

**Harbour East – Marine Drive Community Council
July 4, 2013**

TO: Chair and Members of Harbour East – Marine Drive Community Council
Original signed

SUBMITTED BY: _____
Jane Fraser, Director, Planning & Infrastructure

DATE: May 30, 2013

SUBJECT: Project No. PN1286 – Dartmouth Main Street Plan Review

ORIGIN

May 13, 2008: Regional Council motion to approve in principle the findings and recommendations of the “Main Street Dartmouth - Planning Vision and Streetscape Concept” dated January 20, 2008, and authorize staff to initiate the preparation of a Secondary Planning Strategy for Main Street Dartmouth and vicinity, using the Planning Vision outlined in the consultant report as a framework for developing Plan policy and regulations, and employing the public participation program appended to the staff report.

LEGISLATIVE AUTHORITY

HRM Charter, Part VIII, sections: 225 –Amendment of land use by-law; 227 –Municipal planning strategy; 228 – Purpose of municipal planning strategy.

RECOMMENDATION

It is recommended that Harbour East – Marine Drive Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) for Dartmouth, as set forth in Attachments 1 and 2 respectively, and schedule a public hearing;
2. Approve the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-Law (LUB) for Dartmouth, as set forth in Attachments 1 and 2 respectively; and
3. Endorse the public participation process as undertaken.

EXECUTIVE SUMMARY

The HRM Regional Plan identifies the Dartmouth Main Street commercial area as a Suburban Local Centre. In May 2008, Regional Council approved in principle a *Main Street Dartmouth – Planning Vision and Streetscape Concept*. The aim is to foster pedestrian supportive town centre developments and facilitate multi-unit residential investments. As an interim measure, on June 14, 2007, Harbour East Community Council changed most of the commercial zoning in the area from C-3 to C-2 to allow for residential development and restrict warehouses. This report proposes:

- A new Main Street Designation (Attachment 1);
- New sub-designations and policies added to the Dartmouth Planning Strategy (Attachment 1);
- As-of-right zoning and Land Use By-Law regulations (Attachment 2), including basic regulations for external appearance of structures and modified parking requirements, to limit front setbacks, require step-backs above streetwalls, locate parking in rear yards or below grade, and require pedestrian supportive building facades; and
- A development agreement option for the large shopping centres on the south side of Tacoma Drive and the west side of Gordon Avenue to allow new buildings with front-yard or side-yard parking, subject to requirements for pedestrian amenities.

HRM staff has engaged the public and other stakeholders through four community workshops, a Public Information Meeting, updates at Business Improvement District meetings, discussions with business and development stakeholders, and an information mail-out to commercial landowners. The Main Street Dartmouth Business Improvement District (BID) was the reference group for the project. The consultation process varied in a few respects from the Public Participation Program initially endorsed by Regional Council (Attachment 3), as explained in the Community Engagement section of this report.

Sidewalk-level retail with offices or residences above, are to be enabled along Main Street and Tacoma Drive. Midrise residential redevelopment is envisaged along the south side of Lakecrest Drive and the west side of Valleyfield Road. Proposed maximum building heights range from 10.7 m (35 ft.) to 36.6 m (120 ft.), plus a loft or penthouse. Buildings must be lower near the edges of the plan area with the tallest development allowed alongside the Circumferential Highway. The Lakecrest Apartment properties and an abutting vacant lot are to be allowed six storeys, plus a loft within a pitched roof or a penthouse (maximum 15 feet high occupying no more than 25% of the building footprint), to encourage reinvestment and enable attractive roofs. Mixed-use buildings 24.4 m (80 ft.) high, plus any loft or penthouse, are permitted at the northwest corner of Main Street and Caledonia Road to encourage pedestrian oriented redevelopment of this strategically located greyfield site. Front facade step-backs are required along all streets.

Except in the case of Adult Entertainment Uses, for lots with non-conforming uses within a structure and non-conforming structures, the statutory restrictions are relaxed by allowing the building to be extended, enlarged, or altered within the same lot, as long as the non-conforming use does not expand into the addition and as long as the extension, enlargement, or alteration,

complies with the new regulations except for maximum setbacks. The extensions and enlargements are limited to a total of 697 sq. m (7500 sq. ft.) on each lot.

