

ATTACHMENT G

AMENDMENTS TO THE DOWNTOWN DARTMOUTH SECONDARY MUNICIPAL PLANNING STRATEGY

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

1. Adding the words “Lands Within the Boundary of the Regional Centre Secondary Municipal Planning Strategy” immediately below the words “Organization of the Plan” under “CHAPTER 1: INTRODUCTION – A NEW PLAN FOR THE DOWNTOWN” in the “TABLE OF CONTENTS”.
2. Deleting the words “Downtown Businesses” from “CHAPTER 2: COMMUNITY OVERVIEW” within the “TABLE OF CONTENTS”.
3. Deleting the words “Figure 4 – Neighbourhood Residential Opportunity Sites” from “CHAPTER 4: THE POLICIES” within the “TABLE OF CONTENTS”.
4. Deleting the number and words “4.2 The Business District” from “CHAPTER 4: THE POLICIES” within the “TABLE OF CONTENTS”.
5. Deleting the words and number “Figure 5 – Business District Residential Opportunity Sites” from “CHAPTER 4: THE POLICIES” within the “TABLE OF CONTENTS”.
6. Deleting the words and number “Map 4 – Downtown Business District Proposals” from “CHAPTER 4: THE POLICIES” within the “TABLE OF CONTENTS”.
7. Deleting the words and number “Table 4 – Downtown Action Program” from “CHAPTER 5: IMPLEMENTING THE PLAN” within the “TABLE OF CONTENTS”.
8. Amend “CHAPTER 1: INTRODUCTION – A NEW PLAN FOR THE DOWNTOWN” by adding a new Section titled “Lands Within the Boundary of the Regional Centre Secondary Municipal Planning Strategy” after the Section titled “Organization of the Plan”, as shown below in **bold**:

Lands Within the Boundary of the Regional Centre Secondary Municipal Planning Strategy

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

9. The sixth paragraph within the “Housing Trends” Section of CHAPTER 2: COMMUNITY OVERVIEW is deleted in its entirety, as shown below in ~~strikeout~~:

~~At the writing of this plan, there appears to be renewed private sector interest in residential development downtown, with proposals being considered for several of the downtown opportunity sites. The Municipality and Waterfront Development Corporation are considering a proposal for townhousing on its properties located at the corner of Wentworth, Alderney Drive, and King Street. While the downtown is not likely to see a “housing boom”, a period of gradual, sustained growth is probable.~~

10. The “Downtown Businesses” Section of CHAPTER 2: COMMUNITY OVERVIEW is repealed in its entirety, as shown below in ~~strikeout~~:

~~Downtown Businesses~~

~~While arguably Downtown Dartmouth remains an important business and employment node, it has struggled over the past decade to maintain its prominence, in the face of increasing investment and growth in the Dartmouth=s business park and suburban commercial districts. In 1999, business occupancy tax assessments totaled \$77, 120, 900 for Downtown Dartmouth, which represents approximately 48 % of the total business assessments for all of Dartmouth. However, since 1995 business occupancy and commercial assessments have been on an overall decline in both the downtown and in larger community of Dartmouth. Recent years have seen some stabilization and slight increases in tax assessments.~~

~~Despite the perceived decline in the prominence of the downtown commercial district, the number of business uses actually continues to grow at a fairly steady rate. Recent data indicates that there are 404 businesses which operate in the area, representing an increase of 50% since 1988.~~

~~The retail and professional business sectors make up the largest proportion of businesses in the area (52%). In fact there has been a 40% rate of growth since 1988 in both of these sectors.~~

~~In terms of ground floor retail/commercial locations, a 1999 survey shows only 20 vacant storefronts out of a total of 232 in the whole of the downtown, however, 13 of these are situated on Portland Street, the downtown’s traditional “main street”, which presents a negative image of the downtown business community.~~

~~After a prolonged period of high vacancy rates in downtown office space, a recent upturn in demand has led to a turnaround in the local office market. Vacancy rates in office space have declined substantially and are less than 5% at the time of writing this plan.~~

~~...a 1999 survey shows only 20 vacant storefronts out of a total of 232 in the whole of the downtown, however, 13 of these are situated on Portland Street, the downtown’s traditional “main street”...~~

~~According to recent economic indicators, HRM is experiencing positive economic growth in employment, tourism, and industry sectors, and this trend is expected to continue, particularly as the offshore industry continues to develop in this Province⁵. Downtown Dartmouth is poised to take advantage of the economic spin-offs likely to result from an improved economy within the region.~~

11. The “Community-Oriented Business Area” Section of CHAPTER 3: THE DEVELOPMENT CONCEPT is repealed in its entirety, as shown below in ~~strikeout~~:

~~1. Community Oriented Business Area~~

~~One of the key concepts underpinning this strategy is the belief that there should be a concentrated central area which is oriented towards local service rather than regional needs.~~

~~In this area, a broad mix of land uses are encouraged including housing, commerce, culture and public uses. This plan achieves this mix by combining what had been four separate land~~

~~use zones into one downtown business zone in which all of these uses can occur in response to market conditions.~~

~~The Portland/Alderney “main street” provides a focus for street level activity and encouraging businesses to spill out onto the street.~~

~~Business investment will be stimulated through streamlined the rules for development, proactive development strategies for key sites, and through various incentives and public investments.~~

12. The second paragraph within the “Increased Residential Development” Section of CHAPTER 3: THE DEVELOPMENT CONCEPT is amended by removing the words “the business district and”, as shown below in ~~strikeout~~:

~~In terms of the form of housing desired, this plan will encourage a transition of housing from the centre outwards to the neighbourhoods. That is, lower and medium density housing will be encouraged within the neighbourhoods, whereas higher densities will be stimulated within the business district and waterfront areas. Table 2 provides guidance on how this plan defines low, medium, and high density housing, and the typical housing types that fall within these density ranges.~~

13. The third paragraph within the “Increased Residential Development” Section of CHAPTER 3: THE DEVELOPMENT CONCEPT is amended by:
- ~~deleting the words “several components”;~~
 - ~~deleting the second bullet point in its entirety; and~~
 - ~~deleting the third bullet point in its entirety;~~

~~as shown in strikeout, as follows:~~

~~The strategy for residential development consists of several components:~~

- ~~• Vacant or underutilized buildings in the core will be encouraged to convert to residential use.~~
- ~~• All new residential construction exclusive of the Portland/Alderney main street will be required to have a residential component.~~
- ~~• Ten “residential opportunity sites” are identified to stimulate further residential growth.~~

14. The fourth paragraph within the “Increased Residential Development” Section of CHAPTER 3: THE DEVELOPMENT CONCEPT is repealed in its entirety, as shown below in ~~strikeout~~:

~~It is estimated that full development of the opportunity sites at the desired densities would result in 864 new dwelling units and 1900 new residents in the downtown (and a total population of 8,200), which is a start towards achieving the goal of a target population of 10,000 residents in the downtown by the year 2020.~~

15. The Section titled “Policy Sections” of CHAPTER 3: THE DEVELOPMENT CONCEPT is amended, as shown below in ~~strikeout~~, by deleting the words “The Business District” in listed item #2:

Policy Sections

These main ideas provide the foundation for the policies that follow. The following chapter details the various policies under eight headings:

1. The Neighbourhoods
 2. ~~The Business District~~
 3. The Waterfront
 4. Urban Design
 5. Heritage
 6. Recreation, Open Space, & Environment
 7. Transportation and Infrastructure and
 8. Safety
16. The seventh paragraph within Section 4.1 The Neighbourhoods of CHAPTER 4: THE POLICIES is amended, by:

- (a) deleting the words “the business district and on”; and
- (b) deleting the last sentence;

as shown in ~~strikeout~~ as follows:

Higher density housing and larger apartment development will be directed towards ~~the business district and on~~ the waterfront, where the development process will be streamlined to stimulate private sector interest. ~~Five additional residential opportunity sites are discussed further in the business district and waterfront sections of this plan where higher densities are permitted (refer to Map 3 & Policies B-6 & W-6).~~

17. Policy N-1 of CHAPTER 4: THE POLICIES is amended, as shown below in ~~strikeout~~, by deleting the last sentence.

Policy N-1

This plan establishes a “Downtown Neighbourhood Designation” to recognize and protect the character of residential neighbourhoods surrounding the downtown business district. Within the designation, a Downtown Neighbourhood Zone will control future development to ensure it is consistent with the traditional lot and housing patterns in the neighbourhoods. Lower density housing types such as one and two unit dwellings, small scale townhousing, and limited conversion of existing dwellings will be encouraged throughout the neighbourhoods. ~~Proposals for medium density townhousing and low rise apartments that are not enabled by the zoning may be considered on designated “residential opportunity sites” in accordance with Policy N-5.~~

18. Policy N-2 of CHAPTER 4: THE POLICIES is amended, as shown below in ~~strikeout~~, by repealing clause a):

Policy N-2

This plan encourages the retention and creation of dwelling units suitable for families with children in an effort to diversify the population and maintain area schools. This shall be achieved through the following means:

- a) ~~specific targets for family housing on the residential opportunity sites (Policies N-5, B-6 & W-6);~~
- b) standards set out in the Land use by-law for conversion of units to family type accommodation;
- c) policies which encourage incentives for renovation of existing housing (Policy N-3).

