a Water Service Area.**
- I-51 The Municipality may consider establishing new Water Service Areas, subject to the financial ability of the Municipality to absorb any related costs, if:**
 - a) (i) the area is within a Rural Commuter, Rural Resource or Agricultural centre and it has been determined through a planning process that significant new growth is to be encouraged in this area; or**
 - (ii) the lands are adjacent to an existing Water Service Area and a Conservation Design Development is proposed; or**
 - (iii) the lands are adjacent to an existing Water Service area and within the portion of PID 40150567 designated Rural Commuter; and**

³⁴ Dillon Consulting Ltd. 2002. Ibid

- b) an area charge needed to pay for the water services or stormwater services has, where required, been adopted by by-law.

I-52 The Municipality may consider expanding existing Water Service Areas to existing communities, subject to the financial ability of the Municipality to absorb any costs related to the expansion, if:

- (a) (i) the lands are near a water distribution system owned and operated by Halifax Water; or
- (ii) a study has been prepared by a qualified person verifying that there is a water quality or quantity problem that cannot reasonably be rectified by an alternative means; or
- (iii) there are environmental concerns related to the long-term integrity of on-site sewage disposal systems and a wastewater management plan is also considered in accordance with Policy I-597*; and
- (b) an area charge needed to pay for growth related improvements to the water or stormwater services has been adopted by by-law, or Halifax Water has advised that an area charge is not required.

10.5.3 SOURCE WATER PROTECTION

Source water areas are the lakes, rivers, streams and groundwater that supply drinking water. Under the *Environment Act*, the Province is responsible for regulating water utilities and may designate Protected Water Areas (PWA) for water supply and regulate activities that may impair source water quality. Halifax Water is the utility responsible for enforcing regulations in the PWAs to keep the water clean and sustain the drinking water supply for future generations.

Halifax Water manages 9 surface water supply areas (watersheds) and 2 groundwater supply areas (wellheads). The Source Water Protection Areas (Map 8) consist of:

Surface Water Supply Areas	
Provincially Designated Water Supply Areas (protected through provincial legislation)	• Bennery Lake • Lake Major • Pockwock
Non-designated drinking water supply areas	• Collins Park • Middle Musquodoboit • Bomont
Emergency Supply Areas	• Lake Lemont • Chain Lakes
Future Water Supply Area	• Tomahawk Lake
Wellhead Drinking Supply Areas (surface and subsurface area surrounding a water well)	• Five Island Wellhead • Silver Sands Wellhead

Land use activities within Provincially designated water supply areas are currently regulated under existing land use by-laws leading to a wide variation in the range of permitted land uses within each community.

The Municipality will continue to allow for a variety of land uses provided that these uses do not threaten the municipal water supply and a consistent policy and regulatory approach is achieved throughout each watershed. Although Lake Thomas and Grand Lake are not designated water supply areas for the Region, Lake Thomas is upstream from two small system water treatments in which Halifax Water responds to spills, and, Grand Lake is a water supply area for the Municipality of East Hants. The Municipality recognizes the importance of Grand Lake to the residents of the Municipality of East Hants and intends to comply with the Provincial Statement of Interest in Drinking Water to help ensure the long-term sustainability of Grand Lake by creating regulations that protect the watershed from contaminants which may jeopardize the health of residents in the neighbouring municipality. Consideration may need to be given to adopting municipal measures to protect these water supplies as well as future water supplies.

I-53 The Municipality shall, through the applicable land use by-law, establish a Protected Water Supply Zone which:

- a) shall be applied to all publicly owned lands which serve as a water supply watershed, including emergency water supply watersheds and well head protection areas;**
- b) may be applied to private lands within these watersheds deemed necessary to protect the public water supply;**
- c) shall permit water distribution and purification facilities, passive parks and trails, conservation related uses, and other uses as provided by the existing community planning strategies for these areas; and**
- d) shall establish a minimum 100 metre riparian buffer around primary water supply sources, including Benner Lake, Pockwock Lake, and Lake Major, which may be relaxed for privately owned properties adjacent to these lakes through the land use bylaw.**

I-54 For any lands within a watershed or ground water supply area where a public water supply system has been established or is proposed, Council shall consider amendments to land use by-laws deemed necessary to:

- a) protect the water supply;**
- b) ensure a consistent regulatory approach within each watershed; or**
- c) conform with any Statement of Provincial Interest Regarding Drinking Water.**

10.5.4 GROUND WATER SUPPLIES

The Municipality seeks to ensure that development in rural areas has an adequate and sustainable water supply. Hydrogeological studies can address this objective through testing to assess long-term sustainable yield of larger subdivisions with many lots or any potential impact on existing wells in adjacent subdivisions. The HRM Charter allows the Municipality to require hydrogeological studies as a condition of subdivision approval. A comprehensive understanding of groundwater supplies across the region is required to further direct development to appropriate rural centres where water is available.