The new rules will not apply to established low-density residential neighbourhoods beyond the properties on Lakecrest Drive, Main Street, Tacoma Drive and Valleyfield Road.

The proposed policies and regulations have been further modified since the last Public Information Meeting and the mail-out to commercial landowners, as described in Attachment 4.

A transportation background study has proposed local transportation projects and estimated the traffic implications of the proposed plan and zoning amendments. Should any specific transportation projects be proposed in the future, this would be brought to Regional Council under a separate report.

Recent Charter amendments enabling bonus zoning do not apply to this area, as it is outside the Regional Centre.

BACKGROUND

In 2006, the HRM Regional Plan identified the Main Street commercial area in Dartmouth as a Suburban Local Centre. In May 2008, Regional Council approved in principle the findings and recommendations of the *Main Street Dartmouth – Planning Vision and Streetscape Concept* (Ekistics, January 20, 2008). The emphasis of that study was on economic and aesthetic revitalization. Council, at the same time, endorsed a vote by area businesses to create a Business Improvement District (BID) funded through a local tax levy.

The 2008 *Planning Vision and Streetscape Concept* (referred to as the “Streetscape Study” in the present report), culminated two years of consultation on the future of the area. Workshop attendees included property owners, the public, business owners and planners, resulting in a streetscape vision:

The Main Street area will become a dense, Town Centre village core with great pedestrian spaces, goods and services, and facilities that invite residents to walk or bicycle to obtain daily needs and in so doing informally interact with their neighbours.

The streetscape vision is meant to be implemented via three different but inter-related channels:

1. Private investment by businesses and property owners;
2. Public investment in streets, sidewalks and parks; and
3. New planning policies and zoning rules.

This report concerns the third of these implementation tools: planning and zoning.

As a preliminary measure recommended by the Streetscape Study consultants on June 14, 2007, Harbour East Community Council changed most of the commercial zoning in the area from C-3 to C-2 to allow for residential development agreements and restrict further warehouse

development. This change was not sufficient to induce mixed-use redevelopment and was to be followed by more detailed secondary planning in the form of a Community Plan (Secondary Planning Strategy) review, which is the subject of this report. The existing MPS designations and zoning are shown on Maps 1 and 2.

Recent Charter amendments enabling bonus zoning throughout the Regional Centre do not apply to this project, because the subject area is located immediately outside the Regional Centre.

DISCUSSION

Main Street Area Community Plan Review:

This report recommends a new planning vision, objectives and policies with special zoning regulations. These will apply within a new Main Street Designation to encourage development that is aesthetically attractive, accommodates pedestrians as well as cars, and can be approved using criteria which are clearly explained and acceptable to both residents and investors. For the area to attract substantial re-investment, uncertainties and financial risk must be minimized. For this reason, the proposed approach minimizes the need for development agreements and provides as-of-right regulations with clear guidance on the basic appearance of sites and buildings while leaving ample scope for creative design.

Public Consultation:

The streetscape vision and concept, approved in principle by Regional Council in 2008, was already based on workshops which included property owners, the public, business owners and planners. To move to a set of policies and development rules, Regional Council approved a public participation program on May 13, 2008, as attached to the staff report dated January 20, 2008 (Attachment 3). The Main Street Business Improvement District (BID)¹ acted as the key reference group.

HRM staff engaged the public through four workshops. A Public Information Meeting was held on January 26, 2012, at which several attendees expressed frustration with delays to the project. Reasons for the extended time frame are explained in the following section. Coordination with the BID has been through discussions with its Executive Director, two meetings with the board, periodic verbal updates at BID events, two BID-hosted presentations for landowners and businesses, and a mail-out to commercial landowners.

Throughout the project, a website was provided² with links to slideshows, announcements of upcoming workshops and contact information. The process differed in a few respects from the original Public Participation Program approved by Regional Council, as explained in the Community Consultation section of this report.