19. The “Residential Opportunity Sites” Section of CHAPTER 4: THE POLICIES, inclusive of preamble, policies, footnotes, and figures, is repealed in its entirety, as shown below in ~~strikeout~~:

~~Residential Opportunity Sites~~

~~This plan provides opportunity for medium density housing such as, larger townhouse developments and low rise apartments, to be integrated within the neighbourhoods. Six “residential opportunity sites” are identified within the neighbourhoods where such proposals can be considered. These sites are either vacant or under-used and are suited for redevelopment. An opportunity exists for innovative housing projects on these sites which provide alternative housing choices, while also blending with the character of these areas. Figure 4 provides detailed descriptions of these sites, and Map 3 shows their location.~~

~~The development agreement process will be used to consider proposals on these sites. This process will enable Council to assess proposals on a case by case basis with opportunities for public input. Policy N-5 sets out the parameters for development, and will enable the application of design standards for each site to ensure any development reflects the unique characteristics of each neighbourhood. Density and height limits are specified in policy both to provide certainty for the neighbourhood and also to stimulate private sector interest in these sites.~~

~~Proposals for these sites should complement and strengthen the surrounding neighbourhood. The scale of any infill development will be ground-oriented, with careful building and site design. Where appropriate, a mix of housing types is desired on these sites including detached dwellings, townhouses, small-scale apartments. Targets are set out to ensure development on these sites is geared towards the needs of families with children.~~

~~Figure 4: Neighbourhood Residential Opportunity Sites:~~

~~Site A – Park Avenue/King Street (2.1 acres)~~

~~This site has been vacant since 1970, when portions of Church Street, Park Avenue, and Edward Street were closed and deeded to a developer who planned to build two 15-storey high rise residential buildings. A number of existing single family houses were torn down in anticipation of this project, which never occurred. The site is the largest of the opportunity sites within one of the smallest neighbourhoods. Any redevelopment must be carefully designed to complement rather than overwhelm the area. Area residents would like development on this site to be geared towards younger people and families to the area to counter an aging population in the area.~~

~~Site B – Devonshire Street (1.3 acres)~~

~~Site B consists of three parcels along Devonshire Street, off Myrtle Street. Currently, one parcel is utilized as auto body shop, one for a 4 unit apartment building, and the largest one is a storage yard with a workshop, formerly the Dartmouth Fuels truck depot. Also adjacent to the site is a road reserve owned by HRM which accesses Maple Street. A portion of the parking lot located behind the credit union property at 155 Ochterloney Street could also be incorporated within a redevelopment, and would likely be necessary should the road reserve be utilized. Redevelopment of this site also offers the opportunity to provide rear yard access to abutting homes on Maple Street which lack street access and parking.~~

~~Site C – Tulip Street (0.86 acres)~~

~~This site is located at the end of Tulip Street, and was formerly used as an autobody shop.~~

The use of a private lane or shared driveway will most likely be required to provide adequate access. The heritage of the site should be considered in evaluating any redevelopment proposal, as it was once part of the Edgemere estate.

Site D – Maple/Thistle Streets (0.5 acres)

The site located at 46 Maple Street at the corner of Maple and Thistle Streets was historically used for various industrial and commercial uses, with automotive sales and storage having been in place for a number of years. The site is more suited for residential uses, and given its high visibility, and the challenges posed by the large grade difference to Thistle Street, design is of critical importance.

Site E – Prince Albert Road (0.9 acre)

This former car dealership site was previously designated and zoned for commercial use; but given the location of the site would best be utilized for housing. Given the previous commercial designations on the site, and its location on a major downtown street, a mix of ground floor commercial uses may also be appropriate along Prince Albert Road. Because the bulk of the site is located behind various residential properties on three streets, the provision of adequate setbacks and buffering is vital to ensure the retention of reasonable privacy in the adjacent backyards.

Site F – 8 Linden Lea (1.16 acres)

This site is developed with a three storey multiple unit dwelling that is nearing the end of its functional life. The site is surrounded by a mix of single unit dwellings, low rise walk up apartments and two unit dwellings. On the west side of Linden Lea is a small park. The site is within walking distance of transit facilities and downtown amenities and may be best utilized for multiple unit residential development. The irregularly shaped lot and moderately steep slope at the rear of the site require an innovative design but the large lot area provides for large building footprint, private amenity space and retention of the trees surrounding the site boundary that will provide a mature vegetative buffer.

Policy NB4

Small scale townhouse development may occur within the neighbourhoods without impacting on neighbourhood character or stability. Such developments shall be considered through the site plan approval process to ensure appropriate site design standards are satisfied to maintain compatibility and minimize any adverse effects on adjacent dwellings. The Land use By-law shall set out the requirements for site plan approval.

Policy N-5

In order to achieve the goals of strengthening the neighbourhoods, bringing more people to live downtown, and of providing a variety of housing options with an emphasis on families, additional housing opportunities will be provided for six sites shown on Map 3. The development of medium density housing including townhousing and low-rise apartment buildings may be considered on these sites. The development agreement process will be used to assess individual proposals and set out detailed site and building design standards which reflect the unique character and scale of the neighbourhoods 10.

Council shall consider the following criteria in its evaluation of development agreement proposals under this policy:

- a) ~~where suitable, a mix of dwelling types should be achieved including townhousing, apartment and detached dwelling units. As a target, approximately 25 % of housing should be designed to accommodate families with children;~~
- b) ~~reasonable controls should be set out on the bulk, scale, and density of any proposed development to ensure it does not significantly alter the character of the area;~~
 - i) ~~The preferred form of development is low rise, ground-oriented, medium density housing. Development proposals should be consistent with the surrounding neighbourhood and should not exceed a maximum density of 35 units per net acre¹¹ and a height of three stories. Minor variations¹² in these limits may be considered where the proposal clearly offers substantial benefits to the neighbourhood in terms of additional open space, landscaping, and urban design amenities or where there are unique site conditions which justify variations in height or density in order to minimize site disturbance.~~
 - ii) ~~On Site A, only street level townhousing or detached dwellings will be permitted along the King Street corridor to ensure compatibility with adjacent residences. Any apartment buildings should be sited to the northern and western portions of the site towards Alderney Manor and the Dartmouth Common. Minor variations¹² in allowable building heights may be considered for these portions of the site to encourage innovative building design and development which is in keeping with the natural terrain. Appropriate buffers should be provided between any apartment buildings and adjacent dwellings on Edward Street.~~
- c) ~~the architecture and external appearance of any proposed buildings should reflect the traditional character of dwellings within the immediate neighbourhood and are in keeping with traditional design principles set out in Policy D-1 of this plan;~~
- d) ~~the proposal should not involve the wholesale demolition of existing housing stock;~~
- e) ~~where applicable, street corridor views of the harbour should be maintained and enhanced;~~
- f) ~~adequate buffers and screening should be provided for any proposed apartment buildings or parking areas from adjacent single family residences, and the attractive fencing and landscaping to enhance privacy should be provided where appropriate;~~
- g) ~~adequate landscaping and/or street trees should be provided around the perimeter of the development to enhance the aesthetics of the site;~~
- h) ~~adequate recreation and amenity space including play areas for children should be provided where appropriate;~~
- i) ~~parking areas should not be located so as to dominate the site. The visual appearance of parking areas should be minimized through use of landscaping treatments, rear yard or enclosed parking, reduced parking standards or other appropriate means;~~
- j) ~~traffic circulation and access to and from the site should be designed to minimize adverse impacts on adjacent residential uses.~~
- k) ~~adequate provisions should be made for safe and convenient pedestrian circulation on the site;~~
- l) ~~underground infrastructure services should be adequate to support the development;~~

- ~~m) measures should be proposed to mitigate the impacts of construction on adjacent properties;~~
 - ~~i) Given the extent of surface bedrock on Site A, every effort shall be made to develop the site sensitively with minimal disturbance to the site and surrounding neighbourhood;~~
 - ~~n) significant natural and cultural features on the site should be identified and protected where appropriate;~~
 - ~~o) adequate measures are incorporated to ensure the development is maintained to a high standard, including all building and site areas and landscaping; and~~
 - ~~p) the developer shall make a reasonable effort to collaborate with neighbourhood residents on the design of any proposed development.~~
20. The “Commercial Encroachment” Section of CHAPTER 4: THE POLICIES, inclusive of preamble and policy, is repealed in its entirety, as shown below in ~~strikeout~~:

