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Item No. 9.1.1
Heritage Advisory Committee
March 26, 2025

TO: Chair and Members of the Heritage Advisory Committee

FROM: Cathie O'Toole, Chief Administrative Officer

DATE: February 21, 2025

SUBJECT: **Case HRTGPLAN-2023-01756 Background Study:**
Proposed Downtown Dartmouth Heritage Conservation District Plan

ORIGIN

November 17, 2020, Halifax Regional Council motion (Item No. 11.2.1):

MOVED by Councillor Austin, seconded by Councillor Smith

THAT Halifax Regional Council:

1. Direct the Chief Administrative Officer to prioritize the adoption of new Heritage Conservation Districts in the following order: 1) Downtown Dartmouth; 2) Old North Suburb; and 3) Creighton's Field; and
2. Repeal the Existing Public Participation Program for Heritage Conservation Districts (HCDs) as contained in Attachment E of the staff report dated August 19, 2020 and adopt a revised Public Participation Program for HCDs as contained in Attachment F of the staff report dated August 19, 2020.

MOTION PUT AND PASSED

EXECUTIVE SUMMARY

In November 2020, Halifax Regional Council prioritized Downtown Dartmouth as the next study area to consider for adoption as a Heritage Conservation District (HCD). A HCD is a defined area of historic or architectural value, designated under the *Heritage Property Act of Nova Scotia*. The process to establish an HCD begins with the adoption of a background study, which initiates a planning process and a community engagement process, outlined in a Public Participation Program. The final step is a public hearing, following which Regional Council makes the decision to adopt, adopt with amendments, or reject the proposed HCD plan package.

Staff is recommending that Regional Council adopt the attached background study to initiate a process to establish an HCD in Downtown Dartmouth. The background study addresses key requirements identified in the *Heritage Conservation Districts Regulations* and outlines the scope of the HCD Plan, including:

- the rationale for heritage conservation measures and boundaries of the proposed HCD;

- the relationship of the proposed HCD Plan and By-law with the applicable secondary municipal planning strategy and land use bylaw; and
- an analysis of social and economic implications of conservation measures in the proposed HCD.

RECOMMENDATIONS

It is recommended that the Heritage Advisory Committee recommend that Regional Council:

1. Accept the background study contained in Attachment A to initiate the process to establish a Heritage Conservation District in Downtown Dartmouth; and
2. Follow the Public Participation Program for HCDs, adopted by Regional Council on November 17, 2020, as contained in Attachment B, to obtain public input on the proposed Downtown Dartmouth Heritage Conservation District (HCD) plan and bylaw in accordance with Section 6 of the Heritage Conservation Districts Regulations.

BACKGROUND

A HCD is a defined area of historic or architectural value. It is protected by regulations governing such matters as demolition, exterior alteration, and new development. Incentives may apply to encourage private architectural conservation and programs that enhance the built form and public amenities. A HCD plan and bylaw may be adopted alongside other development control mechanisms, such as a municipal planning strategy and land use bylaw.

On November 17, 2020, Halifax Regional Council passed a motion to prioritize the adoption of Downtown Dartmouth as the next Heritage Conservation District. The background study (Attachment A) describes the overall purpose of establishing the Downtown Dartmouth HCD.

On May 23, 2024, Halifax Regional Council adopted the amendments to the Regional Centre Secondary Municipal Planning Strategy (SMPS) and Land Use By-law to implement Housing Acceleration Fund requirements. The amendments included expanded HCD boundaries for several HCD study areas, including Downtown Dartmouth. All properties within the proposed HCDs are now zoned ER-2, which encourages internal conversions of existing buildings while permitting gentle density.

Nova Scotia Heritage Property Act and Heritage Conservation Districts Regulations

The purpose of the background study in Attachment A is to initiate the preparation of a Heritage Conservation District plan and by-law for Downtown Dartmouth within the framework of the Nova Scotia *Heritage Property Act* and its accompanying *Heritage Conservation Districts Regulations* as well as the *Downtown Halifax Secondary Planning Strategy & Land Use By-law*. The attached background study is submitted to both Regional Council and the Minister of Communities, Culture, Tourism and Heritage, responsible for the *Heritage Property Act*, for their endorsement and initiation of the process to develop a Heritage Conservation District.

This background study seeks to address the following *Heritage Conservation Districts Regulations* requirements in the preparation of a HCD plan and bylaw:

- a) *the rationale or justification for heritage conservation measures in the district;*
- b) *the rationale for the boundaries of the district;*
- c) *the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation in effect for the district; and*
- d) *an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).*

Process for Establishing a Heritage Conservation District

The statutory procedure for establishing a Heritage Conservation District under the *Heritage Property Act* and *Heritage Conservation District Regulations* is outlined in Appendix A of Attachment A. This process is carried out in three separate phases:

- 1) Initiation and Adoption of a Background Study;
- 2) Community Engagement and Heritage Conservation District Plan & By-law Preparation; and
- 3) Adoption and Implementation of the Heritage Conservation District Plan & By-law.

Policies in the Heritage Conservation District Plan may result in changes to the Regional Centre Secondary Municipal Planning Strategy (RCSMPS) and Land Use By-law (RCLUB).

Public Participation Program

In June 2020, Regional Council passed a motion to adopt a standard Public Participation Program to identify opportunities and establish ways and means of seeking the opinions of the public with respect to the proposed Heritage Conservation District (HCD) plan and bylaw in accordance with Section 6 of the *Heritage Conservation Districts Regulations* (Attachment B). The program requires that HAC, in conjunction with municipal staff, hold at least two public information meetings and that notice of these meetings be provided in a letter to all property owners, businesses and tenants within the proposed HCD boundaries.

DISCUSSION

Rationale for Heritage Conservation Measures and for District Boundary

The Downtown Dartmouth HCD study area was given priority as the next potential Heritage Conservation District, after the Downtown Halifax HCD, based on a set of evaluation criteria: heritage value; concentration of heritage resources; recent and potential development pressures.

The Downtown Dartmouth HCD study area is a significant place within the social and economic development of the Municipality and province. The Mi'kmaq used this area, known as Punamu'kwati'jk, for summer encampment each year. It is the site of the original colonial Town of Dartmouth, established in 1750. Today, Downtown Dartmouth is valued as the home of diverse cultural communities exemplified in the mix of building types, uses, and styles and in the many places of worship, monuments, cemeteries, and open spaces. The Downtown Dartmouth HCD study area includes many registered municipal heritage properties and potential contributing heritage resources, which are not registered.

Between 2015 and 2023, Downtown Dartmouth HCD study area experienced a high rate of development with 109 permits issued. In the past three years, most permits issued were for mixed use and commercial development followed by permits issued for residential development. Most of the area within the proposed Downtown Dartmouth HCD is mostly designated Downtown and zoned Downtown Dartmouth (DD). This zone allows for Floor Area Ratios between 1.75 and 8.5 and heights up to 90 metres. The HCD By-law will include design guidelines to ensure that new development is appropriate for the historic context.

Proposed Downtown Dartmouth HCD Plan Boundaries

The proposed Downtown Dartmouth HCD Plan boundaries encompass contributing heritage resources: buildings, structures, and open spaces that contribute to the heritage value of Downtown Dartmouth, including both registered municipal heritage properties and unregistered properties. Refer to contributing heritage resources on Map 1. The boundaries encompass the original grid of the Dartmouth Town Plot, laid out by the surveyor general in 1750 and again in 1786, Victorian era suburbs, and, potentially, a portion of the Dartmouth Common. The inclusion of the Dartmouth Common within the boundaries of the HCD will require consideration throughout the planning and community engagement process to consider methods and processes to conserve the heritage features of the park, while supporting park planning, programming and development. The provisions set forth in Section 66 of the *Halifax Charter* will be considered in the determination of whether the Dartmouth Commons should be included within the HCD. Section 66 also outlines the scope and process HRM must follow if it wishes to establish provisions on the Dartmouth

Commons.

Workplan and Timelines

To designate Downtown Dartmouth as a Heritage Conservation District (HCD), a formal HCD Plan and By-law must be adopted. This Background Study marks the first step in the initiation phase and requires approval from both Regional Council and the Minister of Communities, Culture, Tourism, and Heritage (CCTH). The Minister may also request additional studies before moving forward to the planning phase. Meanwhile, HRM staff have been compiling an inventory of all properties within the proposed HCD boundaries as part of the initiation process. This inventory is anticipated to be completed in Spring 2025.

The planning phase is expected to commence in mid-to-late 2025 with a public information meeting. Following this, staff will develop the HCD Plan and By-law, along with any necessary amendments to the Regional Centre Secondary Municipal Planning Strategy and Land Use By-law. A second public information meeting is expected later in the year. The HCD Plan package will then require approval by the CAO before being submitted to the Heritage Advisory Committee (HAC) for their consideration, which is tentatively planned for early 2026. After the Heritage Advisory Committee (HAC) provides its recommendation, the plan will move to Regional Council for First Reading and By-law notice. A public hearing will then be held before the HCD Plan Package is submitted to Regional Council for adoption. If approved, it will be sent to the Minister for final approval. It is important to note that the *Heritage Property Act* does not specify a timeline for ministerial approval.

Relationship of Potential HCD Plan with Provincial and Municipal Policy and Regulations

The intent of the HCD Plan is to amend the SMPS and Land Use Bylaw (LUB) to ensure that new development is encouraged within the heritage setting. As such, development agreements to permit site specific development on heritage properties will no longer be necessary. The process to establish the HCD Plan will review existing regulations for FAR, street wall heights with step backs, street wall design and articulation, and other massing provisions to ensure that new development supports the heritage value of the HCD and that new opportunities for development are supported.

A new zone in Downtown Dartmouth could be tailored to maintain the character of residential neighbourhoods, while allowing for appropriate densities near the urban core. Incentive zoning within this HCD should apply to public benefit categories that support conservation measures, beyond the conservation of heritage buildings, such as the provision of public art, park enhancements, and pedestrian connections. Ultimately, the HCD Plan will support and enhance both the regulatory provisions of the existing precincts, within Downtown Dartmouth, and programs to support investments in improving the public realm. The HCD Plan may also include provisions to support the conservation of heritage features within public parks, which shall inform park planning and programming among other initiatives.

Social and Economic Implications

The proposed HCD Plan will strengthen neighbourhood identity, provide a pleasant, human-scaled built environment and encourage the development of a complete community within a walkable, urban setting. It could allow for an increase in development potential and changes in land uses. It will aim to educate the public about the history of Nova Scotia and about the evolution of Downtown Dartmouth over time. The community engagement process associated with establishing the Heritage Conservation District will provide the community with a voice in its future. By participating in the designation process, citizens can help direct their community's path. Making these decisions together in a structured way through a public process will provide everyone involved with a sense of empowerment and confidence.

The HCD Plan will include provisions for financial incentives to help property owners maintain and rehabilitate buildings in the district. HRM is currently reviewing all heritage grant programs with an objective to consolidate existing programs into one single Administrative Order. The intent is to provide annual financial incentives to properties within all HCDs on an ongoing basis. Financial incentives in HCDs are premised on the understanding that adapting existing buildings to modern needs can be costly but contributes significantly as a public good. Building adaptation is a form of sustainable development beneficial to climate change adaptation, and mitigation, as well as helping to address other Council priorities

such as expanding viability of existing housing and investing in the development of complete communities. Potential economic benefits of a Heritage Conservation District include the stabilization of property values due to reduced property speculation and the encouragement of cultural heritage tourism. An appropriate scale and design of new construction will establish a greater sense of visual consistency throughout the district that will better support Downtown Dartmouth as a cultural destination for residents and visitors.

Conclusion

In 2025, the proposed Downtown Dartmouth HCD includes a high concentration of heritage resources which are rare examples of historic architecture from early periods in the evolution of the Municipality and Province. This area is experiencing a high rate of change and with it, the potential for large-scale transformation if heritage measures and new development are not mutually considered.

Conservation measures can protect the contributing heritage resources and character defining elements within the boundaries of the proposed Downtown Dartmouth HCD. The Downtown Dartmouth HCD Plan will seek to establish general policies that are consistent with the policies of the Old South Suburb HCD Plan and the Schmidtville HCD Plan, such as policies for substantial alterations and demolitions. The HCD Plan will also establish policies tailored to the unique character of Downtown Dartmouth. Ultimately, the HCD Plan will support and enhance both the regulatory provisions of the existing precincts, within Downtown Dartmouth, and programs to support investments in improving the public realm.

Grants and funding for properties within Heritage Conservation Districts (HCDs) may be extended to include properties within the proposed Downtown Dartmouth HCD or a new incentives program may be created for this HCD. The HCD Plan will support Downtown Dartmouth as a cultural destination for residents and visitors.

FINANCIAL IMPLICATIONS

The HRM costs associated with establishing the Downtown Dartmouth HCD can be accommodated within the approved 2025/26 operating budgets for C340, Culture, Heritage and Planning Information Services. When the HCD Plan & By-Law are brought to Regional Council, a description of planned HCD programs, their estimated costs and funding sources will be provided.

It is likely that the resulting Heritage Conservation District Plan, if approved by Regional Council, will provide for the creation of a financial incentive program to encourage conservation and revitalization in the district, as has been the case with previous heritage districts. Any such program would be developed in consultation with HRM Finance and would be brought forward through a separate staff report for consideration by the Heritage Advisory Committee and Regional Council.

RISK CONSIDERATION

No risk considerations were identified.

COMMUNITY ENGAGEMENT

The Public Participation Program for HCDs, adopted by Regional Council on November 17, 2020, as contained in Attachment B is consistent with the *Heritage Property Act*, Heritage Conservation Districts Regulations, and the HRM Community Engagement Strategy. For this report and its recommendations, the level of community engagement for this background study was information sharing and consultation achieved through public accessibility to the Heritage Advisory Committee and Community Planning and Economic Development Committee meetings and consultation with the committees.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

LEGISLATIVE AUTHORITY

Heritage Property Act and Heritage Conservation Districts Regulations

ALTERNATIVES

1. The Heritage Advisory Committee may recommend that Council accept the background studies as outlined in this report with conditions or modifications and in doing so should provide reasons for the conditions or modifications.
2. The Heritage Advisory Committee may recommend that Council refuse to accept the background studies as outlined in this report. If Regional Council does not accept the background studies, the process to establish the Downtown Dartmouth Heritage Conservation District will not proceed.

