

ATTACHMENT E

AMENDMENTS TO THE DARTMOUTH MUNICIPAL PLANNING STRATEGY

BE IT ENACTED by the Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Dartmouth is hereby further amended as follows:

1. All maps and schedules of the Municipal Planning Strategy for Dartmouth are amended to remove those areas located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns as shown on Map 1: Urban Structure - Secondary Municipal Planning Strategy for Regional Centre.
2. Amend the "Introduction" Section by adding a new paragraph, as shown below in **bold**, immediately prior to the existing first paragraph:

The Municipal Planning Strategy for Dartmouth shall not apply to the lands located within the Centres, Corridors, Higher-Order Residential, Future Growth Nodes, and Downtowns as shown on Map 1: Urban Structure - Secondary Municipal Planning Strategy for Regional Centre.

This Municipal Development Plan for the City of Dartmouth has been prepared in accordance with the provisions of "The Planning Act," Chapter 16, Statutes of Nova Scotia, 1969. This Municipal Development Plan covers the entire area of land and water contained within the political boundaries of the City of Dartmouth.

3. Amend the "Table of Contents" by:
 - (a) deleting the brackets, number, and words "(11) Former Dartmouth YMCA Property" under "CHAPTER 4 - HOUSING";
 - (b) deleting the brackets, number, and words "(12) Can-Euro Investments Limited Lands – Horizon Court" under "CHAPTER 4 - HOUSING";
 - (c) deleting the brackets, numbers, and words "(13) MTT Lands – Woodland Avenue (PID No. 40173668) under "CHAPTER 4 - HOUSING";
 - (d) deleting the brackets, numbers, and words "(14) 250 Victoria Road, 101 Albro Lake Road and 103 Albro Lake Road" under "CHAPTER 4 - HOUSING"; and
 - (e) deleting the brackets, numbers, and words "(8) 32 Primrose Street" under the "CHAPTER 5 - COMMERCIAL".
4. Repeal Section (11) "Former Dartmouth YMCA Property" under the "HOUSING" Chapter, inclusive of preamble and Policy H-16, as shown below in ~~strikeout~~:

~~(11) Former Dartmouth YMCA Property~~

~~The former Dartmouth YMCA property at the foot of Brookdale Crescent presents an opportunity for a higher intensity or cluster form of residential development, in addition to an opportunity for the dedication of recreational lands, including lakeshore and linkage for the developing Trans-Canada Trail. Higher intensity development utilizing a smaller building footprint will enable the potential for shoreline protection, passive recreation and waterfront access opportunities to be maximized.~~

~~Policy H-16 — In addition to the requirements and provisions of Policy IP-5, and all additional referenced policies, the following shall be considered in the approval of any development agreement for multiple unit residential development on the former YMCA property at Brookdale Court:~~

- ~~(a) — The height, mass and orientation of any buildings(s) on the site shall be designed such that any negative impacts of altered wind and air current patterns on the recreational use of Lake Banook are minimized. The developer shall provide a report, prepared by a qualified person, to detail and analyze the expected effects of the alteration of wind patterns resulting from the redevelopment of this site;~~
- ~~(b) — Any negative impacts on surrounding developments as a result of changes to traffic volumes or patterns shall be minimized through a combination of alterations to the access and egress points and a reduction in the number of permitted units. The developer shall provide a report, prepared by a qualified person, to detail and analyze the expected effects on traffic volumes and patterns resulting from the redevelopment of this site;~~
- ~~(c) — Except for the areas to be used as public beach areas, provisions shall be made to provide continuous shoreline tree cover as viewed from the lake similar to the adjacent properties and provide continuous public walkway connection along the shoreline area between the Trans Canada Trail and existing park parcel PID # 100511; and~~
- ~~(d) — The density of the development shall be similar to the overall density of adjacent multiple unit residential developments.~~

5. Repeal Section (12) “Can-Euro Investments Limited Lands – Horizon Court” under the “HOUSING” Chapter, inclusive of preamble and Policy H-17, as shown below in ~~strikeout~~:

~~(12) Can-Euro Investments Limited Lands – Horizon Court~~

~~The remaining lands of Can-Euro Investments Limited form a transitional area between the regional commercial centre of Mic Mac Mall and the medium/high density residential area of Horizon Court. The location of these lands has a fairly high profile from Woodland Avenue/Highway 111 and presents an opportunity for additional medium/high density residential development, in addition to office-commercial development which may benefit from this particular location.~~