~~Commercial Encroachment~~

~~Generally, further encroachment of commercial uses into the neighbourhoods should be discouraged, except for the commercial uses referenced above.~~

~~However, the area along Prince Albert Road between Pleasant Street and Eaton Ave is somewhat unique. It directly interfaces with the business district and had previously been zoned for commercial use. Consequently, that area contains a mix of both commercial and residential development. There is a desire to accommodate some limited commercial development in this area, given its location adjacent to a major community landmark, the Starr Manufacturing site.~~

~~Policy N-8~~

~~To provide a transition to the business district limited commercial development may be permitted on properties fronting Prince Albert Road adjacent to the Starr Manufacturing site. Where compatible, expansion of existing uses or new commercial proposals may be permitted in this area through the site plan approval process. The Land Use By-law shall set out requirements to limit the impact of commercial development on adjacent residential uses.~~

21. Section 4.2 THE BUSINESS DISTRICT of CHAPTER 4: THE POLICIES, inclusive of preambles, policies, footnotes, and figures, is repealed in its entirety, as shown below in ~~strikeout~~:

~~4.2 THE BUSINESS DISTRICT~~

~~From its beginnings Downtown Dartmouth served as the centre of business and civic life for the community. The new direction for the downtown seeks to build on this role to bring about the revitalization of the area.~~

~~A History of Business~~

~~Since not long after 1750 when the first permanent European settlement was established in Dartmouth, the downtown area has been the centre of business for the community. The ferry service to Halifax has always been a key component in commercial activity for the area, at~~

first allowing Dartmouth farmers to carry their produce to Halifax markets, and evolving over time into a major commuter and tourist route.

The level of retail and commercial activity in the downtown peaked in the 1950's and 60's, with a thriving district of small retail and specialty shops, department stores, and other small businesses. With the opening of the MacDonald Bridge in 1955, followed by the development of Burnside Industrial Park and major shopping malls, the level of activity in downtown decreased considerably. Also during this period, portions of the historic core of downtown were razed to make way for large scale office complexes and a waterfront expressway to replace downtown's "Commercial Street". While these projects contributed high quality office space and employment to the area, their massive building structure had little connection to the traditional fabric of the downtown.

The decline of retail activity is most evident today in the empty and unattractive storefronts which are most visible on Portland Street. Extensive government funding in the early 1980's for capital improvements to streets and public infrastructure was not successful in revitalizing the area, as such improvements by themselves do not generate long-term business or customer traffic. While downtown is still arguably the main office and service centre for Dartmouth, the level of retail activity has remained relatively low as shoppers continue to patronize other areas. Today little remains of a once thriving business community. Local conveniences and department stores have given way to pawn shops, graffiti, and vacant and run-down buildings. While small improvements have been made through the initiative of individuals, a coordinated effort is needed.

All agree that the strategy should focus on bringing more people to live downtown, reducing regulation for the business sector, upgrading properties and fostering private sector investment through incentives. Past efforts to have the area compete directly with Downtown Halifax are not wanted, rather the unique features of the area are to be built upon. This will lead to the development of a specialty retail, service and cultural environment that is unique in the region, drawing on an increased local population as well as attracting more shoppers and tourists from outside of the downtown.

Objectives

- Revitalize the business district by building on its strengths: its small town character and traditional role as a community-oriented service centre.
- Promote a lively, "people friendly" atmosphere with activity beyond 9 to 5 daytime hours.
- Increase the number of residents in the Downtown through the provision of a mix of quality housing.

Policies

Mix of Land Uses

The business district is intended to cater first and foremost to people living and working in the area, as well as tourists and those living in others areas of the municipality. The area included within the district should be kept relatively compact until such time as there is a need for additional commercial land. In order to foster development, this plan will encourage a broad range of land uses. Most commercial area uses are appropriate, for maximum diversity and appeal. In addition to office uses, there is a need to develop more specialty retail, artist

~~studios and galleries, coffee shops, and cafes which open in the evening to attract people to the area beyond "9 to 5".~~

~~Business opportunities will be enhanced through the "Business District Zone" which will allow the development of broad mix of land uses, based upon the traditional character of the downtown. Upper limits will be set on the height of buildings and urban design standards will apply to new commercial and residential development. This plan seeks to provide flexibility for Council to consider larger scale commercial proposals which meet the intent of the plan, but which may exceed specific aspects of the Land Use By-law. Policy B-3 allows these proposals to be considered by council through the development agreement process. Similarly, car-oriented commercial uses, such as drive through restaurants and gas stations, require special consideration in traditional downtown settings, where the needs of the pedestrian should take precedence over the car. The development agreement process will be used to consider design options to best integrate these commercial uses within the area.~~

~~As the downtown has declined, lower rents have given way to a number of businesses which the community now see as negative for the area. Such businesses include adult entertainment uses and pawn shops. These uses are not consistent with the vision of the area as a quality, specialty oriented marketplace. Further proliferation of these uses is not desired.~~

~~Policy B-1~~

~~This plan establishes a Downtown Business District to reflect the historic central area of Dartmouth (refer to Map 3). In keeping with its traditional character, a broad mix of retail, service, office, cultural, and residential uses shall be encouraged with the exception of uses which are seen as negative for the area. A Downtown Business District Zone will ensure an appropriate mix of uses, on lot sizes reflecting the traditional development pattern.~~

~~Policy B-2~~

~~Further proliferation of pawn shops and adult entertainment uses shall be discouraged by this plan. If deemed necessary, Council should seek to strengthen existing regulations which apply to pawn shop operations.~~

~~Policy B-3~~

~~Commercial projects not permitted by the Downtown Business District Zone may be considered by Council through the development agreement process. This process shall be used to assess whether the proposal is consistent with the pedestrian orientation and traditional character of the business district. The following criteria shall be used in evaluating a proposal for such uses:~~

- ~~a) that the development is in keeping with the character of the area, in terms of traditional building design and placement in relation to the street (refer to Urban design Policy D-1);~~
- ~~b) that height limits and design features are incorporated to ensure proposed buildings are pedestrian oriented and are in keeping with the scale of adjacent buildings. As a guideline proposed commercial or mixed use buildings should not exceed five to seven stories;~~
- ~~c) that a mix of uses should be encouraged including residential components, with the ground floor dedicated to commercial or other uses aimed at serving the general public. The ground floor of buildings should incorporate design elements to reinforce a human scale and enhance street level activity.~~
- ~~d) that any signs are consistent with the heritage theme and reflect a pedestrian-oriented scale;~~

- e) ~~that parking areas do not visually detract from the streetscape and adequate consideration is given to landscaping and other surface treatments for parking areas on the site. Wherever possible, parking areas should be enclosed within a building;~~
- f) ~~Car-oriented uses such as drive-through restaurants and gas stations shall only be permitted where they are specially designed so that any drive through component is clearly secondary to the pedestrian orientation of the use.~~

Main Street

~~Historically, Portland Street and Alderney Drive (formerly Front and Commercial Streets) functioned as the “main street” where many storefronts lined these streets to capture the interest of passers by. Up and until the 1960s, Downtown Dartmouth was a vibrant community and destination for many in outlying areas. Over the years the pedestrian character of the main street has diminished as a result of residents moving out of the area to outlying areas, and the rise in suburban shopping. Many storefronts have given way to taller office towers, and smaller, street oriented shops.~~

~~This plan seeks to restore “main street” by requiring storefronts at the ground floor, encouraging businesses to spill out onto the street through sidewalk cafes, and the small scale outdoor display of certain new goods and articles such as foods, flowers, and crafts.~~

Policy B-4

~~The municipality will encourage street-level activity on the Downtown’s traditional shopping street through provisions for sidewalk cafes & outdoor displays of merchandise, and by retaining the majority of ground floor space in buildings located within the Portland and Alderney Corridor for commercial storefronts.~~

Residential Development Opportunities

~~The development of high quality housing within and surrounding the business district is seen to be the key to revitalizing the area. Section 4.1 of this plan presents a strategy for key “residential opportunity sites” within the neighbourhoods, fulfilling one component of an overall strategy to increase the population base of the area.~~

~~Similarly, the business district affords opportunities for residential development of various types, of a higher density than is appropriate within the neighbourhoods. A clear strategy for residential development will create a stimulus for further development. A variety of opportunities exist for residential development within the business district, ranging from apartments over commercial storefronts on the “main street”, to conversions of existing commercial buildings to residential space, to new mixed use projects, or higher density apartments on key opportunity sites. The strategy will include these various opportunities for residential development.~~

~~Increased housing opportunities within the business district will be realized by streamlining the development process for smaller scale apartment buildings to be developed under the proposed zoning for the area, and larger scale projects will be permitted at council’s discretion (pursuant to Policy B-6).~~

Policy B-5

~~The development of housing within the business district will be stimulated through the following means:~~

- a) ~~providing for apartments above ground floor shops on the “main street”;~~
- b) ~~requiring residential development to be a component of all new development located off the “main street”;~~

- c) promoting conversion of underutilized commercial buildings to residential space;
- d) encouraging higher density housing on key opportunity sites.