ATTACHMENTS

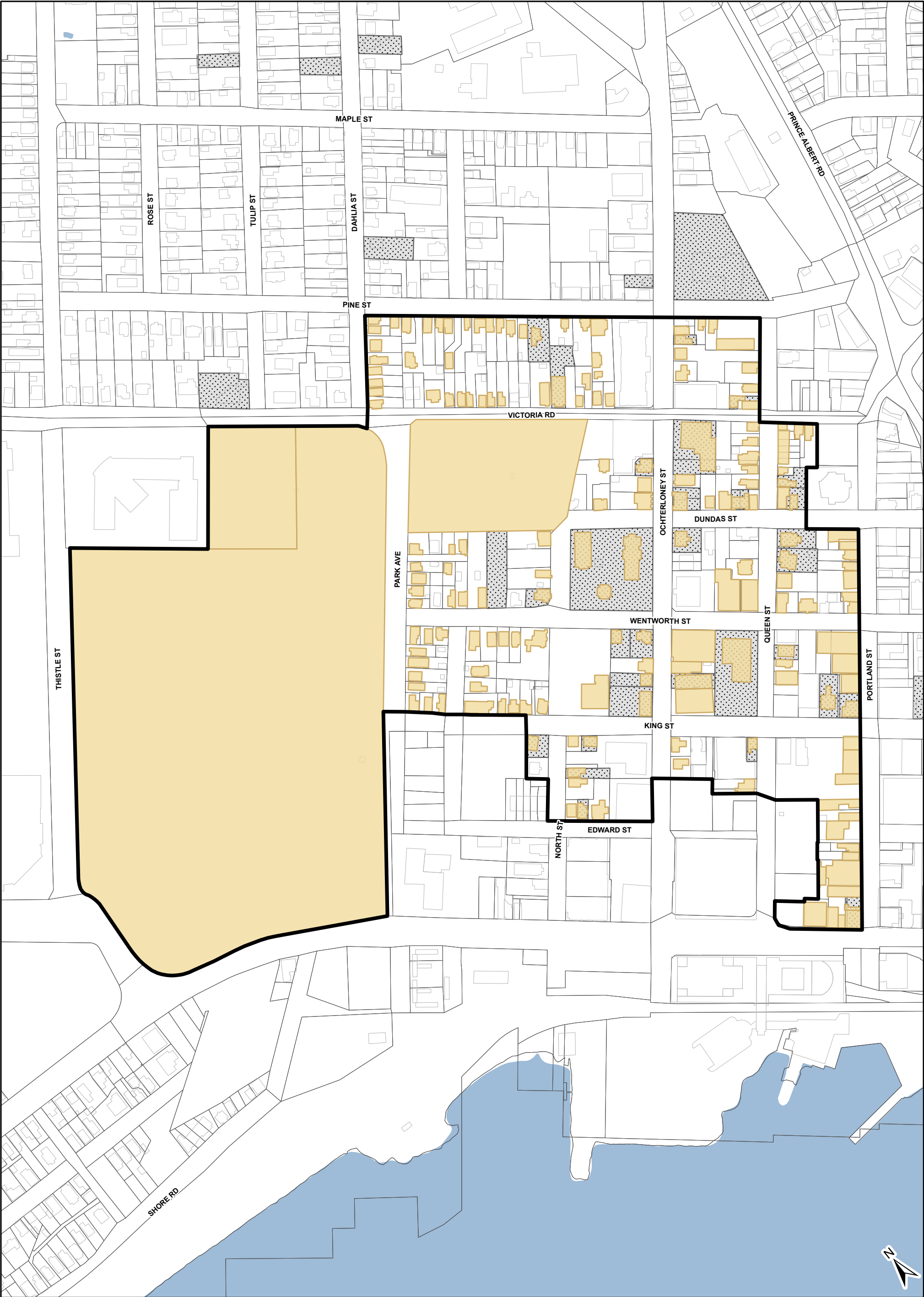
Map 1: Downtown Dartmouth Heritage Conservation District Contributing Heritage Properties and Resources

Attachment A: Downtown Dartmouth Heritage Conservation District Background Study

Attachment B: Resolution Regarding A Public Participation Program for the Establishment of a Heritage Conservation District

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Seamus McGreal, Planner III, Planning and Development, 902.717.1568



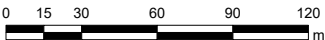
Map 1: Downtown Dartmouth Heritage Conservation District
Contributing Heritage Properties and Resources

- Downtown Dartmouth Heritage Conservation District
- Municipally Registered Heritage Properties
- Contributing Heritage Resources

HRM does not guarantee the accuracy of any base map representation on this plan.

HALIFAX

Downtown Dartmouth
Heritage Conservation
District Plan



Effective:

Downtown Dartmouth Heritage Conservation District

Background Study

Prepared by:

Seamus McGreal, Planner III
Strategic Projects, Heritage
HRM Planning and Development

January 3, 2025

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Map and Appendix

Map 1: Proposed Downtown Dartmouth Heritage Conservation District

Appendix A: Heritage Conservation District Adoption Process

1. Introduction

1.1. Preamble: A Heritage Conservation District in Downtown Dartmouth

A Heritage Conservation District (HCD) is a defined area of historic or architectural value. It is protected by regulations governing such matters as demolition, exterior alteration, and new development. Incentives to encourage architectural conservation and programs that enhance built form, and public amenities are applied to the area. A conservation plan and bylaw are adopted alongside other development control mechanisms, such as a municipal planning strategy and land use bylaw.

The *Heritage Property Act of Nova Scotia* and its *Heritage Conservation Districts Regulations*, and Policy CHR-10 of the Regional Centre Secondary Municipal Planning Strategy (herein 'Regional Centre SMPS') enable the Halifax Regional Municipality (herein the 'Municipality') to work collaboratively to initiate and adopt proposed Heritage Conservation Districts:

Policy CHR-10

The Municipality may collaborate with community partners, residents, property owners and educational institutions to:

- a) create an inventory and assess potential cultural and heritage resources and consider their protection through registration under the Heritage Property Act;*
- b) consider initiating and adopting proposed Heritage Conservation Districts, including those identified in Table 4, and on Map 20;*
- c) consider regulating developments abutting Heritage Conservation Districts to complement the existing heritage character; and*
- d) consider adopting conservation measures for identified heritage resources as part of municipal facility and parks master planning and management plans.*

The Regional Centre SMPS identifies Downtown Dartmouth in Table 4 of Section 4.4.1, Proposed Heritage Conservation Districts, as one of three proposed Heritage Conservation District study areas in Dartmouth:

Downtown Dartmouth: The sections of Downtown Dartmouth to the southeast of the Dartmouth Common contain a mix of 18th and 19th century residential and commercial buildings where the architecture of the buildings narrates a story of the community's evolution.

On November 17, 2020, Halifax Regional Council passed a motion to prioritize the adoption of Downtown Dartmouth as the next Heritage Conservation District, following the adoption of the Downtown Halifax Heritage Conservation District. This background study provides a brief historical summary of the study area and describes the overall purpose of establishing the Downtown Dartmouth HCD.

On May 23, 2024, Halifax Regional Council approved an application to adopt the Suburban Housing Accelerator SMPS and Land Use Bylaw and amend the Regional Municipal Planning Strategy and Subdivision Bylaw, the Regional Centre SMPS and Land Use Bylaw and affected Community Municipal Planning Strategies and Land Use Bylaws, under the federal Housing

Accelerator Fund (HAF) initiative. The amendments included expanded HCD boundaries for Five Corners and Downtown Dartmouth in Dartmouth, along with Oakland Road and Creighton's Field in Halifax. Four new HCD's were proposed, including Flower Streets and Ropeworks in Dartmouth, and Young-Woodill Divisions and Jubilee Road in Halifax. Most properties within proposed Heritage Conservation Districts are now zoned ER-2, which encourages internal conversions of existing buildings while permitting gentle density.

1.2. Purpose of this Background Study

The purpose of this background study is to initiate a process to prepare a new Heritage Conservation District plan and bylaw within the framework of the Nova Scotia *Heritage Property Act* and its accompanying *Heritage Conservation Districts Regulations*. This background study is submitted to both Regional Council for the Municipality and the Provincial Minister responsible for the *Heritage Property Act* for their endorsement and initiation of the process to develop a Heritage Conservation District.

Section 7 of the *Heritage Conservation Districts Regulations* states that in the preparation of a conservation plan and bylaw, the Council as a minimum shall undertake studies relating to the following:

- a) *the rationale or justification for heritage conservation measures in the district;*
- b) *the rationale for the boundaries of the district;*
- c) *the relationship of a conservation plan and conservation bylaw with any municipal planning strategy, land-use bylaw or provincial land-use policy or regulation in effect for the district; and,*
- d) *an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).*

The rationale for heritage conservation measures in the Downtown Dartmouth HCD (herein the 'District') and for its boundaries is supported by a statement of heritage values for the District. Existing legislation relevant to the proposed District is then discussed in relation to the need for conservation measures to preserve and enhance heritage values and character defining elements. Such conservation measures may supplement or amend the existing legislation. The background study concludes with an analysis of the social and economic implications of the establishment of the District as it relates to the potential conservation measures.

1.3. Process for Establishing a Heritage Conservation District

The statutory procedure for establishing a Heritage Conservation District under the *Heritage Property Act* and *Heritage Conservation District Regulations* is outlined in Appendix A. For the Downtown Dartmouth HCD, this process is divided into three phases:

Phase 1 - Project Definition and Initiation

- Complete background study including the information contained in this report;
- Report to Heritage Advisory Committee and Regional Council to propose adoption of the background study and to initiate the Public Participation Program; and,
- Submit the background study to the Minister for review (required by *Heritage Property Act*).

Phase 2 - Community Engagement and Planning

- Background study is made available to the public for comment;
- General Public Meeting #1 with Planning Workshop;
- Complete 1st draft HCD Plan and make available for public input;
- Complete 2nd draft HCD Plan, draft HCD Bylaw, and amendments to the Secondary Municipal Planning Strategy and Land Use Bylaw and make available for public input;
- General Public Meeting #2 with Planning Workshop; and,
- Complete final draft HCD Plan and all associated documents.

Phase 3 - Adoption and Implementation

- Staff provides recommendation concerning HCD to Heritage Advisory Committee (HAC) and other committees, if necessary;
- Committee provides recommendation concerning HCD to Regional Council;
- Regional Council provides Notice of Intention concerning the adoption of the HCD Plan and associated documents;
- Regional Council considers adoption of HCD Plan and associated documents after holding a Public Hearing;
- If adopted by Regional Council, HCD Plan and associated documents submitted to provincial Ministers for review and consideration concerning adoption;
- District established when HCD Plan and HCD Bylaw approved by Ministers; and,
- Staff develop financial programs to support the plan.

1.4. Historical Context

Downtown Dartmouth is located in the Sipekni'katik (Supagune'gati) district of Mi'kma'ki, the traditional and ancestral lands of the Mi'kmaq. The Municipality acknowledges the Peace and Friendship Treaties signed in this Territory and recognizes that we are all Treaty People. The Mi'kmaq settled the lands around present-day Downtown Dartmouth and Turtle Grove (present day Tufts Cove) and developed summer campsites. They would leave their winter camps in Shubenacadie each spring and travel south to Halifax Harbour, along the Shubenacadie River and chain of lakes. The Mi'kmaq would hunt and fish in this area, which they called Punamu'kwati'jk¹, and return to their winter campsites in the fall.

Early Colony and First Town Plot

The first Town Plot of Dartmouth was marked out in 1750 by the surveyor general (See Figure 1) to provide agricultural produce to the Town of Halifax, across the harbour, which had been established one year earlier. The street grid included large rectangular blocks bounded by Water Street (present-day Alderney Drive), Portland Street, Pine Street/Irishtown Road, and Church

¹ Pronounced boo-na-moo-gwah-deejk and meaning “at the tomcod” (tomcod is a type of fish)

Street. The new settlement was likely named for William Legge, who succeeded his grandfather as Second Earl of Dartmouth in 1750. The first families arrived from Gravesend, England, on a sailing ship, called the *Alderney*. The settlers cleared the land, built homes, grew crops, fished, and sold produce to the settlers in Halifax. In 1752, The Steamboat Company began operating the Halifax-Dartmouth ferry service with three steam-powered ships. This operation continues to this day under the Municipality and is the oldest saltwater ferry service in North America.

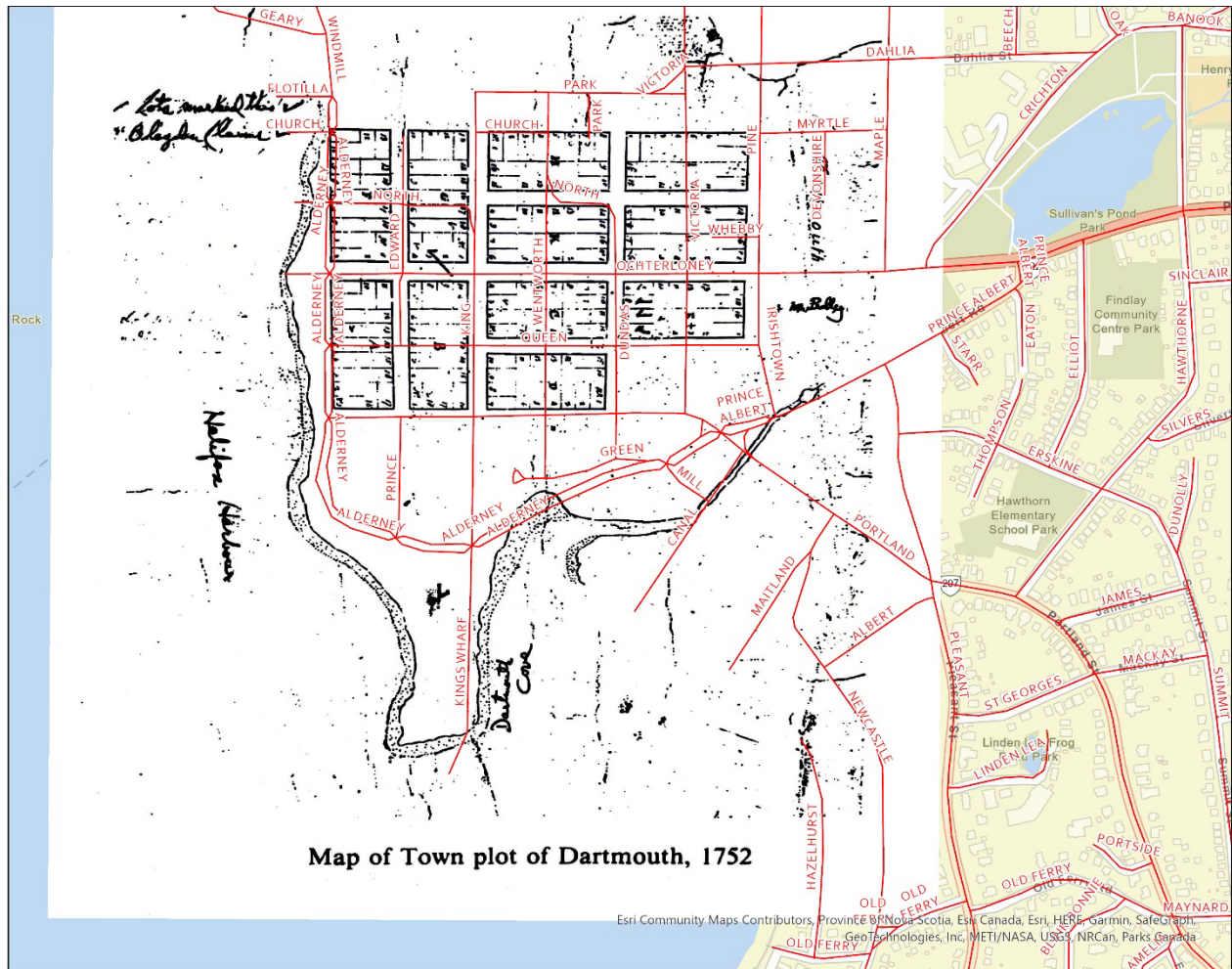


Figure 1: Georeferenced map of the original grid for the Town of Dartmouth, 1752 (from The History of the Dartmouth Quakers)

By 1754, the population of Dartmouth had dwindled to only five families, due largely to unrest and strife with the Mi'kmaq population whose traditional and ancestral lands were being occupied by the settlers. The British government called in detachments of military troops to protect the colony. The troops removed the fence around the settlement, built a road out to the new settlement in Lawrencetown, and built Fort Clarence on the eastern side of the harbour (now the site of Imperial Oil). A peace treaty was signed in 1763 which ended the strife between nations, but by this time the new settlement was occupied largely by soldiers and few residents would occupy the fledgling colony for the next twenty years.