¹ <http://www.shopmainstreetdartmouth.com/>

² <http://www.halifax.ca/regionalplanning/MSMPSReview.html>

Project Delays:

Completion of this project has been delayed for three reasons:

1. Form-based zoning, as required to implement the Main Street vision, involved a shift toward urban design concepts and regulatory terms requiring staff familiarization.
2. Aligning the proposed policies and amendments with the approach proposed for the HRM Centre Plan was premised upon amendments to the HRM Charter. Those amendments were ultimately restricted to the Regional Centre, which does not include Main Street.
3. Aligning the proposed Land Use By-Law amendments with anticipated housekeeping amendments to the Dartmouth LUB, added complexities to the critical path and eventually had to be set aside to avoid further delay.

The experience gained, and the lessons learned, during this innovative project will expedite any future plan reviews involving form-based suburban zoning.

Main Street Designation:

The policies, designations and design rules recommended in this report are to apply within a new Main Street Designation (Attachment 1), which is located just outside the Regional Centre between the Circumferential Highway and the Nova Scotia Community College. The area is focused on Main Street, Lakecrest Drive, and Tacoma Drive commercial properties and adjacent residential lots. New policies and designations are to be added to the Municipal Planning Strategy for Dartmouth.

The designation seeks to foster a town centre as a focal point for residential and commercial investment in pedestrian oriented buildings and spaces close to public transit, while recognizing the need for automobile access. Development is to be guided by criteria which are easily interpreted by both residents and investors. The aim is to attract re-investment, minimize uncertainties and financial risk, and address land use compatibility and design issues.

To encourage varied roofscapes and maximize potential floor area, lofts and penthouses are permitted above the height limits applicable to the rest of each building. In such cases, the lofts must be enclosed within a pitched roof. Penthouses may be no more than 15 feet high and may occupy an area no larger than 25% of the building footprint.

Proposed Sub-Designations:

Within the Main Street Designation, specific land use changes or controls are required for three distinct areas due to the types and location of uses. To achieve the intent of the designation, separate sub-designations are established for the three distinct areas, which are:

- **Town Centre Sub-Designation:** This Sub-Designation encourages a combination of sidewalk-oriented retail with offices and/or residences above, in buildings which frame the street and provide a human scale for shopping, employment and lifestyle. To encourage major office investment to locate in the Regional Centre, offices in the Town Centre Sub-Designation of the Main Street Designation are limited to occupying a maximum of three

storeys. To maximize floor space while minimizing neighbourhood impact, maximum heights range from four storeys (plus a loft or penthouse) along the easternmost end of Lakecrest Drive, up to eight storeys (plus a loft or penthouse) at the corner of Main Street and Hartlen Street and at the northeast corner of Main Street and Caledonia Road, which forms a strategic gateway. The tallest buildings (twelve storeys plus a loft or penthouse) are envisaged next to the Circumferential Highway on the south side of Main Street. Ground-floor commercial frontage is required to maximize the potential for local shopping and walk-in business

Two existing automobile-dependent large shopping centres, on the south side of Tacoma Drive and the west side of Gordon Avenue, have very large front-yard parking lots and their large-format stores have recently been upgraded. A development agreement option is provided for these properties to enable large front yards to accommodate such parking, as long as at least one building provides pedestrian supportive sidewalk frontage and there are walkways between stores and the sidewalk. These properties also have the as-of-right option to redevelop as mixed-use, pedestrian supportive buildings with rear-yard parking.

- **Town Residential Sub-Designation:** This Sub-Designation is intended to support a mix of housing markets close to goods and services available in the abutting Town Centre Sub-Designation. Buildings may be in the form of townhouses or apartments (including condominiums) of six storeys or less, with additional allowance for lofts or penthouses. As in the Town Centre Sub-Designation, Streetwalls facing Lakecrest Drive or Valleyfield Road are limited to two storeys and must have the appearance of townhouses. Daycares are allowed because they can serve both employees and residents located nearby.