Residential Opportunity Sites

As indicated in Chapter 3, ten residential opportunity sites are identified in this plan which can serve as “demonstration projects” to stimulate further residential investment and development. Four of these sites are within the business district.

These sites are suited for higher density housing because they are currently vacant or underutilized, and redevelopment of this nature could occur without substantially altering the character of the area through the removal of existing buildings and housing. In contrast to the neighbourhood residential opportunity sites, these four properties are not the only sites where infill or apartment development can take place within the business district or waterfront areas. They are only singled out in this document as a means of promoting more intense development on what currently are vacant or underutilized lands. Additional sites exist within the business district which could accommodate major residential projects through redevelopment of existing buildings.

As with developing any housing in the downtown, the site and building design on these lands must relate to surrounding uses. The stepping back of high rise buildings above the third floor should in most cases be considered to avoid a massive building appearance, as should the use of traditional building materials and massing. Mixing residential with commercial uses at street level is also encouraged.

Figure 5: Business District Residential Opportunity Sites

Site A – Belmont House Block

This site comprises one half of the block bounded by Alderney Drive, Ochterloney Street, North Street and Edward Street. The southern half of the block is developed with an eight storey office building, and a two level parking garage. The undeveloped portion of the site is used as surface level parking. Commercial zoning has been placed on the site, to accommodate potential parking structure expansion, or further commercial development. However, the site is also attractive for residential purposes, and could be utilized for high density housing, with potential for excellent views of the harbour.

Site B – Ochterloney Street

These lots were formerly utilized for two service stations, and are now used for offices and auto repair. These existing uses are seen as temporary, and it is anticipated that the site will be redeveloped in the short term. The commercial zoning on the site will accommodate commercial redevelopment, however the site could also be used for medium density housing either on its own or with a ground floor commercial component. Any building on the site should not exceed four storeys, and design would have to be reflective of the heritage character of the area.

Site C – Prince Street/Alderney Drive

This parcel is owned by the Waterfront Development Corporation, and is used for hourly and monthly parking. Located adjacent to the 10 storey Admiralty Place, the site has excellent views of the harbour and is well suited to high density development of up to 10 storeys in height.

Site D – King Street/Alderney Drive/Wentworth

This site includes two parcels, one owned by HRM and the other by the WDCL. A portion of the HRM lot is used for monthly rental parking, which could be relocated elsewhere. This site is conducive to either medium or higher density housing. Any development should be sensitive to existing single family housing along King Street, as well as lower rise commercial buildings along Portland Street.

Site E — Irishtown Road/Ochterloney Street

Location and Context

This site consists of 4 separate parcels, the largest of which is designated as an Opportunity Site under the Regional MPS. The RMPS seeks to encourage medium to high density infill on such sites within the urban core. Intensive redevelopment of this site can occur without the loss of any existing housing which is a goal of this plan. Given the total area of 1.6 acres, the site offers an excellent opportunity for a major infill project with landmark architecture which can be vital to achieving this plan's goals of increasing the area resident base and supporting local business development.

Policy B-6

As an incentive for residential development in the business district, the planning approval process will be streamlined for internal conversions of multiple units, townhousing and small scale multiple unit development. The Downtown Business District Zone will establish parameters for the size, and design of multiple buildings and parking areas.

Policy B-7

This plan identifies four residential opportunity sites within the business district where housing redevelopment will be encouraged. To maximize housing opportunities on these sites, the use of reduced standard laneways may be considered through the site plan approval process for small scale housing proposals permitted by the Zone. Standards will be set in the Land use By-law to ensure the laneway is designed to facilitate safe traffic access.

"Development of Opportunity Site E

Site E is appropriate for high density, mixed use development. Full development of these brownfield parcels can help achieve population growth and support local business revitalization as desired by this plan. However, historic/heritage goals, recreation, and urban design goals must be addressed.

Canal Greenway and Parkland Issues

Site E abuts the Canal Greenway, the historic corridor which incorporates the former Shubenacadie Canal and Starr Manufacturing lands. A master plan for improvements to the corridor has been developed by HRM and the Shubenacadie Canal Commission. A portion of Site E was part of both the canal and Starr properties at one time, and development of the site should contribute to both the revitalization and heritage interpretation of the lands in the context of the larger master plan. The municipality has intended to close the public street between Queen Street and Prince Albert Road, to recapture former canal lands for parkland and historic interpretation purposes. However large scale development on Site E may require access to this street, which could impact the implementation of that portion of the Canal Greenway plan.

The Canal Greenway lands are largely unimproved for public use and currently provide limited recreation opportunity. Development of up to 300 units on Site E will create major demand for useable recreation lands. Direct pedestrian access may be provided from residential and commercial space directly onto the park's trail system. This is not standard

practice however if properly done it can offer benefits in animating and engaging the site and fostering viable businesses. However, Council must consider whether such a major development is premature or inappropriate by reason of the demands placed on the Canal Greenway as parkland. A requirement for parkland fees as enabled by the HRM Charter and the Regional MPS would help ensure that the public space is adequately improved. Although the Subdivision By-law typically exempts lot consolidations from this fee, it would be collected if these lands were further subdivided as is permitted under the zoning.

Urban Design Considerations

Slender, higher buildings on the Irishtown Road frontages may be considered as an alternative to lower, bulkier structures in order to reduce wind impacts and the duration of shadows on public spaces and nearby properties. Building height at the Ochterloney Street frontage should not exceed that permitted by the land use by-law. Building massing and form should be determined based on current urban design principles, such as the use of appropriate proportions for streetwall heights for the building bases/podiums, and the need for setbacks of mid and high rise building sections from adjacent private lands.

The site is located adjacent to the former Greenvale School, a registered heritage property. Full as of right development on Site E under existing zoning could have negative impacts in terms of shadows, wind patterns, as buildings may be up to 7 stories in height plus and have 100% lot coverage. Allowing taller but more slender structures over a low rise podium may mitigate these impacts. In addition, Policy CH-2 of the Regional MPS provides guidance for evaluation of the impact of proposals next to registered heritage properties.

Policy B-7a

Notwithstanding Policy D-1, Residential Opportunity Site E, as shown on Map 4, is appropriate for mid and high rise residential and mixed use development not exceeding 300 units within three buildings. In addition to the need for a high quality of design and construction, any proposal must foster attractive pedestrian oriented streetscapes, and ensure active, complementary interaction with the adjacent HRM parkland and Shubenacadie Canal corridor. Development on each of the separate parcels shall only be considered together and under a single development agreement to ensure comprehensive and complementary development. The development agreement process shall be utilized for any development on the lands. Council shall therefore consider:

- a) that building heights:
 - (i) up to 70 feet in height plus roof on the Ochterloney Street frontage may be permitted;
 - (ii) up to 14 stories on the south side of Irishtown Road may be permitted; and
 - (iii) up to 18 stories plus penthouse on the north side of Irishtown Rd may be permitted.
- b) that high quality building materials are used and the building design:
 - (i) makes use of podiums to provide 100% indoor/underground parking for residents and businesses. The parking portion of such podiums shall be screened from any adjacent private or public property through the provision of active, useable floor area and careful design at the edges of the structures;
 - (ii) incorporate interesting details and materials at the pedestrian level, with a high proportion of windows in any ground floor commercial space;

- (iii) — include a variety of housing unit types including multiple bedroom units and townhouse form units at ground level that can accommodate residents in a variety of life stages, household sizes, incomes and tenure needs; and
 - (iv) — include provision for pedestrian-oriented commercial uses, preferably café or restaurant uses with outdoor patios, where the site abuts HRM parkland.
- e) — appropriate massing and building form for low, mid and high rise components of the buildings including:
- (i) — the need for transitions in scale, or separation distances equal to building height, from directly abutting areas which are designated as Downtown Neighbourhood;
 - (ii) — defining appropriate standards for bulk and above grade setbacks at the low, mid and high rise levels, and separation distances between buildings to ensure adequate street-level conditions with respect to minimizing wind and maximizing sun penetration and sky exposure;
 - (iii) — ensuring an appropriate streetwall height of the low rise portion of each building to street width at a target ratio of 2:3; and
 - (iv) — potential wind and shadow impacts on public space and appropriate means to minimize such impacts.
- d) — that the project provide:
- (i) — extensive, high quality soft and hard landscaping which enhances the pedestrian environment and complements the Canal Greenway;
 - (ii) — substantial useable active and passive amenity space both inside and out to cater to a range of ages and lifestyles, particularly in support of families; including the provision of useable green space on rooftops; and
 - (iii) — payment of 10% parkland dedication fees for any further subdivision or consolidation of the parcels;.
- e) — that the project address the site's historical context as part of the former Shubenacadie Canal and Starr Manufacturing sites by:
- (i) — ensuring a detailed archaeological assessment is carried out, and that measures are in place to allow proper site investigation prior to and during construction;
 - (ii) — allowing restoration of a naturalized open stream bed to replace the piped waterway, formerly the mill stream, that flows underneath a portion of the site; and
 - (iii) — including provision for preservation, restoration, and display of canal features, and interpretation of canal history.
- f) — the establishment of phasing times for completion; and
- g) — Regional MPS Policy CH-2 (regarding development adjacent to heritage properties) and Policy IM-15 (general implementation criteria).