Loyalists and Nantucket Quaker-Whalers

American colonists, of various cultural backgrounds who supported the British cause during the American War of Independence (1775-83) became known as Loyalists. After the war, in 1783,

about half of approximately 100,000 Loyalists fled to Canada and about 3,500 black Loyalists, both free and enslaved men, women and children, arrived in the Maritimes. Many Loyalists arrived in Dartmouth and played leading roles in the industrial, political, and social life of the community. Two Loyalists, Lawrence Hartshorne and Jonathan Tremain, established a very successful gristmill, near Dartmouth Cove, powered by a dam and stream which flowed north of present-day Victoria Road. In 1784, a group of whalers and their families, most of whom were members of the Society of Friends (Quakers), contacted the Governor of Nova Scotia to negotiate a relocation of their successful whaling enterprise from Nantucket Island, off the coast of Cape Cod, to Dartmouth. They were seeking to secure their trade relationship with Great Britain after the War of Independence.

Second Town Plot and the Dartmouth Common

In 1786, Governor Parr made many concessions to receive the industrious community of Quaker-whalers and escheated the original Dartmouth Town Plot in an attempt to finally establish a firm economic base. The governor had the surveyor general resurvey the town to accommodate the Quaker families and their whaling industry. The surveyor general added several new streets which partitioned the original rectangular shaped blocks, south of present-day Ochterloney Street, into ten new square shaped blocks and added several new blocks south of Portland Street (Figure 2). This intervention more than doubled the number of building lots and reoriented the industrial and commercial centre toward Dartmouth Cove. Forty Quaker families reestablished their community and the Nantucket Whaling Company with its many supportive industries—lofts, ropemaking, marine equipment, refineries—within the confines of the resurveyed Dartmouth Town Plot and built many dwellings.

In 1788, the Quakers successfully lobbied the Governor for a grant of Common land for grazing livestock west of the town, after hearing that similar requests from people in Dartmouth were turned down. Despite their influence, the Nantucket Quaker-whalers remained in Dartmouth for only six years before relocating their entire enterprise and most of their community to the west coast of Wales to help establish the Town of Milford Haven and to secure their trade relations with Great Britain, once again. The Quaker community continues to thrive today in the Welsh town and in Atlantic Canada. The physical legacy of the Quaker-whalers remains in the peculiar shape of Downtown Dartmouth's urban grid, in the shared open space of the Dartmouth Common, and in the Nantucket Quaker-whaler House on Ochterloney Street.

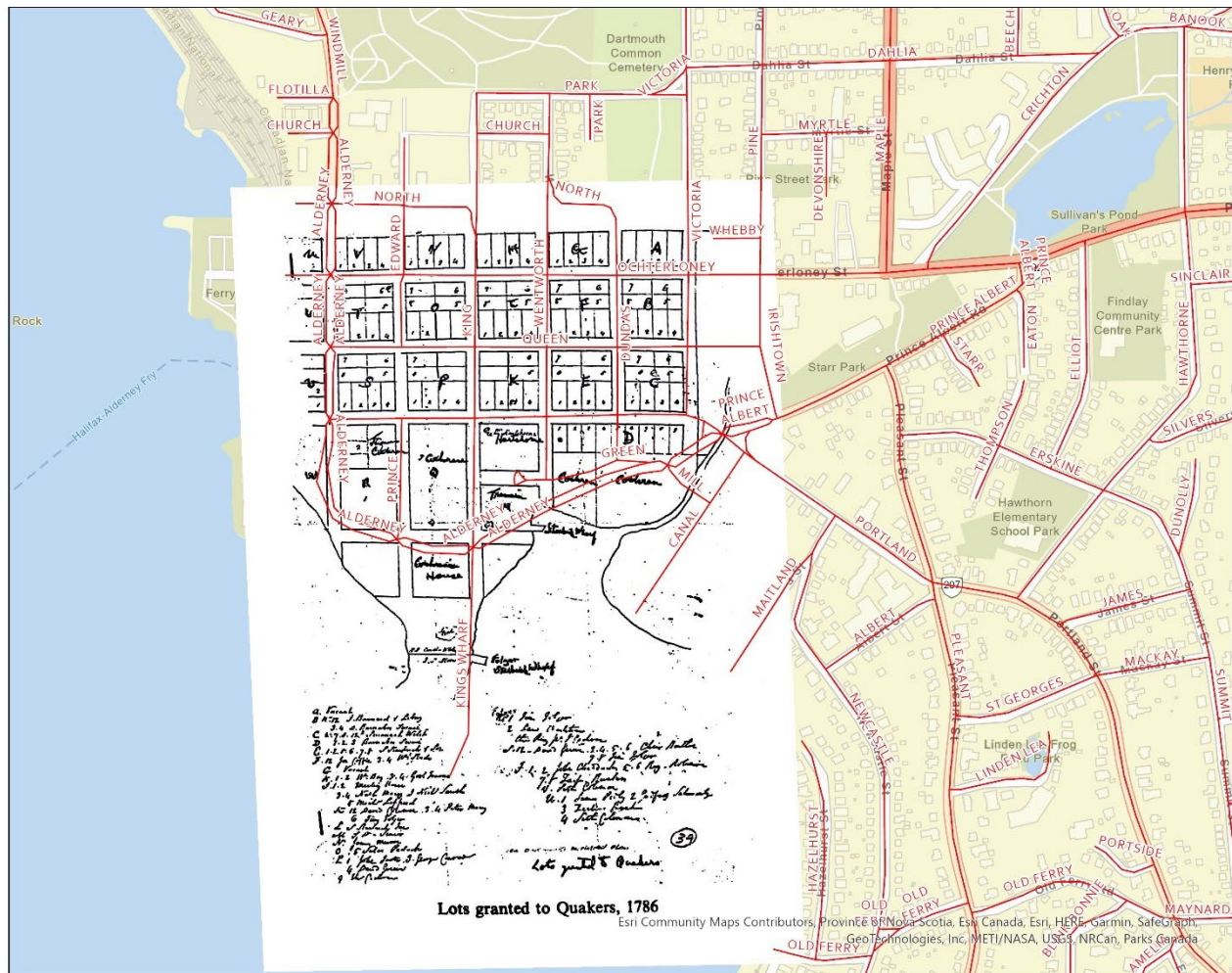


Figure 2: Georeferenced map of the resurveyed grid for the Town of Dartmouth, 1786 (from The History of the Dartmouth Quakers)

Trelawny Town Maroons

In 1796, the British government relocated five hundred Maroons to Nova Scotia, after their uprising against the colonial British government in Trelawny Town, Jamaica. Upon arrival, the Maroons were immediately employed by Prince Edward, the Duke of Kent, on the 3rd fortifications of Fort George on Citadel Hill in Halifax. Two Jamaican dignitaries, Colonel William D. Quarrell and Alexander Ochterloney, were appointed superintendents of the exiled Maroons. They purchased properties and built houses for the Maroons in Sackville (Maroon Hill), Preston, and Dartmouth. The road that the Maroons travelled between Preston and Dartmouth was named after Ochterloney and Quarrell Street was renamed Queen Street in 1915, in honour of Queen Victoria. Most Trelawny Town Maroons petitioned the British government to relocate to Sierra Leone in Africa, due largely to mistreatment in Nova Scotia, and relocated there in 1800. Mistreatment included labour exploitation, segregation and isolation in a cold and harsh climate that the Maroons had not adapted to.

By 1800, North Street was named to identify the northern boundary of the Town Plot at that time (Figure 3).

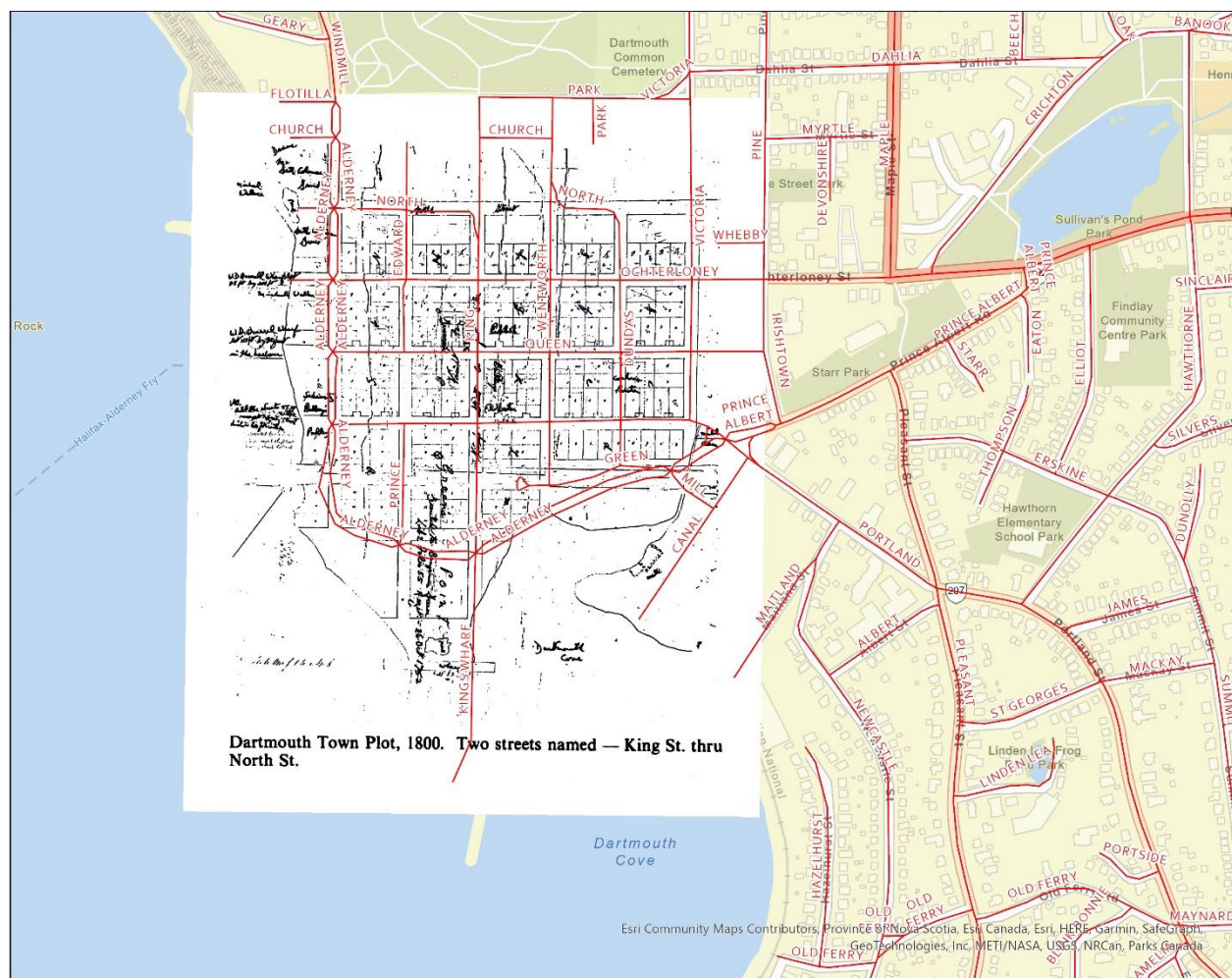


Figure 3: Georeferenced map of the Town of Dartmouth in 1800, showing early industrial development around Dartmouth Cove (from The History of the Dartmouth Quakers)

Shubenacadie Canal

In 1826, The Shubenacadie Canal Co. purchased the gristmill property in Dartmouth Cove and initiated an industrial project to make the Shubenacadie River and chain of lakes accessible to larger ships. The merchants recruited Irish and Scottish navvies and stonemasons in 1827 to construct a series of canals with locks connecting the waterways. The navvies dug the “Deep Cut” to connect Lake Charles to Lake Micmac. They dug Sullivan’s Pond to provide water to the locks between the pond and the Harbour. These workers established their homes and the first suburbs, north of North Street and east of Victoria Road, within the confines of the original grid laid out by the surveyor general in 1750 (Figure 4). The lock system in the Town was replaced by a marine railway, powered by a turbine, run by a watercourse flowing from Sullivan’s Pond. After initial complications, the Shubenacadie Canal was finally opened in 1861 when the steam vessel *Avery* made the ninety-kilometre journey from Dartmouth to Maitland and into Cobequid Bay. The canal was initially successful, providing a supply route to the Waverley gold rushes of the 1860s and to support construction of the Nova Scotia Railway, although profits were marginal. Once completed, the railway offered a reliable year-round service that made the canal uncompetitive. The canal was used for shipping for only ten years before this transportation system was replaced by the railway. Canal operations ended in 1871 when the Town of Dartmouth took over the Dartmouth Lakes as a water supply.