Policies H-11 through H-13 of the Dartmouth Municipal Planning Strategy, already enable higher densities by development agreement for 75 and 77 Lakecrest Drive, which are currently zoned R-2. These properties were never developed under those policies, which will be superseded by the new designation and zoning.

- **Neighbourhood Edge Sub-Designation:** The north side of Lakecrest Drive is fronted mainly by houses: Most of these back onto low-density residential neighbourhoods. There is an opportunity to provide an orderly transition between medium-density development envisaged for the south side of Lakecrest Avenue and established low-density residential neighbourhoods to the north of this street. This is to be done by allowing auxiliary apartments or retaining existing zoning that already permits two-unit dwellings. The zoning will remain unchanged within the established neighbourhoods immediately north of the Main Street Designation.

To provide a transition between the high traffic exposure on Main Street and low-density established neighbourhoods to the north and south, a new Neighbourhood Live-Work (NLW) Zone enables small-scale, indoor craft, beauty, professional or art-oriented businesses and offices on Main Street and Tacoma Drive, characterized by house forms and landscaped front yards, and which may include accessory retail and/or a residential unit. R-1, R-1A and S (Institutional) uses are also allowed, to enable low-rise institutional uses such as the existing

nursing home and church. Within this Sub-Designation, townhouse-style dwellings on a shared private driveway are also allowed, to form a buffer between high-traffic areas and quiet residential neighbourhoods. It is important to minimize the number of driveways on busy arterials such as Main Street.

Proposed Zones and Regulations:

Based on the above policies and designations, staff is recommending an approach which mainly uses as-of-right zoning and Land Use By-Law regulations (Attachment 2), including basic rules for external appearance and modified parking requirements. These rules will limit front setbacks, require step-backs above streetwalls, rationalize parking behind or below grade, and require pedestrian supportive building facades and architectural features.

The proposed rules are intended to accommodate a wide range of architectural styles while recognizing typical construction thresholds and respecting adjacent neighbourhoods. Parking requirements are also modified, bearing in mind the *Regional Parking Strategy Functional Plan* (IBI Group, 2008) on-street parking issues and the impact of parking costs on housing affordability.

Proposed Zoning:

- The central portion of the area retains the C-2 (General Commercial) zoning, with additional provisions added to ensure that the orientation, size and design of buildings and parking areas, reflect the vision to create a mixed-use town centre. These provisions also enable as-of-right multiple-unit residential development above the ground floor, and allow general offices occupying no more than three storeys. This limitation is important to minimize any risk of office development competing with the Regional Centre. There is also a development agreement option for the large shopping centres on the south side of Tacoma Drive and the west side of Gordon Avenue.
- Rezone the north side of Main Street between Raymoor Drive and Caledonia Road from S (Institutional) and C-3 (General Business) to C-2, with added provisions to ensure that the orientation, size and design of buildings and parking areas reflect the vision to create a mixed-use town centre.
- Rezone most of the south side of Lakecrest Drive, currently zoned C-2 and lots at the western end currently zoned R-1 (Single Family Residential), to R-3 ((Multi-Unit (Medium Density) Residential), subject to additional rules for external appearance and parking. Streetwalls on the south side of Lakecrest Drive must resemble townhouses.
- Rezone the west side of Valleyfield Road, currently zoned C-2, to R-3 ((Multi-Unit (Medium Density) Residential), subject to additional rules for external appearance and parking. Streetwalls on the west side of Valleyfield Road must resemble townhouses.
- Rezone strategic sites on York Lane and on the north side of Tacoma Drive, between Valleyfield Road and Stevens Road, from C-2, R-2 or R-1 to R-3, with new rules for external appearance and parking.