Policy B-8

Higher density housing proposals that do not meet the standards of the Business District Zone may be considered by Council through the development agreement process. In addition to the general criteria set out in Policy N-5, the following criteria shall be considered by Council in evaluating such proposals:

1. The “residential opportunity sites” referenced in Policy B-7 should be given priority for higher density development;
2. The design of apartment buildings should be sensitive to the traditional character of the downtown and the immediate surroundings. A general guideline of 100 units per acre and 5 storeys shall be utilized as parameters for the scale and massing of development. The following additional criteria apply to the residential opportunity sites:

- a) Up to eight stories may be permitted on Site A provided no greater than 3 stories is permitted on the Edward and North Street elevations;
 - b) Up to 10 stories may be permitted on Site C, provided the design of the building is stepped down towards Portland and King Streets.
 - c) Up to four stories may be permitted on Site B.
 - d) Up to five stories may be permitted on Site D with sensitive treatment along King Street adjacent to existing single family dwellings.
3. Buildings should be designed to reinforce a human scale streetscape. The stepping back of higher rise buildings away from the street should be considered to avoid a massive building appearance, as should the subdivision of large building facades to create the appearance of several smaller buildings;
 4. Commercial or other uses serving the public are encouraged at the street level of residential buildings.
 5. Where on-site parking is required, it should be enclosed within a building.
 6. Reduced standard laneways may be considered as an alternative means of access to the residential opportunity sites.

Starr Manufacturing/Greenvale School Sites

The Starr Manufacturing and Greenvale School sites are important links to Dartmouth's past, and key to the revitalization of the business district. The block containing these sites was an early transportation route, first used by the Mi'kmaq to access the harbour and Dartmouth's inland lakes. During the early part of the 19th century it became a major shipping corridor with the construction of the Shubenacadie Canal. Portions of the original workings of the canal are thought to be still in tact beneath the buildings which remain on the site. Starr Manufacturing industries began operations on the site during this period, and became world famous for being one of the first manufacturers of ice skates.

Greenvale School also within this block, represents an important community landmark. The brick building which remains today was designed by renowned Architect Andrew Cobb in 1915, replacing an earlier school building which existed on the site. Many generations of Dartmouthians have been educated within this building.

At the writing of this plan, the municipality owns these properties and others within this block, and has been exploring development options for these lands which would see the historic features of the site preserved, the integration of recreation and trail opportunities along the site, and also opportunities for private sector development. The current direction from the community is to maintain and re-use the Greenvale School building, preserve the underground canal features, extend the multi-use trail across the site, and encourage small scale commercial and residential development on the remainder of the site that blends with the neighbourhood. Other options which have been put forward include retaining and/or reusing portions of the Starr Manufacturing building as part of a redevelopment of the site.

The site must be developed in keeping with the community values and interest related to the site. The development agreement process is the best route to ensure these objectives are met, and to encourage an appropriate mix of uses to balance the varied interests on the entire block. A development agreement will not be required for re-use of existing buildings within this block for any uses permitted by the zone applied to these lands.

Policy B-9

Council recognizes the importance of the Starr Manufacturing and Greenvale School sites in the history of the Dartmouth and as a gateway to the downtown. A mixed use development will be encouraged on this block consisting of open space, heritage, and small scale

commercial and residential components which blend with the character of the area. The development agreement process will be used to ensure a comprehensive approach which reflects the various community goals for the site¹². In evaluating proposals for the site, council shall consider the following criteria:

- a) that the proposal is consistent with the objectives for the site which are to encourage protection and promotion of the site's heritage features, provision of a trail link and other open space opportunities, and development of small or medium scale commercial or residential components;
- b) the design of any buildings on the site reflects its role as a gateway to the downtown business district, its relationship to existing development on site and surrounding neighbourhoods, and its history as part of the Shubenacadie Canal system;
- c) the unique heritage attributes of this site including the retention and stabilization of the Greenvale School building, the protection of the underground canal features on the northern portion of the site, and if feasible, opportunities to reuse structural elements of the Starr Manufacturing building;
- d) the preservation and restoration of significant natural features on the site where feasible including mature trees, and water features related to the former stream bed running through the site;
- e) that adequate provisions are made for pedestrian and bicycle circulation on the site including an extension of the Dartmouth multi-use recreation trail (Trans Canada trail) along the length of the site;
- f) the design scheme of any proposed buildings, signs and lighting fixtures incorporates traditional design elements and materials to complement the traditional small town character of the area. (Refer to downtown urban design guidelines Policy D-1).
- g) the provision of extensive landscaping in the form of suitable trees, shrubs, grassed areas and planting beds, particularly to enhance the aesthetics of any proposed parking areas on the site;
- h) the impact of any additional traffic on existing street networks and the best means of accommodating traffic flow to, on and from the site; and any required upgrading to the existing street network;
- i) the provision of adequate municipal sewer and water services to the site, and the treatment of existing underground infrastructure; and
- j) remediation of environmental contamination on the site which meets the requirements of the Nova Scotia Department of Environment.

Incentives

A common point during the public consultation for this plan was the need for some form of government incentives to encourage business and residential development within the area. However, the recently adopted Municipal Government Act precludes direct municipal assistance to businesses, allowing only promotion of an area and capital expenditures financed by levies within designated Business Improvement Districts. The use of reasonable incentives to encourage business development within the area should be explored, and the appropriate provincial legislation amended where appropriate

Policy B-8

The municipality should work with the Province to develop and implement an incentive based program for the downtown business district. Such a program is recognized as an important part of stimulating business investment within the area.

Streetscape Improvements

One area where the municipality can foster private sector investment is through funding for public streetscape improvements.

Downtown's public streetscapes and spaces play an important part in the civic life of the community. As such, it is important that pedestrian amenities such as benches, planters, lighting, be incorporated to provide a safe and comfortable setting for visitors to the area. Banners and other street furniture have been used in the past to provide visual interest, but not consistently. An overall visual identity program is needed to unify the design of downtown's public streetscapes to signify that one is within a special district. Priority areas for streetscape improvements are Ochterloney, Alderney, and Portland Streets, the three main pedestrian corridors in the downtown.

Also, in many areas of the downtown sidewalks and street surfaces have deteriorated, with Portland Street being a particular concern. Other problems include insufficient lighting on Portland Street, and unattractive light and sign standards, which further detract from the image of the area. Streetscape improvements are long overdue. In developing a streetscape improvement plan, consideration should be given to opportunities to create additional outdoor public spaces within the core area to accommodate activities such as festivals, theatre, art exhibits.

Policy B-10

A streetscape improvement plan should be developed for the downtown business district to establish a visual identity for pedestrian amenities in the area. The plan should identify short and longer term priorities for public investment in the area.

Promotion

While individual businesses and the Dartmouth Downtown Development Corporation help promote the area, the municipality and perhaps provincial agencies such as the Waterfront Development Corporation, can take a greater role in this regard. Both municipal tourism staff and the Greater Halifax Economic Partnership could provide some coordination and assistance in larger scale marketing, in close co-operation with the Dartmouth Downtown Development Corporation and other community groups. In addition to the business aspect of the downtown community, the residential sector could also benefit from increased promotion to attract more developers, builders, and ultimately residents.

Policy B-11

Improved marketing plans and promotional materials should be developed to promote the downtown area as a specialty retail destination and desirable residential market. Such materials and plans should be developed by Dartmouth Downtown Development Corporation, in close cooperation the Greater Halifax Economic Partnership, the Waterfront Development Corporation, and other relevant government agencies and departments.

Note to Reader: Parking Requirements for the Business District are discussed in section 4.7 of this plan.