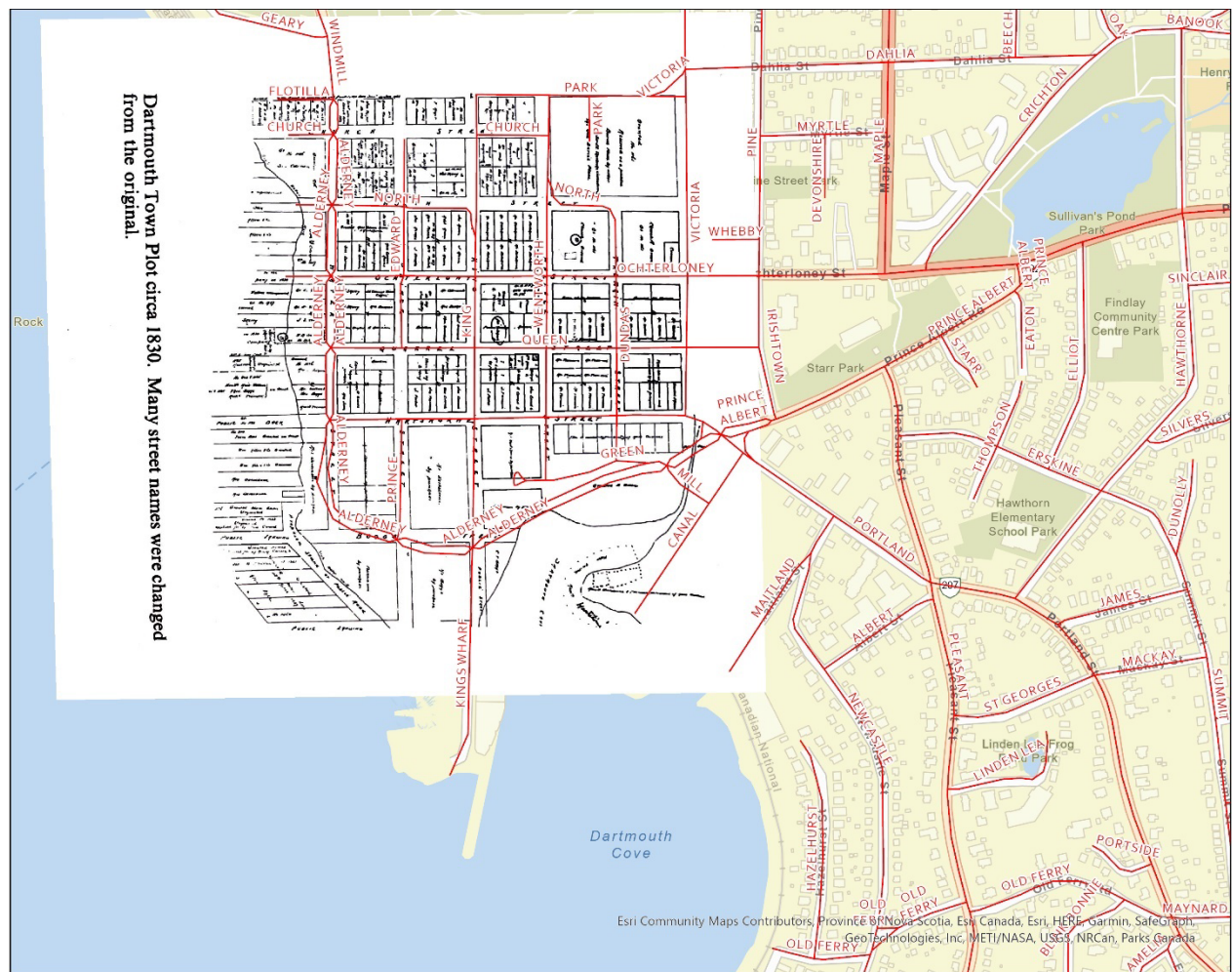


Figure 4: Georeferenced map of the Town of Dartmouth in 1830, showing early suburban development north of North Street (from *The History of the Dartmouth Quakers*)

Early Industry and Suburbs

By the middle of the 19th century, Dartmouth had become an industrial town, and new suburbs were developed within and adjacent to the original town. The Starr Manufacturing Company harnessed waterpower from the Shubenacadie Canal to build many products and became a world leader in the design and manufacture of ice skates. Other notable industries included stone crushing, ice harvesting, shipyards, dry goods, and smaller businesses such as blacksmiths, carriage factories, grocery and hardware stores. Dartmouth was incorporated into a town in 1873. Many other industries were established further out in the Dartmouth North End, Dartmouth Cove, and Woodside, including Dartmouth Rope Works Company, Oland's Brewery, Dartmouth Marine Railway Slips, Acadia Sugar Refinery, and Imperial Refinery. This industrial development drove suburban development around the town. In 1891, Architect Henry Elliot prepared a landscape plan for the "Dartmouth Park" which introduced several features to the Dartmouth Common including paths, trees, boulevards, a sport field, and several buildings including a gazebo, perched as a look-off.

The industries and communities in Dartmouth North were the hardest hit by the Halifax Explosion in 1917. The explosion destroyed the Turtle Grove Mi'kmaw settlement and impacted the health and property of many residents. The Turtle Grove settlement was not rebuilt after the explosion, and many Mi'kmaw survivors were forced to resettle elsewhere. The “Roaring Twenties” that

followed was a prosperous decade for Dartmouth as the Town was rebuilt from the debris. Dartmouth survived the Depression years of the 1930s better than most Canadian communities due to its broad industrial base, developed over the previous one hundred years, and the Town even experienced a small baby boom. During the Second World War, most of the Town's residential, commercial, and industrial base was still in Downtown Dartmouth, where the original settlement had begun. Dartmouth industries produced new products to aid the war effort. Service personnel moved into the area which resulted in new temporary structures and uses, including dwellings, barracks, and recreational centres.

Modern Downtown Dartmouth and Legacies of the Past

The Angus L. MacDonald Bridge opened in 1954. The construction of this road link between Dartmouth and Halifax led to rapid suburban and commercial development. Dartmouth amalgamated with the wider suburban area in 1961. Around this time, large Modern buildings were constructed in Downtown Dartmouth including Dartmouth City Hall (c. 1950), RBC Building (c. 1960), Queen Square (1975), and a new ferry terminal (1979). Park Commissioner Leighton Dillman made vital contributions to the preservation and development of the Dartmouth Common to beautify the park over several decades. In the 1990s, Commercial Street—formerly known as Water Street—was converted into a four-lane boulevard and renamed Alderney Drive, around the same time that Alderney Landing and Alderney Gate were constructed. Today, the diverse cultural communities that shaped historic Downtown Dartmouth are apparent in the historic buildings and spaces of the old town, especially in the Nantucket Quaker-whaler house, the Dartmouth Common, the many places of worship and cemeteries, and the early suburban development that responded to new industrial growth.

2. Rationale for Heritage Conservation Measures and for District Boundaries

2.1 Rationale for Heritage Conservation District Measures

In November 2020, Halifax Regional Council passed a motion to prioritize the adoption of Downtown Dartmouth as the next Heritage Conservation District after the adoption of Downtown Halifax HCD. The following evaluation criteria were used in the methodology to prioritize this study area:

- 1) high concentration of registered heritage properties;
- 2) heritage value and rare examples of historic architecture;
- 3) high rate of change based on development permit activity in the past five years; and
- 4) potential for large-scale redevelopment because of their current land use designation.

The Downtown Dartmouth HCD study area was given priority as the next potential Heritage Conservation District based on the evaluation criteria.

In May 2024, Halifax Regional Council approved amendments to the Regional Centre SMPS and Land Use Bylaw under the federal Housing Accelerator Fund (HAF) initiative. This also involved the expansion of the proposed Downtown Dartmouth HCD boundaries to encompass potential contributing heritage resources.

Concentration of Heritage Resources

The Downtown Dartmouth HCD study area, as identified in the Regional Centre Secondary Municipal Planning Strategy and amended through the HAF, includes 35 registered municipal heritage properties within an approximately 290,000 square metre (72 acre) area, which is a high concentration of heritage resources. There are several contributing heritage resources, which are not currently registered, within this area. There are also concentrations of registered heritage properties and concentrations of contributing heritage resources to the north, south, east, and west of this area.

Heritage Values

Within the Regional Centre there are many areas of high heritage value due to the age, integrity, and architectural character of the building stock therein. Historically, development in the Regional Centre expanded outwards from the original townsites of Halifax (1749) and Dartmouth (1750), meaning that the highest concentration of older structures is located close to these two downtown areas. Major commercial, institutional and public buildings were constructed within the downtown areas, many of which have survived due to their cultural importance and durable masonry construction. The Downtown Dartmouth HCD study area includes heritage resources which are rare examples of historic architecture from early periods in the evolution of the Municipality and Province.

Heritage value is defined in the *Heritage Property Act* as the aesthetic, historic, scientific, cultural, social or spiritual importance or significance for past, present or future generations. Downtown Dartmouth has had many significant roles in the social and economic development of the City and Province. The Mi'kmaq used this area for seasonal encampments, and it is the site of the original colonial Town of Dartmouth, established in 1750, and of the oldest saltwater ferry service in North America, established in 1752. Downtown Dartmouth is valued as the home of diverse cultural communities exemplified in the mix of building types, uses, and styles and in the many places of

worship, monuments, cemeteries, and open spaces.

Downtown Dartmouth is valued for its association with influential groups in the late 18th century. Large groups of people, including Loyalists, Nantucket Quaker-whalers, and Trelawny Town Maroons fled oppression in their homelands to Nova Scotia, where they helped establish the first successful industries in Dartmouth, constructed many buildings and structures in the town, and prepared the town people for the subsequent industrial revolution. The Quakers influenced the Governor to reshape the street grid and physical character of the original town plot, establishing the industrial and commercial waterfront around Dartmouth Cove. They purchased land west of the town to establish the Dartmouth Common, which was redesigned with the Plan of Improvements to Dartmouth Park (1891) by architect Henry Elliot. Park Commissioner Leighton Dillman made vital contributions to the preservation and development of the Dartmouth Common to beautify the park over several decades.

Downtown Dartmouth is valued for its association with the Shubenacadie Canal: one of the largest industrial projects of 19th century in Nova Scotia. Construction of this navigational system, between Halifax Harbour and the Cumberland Basin at Maitland, originated in Downtown Dartmouth. Irish and Scottish navvies and stonemasons built their homes and a community in Downtown Dartmouth. Throughout the 19th and 20th centuries, Downtown Dartmouth was home to many other industrial enterprises, including the Starr Manufacturing Company which became a world leader in the design and manufacture of ice skates. Stone crushing, ice harvesting, shipyards, dry goods stores, blacksmith shops, carriage factory, grocery and hardware stores are a few other examples of the historic industrial landscape. Early suburbs emerged within and adjacent to Downtown Dartmouth alongside the commercial and industrial development. The industrial Town recovered quickly in 1920s, after the Halifax Explosion, and sustained its population through the Depression years of the 1930s and supported war efforts during the Second World War. The community flourished after the War with the construction of the MacDonald Bridge and the ensuing modern development.

Recent Development Pressures

Between 2015 and 2023, Downtown Dartmouth HCD study area, identified in the Regional Centre Plan, experienced a high rate of development with 109 permits issued. Between 2021 and 2023, most permits issued were for mixed use and commercial development followed by permits issued for residential development and signage.

Potential Development Pressures

Certain study areas will experience more development pressures than others due to their proximity to the downtown cores as increasing numbers of residents and businesses seek to locate near the central services and cultural facilities of HRMs downtown areas. Downtown Dartmouth is given priority as a potential Heritage Conservation District because it includes potential large-scale redevelopment that could threaten heritage resources with demolition. Excluding the Dartmouth Common area, most of the area within the proposed Downtown Dartmouth Heritage Conservation District is designated Downtown and zoned Downtown Dartmouth (DD). This zone allows for Floor Area Ratios between 1.75 and 8.0 and heights up to 90 metres. While growth and development should be encouraged in this area, the heritage-sensitive development regulations created through a HCD Plan can ensure that new development is appropriate for its historic context.

2.2 Rationale for Heritage Conservation District Boundaries

The potential Downtown Dartmouth Heritage Conservation District boundaries will include the amended study area identified through the Housing Accelerator Fund initiative and extended to include contributing heritage resources and character defining elements, refer to Map 1. The boundaries on Map 1 are subject to review and revision throughout the planning and public engagement process, consistent with the provisions of the draft HCD Plan.

Contributing Heritage Resources

The proposed Downtown Dartmouth HCD Plan boundaries encompass contributing heritage resources which include buildings, structures, and open spaces that contribute to the heritage value of Downtown Dartmouth. Refer to contributing heritage resources on Map 1.

Character Defining Elements

The boundaries encompass Character Defining Elements (CDEs) of the potential HCD. The *Heritage Property Act* defines character defining elements as the materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to heritage value and that must be sustained to preserve heritage value

The HCD boundary research and review will encompass CDEs of Downtown Dartmouth, including:

- Original grid of the Dartmouth Town Plot, laid out by the surveyor general in 1750, framed by Church Street, Alderney Drive, Portland Street, Pine Street/Irishtown Road;
- Views of Halifax Harbour at the ends of Church Street, North Street, Ochterloney Street, Queen Street, Portland Street, King Street, and Prince Street;
- Large square shaped blocks created by the addition of new streets, laid out by the surveyor general in 1786, which partitioned the original rectangular shaped blocks;
- Victorian era suburbs, within and abutting the original Town Plot, west of North Street and north of Victoria Road;
- Ochterloney Street, between Alderney Drive and Prince Albert Road, and all abutting properties;
- Church properties within the original town;
- Cemetery properties at Park Avenue and Victoria Road; and
- Park features within the Dartmouth Common with significant associations to the Town of Dartmouth, the 1891 Henry Elliot plan, and the vital contributions of Park Commissioner Leighton Dillman².

3. Heritage Policy and Legislation

3.1. Establishment of a Heritage Conservation District

The *Heritage Property Act* enables municipalities to establish heritage conservation districts. Under the *Heritage Property Act* and its *Heritage Conservation District Regulations*, a Heritage

² The inclusion of the Dartmouth Common within the boundaries of the HCD will require consideration throughout the planning and community engagement process.

Conservation District is established by adoption of a Heritage Conservation District plan and bylaw by a municipal council.

A Heritage Conservation District (HCD) plan establishes the council's rationale for the adoption of conservation measures and articulates its policies on pertinent conservation issues and opportunities. A conservation bylaw establishes the administrative framework for implementation of the plan, including design guidelines for building alterations and new development, and lays out procedures for the issuance of permits (certificates of appropriateness) based on the guidelines.

The conservation plan and bylaw can apply to all buildings in a district, whether registered or not. There may be different conservation plans and bylaws for different parts of a municipality. A conservation plan and bylaw may be adopted alongside other development control mechanisms, such as amendments to municipal planning strategies and land use bylaws applicable in the district.

Active and Proposed Heritage Conservation Districts

There are currently three active heritage conservation districts in the Municipality: Barrington Street HCD (est. 2009), Schmitzville HCD (est. 2018) and Old South Suburb HCD (est. 2020). The new proposed Downtown Halifax HCD offers to merge two of the established heritage conservation districts—Barrington Street HCD and Old South Suburb HCD—to simplify administration and to establish a consistent policy framework. The proposed Downtown Halifax HCD also includes the Capital area which encompasses Historic Properties study area identified in the Regional Centre Plan. This Plan establishes both a consistent policy framework and area-specific policies tailored to the unique character of three distinct areas of Downtown Halifax.

The Regional Centre Plan identifies a total of 12 proposed Heritage Conservation District study areas, including Downtown Dartmouth. It identifies the Harbourview Area to the west of Downtown Dartmouth and Five Corners to the east. The process to establish an HCD in the Downtown Dartmouth study area has priority as the next planning project, followed by the Brunswick Street District and then Creighton's Field.

The Housing Accelerator Fund initiative added four more proposed HCD study areas to the Regional Centre Plan list: Flower Streets (Dartmouth), Ropeworks (Dartmouth), Young-Woodill Divisions (Halifax), and Jubilee Road (Halifax). The boundaries of study areas identified in the Regional Centre Plan were expanded for Five Corners (Dartmouth), Downtown Dartmouth, Oakland Road (Halifax) and Creighton's Field (Halifax).