- I-55** The Municipality shall require a hydrogeological assessment for all subdivision applications to be serviced with on-site wells where the number of residential lots consists of ten or more. Subdivision approval will only be granted where the study determines that the quantity and quality of the groundwater source is sufficient to service the proposed development without adversely affecting groundwater supply in adjacent developments.
- I-56** To support growth in Rural Centres, through the Rural Community Planning program, the Municipality shall:
- a) undertake a region-wide hydrogeological study regarding groundwater capacity across the rural areas of the region; and
 - b) cooperate with the Province of Nova Scotia to monitor the effects of development on the groundwater table and natural groundwater flows.

10.5.5 PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEMS AND WASTEWATER FACILITIES

Malfunctioning on-site sewage disposal systems may cause bacteria and other contaminants to enter groundwater and surface water which may pose health risks and cause environmental degradation. Contamination has resulted in closures to swimming and shellfish harvesting and has increased the eutrophication process of lakes and estuaries. The Municipality may seek measures to reduce the risk of these occurrences.

- I-57** To support growth in Rural Centres and protect public health and the environment, through the Rural Community Planning program, the Municipality shall consider:
- a) establishing Wastewater Management Districts within Rural Centres as shown on Map 4, or for areas that have failing on-site sewage disposal systems that cannot be remediated by private on-site sewage disposal systems; and
 - b) adopting a private on-site sewage disposal system by-law to require such systems to be maintained.

10.6 MEASURING SUCCESS, REVIEWING OUR PLAN, AND ADAPTING TO CHANGE

Performance measures assist in evaluating the effectiveness of policies, programs, and investments in achieving the vision and objectives of this Plan. Evaluations by external organizations also provide valuable feedback.

- I-58** The key performance indicators presented in Appendix A to this Plan shall be used by the Municipality to assist in evaluating the effectiveness of policies, programs, and investments in achieving the stated vision and objectives of this Plan.

- I-59** When undertaking reviews of this Plan, secondary municipal planning strategies or other HRM programs and investments, the Municipality shall seek the views of residents, institutions, businesses and community organizations in evaluating the effectiveness of existing policies, programs and investments.

Amendments to this Plan may be brought forward periodically to address non-substantive matters or amendments which are consistent with or further the vision and objectives of this Plan. A comprehensive review will be undertaken on a five year basis to evaluate the effectiveness of policies and programs in achieving the vision and objectives of this Plan.

- I-60** Amendments to this Plan may be considered from time to time to address non-substantial matters or amendments which are consistent with or further the vision and objectives of this Plan.
- I-61** This Plan shall be reviewed every five years, from the date the most recent five year review has been completed by Council and any changes have come into force, to evaluate the effectiveness of policies and programs adopted pursuant to this Plan in achieving its vision and objectives and where appropriate, amendments may be considered.
- I-62** Proposed amendments to this Plan shall be accompanied by any amendments to secondary municipal planning strategies, land use by-laws and the Regional Subdivision By-law or other planning documents required for implementation so that these documents are consistent with this Plan.

10.7 TRANSITION TO THIS PLAN

- I-63** Until this Plan becomes effective in accordance with the requirements of the *Halifax Regional Municipality Charter*, the Regional Plan adopted by Council on June 25, 2014 and as amended, shall remain in effect.
- I-64** Where any completed development agreement application was received by the Municipality prior to Council's first notification to adopt this Regional Plan, the application shall be considered in accordance with the Regional Plan policies in effect at the time the application was received.
- I-65** Future Business Plans and Budgets shall be reviewed by the Municipality to ensure alignment with the Regional Plan. Where Business Plan deliverables need to be adjusted, removed, or added, these changes shall be advanced during the regular Business Planning process for the purpose of strategic alignment to the Regional Plan.

Additional transition policies regarding specific developments may be included in this section.

APPENDIX A: KEY PERFORMANCE INDICATORS

Key Performance Indicators will be developed based on the final proposed version of this Plan.

DRAFT