~~The Original “Mic Mac Village Plan” created in 1963, identified an area for community park land partially in the area which is now owned by Can-Euro. The rezoning of this park land through the 2000/01 Woodland Avenue East Planning Process for future residential development displaced a portion of the original “park zoned” lands. As future development of the Can-Euro lands continues, it is necessary to recover suitable park land area to better serve the needs of this developing multiple unit residential area. While active parkland is available in the nearby Maybank field and Trans Canada Trail, playground areas combined with rest and relaxation areas for older residents are needed.~~

~~Policy H-17 — The continued development of the Can-Euro land at Horizon Court (PID # 40661589, #40698490, #40661571) for multiple unit residential use shall be subject to the requirements of Policy IP-5. Notwithstanding the Residential Designation and R-3 zoning, office development with associated retail uses, including but not limited to small restaurants, pharmacy and/or convenience store, may also be considered by development agreement pursuant to the provisions of Policy IP-1(c). Council shall have particular regard for applicable provisions in addressing the recovery of park land displaced through the rezoning of “P” zoned lands as a part of the Woodland Ave East Planning Process.~~

6. Repeal Section (13) “MTT Lands – Woodland Avenue (PID No. 40173668)” under the “HOUSING” Chapter, inclusive of preamble and Policy H-18, as shown below in ~~strikeout~~:

~~(13) MTT Lands – Woodland Avenue (PID No. 40173668)~~

~~The Maritime Telephone and Telegraph Dartmouth Works Centre operated at this site for more than~~

~~twenty years. The large graded site is strategically placed in relation to surrounding residential and commercial development. An opportunity for redevelopment of the site exists given its proximity to Woodland Avenue and Highway No. 111, and the regional shopping facilities at Mic Mac Mall. The community planning process carried out in 2000/01 supports redevelopment for multiple unit residential and/or office uses; however, a major retail facility(s) is not desired by the community. Access to the MTT site requires resolution prior to the consideration of any development proposal. No vehicular access will be allowed from Woodland Avenue.~~

~~Policy H-18 — Redevelopment of the former MTT works centre site (PID #40173668) for multiple unit residential use shall be subject to the requirements for Policy IP-5. Notwithstanding the Residential Designation and R-3 zoning, office development with associated retail uses including but not limited to small restaurants, pharmacy and/or convenience store may also be considered by development agreement pursuant to the provisions of Policy IP-1(c).~~

7. Repeal Section (14) "250 Victoria Road, 101 Albro Lake Road and 103 Albro Lake Road" under the "HOUSING" Chapter, inclusive of preamble and Policies H-19 and H-20, as shown below in ~~strikeout~~:

~~(14) 250 VICTORIA ROAD, 101 ALBRO LAKE ROAD AND 103 ALBRO LAKE ROAD~~

~~Housing For Women in Transition~~

~~Accommodations for women in transition is in ever increasing demand in Halifax Regional Municipality. These facilities are primarily utilized by a population seeking a measure of autonomy and anonymity. Appropriate accommodations are generally considered to be one bedroom or sitting room flats that are self contained in order to provide a source of independent living for a population with special needs. Women in transition require a flexible environment that facilitates independent living until their personal and economic conditions improve.~~

~~Residential requirements for transitional housing facilities are very similar to that of the general population, however, as occupants generally do not rely on private automobiles for transportation, parking requirements should be reduced to an appropriate level.~~

~~In specific regard to 250 Victoria Road and 101 and 103 Albro Lake Road collectively, provision will be made to maintain the provisions of the R-1M zone, while enabling a residential development that better utilizes this property and allows for a density approximating a range consistent with the R-3 zone to be considered by development agreement.~~

~~Policy H-19 — Notwithstanding any other policy in the Dartmouth Municipal Planning Strategy and all other policies within the section referred to as the Pinecrest/Highfield Park Secondary Planning Strategy, it shall be the intention of Council to provide, by way of a development agreement, for the development of not more than 8 dwelling units in one newly constructed building and recognition of two existing 8 unit buildings for a total of 3 buildings totalling not more than 24 dwelling units on the lands known collectively by civic addresses 250 Victoria Street, 101 and 103 Albro Lake Road (PID numbers 00057497, 00057489 and 00057471, respectively).~~

~~Policy H-20 — Pursuant to Policies H-19, IP-5 and IP-1c, and in accordance with Section 18(P) of the Dartmouth Land Use By-law, Council shall consider the following prior to approving any development agreement on the property:~~