22. Policy W-6 of Section 4.3 Waterfront Development of CHAPTER 4: THE POLICIES is repealed in its entirety, as shown below in ~~strikeout~~:

~~Policy W-6~~

~~Council should encourage the proactive redevelopment of two strategic “opportunity sites” along the west side of Alderney Drive to reinforce the connection with the downtown business core, and bring a pedestrian focus to the waterfront:~~

- ~~a) Site W-1 (Park Avenue, Alderney and North Street) for medium or higher density residential use;~~
- ~~b) Site W-2 (North/Ochterloney/Alderney Drive) for mixed tourist/commercial use.~~

~~Because portions of parcel W-1 are owned by the Canadian National Corporation, and may require relocation of an existing operations building and alterations to the railyards themselves, Council shall work cooperatively with CN to achieve public objectives for this site.~~

23. The Section titled “Dartmouth Cove – East Waterfront” of Section 4.3 Waterfront Development of CHAPTER 4: THE POLICIES is repealed in its entirety, inclusive of footnotes, as shown below in ~~strikeout~~:

~~Dartmouth Cove – East Waterfront~~

~~The history of the eastern portion of the waterfront, Dartmouth Cove, dates back to prehistoric times when the Mik’maq people traveled to its shores to fish during summer months. In 1749, with European settlement, a government sawmill was established to help with building construction on the Halifax side of the harbour. The Canal Interpretive Park located in this area commemorates the significant history associated with the construction of the Shubenacadie canal during the nineteenth century.~~

~~Related to its role as an important transportation route, there is a long history of industrial uses in this area. Dating back to the founding days of Dartmouth, the area has been used as for the whaling industry, for various shipyards and manufacturing uses such as chocolate and soap factories. The lands surrounding the Cove were interspersed with many large estates of some of Dartmouth’s most renowned residents. Notable examples include “Hazelhurst” estate, the home of industrialist J.P. Mott who operated factories in the area, and “Evergreen House” originally constructed for Judge Alexander James and later occupied by local folklorist Helen Creighton (Evergreen House is one of the few remaining estates from that period)¹⁵. Many of the large estate properties have since been subdivided to make way for single family housing and apartment.~~

~~The East Waterfront continues to be utilized for ship repair, and other marine service industries, and its importance is expected to increase with the development of the off-shore industry in the region¹⁶. Until the recent revival of the shipyards, industry has co-existed with residential neighbourhoods. More recent growth in the offshore industry has increased activity in and around the Cove area, resulting in conflicts for its residential neighbours. Noise and dust from ship repair operations, evening hour operations, unsightly storage, and the uncontrolled infilling of water lots are key concerns. Appropriate controls are needed to ensure that future expansions of industry are in keeping with the nearby residential neighbourhoods.~~

~~The 1991 Dartmouth Waterfront Plan proposed a marine business park and high-end residential development along a canal to be created in the area. The shipyards were identified as an appropriate marine use, which would continue to add visual interest to the waterfront¹⁷.~~

More recent studies¹⁸ have confirmed that a market exists for marine businesses to service the emerging offshore industry. The "Dartmouth Cove Land use Plan" (in its draft form) also indicates there are significant barriers to future residential development because of the environmental and geotechnical conditions of the area. Although detailed environmental testing was beyond the scope of this study, it documents the historical industrial uses of the area, as well as the findings of environmental and soil tests which have been conducted over the years on properties owned by WDCL. The study concludes that current land values would not support the redevelopment of lands closest to the water for residential or park use.

Key recommendations of the study are:

- the delineation of industrial areas through zoning and physical improvements to enhance the identity of the area
- buffering residential areas from industrial use through green space and enhancement of the Shubenacadie Canal
- strengthening the existing commercial uses by defining a core commercial area adjacent to Portland Street
- development standards for future industrial uses (screening of storage areas, landscaping and site standards, noise regulation)

This plan seeks to preserve the working character of the waterfront, and also address the concerns of the neighbouring residential community. The land use strategy for Dartmouth Cove will create opportunity for "marine business" in the area, not heavy industrial operations which have historically located in the area. The Plan applies a "Marine Business Zone" to the majority of water oriented lands and water lots in the area, and sets restrictions on new storage yards, "obnoxious" uses, and creates standards for landscaping, and development on the water's edge. Many of the existing marine salvage and ship repair operations will not conform to the new regulations for the area, thus limiting their ability to expand. The intent of this plan is to allow the continued operation of these industries but to ensure that any further expansion is in keeping with the new standards for this area.

The plan will also minimize further impacts on adjacent neighbourhoods by creating a gradual transition of development between marine business activity along Canal Street and existing residential neighbourhoods. The Waterfront Zone will serve as a "buffer zone" along Maitland Street to create a transition to nearby neighbourhoods (refer to Policy W-10).

The potential for further infilling of the Cove to create more industrial land and wharfage is also a neighbourhood concern. Although this plan limits industrial expansion on the land base of the Cove, the municipality does not have jurisdiction over the activity of infilling or the creation of wharves, which are governed by approvals at the federal and provincial levels of government. While these planning documents do apply zoning to the water lots in the Cove, these documents can only regulate the use (and not the creation) of infilled land. Recognizing these limitations, this plan discourages further wharf construction and infilling for industrial purposes without adequate public consultation and environmental impact studies. (Policy W-17)

New municipal and provincial regulations governing noise and sandblasting should allow for greater controls on industrial activities. The municipality should continue to work with the Province and other levels of government who have jurisdiction over the Cove to ensure appropriate environmental controls are applied in this area.

24. The third, fourth, and fifth paragraphs within the “Coast Guard Lands” Section of CHAPTER 4: THE POLICIES are deleted in their entirety, as shown below in ~~strikeout~~:

~~Since the adoption of this plan, the former Dartmouth Marine Slips property has been vacated and industrial marine operations have ceased on the property. The closure of the shipyards and disposal of the lands was not anticipated by this Plan.~~

~~In recent years, the potential for alternative uses on lands surrounding Dartmouth Cove has come to the forefront especially on the former Dartmouth Marine Slips property. With striking views of the harbour, convenient access to public transit, employment centres throughout the capital district, services, and recreational facilities, the former marine slip property is an ideal location for a high quality mixed-use development on the waterfront. Re-development of this nature could further the objectives of this plan for the business district and alleviate resident concerns expressed towards nuisances associated with marine related industry on the lands.~~

~~The Municipality may therefore consider a mixed use development proposal on the former Dartmouth Marine Slips property through the development agreement process.~~

25. The ninth, tenth, eleventh, and twelfth paragraphs within the “Coast Guard Lands” Section of CHAPTER 4: THE POLICIES are deleted in their entirety, as shown below in ~~strikeout~~:

~~Notwithstanding policies W-8 and W-9, HRM may consider permitting a mixed use development on the former Dartmouth Marine Slips property (identified as PID Nos. 00130286, 00130419, 00130278, 41164286 and 40943730) by approval of a two-stage development agreement.~~

~~The Stage I development agreement shall generally show the concept of the proposal including the land uses, site plan, access and street layout, servicing capability, parks and open space, and phasing of the development. Notwithstanding the development agreement criteria of Policy W-9A, the stage I agreement shall establish further specific requirements of any Stage II development agreement. Council shall hold a public hearing prior to the approval of the Stage I development agreement.~~

~~Stage II development agreements shall be generally consistent with the intent of the Stage I development agreement, through the provision of fine grain details of a phase under the Stage I development agreement. Stage II development agreements shall be approved by a resolution of Council.~~

~~Any development agreement application shall conform with the following criteria:~~

- ~~1. The development shall consist of a mix of land uses (residential, commercial, office, institutional, and park and open space uses) with residential land uses that contain a mix of unit types being the primary land use.~~
- ~~2. Residential proposals should incorporate adequate soundproofing measures to buffer residents from nearby waterfront events and activities.~~
- ~~3. A high quality of urban design is encouraged and adequate consideration is given to Policy W-9B.
 - ~~a) Special consideration should be given to building materials in proximity to the water's edge.~~
 - ~~b) The proposal should impart a sense of history to the area and contribute to the area's evolving history.~~~~

~~c) Proposals should respect that the waterfront is a pedestrian precinct. Wherever possible, buildings should be designed to create public spaces, and appropriate consideration should be given to weather protection for pedestrians.~~

~~4. Visual access to the harbour shall be provided through the incorporation of street corridor views leading to the water and through the use of urban design features. The height of any proposed building should respect the viewplanes from the Dartmouth Common as shown on Map 7.~~