- Rezone a portion of the large lot on the south side of Tacoma Drive, opposite the Gardenvue Restaurant, from R-1 to R-3, with rules for external appearance and parking.
- Retain existing R-2 (Two Family Residential) zoning on the north side of Lakecrest Drive, except in front of and along the west side of the Lakecrest Apartments.
- Rezone the north side of Lakecrest Drive in front of and along the west side of the Lakecrest Apartments from R-2 to R-3, with rules for external appearance and parking.
- Retain the R-3 zoning for the Lakecrest Apartments and add rules for external appearance and parking. As provided by the HRM Charter, the new rules would apply only to additions or new construction.
- Rezone the lots between Stevens Road/Helene Avenue and Woodlawn Road/Caledonia Road, on the south side of Tacoma Drive and on both sides of Main Street, from R-1 and S (Institutional) to NLW (Neighbourhood Live-Work) to allow craft shops, spas, studios, or offices, with or without accessory retail, as well as R-1, R-1A, and S (Institutional) uses, subject to driveway feasibility and limited to a house form with a 35-foot height limit. Total floor area for this zone is limited to 930 sq. m (10,000 sq. ft.) Townhouse-style dwellings are also permitted subject to limits on driveways.

Streetwall Step-backs:

Step-backs, at least 1.8 metres (6 feet) deep, are to be required on building facades to ensure a human-scaled streetwall and minimize shadow and wind from upper storeys. The step-back is to be above the second storey level for buildings facing low-density neighbourhoods on Lakecrest Drive and Valleyfield Road, above the five storey level for Main Street properties, and above the four storey level for other locations. Step-backs can be topped by decks or pitched roofs and may be encroached upon by architectural features to provide visual interest. Step-backs will not be required where a building is already set back an equivalent distance beyond the minimum required front yard.

Parking Configuration:

As properties redevelop, in most cases, parking is to be located only behind or beneath the buildings to enable shops and offices to be easy to reach on foot. In addition, a driveway in a sideyard may include a parallel parking lane on each side. The large shopping centres on the south side of Tacoma Drive and the west side of Gordon Avenue, are given a development agreement option to add buildings or limited extensions with front yard setbacks sufficient to enable front yard parking, as long as they include one building with pedestrian supportive sidewalk frontage and provide walkways between stores and the sidewalk. They can also redevelop their parking lots into pedestrian-oriented buildings as-of-right, if and when they wish to do so, based on the same rules as apply elsewhere in the Main Street Designation C-2 zone.

Non-Conforming Uses and Structures:

Except in the case of Adult Entertainment Uses, for lots with non-conforming uses within a structure and non-conforming structures, the statutory restrictions are relaxed by allowing

existing buildings to be extended, enlarged, or altered within the same lot, as long as non-conforming uses do not expand into the addition and as long as the addition complies with the new regulations other than maximum setbacks. Extensions and enlargements for nonconforming structures are limited to a total of 697 sq. m (7500 sq. ft.) on each lot. Adult entertainment, like any nonconforming use, is permitted to remain by virtue of the HRM Charter, but would disqualify the lot from the relaxation privilege proposed for the Land Use By-Law.

The purpose of this relaxation of limitations is to encourage building additions that introduce permitted uses while the existing business may continue to operate in the original structure. This should help the area to change incrementally, while enabling businesses that have already invested in the property to remain and adjust to the new vision, as and when they find business opportunities.

Changes since the last Public Information Meeting:

The proposed policies and regulations described above reflect a somewhat different regulatory approach and some further changes to the proposed rules, compared with those described at the last Public Information Meeting and in the mail-out to commercial landowners. The main differences between the recommendations in this report and the last draft, which was presented to the public, are listed and explained in Attachment 4.

Traffic and Transportation:

As called for in the Streetscape Study, a transportation analysis was undertaken by Genivar (*Final Report – Transportation Study – Main Street Area, Dartmouth, NS*, Jan. 2011) to examine ideas for reconfiguring intersections and rationalizing vehicle access to businesses while facilitating pedestrian and bicycle connections.