- ~~(a) the compatibility of the building's size, height, and external design with that of adjacent buildings and with its surrounding neighbourhood;~~
- ~~(b) the adequacy of buffering, screening and landscaping;~~
- ~~(c) the adequacy of the amount and location of parking, access, the amount of~~

- ~~traffic generation and the impact on the adjacent street network;~~
- ~~(d) the adequacy of municipal services;~~
- ~~(e) whether the development has been designed to make the project accessible and safely useable by persons with diminishing physical ability;~~
- ~~(f) whether the development has adequate storage space within each dwelling unit (exclusive of entrance and bedroom closets) and the building;~~
- ~~(g) any other matters, including criteria listed in Policy IP-5 that concern potential impacts that the proposed development may have on the surrounding area.~~

8. Amend the "PINECREST - HIGHFIELD PARK SECONDARY PLANNING STRATEGY" by repealing Policies 2.1.3a and 2.1.8, under "2.1 NEIGHBOURHOOD STABILITY AND RESIDENTIAL ZONING", as shown below in ~~strikeout~~:

2.0 RESIDENTIAL

2.1 NEIGHBOURHOOD STABILITY AND RESIDENTIAL ZONING

The Pinecrest-Highfield Park neighbourhood has one of the highest population densities in the Metro Area. The population is transient in nature, with over 90 percent of the residents renting their dwelling unit. Since people tend to move in and out of apartments much more frequently, the area lacks a sizable core of long-term residents.

The existing R-3 (Medium Density Residential) Zone has contributed to the replacement of single detached housing by medium density apartments. Furthermore, recent residential construction in the Highfield Park area has been almost exclusively apartment buildings.

Throughout the course of the Neighbourhood Plan's preparation, it was learned that the community's desire was that further apartment construction in the area be prohibited. The objective is to attain a higher level of neighbourhood stability, and this can be achieved, in part, by permitting development which encourages more home ownership and prevents the continued loss of existing single-family homes. Therefore, a new zone, R-1M (Modified), will be established in the Land Use By-law, to be placed on the older section of the Pinecrest area, where the majority of remaining single-family homes exist.

Besides facilitating increased stability within the neighbourhood, the new R-1M Zone has two additional advantages. Firstly, the zone will permit development on a lot size which is smaller than that allowed under the traditional R-1 Zone. This should translate into reduced lot prices, and also means that smaller housing units will be constructed, thereby significantly contributing to an affordable housing option within the neighbourhood. In order to enable small lot development to occur, an amendment to the City's Subdivision Regulations is required.

Secondly, the new zone is to be applied to that portion of the Pinecrest area having oversized existing lots (approximately 60 feet by 218 feet). The rear portion of many of these lots is not utilized. By implementing the R-1M Zone, the potential exists to develop single-family lots along newly created streets at the rear of the existing lots. This affords development opportunities for existing property owners, and further increases the single-family residential character of the neighbourhood.

Policy 2.1.1 In order to encourage the stabilization of the Pinecrest-Highfield Park neighbourhood, it shall be the intention of City Council to establish, in the Land Use By-law, a Single-Family Modified (R-1M) Residential Zone. The R-1M Zone shall allow those uses permitted in the R-1 (Single Family Residential) Zone. The R-1M Zone shall be applied only to the portion of the Pinecrest-Highfield Park neighbourhood, as indicated on Map 2, which presently contains the highest concentration of existing single-family dwellings.

Policy 2.1.2 In order to facilitate affordable single family housing development, it shall be the

intention of City Council, within the R-1M Zone of the Land Use By-law, to permit development on lots smaller in size than that permitted within the R-1 (Single-Family) Zone. Therefore, it shall be the intention of City Council to amend the City's Subdivision Regulations in order to permit the creation of smaller lots within the R-1M Zone.

Policy 2.1.3 It shall be the intention of City Council to not consider rezonings which would permit higher density Residential development on lands zoned R-1M within the Pinecrest-Highfield Park neighbourhood.

~~Policy 2.1.3a Notwithstanding Policy 2.1.3, Council may consider by development agreement, office uses and up to two residential units at 32 Primrose Street, PID# 00037937, in accordance with Policy C-31 of the Dartmouth Community Planning Strategy.~~

Policy 2.1.4 It shall be the intention of City Council to apply the R-1 (Single-Family Residential) Zone to those properties containing existing single-family dwellings which front on Leaman Drive and Ambercrest Place, as shown on Map 3.

Policy 2.1.5 It shall be the intention of City Council to apply the R-2 (Two-Family Residential) Zone to those properties containing existing single-family or two-family dwellings which front on Monique Avenue as shown on Map 3.