~~5. The Development should address public accessibility the water=s edge.~~

~~6. Special consideration shall be given to parking to ensure that proposals are designed with pedestrian orientation in mind rather than cars. Where parking is needed it should be situated below finished grade or enclosed within the core of a building with other uses wrapping the core to render the parking invisible. Surface parking is strongly discouraged, but when deemed absolutely necessary surface parking areas are to be strictly limited in size and duration.~~

~~7. An internal street may be needed to provide emergency and delivery access to the development. Alternative street design standards should be considered for any new streets which are in keeping with the historical grid and pedestrian character of the downtown.~~

~~8. The Development shall minimize the amount of infilling that occurs on the water lots to ensure the character of Dartmouth Cove is not significantly altered.~~

26. Policy W-9B, within the "Coast Guard Lands" Section of CHAPTER 4: THE POLICIES, is repealed in its entirety, as shown below in ~~strikeout~~:

~~Policy W-9B~~

~~Notwithstanding Policy D-1, HRM should ensure that a high quality of urban design is provided for the development. To achieve this objective Council shall adopt the following design guidelines for the former Dartmouth Marine Slips property:~~

~~a) The traditional street grid pattern and grain of development of Downtown Dartmouth should be maintained and re-established in the new development;~~

~~b) Microclimate issues such as wind, solar orientation, and shadowing should be considered, with positive impacts capitalized upon, and negative impacts minimized.~~

~~c) Pedestrian street level activity shall be encouraged in all development through the incorporation of outdoor cafes, ground floor uses, and uses that are open beyond daytime hours of operation. Consideration should be given to weather protection for pedestrians through use of decorative canopies and awnings.~~

~~d) Proposals should respect that the waterfront is primarily a pedestrian precinct, and pedestrian circulation should be an important consideration of all development. Buildings should be designed to create attractive and functional public spaces and pedestrian routes. Active ground level uses shall be encouraged adjacent to public access points and public open spaces.~~

~~e) Public art should be provided on or adjacent to buildings throughout any proposed development, commensurate with HRM's Cultural Plan.~~

~~f) Important views from parks and streets should be respected in the design and configuration of development, especially harbour and street corridor views as shown on "Map 7 - Public Views."~~

~~g) A high quality of design should be required for streetscape elements and furniture.~~

- ~~h) Public safety should be a consideration in the design of new buildings and public spaces to ensure the design of public spaces does not create opportunities for crime at any time, with special attention paid to placement and intensity of lighting, visibility, directional signage, and land uses which will provide opportunities for eyes on the street through incorporation of residential development and street level activity after normal working hours.~~
- ~~i) A high level of refinement in the architectural details shall be provided to provide visual interest, both in the upper stories, and in particular at pedestrian level.~~
- ~~j) The waters edge should be designed for unrestricted public access by either public ownership and/or perpetual easement.~~

27. Section 4.4 Urban Design of CHAPTER 4: THE POLICIES is amended, by:

- (a) deleting the first six paragraphs of the preamble;
- (b) deleting the objectives;
- (c) repealing Policy D-1;
- (d) deleting the paragraph immediately following Policy D-1;
- (e) repealing Policy D-2;
- (f) deleting the preamble immediately prior to Policy D-3;
- (g) repealing Policy D-3;
- (h) deleting the preamble immediately prior to Policy D-3A; and
- (i) repealing Policy D-3A;

as shown below in ~~strikeout~~,

4.4 Urban Design

~~A common theme which emerged during the planning process is the need to ensure attractive, high quality developments which complement existing architecture and blend into the character of the area.~~

~~One of the defining characteristics of the commercial core is the small scale, fine grain, traditional development pattern. For the most part, the original block pattern is intact, and most development consists of older two and three level buildings. The community has expressed a strong desire to retain this character and pattern, while at the same time promoting revitalization and business and housing development. Clearly, major redevelopment projects like Queen's Square are not successful catalysts of downtown revitalization.~~

~~A more human scale of development will enhance the public's sense of safety and comfort, and therefore encourage more people to use the downtown area. Downtown Dartmouth's success will therefore be closely related to the ability to achieve a welcoming and comfortable pedestrian oriented environment.~~

~~The chief means of achieving this goal is to establish design criteria which can be applied to developments, or to specific classes of developments.~~

~~A guide to "Facade and Signage Improvements for Downtown Dartmouth" was prepared for the Downtown Dartmouth Development Corporation in 1992 to assist businesses in~~

renovating their facades to be complementary to the form, scale, and design of existing development. Plan policies will require that renovations to existing buildings conform to the basic approach recommended in this document. In addition, design guidelines and controls shall be adopted to guide the external design of new development in the downtown.

The following policies related to urban design are intended to be implemented with a measure of flexibility – it is not intended that new development or renovation projects rigidly conform to a particular architectural style or period, rather that development within the downtown complement its surroundings and enhance its role as a people place.

Objectives:

- preserve and enhance the traditional small town character and fine grain development pattern within the downtown
- preserve important scenic public views

Policies

Policy D-1

HRM should ensure that a high quality of urban design is provided for all major developments in the downtown area. To achieve this objective Council shall adopt the following design guidelines for consideration in the design and renovation of buildings and spaces in the downtown area:

- a) The scale, massing, and grain of future development should reflect the downtown's role as a "people place" and respect its historic, small town character. While specific direction is provided in each of the various policy sections within this plan, in general three to five storeys is the desired scale of development.
- b) The traditional street grid pattern and grain of development should be maintained and re-established in new and existing development.
- c) Building facades should maintain a consistent street edge except to provide access to rear parking areas. The use of interesting colour for building facades should be encouraged where it is complementary to the streetscape to add a sense of vibrancy to the area.
- d) The exterior architectural design of new buildings should be complementary to adjacent buildings of historic or landmark significance in terms of the building height and materials, rhythm, colour, and proportion of the building design elements. Traditional building materials such as wood shingle and brick and preferred. Architectural design details should be provided to encourage visual interest.
- e) Development should be oriented to pedestrians rather than cars. Surface parking areas should be designed to minimize the visual impact on the streetscape.
- f) Microclimate issues such as wind, solar orientation, and shadowing should be considered and capitalized upon in all new development or major renovation projects.
- g) Pedestrian street level activity should be encouraged in all development through the incorporation of outdoor cafes, ground floor uses, and uses that are open beyond daytime hours of operation. Consideration should be given to weather protection for pedestrians through use of decorative canopies and awnings.

- ~~h) Public art should be provided on or adjacent to buildings.~~
- ~~i) Opportunities to experience nature should be provided to soften the urban setting through the incorporation of roof top gardens, flower boxes, community gardens for vacant lots, and through the use of greenways through the business core.~~
- ~~j) Important views from public parks and streets should be respected in the design and configuration of development, especially harbour and east-west street corridor views.~~
- ~~k) Pedestrian circulation and access should be an important consideration of all development. In particular, public access to the water's edge should be protected and enhanced where possible.~~
- ~~l) A high quality of design should be required for streetscape elements and furniture.~~
- ~~m) Public safety should be a consideration in the design of new buildings to ensure the design of public spaces does not create opportunities for crime at any time, with special attention paid to placement and intensity of lighting, visibility, directional signage, and land uses which will provide opportunities for eyes on the street through incorporation of residential development and street level activity after normal working hours.~~

~~These guidelines shall be administered by Council through its planning approval processes and through agreements for the disposition of public land. In general, these guidelines shall be used to provide general guidance to business operators and developers about public objectives with respect to urban design. The land use by-law shall set out mandatory design controls for certain aspects of these guidelines.~~

~~Policy D-2~~

~~Council should encourage the retrofit of existing buildings to ensure that they meet the above guidelines. Any renovations to the facades of existing buildings shall be reviewed by the Development Officer to ensure the proposal meets the intent of the "Facade and Signage Improvements for Downtown Dartmouth".~~

~~Signs~~

~~Business signs are an important part of advertising and marketing of individual businesses. While some individuality is desired, there is a need for some consistency in design and materials to achieve a unified image that reflects and reinforces the small town character of the downtown.~~

~~Policy D-3~~

~~Council should encourage signs that are consistent with the traditional character of the downtown area. The Land Use By-law shall set out requirements for the design, size, placement and lighting of signs throughout the downtown area.~~

~~Temporary Signage:~~

~~In recent years, HRM has received a number of complaints regarding signage throughout the region, especially along major transportation routes. Most of the concerns raised with signage deal with the location, number, and maintenance of mobile signs, sandwich boards, posters, inflatable signs, planter box type signs, and banners (known as Temporary Signs). To address the lack of adequate sign provisions and effective enforcement tools for temporary signage, HRM established a license by-law under the Municipal Government (HRM By-law S-800). Therefore, any reference or provision relating to temporary signs within the land use by-law is superceded by the provisions of By-law S-800.~~

Policy D-3A

~~Further to Policy D-3, the land use by-law shall contain sign provisions for those signs not regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs).~~

Protected Views

One of the key physical attributes of the downtown community is its physical and visual ties to the harbour. Dartmouth was founded largely because of its waterfront location, and much of its history is tied to the harbour. The preservation of important public views of the harbour is therefore an important aspect of its community identity. Past studies have identified the most significant views as those from key points on the Dartmouth Common and numerous views of the harbour along street corridors. It is therefore important that a range of public views be protected. Views from private property will not be protected.