Heritage Officer

A council that has adopted a Heritage Conservation District plan and bylaw must designate a person employed by the municipality as the heritage officer and the heritage officer shall be responsible for the administration of the conservation plan and bylaw and the issuance of certificates, in accordance with the bylaw and conservation standards.

Conservation Standards

The Municipality adopted the *Standards & Guidelines for the Conservation of Historic Places in Canada, 2nd Edition*, in 2014 replacing a previous set of heritage building conservation standards. The Regional Municipal Planning Strategy requires that these standards be used to evaluate any proposed alteration to any registered heritage property or to any property in a Heritage Conservation District. The Standards & Guidelines states that the overarching aim for protecting historic places in Canada is Conservation. Conservation is described as all actions or processes aimed at safeguarding the character defining elements of an historic place to retain its heritage

value and extend its physical life. This process may involve preservation, rehabilitation, restoration, or a combination of these actions. In Heritage Conservation Districts, the *Standards & Guidelines* can be supplemented by area-specific design criteria that address the distinct character of the district.

Heritage Impact Statements

A heritage impact statement (HIS) is required within existing HCDs if a proposed development project on a heritage property may alter a character defining element of the property within the HCD. The HIS determines how a specific proposed development will impact a heritage resource. It also demonstrates how the heritage resource will be conserved in the context of a site alteration or redevelopment. Existing HCD Bylaws describe a heritage impact statement as:

“a study prepared by an architect or other design professional to indicate if any heritage resource will be impacted by a specific proposed development or site alteration, and which can also demonstrate how the heritage resource will be conserved in the context of redevelopment or site alteration, and in which mitigative or avoidance measures, or alternative development or site alteration approaches may be recommended”.

3.2. Registered Municipal Heritage Properties

There are a variety of registered municipal heritage properties within Downtown Dartmouth. Municipal heritage properties are registered when properties are deemed to have heritage value and applications for their registration are approved by Regional Council. Heritage value may include architecture, historical associations, or settings and provide important representations of local history.

The *Heritage Property Act* establishes three processes dealing with municipal registered heritage properties:

- Registration
- Substantial Alteration and Demolition
- Deregistration

To process applications under the *Heritage Property Act*, a heritage bylaw, heritage registry and Heritage Advisory Committee must be established. The Municipality's Heritage By-Law H-200 establishes the municipal heritage registry and the Heritage Advisory Committee and identifies its powers which are, in general terms, to advise Regional Council on all matters relating to heritage.

Heritage Advisory Committee

The Heritage Advisory Committee (HAC), formed under Bylaw H-200, may provide advice to Regional Council with respect to the establishment and administration of a Heritage Conservation District. The role of this committee with respect to heritage conservation districts is to advise the municipality respecting:

- 1) the preparation, amendment, revision or repeal of a conservation plan and conservation bylaw;
- 2) the administration of heritage conservation districts; and,
- 3) an application for a certificate that is required by the Act or the conservation plan and bylaw to go to a public hearing.

Registration

There are several properties within the District that are historically significant but are not registered as municipal heritage properties. However, in accordance with the *Heritage Property Act*, where a Heritage Conservation District is established, no further building, streetscape or area in the District shall be registered as a municipal heritage property. Existing municipal heritage properties, within a Heritage Conservation District, will continue to be registered and subject to the applicable provisions of the *Heritage Property Act* in addition to the Heritage Conservation District plan and by law.

Substantial Alteration and Demolition

An application for a substantial alteration or demolition of a municipal heritage property is considered under the *Heritage Property Act*. To substantially alter or demolish a municipal heritage property, within or outside of a Heritage Conservation District, an application must be submitted to the municipality. Municipal staff prepare a report for the HAC who evaluate the alteration or demolition using the conservation standards prescribed under Bylaw H-200 and any other relevant Heritage Conservation District plan and bylaw or municipal policies, such as the heritage design guidelines in the Downtown Halifax Land Use Bylaw Design Manual. If the HAC is satisfied that the application meets the conservation standards and other provisions, it may pass a positive recommendation to Regional Council. No hearing is required. Regional Council decides to approve or refuse the application with consideration given to staff and HAC recommendations.

Registered municipal heritage properties within a Heritage Conservation District are protected by stronger development controls than registered municipal heritage properties outside of a Heritage Conservation District because the “three-year delay clause” (Section 18 of the *Heritage Property Act*) does not apply. However, the Heritage Conservation District plan must include provisions to allow for a process to consider demolition and substantial alteration, such as the issuance of a certificate of appropriateness.

Deregistration

To deregister a municipal heritage property, within or outside of a Heritage Conservation District, an application must be submitted to the municipality along with an associated fee. The *Heritage Property Act* identifies specific provisions under which Regional Council may consider an application for deregistration: the property has been destroyed or damaged by any cause; or, the continued registration of the property appears to the council to be inappropriate as a result of the loss of the property's heritage value. According to Bylaw H-200, deregistration applications must be reviewed by the HAC. If the HAC is satisfied that the application meets one of these provisions, it may pass a positive recommendation to Regional Council. If Regional Council wishes to consider deregistration of a heritage property, it must hold a public hearing to consider it prior to making its decision.

Heritage Agreements

Under Section 20 of the *Heritage Property Act*, Regional Council may enter into an agreement with the owner of municipal heritage property or property located in a Heritage Conservation District, whereby the owner grants to the council a right or incurs an obligation respecting the use, preservation or protection of the heritage property or property located in a Heritage Conservation District.

3.3. Heritage Incentive Programs

Grants and Funding for Municipally Registered Heritage Properties

The annual Heritage Incentives Program provides matching grants (50%) of up to \$15,000 for residential properties and \$25,000 for commercial properties to complete exterior conservation work on a municipally registered heritage property under private ownership.

Grants and Funding for Properties within Heritage Conservation Districts (HCDs)

On March 23, 2021, Regional Council adopted a program to support the restoration and renovation of buildings located within the boundaries of the Schmitville and Old South Suburb Heritage Conservation Districts (HCDs), over a period of five years. The Financial Incentives Program for Schmitville and Old South Suburb HCDs provides conservation grants for 50% of the cost for materials and labour up to a maximum grant of \$50,000 to complete exterior conservation work on properties located within the boundaries of these two HCDs. This program also provides functional improvement grants for 15% of the cost for materials and labour up to a maximum grant of \$400,000 to install or repair integral building systems, including work to bring these systems up to current building code requirements, improve their energy efficiency (including plumbing, heating, electrical, etc.) or improve their accessibility (including ramps, equipment, etc.).

The Regional Centre Plan includes a policy that the Municipality may establish heritage incentive programs in conjunction with new Heritage Conservation Districts (subject to budgeting).

Community Grants Program

The Community Grants Program provides annual cash grants to registered non-profit organizations and charities located throughout the Halifax region. There are two types of grants: a project grant of up to \$5,000 OR a capital grant of up to \$25,000.

There are also grant opportunities available through the Provincial government for owners of provincial heritage properties, municipal heritage properties or properties within a Heritage Conservation District. The Department of Communities, Culture, Tourism, & Heritage offers grants for conservation advice and conservation work. In addition, the Department of Service Nova Scotia and Municipal Affairs offer a provincial tax rebate. This rebate means that owners of provincial or municipal registered heritage properties are eligible for a full rebate of the provincial sales tax paid for external building materials.

Provincial Funding for Heritage Properties

In addition to the municipally funded Heritage Incentives Program, you can find financial support for your project at the provincial and federal level. The Province of Nova Scotia operates several programs to help owners with the cost of maintaining registered municipal heritage properties and properties located within heritage conservation districts.

3.4. Registered Provincial Heritage Properties, Archaeological Resources and Cemeteries

Registered Provincial Heritage Properties

Registered provincial heritage properties are deemed to have a provincial level of heritage value. Heritage value may include architecture, historical associations or settings, and provides important representations of Nova Scotia's history. Currently, there is only one registered provincial heritage property in Dartmouth: Quaker Whaler House at 57 Ochterloney Street.

The extent to which a conservation plan and bylaw may apply to any registered provincial heritage property in a Heritage Conservation District is determined by the Provincial Heritage Advisory Council and the Minister responsible for the *Heritage Property Act* and *Heritage Conservation*

District Regulations on a case-by-case basis.

All applications to alter or demolish a provincial heritage property require the approval of the Governor in Council on recommendation of the Advisory Council. The Minister may consider applications to deregister a provincial heritage property. Registered provincial heritage properties are protected by stronger development controls than registered municipal heritage properties because Section 18 of the *Heritage Property Act* does not apply. If permission for demolition or alteration of a provincial heritage property is refused, the refusal does not expire after three years.

Archaeological Resources and Cemeteries

The Provincial government is responsible for the *Special Places Protection Act* which seeks to “provide for the preservation, protection, regulation, exploration, excavation, acquisition and study of archaeological and historical remains and paleontological sites which are considered important parts of the natural or human heritage of the Province”. The Provincial government is also responsible for the *Cemeteries and Monuments Protection Act*. Contact the Provincial Coordinator, Special Places, for more information on these two pieces of Provincial legislation.

3.5. Federal Heritage Legislation

National Historic Designations

The Federal government’s Historic Sites and Monuments Board of Canada may consider a place, person or event that had a nationally significant impact on Canadian history or illustrated a nationally important aspect of Canadian human history. Currently, there are no National Historic Sites or Persons in the proposed HCD.

National Historic Events (NHE) evoke a moment, episode, movement or experience in the history of Canada. The Starr Manufacturing Company was designated a NHE in 2007 and a plaque was installed on the former site of the company that is now municipal park space. The plaque includes the following text:

Renowned for innovation and quality, Starr was a pre-eminent ice skate maker for three-quarters of a century. Its Acme Spring Skate, patented in the 1860s by John Forbes, offered improved safety, durability, performance, and skating pleasure, and is regarded as the most important advancement in skate design of the 19th century. The company also distributed hockey sticks, hand-carved by Mi'kmaw artisans, which were precursors of its factory-made products. Starr's innovative equipment designs, and its marketing techniques helped to establish ice-skating and hockey as Canada's favourite winter recreations.

4. Municipal Policy

4.1. Downtown Dartmouth Precincts and Waterfront Development

The Regional Centre Plan SMPS recognizes the Downtown Dartmouth area as one of the oldest settled areas of the Municipality that has retained much of its character, with a traditional street pattern and many historically significant properties, including the Shubenacadie Canal system. The following vision for the growth and development of Downtown Dartmouth guides the Plan's policies towards public investments:

Downtown Dartmouth is an attractive and safe community with a lively business district, quiet and stable neighbourhoods, and an accessible and beautiful waterfront for all to enjoy. The community has retained a strong sense of its heritage and culture, provides a broad range of quality housing choices for all, and assures that all lifestyles can be met through an abundance of park and recreation facilities, and employment opportunities.

To help achieve the above vision, Downtown Dartmouth features three (3) distinct character Precincts, each with varying character, functional identities, and building forms:

- a) Historic Dartmouth (HD) Precinct;
- b) Alderney and Central Waterfront (AC) Precinct; and
- c) Irishtown and Canal (IC) Precinct.

The objective of defining these Precincts is to help focus and direct land uses, define appropriate character for development, protect heritage, direct public investment, and guide future amendments to the Land Use Bylaw. Precinct-specific character descriptions articulate long-term goals for these areas, as well as their unique characteristics. The Regional Centre Plan indicates that Downtown Dartmouth can accommodate increased density in mid-rise to high-rise buildings integrated with existing development. Higher densities can also support the downtown's function as a primary employment and cultural centre for the broader region. The area can largely accommodate growth by infilling existing vacant and under-utilized lands.

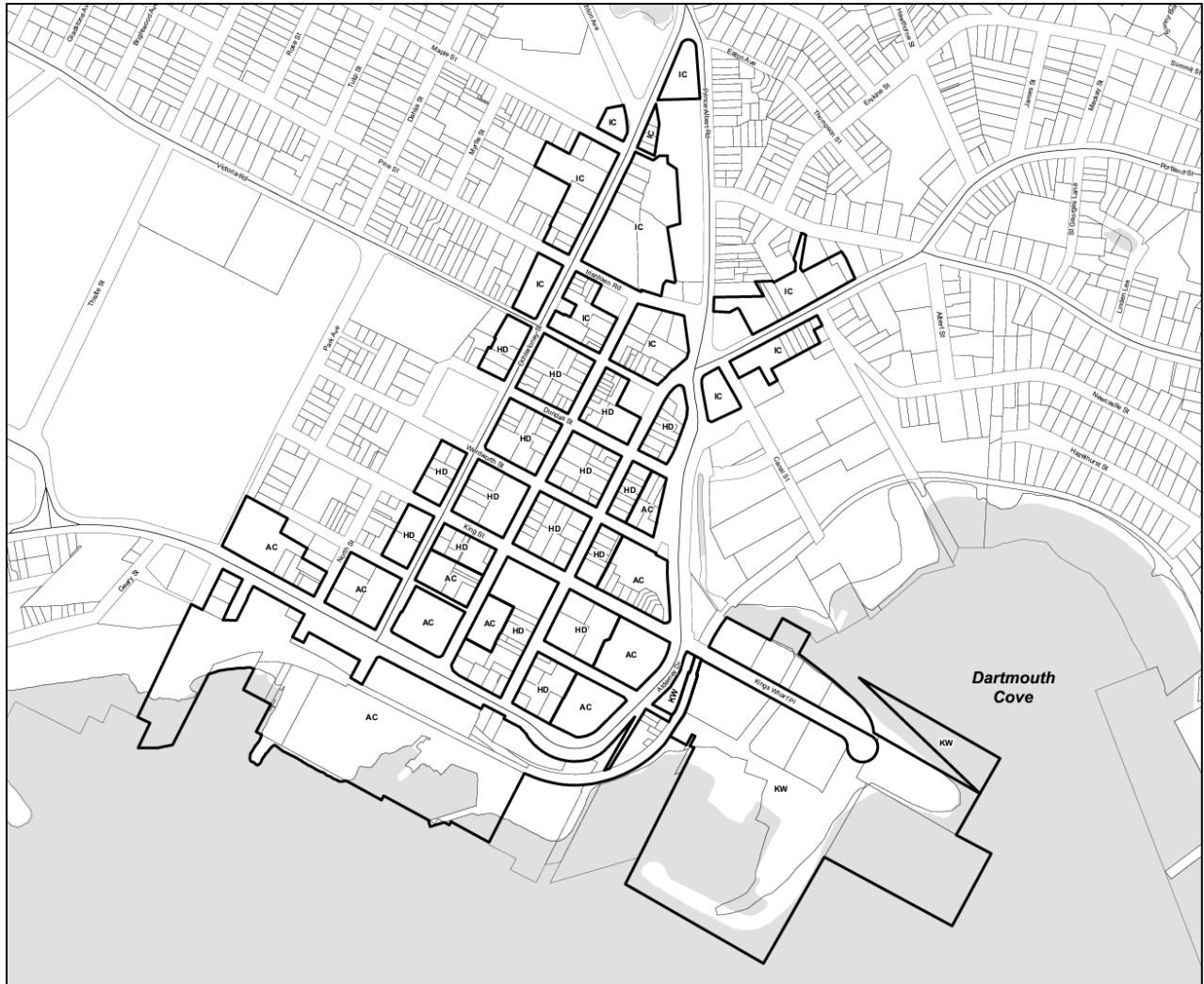


Figure 5: Downtown Dartmouth Precincts including the Historic Dartmouth (HD) Precinct, Alderney and Central Waterfront (AC) Precinct, and Irishtown and Canal (IC) Precinct within the boundaries of the proposed HCD, see Map 1.