The analysis also considered anticipated growth that would be enabled by the proposed zoning. Background traffic growth was assumed to be 0.5% per year, as Highway 107 appears to be absorbing most of the traffic growth east of the study area. The proposed land use changes from 2010 to 2035 were estimated to generate 309 additional vehicle trips entering and 164 exiting the area during the morning peak hours. During the afternoon peak, 232 new vehicle trips would enter and 379 would exit the area. Additional traffic growth on Main Street is likely to occur before and after the peak hour as the street approaches capacity.^[1]

The study examined potential long-term concepts for several intersections, notably right slip lanes at Main Street, Major Street and Gordon Avenue, a small roundabout at Tacoma Drive and Gordon Avenue, and a consolidated signalized intersection where Main Street, Tacoma Drive and Lakecrest Drive presently converge. The report suggested that the direct roadway connection between Lakecrest Drive and Helene Avenue could be severed to discourage

^[1] Genivar, *Final Report - Transportation Study – Main Street Area, Dartmouth, NS* (prepared for Halifax Regional Municipality, January 2011), p. 50.

shortcutting on side streets, and that a public walkway could be provided between Lakecrest Drive and Main Street, near the signalized intersection with Hartlen Street.

None of these transportation projects are recommended by staff at this time. Should any specific transportation projects be proposed in the future, this would be brought to Regional Council under a separate report. This would include further public consultation and analysis.

FINANCIAL IMPLICATIONS

There are no direct financial implications. The Regional Plan points to long-term municipal cost avoidance for compact, mixed-use development of the type recommended in this report.

COMMUNITY ENGAGEMENT

Community engagement has been consistent with the intent of the HRM Community Engagement Strategy, the *Halifax Regional Municipality Charter*, and the Public Participation Program approved by Council on February 25, 1997. The level of community engagement has been consultation. Regional Council approved a public participation program with the Main Street Business Improvement District (BID)³ to act as the key reference group.

HRM staff held four public workshops, building upon the consultation already done for the streetscape study. The results were posted on the web.⁴ Workshops were attended by local residents as well as several owners and individuals in the consulting, development and business communities. The first two workshops sought public input on several alternative combinations of building height and parking location for the area as a whole, as well as on different options for the shape and orientation of buildings. A “hybrid” development concept was then modeled and presented to the public at a third workshop, together with an outline of draft development rules.

There was general support for the concept as a whole, with some constructive critique which led to subsequent refinements. The fourth workshop presented a refined concept and draft land use by-law regulations. A draft of proposed new planning policies to support the new rules was also made available for comment, together with interim findings of a transportation background study (Genivar, January 2011).⁵

³ <http://www.shopmainstreetdartmouth.com/>

⁴ <http://www.halifax.ca/regionalplanning/MSMeetingsModelsAni.html#Meetings>

⁵ <http://www.halifax.ca/regionalplanning/documents/MainStreetTrafficStudyInterimFindings.pdf> The final report has since been completed: Genivar, *Final Report - Transportation Study – Main Street Area, Dartmouth, NS* (prepared for Halifax Regional Municipality), January 2011. The final report is available upon request.

A Public Information Meeting was held on January 26, 2012. Comments were received about traffic volumes, pedestrian safety, neighbourhood shortcutting, and the potential for accelerated residential development in view of the federal shipbuilding contract.

Coordination with the BID has been primarily through its Executive Director. Staff attended an initial board meeting to introduce the project and provided brief updates at three “meet-and-greet” breakfasts, regularly hosted for local business members by the BID. Staff provided handouts and invited comments by fax, phone or e-mail. Staff also met with several landowners and developers, upon request, to explore in more detail how the proposed rules might affect the potential for redeveloping their properties or businesses. Staff presented the draft recommendations at a special meeting for landowners and businesses, convened by the BID, on December 6, 2010.

In early September 2011, an overview of the proposed rules was mailed to all commercial landowners inviting any final comments or suggestions. Revised draft recommendations were presented at a Business Information Meeting on January 17, 2012. A progress update was provided at a BID Board meeting on December 4, 2012.

Throughout the project, a website was provided⁶ with links to slideshows and announcements of upcoming workshops and information booklets. An e-mail address and telephone number were provided online to enable readers to provide their comments. Questionnaires were used at the workshops for tabulating preferences in development patterns, building orientation and building shapes. The results of these were posted on the project website.