Policy D-4A

As identified by the Regional MPS, scenic views from the Dartmouth Common are an important component of the region's cultural heritage. Significant views shall therefore be protected, as shown on Map 7. This will ensure protection of a variety of public views from the Common. The Land Use Bylaw shall contain schedules establishing detailed geometry for each view plane, and appropriate provisions to ensure that development does not intrude into any view plane.

Policy D-4B

To maintain continued visibility of the harbour throughout the downtown, views of the harbour from public streets as shown on Map 7 shall be protected through the Land Use Bylaw as Waterfront View Corridors.

28. The "Industrial Heritage" Section within Section 4.5 Heritage of CHAPTER 4: THE POLICIES is amended by deleting the fourth paragraph in its entirety, as shown below in ~~strikeout~~:

~~The Starr Manufacturing site is a prominent one in the community because of its relationship to the Shubenacadie Canal, the mass production of skates in the 19th century, and its former stature as a major employer. Considerable debate and discussion has been generated due to its importance as a heritage site, and its potential for major commercial or residential redevelopment. Most in the community want to see a mix of development on the Starr and adjacent Greenvale sites, including residential, recreational, and commercial opportunities, as well as the protection and interpretation of the valued heritage features of the site. While redevelopment of the site is accommodated by this planning strategy, the public interest in the site must be protected. This can be accomplished through the retention of a portion of the site in public ownership, or through public/private partnerships, and the provision of interpretation and public access. In addition, the use of the site as a key link between Sullivan's Pond and the waterfront in the multi-purpose trail must be addressed.~~

29. Policy H-12 within Section 4.5 Heritage of CHAPTER 4: THE POLICIES is repealed in its entirety, as shown below in ~~strikeout~~:

~~Policy H-12~~

~~In considering any potential redevelopment of the Starr Manufacturing and Greenvale School sites, the public interest in heritage features of the site shall be addressed. Key features of the site shall be protected and/or interpreted, with appropriate public access provided. Further, the completion of the Trans-Canada Trail along the site should be required as a condition of any redevelopment (refer to Policy B-20 in the business chapter).~~

30. Policy O-9 within Section 4.6 Recreation, Open Space and Environment of CHAPTER 4: THE POLICIES is amended by removing the words “Ochterloney, Alderney and”, as shown below in ~~strikeout~~ and adding the words “where undergrounding has not occurred” after the words “Portland Street”, as shown below in **bold**:

Policy O-9

The municipality in cooperation with the Downtown Dartmouth Development Corporation, should investigate and if feasible, implement a program of continued relocation of overhead wiring underground on priority streets within the downtown. Priority should be placed on highly visible public streets such as ~~Ochterloney, Alderney~~ and any remaining portions of Portland Street **where undergrounding has not occurred**.

31. Policy O-10 within Section 4.6 Recreation, Open Space and Environment of CHAPTER 4: THE POLICIES is amended by:

- (a) deleting the words, number, and comma “As per the urban design policies in section 4.4 of this plan,”; and
- (b) deleting the lower case letter “t” in the word “the” before the word “municipality” and replacing it with an upper case letter “T”;

as shown below in **bold** and ~~strikeout~~,

Policy O-10

~~As per the urban design policies in section 4.4 of this plan, t~~The municipality shall recognize public views and landscapes of historic and cultural significance, as important components of the open space resources of the downtown and shall endeavour to protect them through appropriate means.

32. Section 4.6 Recreation, Open Space and Environment of CHAPTER 4: THE POLICIES is amended by:

- (a) deleting the preamble paragraph immediately prior to Policy O-15; and
- (b) repealing Policy O-15;

as shown below in ~~strikeout~~,

~~In parallel with the process to develop this plan, the municipality has been proceeding with a public private/partnership to clean up the Halifax Harbour. The most likely scenario being recommended involves one sewage treatment plant to be located in the Dartmouth Cove area of the downtown waterfront. In general, the public at large support the concept of~~

~~sewage treatment and the siting of a plant on the Dartmouth side. What is paramount, however, is the design of such a facility and that it would be sensitively integrated into the community.~~

~~Policy O-15~~

~~The municipality shall seek to clean up of the Halifax Harbour in part through the siting of sewage treatment facilities on the Dartmouth waterfront. The municipality should ensure any sewage treatment plant which is developed on the Dartmouth side is sensitively designed to be properly integrated into the surrounding community (refer to Policy T-13).~~

33. The “parking” section of CHAPTER 4: THE POLICIES is repealed in its entirety, inclusive of preambles and policies, as shown below in ~~strikeout~~:

~~Parking~~

~~In any downtown business area, the availability and accessibility of public parking is an important consideration. A 1994 study of parking availability in the downtown found that short term parking is adequately supplied, with better signage and promotion recommended. Signage improvements have already been implemented to enhance the visibility of short term public parking areas. Furthermore, the downtown business district is well served by transit, and the majority of its client base is within walking distance.~~

~~Typically, land use regulations require on-site parking to be provided for any new commercial or residential development, regardless of location. This approach is inappropriate for downtown areas where there is much less reliance on the car in favour of transit and walking, and where lot and building configurations frequently do not favour on-site parking. Appropriate downtown parking requirements will be included in the Land Use By-law which reduce parking requirements for the Portland Alderney corridor and for anywhere for re-use of existing buildings within the business district, and reduce parking requirements overall.~~

~~The overall strategy for parking within the business district will see reduced parking standards, favouring short term on-street parking and a focus on a few well located public parking areas. The long term goal is to consolidate public parking and have it integrated within developments at the following sites: Belmont House, Queen Street, and at the Royal Bank building on Portland Street. This will free up additional lands for redevelopment over the long term.~~

~~A recent shortage has been noted in monthly rental parking, which could prove to be a problem for ferry commuters who rely on ample park and ride areas. It will be necessary to monitor the supply of monthly parking spaces and to consider this need in any major re-development projects in the downtown.~~

~~The land use by-law will also include design requirements for new commercial parking lots to minimize visual intrusion on the streetscape.~~

~~Parking within the Business District~~

~~Policy T-3~~

~~The municipality in cooperation with the Downtown Dartmouth Development Corporation shall adopt and carry out the following strategy to manage parking within the business district in an effort to promote use of transit and pedestrian friendly environment:~~

- ~~• continued provision of short term on-street public parking~~

- ~~• continued promotion and consistent signage of short term public parking areas at Queen Street, Alderney Gate~~
- ~~• on-going monitoring of monthly parking areas to accommodate ferry commuters~~
- ~~• the incorporation of reduced parking standards within the Land Use By-law for the downtown business district to enable new development along the Portland Alderney corridor and re-use of existing buildings throughout the business district without the provision of parking.~~
- ~~• to encourage the development of consolidated public parking areas in key locations and the integration of parking within major redevelopment projects.~~
- ~~• over the long term to investigate alternative parking options such as the implementation of a “cash in lieu” policy which would allow Council to accept a financial contribution in place of the required on-site parking.~~

Design of Parking areas

Policy T-4

Standards and requirements for parking lots, driveways, and loading areas shall be included in the Land Use By-law.

- ~~• New driveway accesses to Portland Street and Alderney Drive shall be limited to maintain a continuous building presence along the streets.~~
- ~~• Where possible the municipality should encourage the designation of loading areas on side streets to minimize service and delivery vehicles from parking on Portland, Queen, and Ochterloney Streets.~~

34. The key high priority initiatives of the Downtown Action Program within Section 5.1 The Plan of CHAPTER 5: IMPLEMENTING THE PLAN is amended by deleting the first three bullet points as shown below in ~~strikeout~~:

Key high priority initiatives are:

- ~~• Development of residential opportunity parcels~~
- ~~• anchor development on the Starr/Greenvale site~~
- ~~• Alderney landing theatre/market complex~~
 - Completion of the Multi-use trail
 - Waterfront trail and physical improvements in Dartmouth Cove area

35. Repealing Map 4 – Downtown Business District

36. Repealing Map 6 – Dartmouth Cove Proposals

37. Repealing Table 4: Downtown Action Program

38. All maps and schedules of the Downtown Dartmouth Secondary Municipal Planning Strategy are amended to remove those areas identified on Map 1: Urban Structure – Municipal Planning Strategy for Regional Centre (Package A).

THIS IS TO CERTIFY that the by-law 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