The Regional Centre Plan also features the Historic Dartmouth Neighbourhood Precinct as part of four distinct Precincts within the Established Residential Designation. These low-density neighbourhoods contain a significant portion of the region's built heritage and play a major role in forming the overall identity of the Regional Centre. These Precincts are intended to recognize and reinforce the unique built form context that defines the characteristics of identified neighbourhoods. Precinct-specific character descriptions outline the unique characteristics of identified neighbourhoods and the built form controls, such as lot size and building height, that should be tailored as Special Areas in the Land Use-Bylaw, to ensure that new developments reflect existing neighbourhood character.

Historic Dartmouth Precinct

The Historic Dartmouth (HD) Precinct includes properties along Portland Street and Ochterloney Street between Victoria Road and Alderney Drive. The Regional Centre Plan identifies this area as part of the Downtown Dartmouth Heritage Conservation District study area. This Precinct contains a concentration of registered heritage properties, as well as other significant buildings and properties that contribute to the unique character of the area. The Regional Centre Plan considers this Precinct as the historic and commercial heart of Downtown Dartmouth. The built form includes a mix of historic and modern buildings, and the challenge for future development opportunities is to integrate

and complement the historic fabric of the street. Due to the historic nature of this Precinct, a large portion of this area only enables maximum FAR values and regulations that support low-rise buildings with a few exceptions that support mid-rise buildings to high-rise buildings, at the north and south ends of Portland Street, the area north of Dundas Street, and on vacant lots in the vicinity of Queen Street and Alderney Drive. Regulations for low-rise streetwalls with stepbacks, streetwall design and articulation, and weather protection measures that support a main street pedestrian environment are particularly important in this Precinct.

Historic Dartmouth Neighbourhood Precinct

The Historic Dartmouth Neighbourhood (HDN) Precinct is characterized by traditional architecture and built form from the early 19th Century. The predominant lot pattern in the area is small and compact lots laid out in a grid pattern. Most homes are two storeys in height with compact building footprints. This area is comprised of the neighbourhoods commonly known as Austenville, Hawthorne, and Hazelhurst, all with their own unique built traditions. The Precinct recognizes the reduced lot sizes and frontages of the area, as well as narrow side yards and lower maximum heights. The area recognizes the small lot areas and frontages, reduced side yards and reduced maximum building height to preserve the built form pattern of the area.

Irishtown and Canal Precinct

The Irishtown and Canal (IC) Precinct includes lands generally bounded by Victoria Road, Alderney Drive, and properties along Ochterloney Street and Portland Street near Dartmouth Cove. Distinct features of this Precinct include the Shubenacadie Canal System and Greenway, and Starr Park. Recent investments have been made to enhance the Shubenacadie Canal System and Greenway, including the partial daylighting of the Sawmill River and the restoration of the cultural landscape of the Shubenacadie Marine Railway.

This Precinct contains architecturally significant and historic buildings, but also offers opportunities for developments that recognize, celebrate and complement the Historic Dartmouth Precinct, the Shubenacadie Canal, surrounding neighbourhoods, and connection to Sullivan's Pond Park.

This Precinct will enable FAR values that support a wide range of densities, including low-rise to high-rise buildings. To encourage the development of vacant and underutilized properties, tall mid-rise buildings and high-rise buildings shall be limited to the eastern portion of the Precinct between Irishtown Road and Victoria Road. Built form regulations, detailed in the Land Use Bylaw, will encourage new developments to utilize quality materials, and include three-storey street walls, setbacks, and step backs that support an active pedestrian-oriented environment.

Alderney and Central Waterfront Precinct

The Alderney and Central Waterfront (AC) Precinct bounded by the Halifax Harbour and lands on both sides of Alderney Drive from Park Avenue to Dundas Street, except for the historic streetscape of Alderney Drive between Portland Street and Queen Street. Alderney Drive is an important transportation corridor, a boulevard and gateway to Downtown Dartmouth. This Precinct supports several large mixed-use developments, integrated with valuable public open space. This area also includes the Alderney Gate - Alderney Landing hub of services, which includes a major transit facility, and community and cultural facilities. Public access and public views to the Halifax Harbour are a key feature of this Precinct, and future developments should improve physical and visual linkages with the water. To achieve this, view corridors to the Harbour will be protected, and consideration may be given to providing additional public view corridors.

A diverse range of building types is supported in most of this Precinct, which includes low-rise, mid-rise, tall mid-rise, and high-rise buildings, with a built form stepping down to the Halifax Harbour, low-rise neighbourhoods, and the Historic Dartmouth Precinct. There are development opportunities

for high-rise buildings along Alderney Drive, where current parking lots and vacant lands are encouraged to be redeveloped with a focus on architectural design with appropriate building street walls, setbacks, and setbacks that support an active and engaging pedestrian environment. Support for narrow, fine-grained, and articulated grade-oriented premises are also important to fostering a pedestrian-oriented environment.

Future investments in transit, as well as pedestrian and bicycle-friendly infrastructure will aid in improving accessibility and safety along Alderney Drive for pedestrians and cyclists, to support its role as a regional transportation link as envisioned in the Integrated Mobility Plan. Capital improvements and year-round maintenance and programming can continue to animate the Alderney Ferry Terminal Plaza and provide improved connectivity to the nearby parks, open spaces and trails.

4.2. Downtown Dartmouth Land Use Designations

Downtown Designation

Most of the potential HCD is identified in the Regional Centre Plan as being within the Downtown Designation. The land use designation is intended to support development in the core of the Regional Centre where the largest scale and most intense mix of uses are encouraged. The Designation is applied to Downtown Dartmouth and Downtown Halifax and provides a vision for the character and growth aspirations for those distinct areas. Downtown Dartmouth and Downtown Halifax form a part of the cultural, financial, commercial, and civic heart of the Municipality. Together, these downtown areas are important employment centres and contain numerous service and retail shops, services, and attractions for residents and tourists. This area will continue to accommodate population growth, various housing types, and mixed-use developments.

The Downtown Designation supports diverse land uses, as well as the quality and character of existing buildings within the core of the Regional Centre. While large-scale developments and a wide mix of land uses are supported, this Plan focuses on design controls of buildings to ensure a sustainable and balanced approach to land development and growth that respects the local heritage context and transitions to surrounding low-density residential neighbourhoods.

As the core of the Regional Centre, land uses supported within the Downtown Designation include commercial, institutional, cultural, recreational, and residential uses, as well as unique uses associated with the tourism and marine industries along the waterfronts. Given the increasing number of residents and tourists who are living or visiting the area, existing and new marine-related uses will be permitted, but new industrial uses are encouraged to locate in other appropriate designations.

The Regional Centre Plan includes the following objectives for the Downtown Designation:

1. Promote compact, intensified, and accessible downtowns.
2. Create diverse downtowns of distinct neighbourhoods, including a variety of housing choices that are supported by essential services and amenities, pedestrian-friendly streetscapes, and park and open space amenities that are active year-round.
3. Maintain distinctive downtowns by preserving, reinforcing, and commemorating history, culture, and a unique natural setting.
4. Support civic pride, character, and inspiring qualities in the design, improvement and construction of streets, open spaces, and buildings.
5. Strengthen the visual and physical connections between historical and natural assets, and civic and open spaces in the downtowns.
6. Create connections to surrounding districts and neighbourhoods outside the downtowns, especially along major transit nodes and corridors.

7. Encourage a broad mix of land uses, required infrastructure and essential services, and the necessary critical mass of people to support a vibrant economic, cultural, and social community.
8. Increase residential and commercial densities, as well as employment opportunities to support transit services.

Floor Area Ratio (FAR) is applied throughout the Downtown designation in Dartmouth. It is a tool that supports varied building forms and is implemented by allocating a FAR precinct within this designated area. FAR is the total floor area of all main buildings located on a lot, divided by its lot size. Maximum FAR requirements establish an allowable building scale, while providing flexibility in how a building floor area is distributed over a lot. On all other areas, outside of the Downtown designation, densities of developments are primarily regulated by establishing maximum building heights together with other built form regulations. Maximum building height is the maximum vertical distance between a structure's average finished grade and its highest point. Maximum height requirements encourage the distribution of density on large lots. The maximum FAR and maximum building height framework are intended to support strategic growth and the Urban Design Goals for the Regional Centre.

Established Residential Designation

The Established Residential (ER) Designation applies to existing residential neighbourhoods north and south of Pine Street, west of Ochterloney Street. The ER Designation is intended to retain the scale of existing low-density residential neighbourhoods while providing opportunities for additional housing units. Land uses in these areas currently range from single-unit dwellings, up to concentrations of three-unit and four-unit buildings in certain areas. These neighbourhoods are supported by parks, schools, places of worship, minor and major institutions, and local commercial uses. The Established Residential Designation seeks to retain the scale of existing low rise residential neighbourhoods while allowing for additional housing units.

Shared housing will also be allowed to provide a wide range of housing options for individuals with housing needs or preferences that cannot be met by independent living. To support complete communities, a range of compatible uses will be permitted within this designation including home occupations, urban agriculture, small-scale institutional uses, and other related uses. In addition, local commercial uses may be permitted by development agreement to provide opportunities for small-scale commercial and community facility uses to locate in residential areas.

The Regional Centre Plan includes the following objectives for the ER Designation:

1. Retain the scale of the existing built form of low-rise residential areas.
2. Support the retention and rehabilitation of the existing housing stock while creating opportunities for new housing units through secondary suites, backyard suites, infilling and, where appropriate, townhouses, three-unit dwellings and internal conversions.
3. Support complete communities, access to food through urban agriculture uses, and opportunities for home occupations and local commercial uses.
4. Provide for a diverse range of housing options to meet different lifestyle needs and encourage affordable housing and housing for vulnerable populations.

Higher-Order Residential Designation

The Regional Centre Plan identifies a portion of the proposed HCD, between Ochterloney Street and Park Avenue including the Fire Station site, as part of the Higher-Order Residential (HR) Designation. The HR designation is intended to recognize existing multi-unit dwellings, while providing opportunities for new multi-unit dwelling developments and compatible commercial uses. The Designation is applied to individual properties or groups of properties that are characterized by

a concentration of multi-unit dwellings that are sometimes inter-mixed with low-rise housing forms. Lands in the Higher-Order Residential Designation include some of the most densely populated areas of the Regional Centre. Many of these neighbourhoods are served by transit and located close to places of employment and the goods and services needed for daily living. Existing multi-unit dwellings range in size between low-rise, mid-rise, and tall mid-rise buildings based on the scale and character of the neighbourhood.

The Higher-Order Residential Designation supports additional housing opportunities by allowing for the development of new multi-unit dwellings at a scale that is compatible with surrounding neighbourhoods. Existing buildings that are out of scale with the surrounding context are not considered to be precedent setting and the built form and design of new developments will prioritize a pedestrian and human-scale environment. While some commercial uses are supported, including home offices and work-live units, this Designation is primarily intended to maintain the residential character of these areas. Improved connections to transit, active transportation infrastructure, public parks and amenities are supported to strengthen Higher-Order Residential Designated areas as complete communities.

The Regional Centre Plan includes the following objectives for the HR Designation:

1. Protect and increase housing choices.
2. Support a built form that reflects and integrates with the surrounding context and allows for transition to adjacent residential neighbourhoods and commercial areas.
3. Allow home offices, work-live units, daycares, grocery stores and other commercial uses that support complete communities.
4. Improve access to pedestrian, active transportation and transit networks.

Institutional Employment (IE) Designation

The Regional Centre Plan applies the Institutional Employment (IE) Designation to three church properties within the potential HCD: Christ Church; St Peter's; and St James. The IE Designation is intended to support the use and expansion of the many thriving institutions located in the Regional Centre. These institutions provide a wide range of services and economic, social, and cultural benefits to the Municipality and the Atlantic region. The clustering of these facilities in the Regional Centre plays a critical role in fostering partnerships. Local and small-scale institutions can act as hubs for a range of community services. The Institutional Employment Designation supports investment and intensification in existing institutional areas, while considering the relationship to Municipal infrastructure and nearby neighbourhoods, including transit service, active transportation and impacts on the public realm. The IE designation policy applies the Institutional (INS) Zone to small-scale institutional and community uses, such as the religious institutions in the proposed HCD.

Park and Community Facility Designation

The Regional Centre Plan identifies the Christ Church cemetery as part of the Park and Community Facility (PCF) Designation. The PCF Designation is intended to protect and support a connected public park and open space network that satisfies diverse and evolving community needs, support natural ecosystems, and help shape future growth consistent with the direction contained in the Regional Plan and the Halifax Green Network Plan. The Designation is applied to all existing public parks and open spaces, cemeteries, conservation lands, and waterfronts used for recreation or leisure activities. This designation is also applied to public schools, community facilities and club recreation uses located within predominantly park and open space settings. All these open spaces are part of a network of active pathways.

As the population of the Regional Centre grows, these public park and recreation assets will experience additional demands and may require further investment and expansion. Providing equitable access, and continuous improvements to these spaces are key components of healthy and complete communities. Future park planning projects are encouraged to consider the policies and objectives of this designation, including equitable access to park space and outdoor recreation amenities, the socio-economic factors, and make-up of the area being served. The importance of greenspaces for biodiversity, food security, carbon sequestration, local climate, and stormwater management are also key considerations. Increasingly, parks also contain a wide variety of accessory uses such as urban agricultural uses, farmers' markets, food and beverage retail, club recreation, and community facilities.

The Regional Centre Plan includes the following objectives for the PCF Designation:

1. Protect and expand the open space network and improve connections within the Regional Centre and to surrounding communities.
2. Protect and improve public access to water bodies, active waterfronts, and shorelines.
3. Provide equitable access to park space and outdoor recreation amenities, which considers socio-economic factors.
4. Support biodiversity and environmental stewardship.
5. Enable urban agricultural uses.
6. Support the connectivity of all public parks and open spaces, including connections to public streets and walkways.
7. Support active and healthy lifestyles.

4.3 Additional Planning Policies in Downtown Dartmouth

View Corridors and View Terminus Sites

View corridors toward the Dartmouth waterfront are identified in the Regional Centre Plan to preserve long standing views to the Harbour from public streets, provide links to waterfront amenities such as plazas and open spaces, and maintain opportunities for pedestrians to visually connect with the water. These view corridors are along Church Street, North Street, Ochterloney Street, Queen Street, Portland Street, Prince Street, and King Street within the potential HCD boundaries.