Policy 2.1.6 It shall be the intention of City Council to apply the TH (Town Housing) Zone to those properties containing existing town housing, including the Cedar Court development, a portion of Leaman Drive and a portion of True North Crescent, as shown on Map 3. The remaining vacant lands on True North Crescent shall also be zoned TH (Town Housing).

In addition to the application of R-1M zoning to utilize the full potential of oversized existing lots, there is a specific opportunity to incorporate single unit development as part of the City's affordable housing initiatives at True North Crescent.

The City has undertaken land banking in this area and previously supported townhousing. On its remaining lands, the option of single unit dwellings, alone or in combination with additional townhousing, will be considered. In undertaking this project, the City will have to consider the overall balance of housing on the street in terms of design, affordability and optimum use of public funds. For the purposes of this specific project, the lands will, temporarily, carry "dual" R-1M and TH Zones. Following construction, one of the zones on each property will be removed to reflect its actual use.

Policy 2.1.7 Notwithstanding Policies 2.1.1 and 2.1.6, Council may apply the R-1M (Single Family [modified] Residential) Zone to lands on True North Crescent.

Further to Policy 2.1.6 and for the purposes of design and construction of affordable housing, the R-1M Zone may be applied to vacant lands, for a time, in addition to and apart from the TH (Town Housing) Zone which shall also apply to these lands. Following development of the properties, the R-1M or TH Zone may be removed by amendment to the land use by-law and the remaining zone shall reflect the use of each property. (As amended by By-law C-700, August 17, 1993)

~~Policy 2.1.8 It shall be the intention of City Council to apply the R-3 (Multiple-Family Residential-Medium Density) Zone to those areas of the neighbourhood containing a concentration of existing medium density apartment building development, as shown on Map 3. Generally, this includes the Highfield Park area, Pinecrest Drive where it abuts Highfield Park, and the area east of Pinecrest Drive to include development~~

~~on Crystal Drive, Primrose Street and a portion of Leaman Drive.~~

~~It shall be the intention of City Council to apply the R-4 (Multiple-Family Residential - High Density) Zone to those properties containing existing high-density apartment building development, generally bounded by Crystal Drive, Farthington Place and Pinehill Park, as shown on Map 3.~~

9. Amend the "PINECREST - HIGHFIELD PARK SECONDARY PLANNING STRATEGY" by repealing Section "6.0 COMMERCIAL", inclusive of "6.1 Neighbourhood Commercial Services", preamble and Policies 6.1.1 and 6.1.2, as shown below in ~~strikeout~~:

~~6.0 COMMERCIAL~~

~~6.1 Neighbourhood Commercial Services~~

~~The Pinecrest-Highfield Park neighbourhood contains three areas of existing commercial development. The first is the Primrose Shopping Centre, located at the intersection of Victoria Road and Primrose Street. The second is a neighbourhood convenience store at the corner of Crystal Drive and Leaman Drive. The third area comprises the northern side of Highfield Park Drive and contains a number of highway oriented commercial uses, including a home improvement centre, motel, service station and commercial plaza.~~

~~During the course of the Neighbourhood Plan process, residents expressed the feeling that the area lacks an adequate level of neighbourhood commercial services, both in terms of location and types of uses. While this is an inconvenience for people with automobiles, it is a particular hardship for those who walk or use transit.~~

~~Policy 6.1.1 — It shall be the intention of City Council to apply the C-1 (Local Business) Zone to those areas containing existing convenience and neighbourhood commercial facilities, including the Primrose Shopping Centre lands and lands at the corner of Crystal Drive and Leaman Drive, as shown on Map 3.~~

~~It shall be the intention of City Council to apply the C-2 (General Business) Zone to lands which are presently undeveloped or which contain existing commercial uses, situated on the northern and western sides of Highfield Park Drive, as shown on Map 3.~~

~~Policy 6.1.2 — It shall be the intention of City Council to encourage the Sobey's company and other existing and future commercial developments in Highfield Park to provide more neighbourhood commercial services for residents of the neighbourhood.~~

10. Repeal Subsection 1(e) in Section (1) Retail Facilities, in "COMMERCIAL", as shown below in ~~strikeout~~:

~~(e) Regional Retail Facilities - Lands to the North of MicMac Mall: MicMac Mall is an established regional shopping area. The expansion of commercial development in this area will include major regional users. In order to mitigate the effects of this development, through site planning, building and operating controls, any proposed development of the property shall only be considered by development agreement.~~