The above process differed in some respects from the original Public Participation Program approved by Regional Council on May 13, 2008, and attached to the staff report dated January 20, 2008 (Attachment 3). This was due to the complexity of the analysis, a need for more advertising after low turnout at the initial workshop, the need to communicate information from the transportation study, and additional time required to undertake the analysis and internal staff consultations. As a result, instead of two public workshops and an on-line survey followed by a presentation to Harbour East Community Council with an option for a third workshop, staff undertook four public workshops before presenting to the former Harbour East Community Council, followed by a Public Information Meeting.

As described in Attachment 4, the proposed policies and regulations reflect a somewhat different regulatory approach and some further changes to the proposed rules, compared with those described at the last Public Information Meeting and in the mail-out to commercial landowners. These changes have arisen as a result of the internal review and discussions with stakeholders.

A public hearing must be held by Regional Council before it can consider approval of Municipal Planning Strategy and Land Use By-Law amendments. Should Regional Council decide to

⁶ <http://www.halifax.ca/regionalplanning/MSMPSReview.html>

proceed with a public hearing on this proposal, newspaper advertisements will be placed, a notice will be posted on the HRM website, and a notification area will be delineated, within which property owners will be advised of the public hearing by mail.

The proposed municipal plan and land use by-law amendments will potentially impact the following stakeholders: local residents, property owners, business owners, the Main Street Business Improvement District, community or neighbourhood organizations, professional associations, commercial land owners, HRM Planning and Development, HRM Real Property Management, HRM Transportation and Public Works, HRM Metro Transit, and the Provincial Department of Transportation and Infrastructure Renewal.

ENVIRONMENTAL IMPLICATIONS

Air Emissions: This area is served by four bus routes and is recognized as a Regional Plan Growth Centre. People are more likely to use alternatives to the private car when communities combine mutually supportive land uses within short distances. Focusing residential density around transit helps support local businesses and services within walking distance of both the service and local residents. This enables multipurpose trips to be made by combining transit with walking or cycling. Without this synergy, the complex “chained” trips that typify modern commuting must be done by car.⁷

Land Consumption: Reduced parking requirements enable more green space and higher densities and take into account the recommendations of the HRM *Regional Parking Strategy Functional Plan* (IBI Group, 2008).

ALTERNATIVES

1. **Community Council may recommend that Regional Council set a date for a public hearing to consider the proposed amendments** to the Municipal (Secondary) Planning Strategy and Land Use By-Law for Dartmouth, as provided in Attachments 1 and 2. This is the staff recommendation.
2. **Community Council may direct staff to modify the proposed amendments and recommend that Regional Council set a date for a public hearing for the amended version.** The proposed amendments seek to balance regulations, design scope, public aspiration and economic development opportunities. Any substantive modifications may require additional consultation or analysis which could further delay adoption.

⁷ See Litman, Todd with Rowan Steele, Land Use Impacts on Transport – How Land Use Factors Affect Travel Behavior (Victoria Transport Policy Institute, 22 February, 2012), <http://www.vtpi.org/landuse.pdf>

3. **Community Council may reject all the proposed amendments** to the Municipal (Secondary) Planning Strategy and Land Use By-Law for Dartmouth. This would overlook the public support expressed over several years through multiple workshops. Rejecting the proposed amendments would leave the Main Street area with its existing zoning, which offers minimal guidance on building form and discourages compact residential redevelopment on commercially zoned properties by requiring a development agreement for each project.

ATTACHMENTS

Map 1:	Existing Generalized Future Land Use
Map 2:	Existing Zoning
Attachment 1:	Proposed Main Street area amendments to the Municipal (Secondary) Planning Strategy for Dartmouth (includes proposed Generalized Future Land Use Map);
Attachment 2:	Proposed Main Street area amendments to the Land Use By-Law for Dartmouth (includes proposed zoning, building height, streetwall height, and Gordon & Tacoma Development Agreement Option Area maps);
Attachment 3:	Report to Regional Council, <i>Main Street Dartmouth - Planning Vision and Streetscape Concept</i> (January 20, 2008); and
Attachment 4:	Changes since the last Public Information Meeting

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

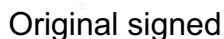
Report Prepared by: Marcus Garnet, Senior Planner, Regional & Community Planning 490-4481