In addition to view corridors, the Regional Centre Plan also identifies view terminus sites and view lines to preserve or create interesting and engaging views at the ends of streets. These terminating vistas are important for adding aesthetic appeal to the urban environment, emphasizing important monuments, wayfinding, and supporting a sense of place.

Pedestrian-Oriented Commercial Streets

The Plan identifies Portland Street and a portion of Alderney Drive, between Portland Street and North Street, as pedestrian-oriented commercial streets. These streets are characterized by a concentration of ground-level retail near the sidewalk with narrow shop fronts, and extensive clear glazing at sidewalk level. These streets support the clustering of businesses, create informal shopping and entertainment areas, and contribute to community character and sense of place. To support the continued development of pedestrian-oriented commercial streets, this Plan establishes controls on the design and use of buildings to support commercial and pedestrian activity.

Development Agreements

There are two policies in the Regional Centre Plan which apply within the proposed HCD boundaries. Policy E-5 allows Council to consider proposals to develop neighbourhood-scale commercial and institutional uses within the Established Residential Designation by development agreement, subject to conditions. Policy CHR-7 allows Council to consider a development agreement for any development or change in use not otherwise permitted by the Land Use Bylaw to support the integrity, conservation and adaptive re-use of registered heritage buildings, subject to conditions.

There are currently 8 active development agreements within the proposed HCD—all registered between 1983 and 2024. All these development agreements permit an increase in residential density or new commercial uses, not permitted under the LUBs. Two registered heritage properties include a development agreement on title. These agreements requires that the heritage property be protected and conserved as part of the new development. There are currently applications, under Policy CHR-7, to enter into development agreements one more registered heritage property in the proposed HCD to allow for an increase in residential density with an approved application to make substantial alterations to the heritage building.

Incentive or Bonus Zoning

Incentive or bonus zoning is a planning tool enabled under the *HRM Charter* that allows the Municipality to require a development to provide public benefits in exchange for relaxing certain requirements. The intent of this tool is to supplement other municipal investments so that enabled density is accompanied by public benefits that support complete and inclusive communities. Public benefits include affordable housing, heritage conservation, public art, acquisition and improvements to municipal parks, and affordable community cultural indoor spaces. The Land Use Bylaw establishes the public benefits where only money-in-lieu will be accepted.

Policy IM-15 of the Regional Centre Plan maintains that most of the calculated value of the public benefit shall be dedicated toward affordable housing. However, for registered heritage properties and properties located within a Heritage Conservation District, most of the public benefit shall be dedicated to the conservation of heritage buildings with the remainder to support affordable housing initiatives. Incentive or bonus zoning apply to any development in the Downtown Designation that exceeds a total floor area of 2,000 square metres.

5. Potential Conservation Measures

General Policies for Consistency with other HCD Plans

The recently adopted Downtown Halifax HCD Plan establishes both a consistent policy framework and area-specific policies tailored to the unique character of three distinct areas of Downtown Halifax. The Downtown Dartmouth HCD Plan will seek to establish general policies that are consistent with the policies of the Downtown Halifax HCD Plan and the Schmitzville HCD Plan, such as policies for demolition and substantial alteration. Through the establishment of a Heritage Conservation District, the Municipality seeks to strengthen the protection of registered municipal heritage properties and to extend protection from demolition and any inappropriate exterior alterations to all properties within the district that contribute to its heritage value and character. Contributing heritage resources can include more than buildings, such as other structures and open spaces. These can also include early modern and mid-century modern buildings.

The HCD Plan will establish policies tailored to the unique character of Downtown Dartmouth. If an HCD Plan and Bylaw are adopted for Downtown Dartmouth, a Heritage Officer will be designated to administer these documents and to issue certificates, in accordance with the Bylaw and Conservation Standards. The Heritage Officer will use the *Standards & Guidelines for the Conservation of Historic Places in Canada, 2nd Edition*, to evaluate any alterations to a property within the HCD boundaries. Heritage Impact Statements may also be required, under certain conditions, to determine how a specific proposed development will impact a heritage resource. It will also demonstrate how the heritage resource will be conserved in the context of a site alteration or redevelopment. The Downtown Dartmouth HCD Plan may also include policy direction for the use of Heritage Agreements, whereby the owner of a private property grants the municipality certain rights and incurs an obligation respecting the use, preservation, or protection of the heritage property.

Financial Incentives Programs

The Regional Centre Plan includes a policy that the Municipality may establish heritage incentive programs in conjunction with new Heritage Conservation Districts (subject to budgeting). The HCD Plan may include a similar policy. The Grants and Funding for Properties within HCDs may be extended to include properties within the proposed Downtown Dartmouth HCD, or a new incentives program may be created for this HCD.

Historic Dartmouth Precinct and Downtown Designation

A large portion of the Historic Dartmouth Precinct only enables maximum FAR values and regulations that support low-rise buildings with few exceptions. The process to establish the HCD Plan will review existing regulations for FAR, street wall heights with setbacks, street wall design and articulation, and other massing provisions to ensure that new development supports the heritage value of the HCD. The HCD Plan can support many of the objectives of the Downtown Designation such as maintaining a distinctive downtown by preserving, reinforcing, and commemorating history, culture, and a unique natural setting.

Historic Dartmouth Neighbourhood Precinct and Established Residential Designation

The Historic Dartmouth Neighbourhood Precinct is characterized by traditional architecture and built form with lots laid out in a grid pattern. This area could be applied to protect other parts of the HCD with similar traditional architecture on small lot areas and frontages, such as the neighbourhood east of Park Avenue. The Established Residential (ER) Designation could include a new zone tailored to maintain the character of these Dartmouth residential neighbourhoods, while allowing for appropriate densities near the urban core.

Irishtown and Canal Precinct and Alderney and Central Waterfront Precinct

The Irishtown and Canal Precinct includes built form regulations that encourage new developments to utilize quality materials, and include three-storey street walls, setbacks, and setbacks that support an active pedestrian-oriented environment. The Precinct has also benefitted from recent investments to enhance the Shubenacadie Canal System and Greenway, including the partial daylighting of the Sawmill River and the restoration of the cultural landscape of the Shubenacadie Marine Railway. The HCD Plan will support and enhance both the regulatory provisions for this Precinct and the programs to support investments in the public realm. The HCD Plan will support the vision of the Alderney and Central Waterfront Precinct to protect view corridors to the Harbour and to provide additional public view corridors. Much of this Precinct may remain outside of the HCD boundary because it includes few contributing heritage resources.

Institutional Employment and Park and Community Facility Designations

Christ Church is the only land within the HCD study area to be designated for Institutional Employment. Institutional uses are important resources to the community, dating back centuries, and contributing to the character of the community. Downtown Dartmouth was once part of the City of Dartmouth, a separate municipality, which relied on institutional uses for its success. There is an opportunity to support the conservation of the church buildings and of the institutional land uses through the HCD Plan. The HCD Plan may allow additional structures on the property provided that a certain percentage of the property is used for institutional purposes.

There are several properties designated as Park and Community Facility, including the Dartmouth Common. The HCD Plan will support many of the objectives of this designation including the protection and expansion of the open space network. The inclusion of the Dartmouth Common within the boundaries of the HCD will require consideration throughout the planning and community engagement process to consider methods and processes to conserve the heritage features of the park, while supporting park planning, programming and development. The provisions set forth in Section 66 of the *Halifax Charter* will be considered in the determination of whether the Dartmouth Commons should be included within the HCD. Section 66 also outlines the scope and process HRM must follow if it wishes to establish provisions on the Dartmouth Commons.

Development Agreements and Incentive Zoning

The HCD Plan will be partially implemented through amendments to the Regional Centre Plan and Land Use Bylaw. The intent is to create a comprehensive strategy for development to accompany the heritage policies. As such, development agreements for site specific development will no longer be necessary. Therefore, the HCD Plan may no longer enable Policy E-5 and Policy CHR-7 within the HCD boundaries. The HCD Plan will include policies for conservation measures which extend beyond the conservation of heritage buildings and may include public art, interpretive programs, and other measures. Incentive or bonus zoning is a planning tool that can support these measures. Therefore, incentive zoning within this HCD should apply to public benefit categories, beyond the conservation of heritage buildings.

6. Social and Economic Implications

6.1 Social Implications

Sustainable Development

An HCD Plan takes a values-based approach which incorporates an inventory of heritage resources. Understanding current heritage values and resources is a prerequisite to assessing risks from external threats caused by climate change (i.e. increased wooden structural deterioration, moisture absorption of masonry, hurricanes, fires, etc.). It can provide a basis for methodological advances and a guide to planning for resiliency and adaptation. The consistent application of good basic conservation practices – the continuous protective care of a place and its setting – is an adaptation and mitigation strategy to climate change. Regular maintenance of buildings, especially, constitutes the simplest, most cost-effective, and readily achievable energy conservation step. Conserving the embodied energy and carbon sink of existing heritage infrastructure also curtails the need for energy and resource intensive new development.

Adapting heritage buildings to modern needs rather than constructing new infrastructure is of fundamental importance in responding to climate change. Above and beyond regulations to conserve heritage infrastructure, heritage conservation measures such as financial incentives programs can help property owners invest in the conservation and adaptive reuse of heritage buildings and help finance energy efficiency retrofits to existing structures.

Furthermore, heritage conservation can strengthen neighbourhood identity, provide a pleasant, human-scale built environment and encourage the development of a complete community within a walkable, urban setting.

Community Identity

The Downtown Dartmouth Heritage Conservation District will provide recognition of the properties within its boundaries as important heritage resources. The district will help to conserve irreplaceable resources, protect the visible cultural assets and strengthen the community's identity and distinctiveness. The HCD will provide social benefits. People living or working within or visiting the Downtown Dartmouth Heritage Conservation District will enjoy the comfort of a human-scale environment. A human scale environment is defined as mix of aesthetics and functionality that are scaled to the dimensions and capabilities of the people who use and inhabit it. The Heritage Conservation District will provide an opportunity to live and work in attractive surroundings within a distinct, recognizable, and walkable neighborhood.

Education

The Downtown Dartmouth Heritage Conservation District will be a vehicle for education. It will serve as a tangible link to the past and a way to bring meaning to history. It will be a living, active record of the community and its residents. It will preserve the original character of buildings and streets, while welcoming growth and innovation within those spaces. Heritage district designation based on careful historical research and evaluation, promotes understanding and appreciation of an area's heritage values and attributes.

Community Engagement

The community engagement process associated with establishing the Heritage Conservation District will provide the community with a voice in its future. By participating in the designation process, citizens can help direct their community's path. Making these decisions together in a structured way through a public process will provide everyone involved with a sense of

empowerment and confidence. It provides a process for sustaining these elements into the future. During the study and research phase there is opportunity for the community to develop an understanding and appreciation of the community's heritage resources and the strong relationship between patterns of activity, memory, and imagination and physical patterns of buildings, structures, streetscapes, landforms and natural features. Heritage district designation allows these resources and relationships to be identified and protected.

6.2 Economic Implications

Potential economic benefits of a heritage conservation district in Downtown Dartmouth include potential reduction in property speculation due to predictability of zoning regulations and the encouragement of cultural heritage tourism. The Regional Centre SMPS considers culture and heritage preservation as a key component to a more livable downtown. Livability relates to the walkability and experience at street level. The plan seeks to develop a critical mass of people and buildings in the downtown. When livability and critical mass are achieved, there is an upward spiral whereby prosperity is increased.

There is significant opportunity for population and economic growth within downtown Dartmouth by filling in the gaps, which include many vacant or underutilized lands and many heritage resources that are suitable for reuse and revitalization.

Insurance

An important aspect of protecting your heritage building as a property owner is through insurance. There are many myths related to heritage property insurance that persist (e.g., that the interior is also included in the heritage registration). To assist in addressing this issue, The National Trust for Canada has conducted research and developed a list of resources for property owners looking to insure their heritage property. The list can be found on the National Trust's website.

The Insurance Bureau of Canada (IBC) has also developed a guide entitled *Insuring your Heritage Home* and suggests conducting a risk prospectus of your property yearly. The risk form can be found on the IBC's website. In the case of accidental total loss of a heritage building and its character defining elements, de-registration may be considered based on Section 9 of the *Heritage Property Act*.

Property Values

An appropriate scale and design of new construction will establish a greater sense of visual consistency throughout the three distinct areas of the proposed HCD. This will better support each area as destinations for residents and cultural heritage travellers arriving by cruise ship, train, or exploring the downtown or waterfront. Residents in surrounding neighbourhoods and throughout the region will also better identify with a place that is visually consistent with the history of the area. Investments in heritage conservation can stimulate complementary economic activity, making neighbourhoods more attractive and strengthening local economies such as the service, retail, and design industries.

Using examples from Ontario's numerous and often well-established HCDs, one finds that overall HCDs increase property values, and property owners within these districts appreciate the stability HCDs offer them. This reduces the financial risk associated with investing in maintenance or restoration and is one of the critical advantages of HCD designation over individual property designation.

HCDs generally act as a catalyst for economic development. A big part of this is the degree of

cachet that comes with a well-maintained HCD, which can in turn be used as a marketing tool to attract tourism and economic activity.

Physical and Economic Factors of Heritage Property Investment

Owning a registered municipal heritage property, or a property within a Heritage Conservation District can be a costly venture. The *Financial Incentives for Heritage Conservation Districts* report prepared for the Halifax Regional Municipality by Turner Drake & Partners Ltd. presented factors that affect heritage property investment, defined as physical and economic factors.

Factors affecting commercial and residential properties within HCDs in the Municipality have differing impacts. For commercial properties, heritage buildings underperform in rent and vacancy. By contrast, heritage houses command higher values but spend more time on the market before selling. Condominiums and apartments experience the opposite trend - attracting lower values, however, spend less time on the market.

Through analysis conducted by Turner Drake & Partners Ltd., it was determined that all the physical factors in the general analysis applied to heritage properties in the Municipality. It was seen that there is a moderate benefit to residential property values in Halifax, which likely can be attributed to the aesthetic qualities of the building. However, this finding, as Turner Drake & Partners Ltd. (2017) explains, does not leave residential properties exempt from economic factors that affect their investment, but there is a net positive effect. The exception to this is condominium apartments, which experience a negative impact in value, due to difficulty catering to market preferences.

Cultural Heritage Tourism

The proposed Downtown Dartmouth HCD can positively impact the local economy through tourism. An aesthetically cohesive and well-promoted district can be a community's most important attraction. Discover Halifax is a community-first destination marketing organization dedicated to sharing, promoting, and growing the Halifax Regional Municipality. It seeks to promote the many unique communities across the Halifax Regional Municipality, across nine distinct regions. Each region boasts its own rich history, distinct character, and exceptional experiences, making the Halifax region a tapestry of cultural and natural beauty. From bustling cityscapes to serene sea sides, Halifax has something for everyone to enjoy and explore.