11. Repeal Policy C-18 in "COMMERCIAL", as shown below in ~~strikeout~~:

~~Policy C-18 — It shall be the intention of City Council to consider commercial development, including regional retail facilities, by development agreement, on land that is designated Commercial and shown on Map 9i.~~

~~In considering the approval of such agreements, Council shall include the consideration of matters which reduce the effects of commercial development and operations on adjacent residential uses, including but not limited to:~~

- ~~(i) buffering and separation distances;~~
- ~~(ii) the preservation of mature vegetation and other desirable natural features;~~
- ~~(iii) hours of operation;~~
- ~~(iv) landscaping of the site and parking lots;~~
- ~~(v) truck routes;~~
- ~~(vi) maintenance of the site;~~
- ~~(vii) limitations on outdoor storage, display and uses;~~
- ~~(viii) architectural considerations (refers to compatibility as it relates to adjacent neighbourhoods); and~~
- ~~(ix) any and all other matters applicable to the development of the lands as set out in Policy IP-1(e).~~

12. Repeal Policy C-19 in "COMMERCIAL", as shown below in ~~strikeout~~:

~~Policy C-19 — Notwithstanding Policy C-18 no development agreement on the lands shown by Map 9(i) shall permit the following:~~

- ~~(a) automotive sales, rental, service or repair uses;~~
- ~~(b) drinking establishments, adult entertainment uses, amusement centres and fast food restaurants;~~
- ~~(c) except for uses which are accessory to the main use of the land, outdoor storage and display uses, including temporary uses such as flea markets and amusement fairs; and~~
- ~~(d) industrial uses.~~

13. Repeal Policies C-20(1), C-20(2), and C-20(3), as well as the preamble above Policy C-20(1) in "COMMERCIAL", as shown below in ~~strikeout~~:

~~The properties located at 240 Victoria Road and 102 Albro Lake Road, bounded by Victoria Road, Albro Lake Road and Chappell Street, are potential sites for commercial redevelopment. These commercially designated and zoned properties abut a residential neighbourhood and are located at the intersection of two collector streets. Because of various concerns regarding the location of this site and the potential traffic impacts and effects on nearby properties, any large scale redevelopment shall be permitted only through the development agreement process.~~

~~Policy C-20(1) — It shall be the intention of Council to consider the development of a gas bar and local commercial uses, on the commercially-designated parcel of land known as 240 Victoria Road, and identified by PID number 00038810, only by development agreement. Notwithstanding that major redevelopment may take place only by development agreement, renovations to the existing building, the construction of replacement buildings of a similar size, and changes of use may occur subject to the requirements of the C-1 Zone.~~

~~Policy C-20(2) — To enable appropriate reuse of an existing commercial building on the property known as 102 Albro Lake Road and identified by PID number 00038802, Council may consider, by development agreement, an automotive repair garage contained within the building in addition to development permitted under the zone applied to the property.~~

~~Policy C-20(3) — In considering the approval of agreements pursuant to Policies C-20 (1) and C-20 (2) above, Council shall have regard to the following:~~

- ~~(a) the proposed uses for the site and their compatibility with nearby residential uses;~~
- ~~(b) the provision of adequate visual screening and buffering of the parking areas, traffic circulation areas, and any gas sales area from nearby residential properties;~~
- ~~(c) the location, design and adequacy of driveway access points, and that no commercial driveway access to Chappell Street shall be considered;~~
- ~~(d) the adequacy of vehicular and pedestrian circulation on the site, and parking layout;~~
- ~~(e) the hours of operation of uses on the site;~~
- ~~(f) measures to reduce the effects of noise, lighting and odours originating from the property on other nearby properties;~~
- ~~(g) the size, height, orientation, location, and design of any proposed buildings, signs, structures, parking areas and driving aisles;~~
- ~~(h) the provision of adequate landscaping for the site;~~
- ~~(i) any and all other applicable matters as set out in Policy IP-1(c).~~

14. Repeal Policy C-31, of Section (8) 32 Primrose Street, in "COMMERCIAL", as shown below in **strikeout**:

~~(8) 32 Primrose Street~~

~~Policy C-31 (i) Notwithstanding the residential designation and the R1-M zoning, Council may consider by development agreement, office uses and up to two residential units at 32 Primrose Street, PID # 00037937.~~

~~In addition to having regard for general implementation policy IP-1(c), Council shall ensure that controls are placed in the agreement which reduce the commercial appearance of the property, ensure adequate lot maintenance standards, and minimize impact on nearby residential properties.~~

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

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

Municipal Clerk