The Dartmouth-Cole Harbour Region is comprised of Dartmouth and Cole Harbour, located on the opposite side of the harbour from Downtown Halifax. Known as the City of Lakes, Dartmouth is a welcoming destination with a fascinating history, plenty of outdoor adventure, as well as an amazing local food scene, boutique and big-box shopping, and of course, the unique Downtown Dartmouth core.

The Municipality can partner with both Discover Halifax to showcase the historic places in the Downtown Dartmouth HCD and its three distinct areas along with these assets to further encourage economic development in these areas.

Financial Incentives

Section 22 of the *Heritage Property Act* allows the council of a municipality to provide financial assistance in respect of municipal heritage property or property located within a heritage conservation district to assist in the restoration or renovation of such property upon such terms and conditions as it deems fit.

The Municipality's Heritage Incentives Program provides grants to registered municipal heritage properties in residential or commercial use throughout the region on a 50 per cent cost-shared basis. Over the past 17 years, registered municipal heritage properties within the Barrington Street HCD, Schmidville HCD, and Old South Suburb HCD have benefitted from grants through this program.

Between 2009 and 2019, the Barrington Street Heritage Incentives Program supported the restoration and renovation of buildings located within the Barrington Street Heritage Conservation District boundaries to revitalize the commercial blocks on the street. The results of the Barrington incentives program are evident, with many buildings and storefronts on the street having been recently revitalized and restored due in large part to the incentives program. The program awarded \$1.36 million in grants and \$2.57 million in tax credits (total of \$3.9 million) for the conservation and rehabilitation of 23 heritage buildings over the life of the program. During the eleven-year period from January 1st, 2009, to December 31st, 2019, a total of 207 construction permits were processed by the Municipality for a total value of \$47.7 million of private investment within the boundaries of the Barrington Street HCD. Construction permits were processed for a value of \$11.9 million within the first two years of the program alone, between 2009 and 2010. The financial incentives awarded represent 8 per cent of the total private investment in this HCD over the past decade.

On March 23, 2021, Regional Council adopted a program to support the restoration and renovation of buildings located within the boundaries of the Schmidville and Old South Suburb Heritage Conservation Districts (HCDs), over a period of five years. All properties located within the Schmidville HCD or the Old South Suburb HCD are eligible for conservation and functional improvement grants. The Financial Incentives Program for Schmidville and Old South Suburb HCDs provides conservation grants for 50% of the cost for materials and labour up to a maximum grant of \$50,000 to complete exterior conservation work on properties located within the boundaries of these two HCDs. This program also provides functional improvement grants for 15% of the cost for materials and labour up to a maximum grant of \$400,000 to install or repair integral building systems, including work to bring these systems up to current building code requirements, improve their energy efficiency (including plumbing, heating, electrical, etc.) or improve their accessibility (including ramps, equipment, etc.).

HRM is currently reviewing all heritage grant programs with an objective to consolidate existing programs into one single Administrative Order. The intent is to provide annual financial incentives to properties within all HCDs on an ongoing basis.

Preferential Tax Treatments

Preferential tax treatments were proposed for the HCDs as a proactive approach where property owners would qualify for tax relief if their property achieved a sufficient level of heritage conservation and/or restoration, outlined by the *Standards and Guidelines*. Turner Drake & Partners Ltd. (2017) state that "tax burden itself is not a significant factor, but the value created through tax treatment can provide a temporary [or permanent] offset". Three preferential tax treatments were considered - tax abatement which would offset property tax increases due to conservation or development efforts, tax holiday which would offset holding costs, and tax relief. Tax relief emerged as an ideal financial incentive that could be implemented as a freeze, which would freeze tax burdens at a lower level to be implemented as a discount, which would be a

discount applied to the tax liability of the property to the municipality. This type of incentive would require amendments to the *Heritage Property Act* or *HRM Charter*.

Direct Funding

Direct funding programs are ideal for small cost needs for heritage investment. There are two direct funding types - grants and loans. Grants are ideal for the HCDs in Halifax and can be broken down into two types - basic grants, and restoration grants. Basic grants would be beneficial for minor maintenance and repairs, as most of these grants would be of low value.

Restoration grants would be awarded to properties in need of significant restoration, particularly those which have lost character defining elements; therefore, these grants would be higher in value compared to basic grants.

Development Rights

Another financial incentive proposed by Turner Drake & Partners Ltd. is purchasable development rights, which would be used in cases where preferential tax treatment or direct grants would not make a considerable financial impact to bring the property to a sufficient level of heritage conservation or refurbishment. This option would require the Municipality to purchase development rights from the property owner in order to achieve the desired level of conservation or refurbishment. However, this method may not be a viable future option for a municipality in Nova Scotia because it is not currently enabled in provincial legislation.

7. Conclusion

Downtown Dartmouth is valued as the traditional home of diverse cultural communities exemplified in the mix of building types, uses, and styles and in the many places of worship, monuments, cemeteries, and open spaces. Today, the proposed Downtown Dartmouth HCD includes a high concentration of heritage resources which are rare examples of historic architecture from early periods in the evolution of the Municipality and Province. This area is experiencing a high rate of change and there is potential for large-scale transformation in this area. Conservation measures can protect the contributing heritage resources and character defining elements within the boundaries of the proposed Downtown Dartmouth HCD.

The Downtown Dartmouth HCD Plan will seek to establish general policies that are consistent with the policies of the Schmitzville HCD Plan and the proposed Downtown Halifax HCD Plan such as policies for demolition and substantial alteration. Grants and funding for properties within HCDs may be extended to include properties within the proposed Downtown Dartmouth HCD or a new incentives program may be created for this HCD

The intent of the HCD Plan is to create a comprehensive strategy for development to accompany heritage policies. As such, development agreements for site specific development will no longer be necessary. The process to establish the HCD Plan will review existing regulations for FAR, street wall heights with setbacks, street wall design and articulation, and other massing provisions to ensure that new development supports the heritage value of the HCD and that new opportunities for development are supported. A new zone in Downtown Dartmouth, through the HCD, can be tailored to maintain the character of residential neighbourhoods, while allowing for appropriate densities near the urban core. Incentive zoning within this HCD should apply to public benefit categories that support conservation measures, beyond the conservation of heritage buildings, such as the provision of public art, park enhancements, and trails connections.

Ultimately, the HCD Plan will support and enhance both the regulatory provisions of the existing precincts, within Downtown Dartmouth, and programs to support investments in improving the public realm.

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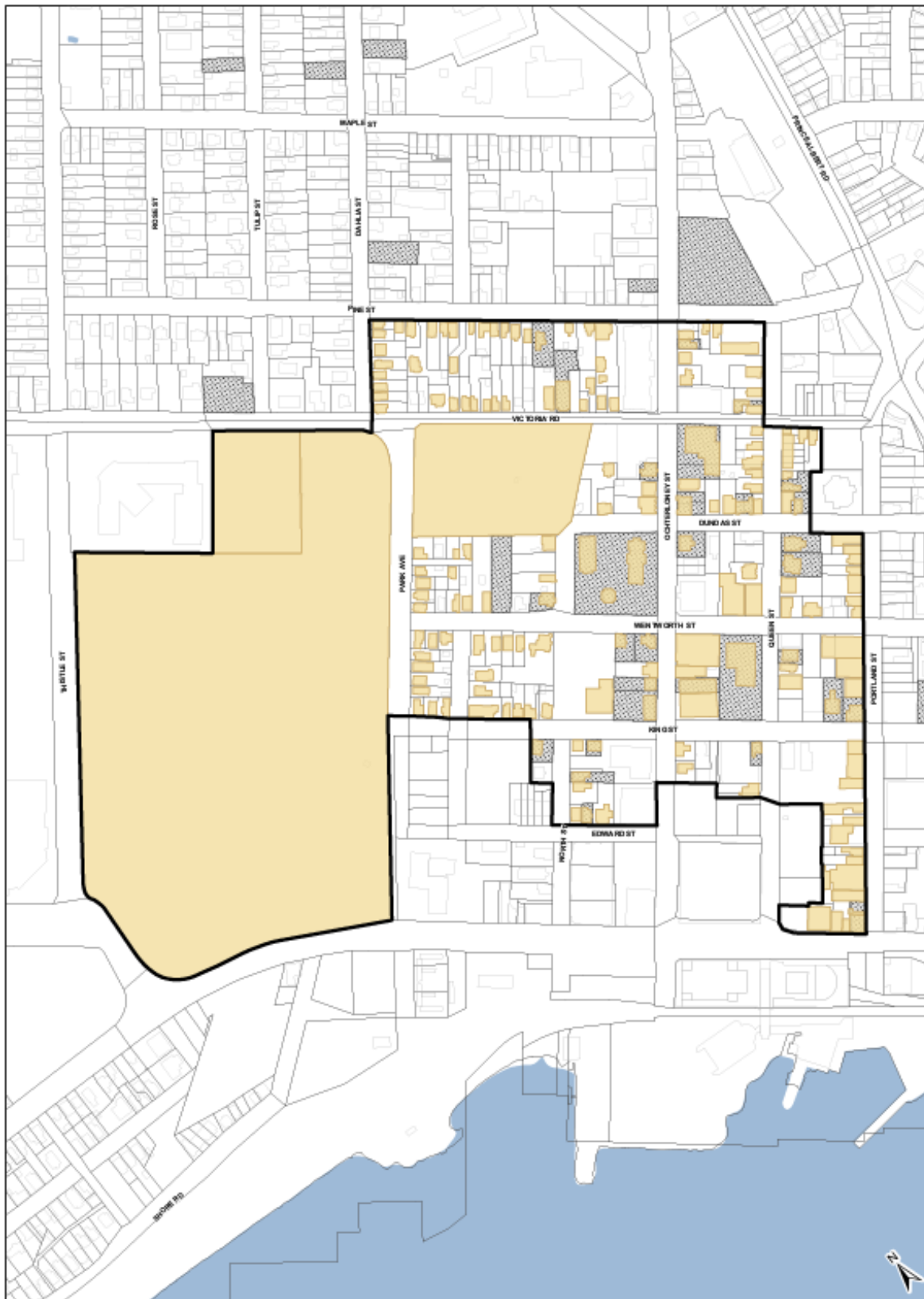
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**Map 1: Downtown Dartmouth Heritage Conservation District
Contributing Heritage Properties and Resources**

- Downtown Dartmouth Heritage Conservation District
- Municipally Registered Heritage Properties
- Contributing Heritage Resources

HRM does not guarantee the accuracy of any base map representation on this plan.

HALIFAX
Downtown Dartmouth
Heritage Conservation
District Plan

0 10 20 40 60 80 100 120
Metres
Effective: 2017

Appendix A: Heritage Conservation District Adoption Process

Statutory procedure for establishing a Heritage Conservation District under the Heritage Property Act:

The Municipality:

1. adopts a public participation program by resolution;
2. undertakes background studies (to rationalize the proposed Heritage Conservation District), provides public access to studies, and submits studies to Minister, responsible for the *Heritage Property Act*. Minister has 60 days to declare studies sufficient or prescribe additional studies;
3. holds a minimum of one initial public information meeting to present the background studies and to discuss heritage conservation measures proposed for the Heritage Conservation District Plan
4. prepares a draft Heritage Conservation District Plan and Bylaw;
5. holds a second public information meeting and secures public input on a draft Heritage Conservation District Plan and Bylaw and, if necessary, any amendments to the applicable secondary municipal planning strategy and land use bylaw;
6. gives notice of intention to adopt a Heritage Conservation District Plan and Bylaw and holds a public hearing by newspaper advertisements on two successive weeks and by ordinary mail or personal service to all property owners, 21 days prior to date of public hearing;
7. provides public access to the proposed Heritage Conservation District Plan and Bylaw;
8. after holding a public hearing, adopts the Heritage Conservation District Plan and Bylaw by majority vote and submits it to the Minister for approval, with documentation regarding compliance with the statutory planning process;
9. Minister, responsible for the *Heritage Property Act*, approves the Heritage Conservation District Plan and Bylaw. Council gives notice of approval in newspaper and files document in Registry of Deeds; and
10. Heritage Conservation District Plan and Bylaw come into effect when approved by the Minister.

Attachment B
Resolution Regarding A Public Participation Program for the Establishment of a Heritage Conservation District

Be it resolved that the Council of Halifax Regional Municipality does hereby adopt the following public participation program pursuant to Section 6 (1) (i) of the *Heritage Conservation District Regulations* made under Section 26 of the *Heritage Property Act*, Statutes of Nova Scotia, 1989, Chapter 199.

1. All requests for a Heritage Conservation District shall be directed to Regional Council for preliminary review. Where Regional Council determines that the request has merit:
 - a. The request shall be forwarded to municipal staff for preparation of background studies and a report with recommendations to the Heritage Advisory Committee (HAC).
 - b. Where the HAC determines that a heritage conservation district should be considered, a recommendation shall be made to Regional Council to initiate the planning process for the adoption of a Heritage Conservation Plan and By-law.
2. Where Regional Council determines that it wishes to consider the adoption of a Heritage Conservation District the case shall be referred to the Heritage Advisory Committee who shall implement the following public participation procedure(s):
 - a. HAC, in conjunction with municipal staff, shall hold a minimum of one initial public information meeting to present the background studies and to discuss heritage conservation measures proposed for the Heritage Conservation District Plan.
 - b. HAC, in conjunction with municipal staff, shall hold a second public information meeting to present the Heritage Conservation District Plan and to discuss heritage conservation measures and all other documents that require adoption along with the proposed Heritage Conservation District Plan and By-law including, if necessary, any amendments to the applicable secondary municipal planning strategy and land use bylaw.
 - c. The following notification procedures shall apply to the above public information meetings:
 - i. Notice of the public information meeting at which the Heritage Conservation District shall be discussed shall be published in a newspaper circulating in the area affected a minimum of fourteen (14) days prior to the meeting. The notice shall indicate the time, date and place of the meeting and the location and hours during which written material concerning the proposed Heritage Conservation Plan and By-law may be inspected by members of the public or retrieved from a website.
 - ii. Written notification of the meeting shall be forwarded to all property owners, businesses and tenants within the District a minimum of fourteen (14) days prior to the meeting.
 - d. Minutes of the public information meeting(s) and all related written submissions and staff reports shall be forwarded to Regional Council.
 - e. HAC shall forward its recommendation(s) and all related information to Regional Council.
3. Regional Council shall give notice of intention to adopt a Heritage Conservation District Plan and By-law and hold a public hearing by newspaper advertisements on two successive weeks and by

ordinary mail or personal service to all property owners, 21 days prior to date of public hearing.

4. Nothing in this resolution shall preclude Regional Council, HAC, or municipal staff from using other methods as deemed necessary to obtain public opinion regarding the adoption of a Heritage Conservation District Plan and By-law and minutes from all public engagement activities shall be forwarded to HAC for information.
5. HAC shall encourage all its members to participate in public engagement activities.
6. Any amendments to municipal planning strategies and land use bylaws required to support or implement a Heritage Conservation District Plan and By-law shall be undertaken in accordance with Regional Council's Resolution Respecting Public Participation.