Original signed 

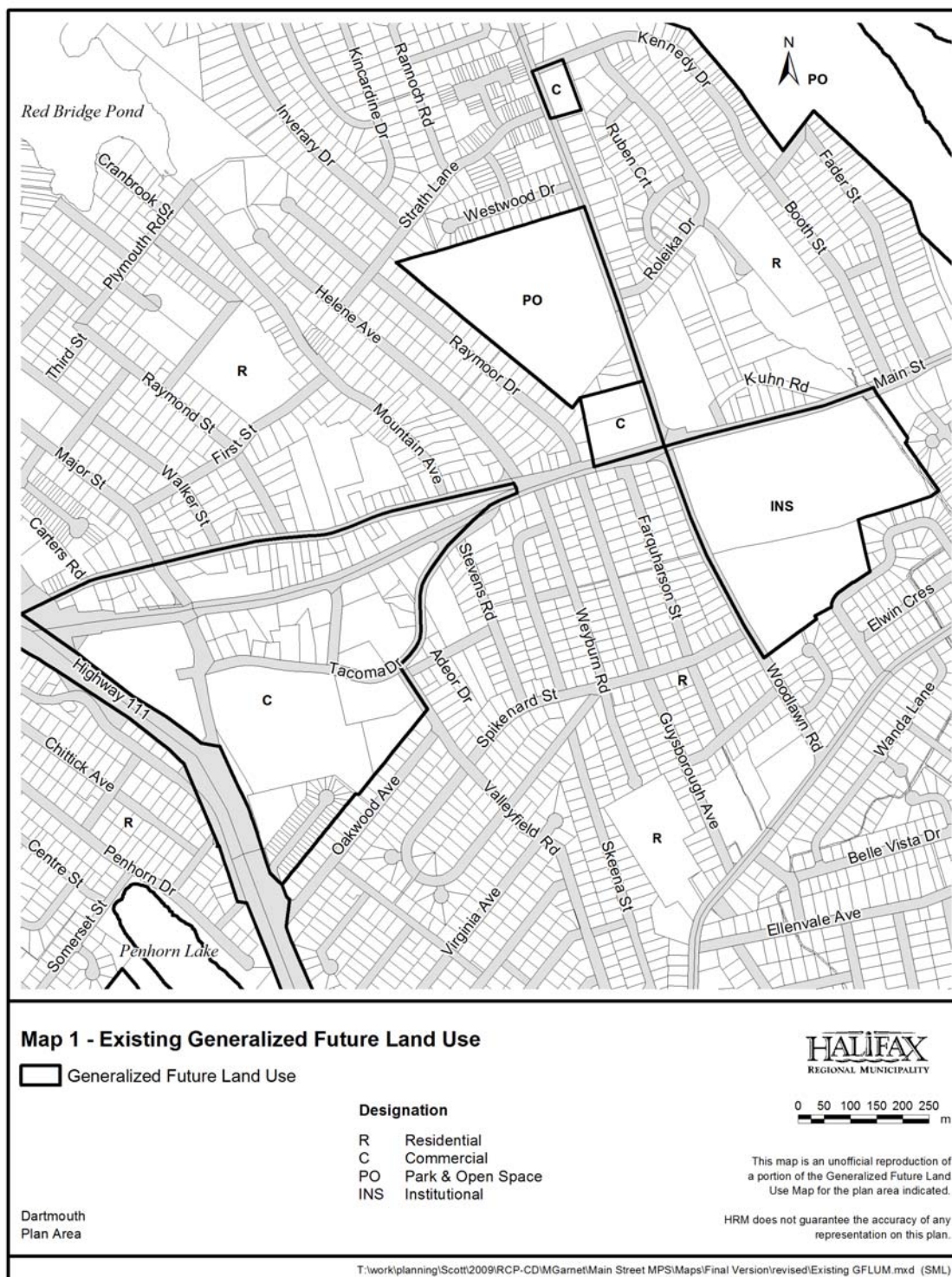
Report Approved by: Austin French, Manager, Community Planning 490-6717

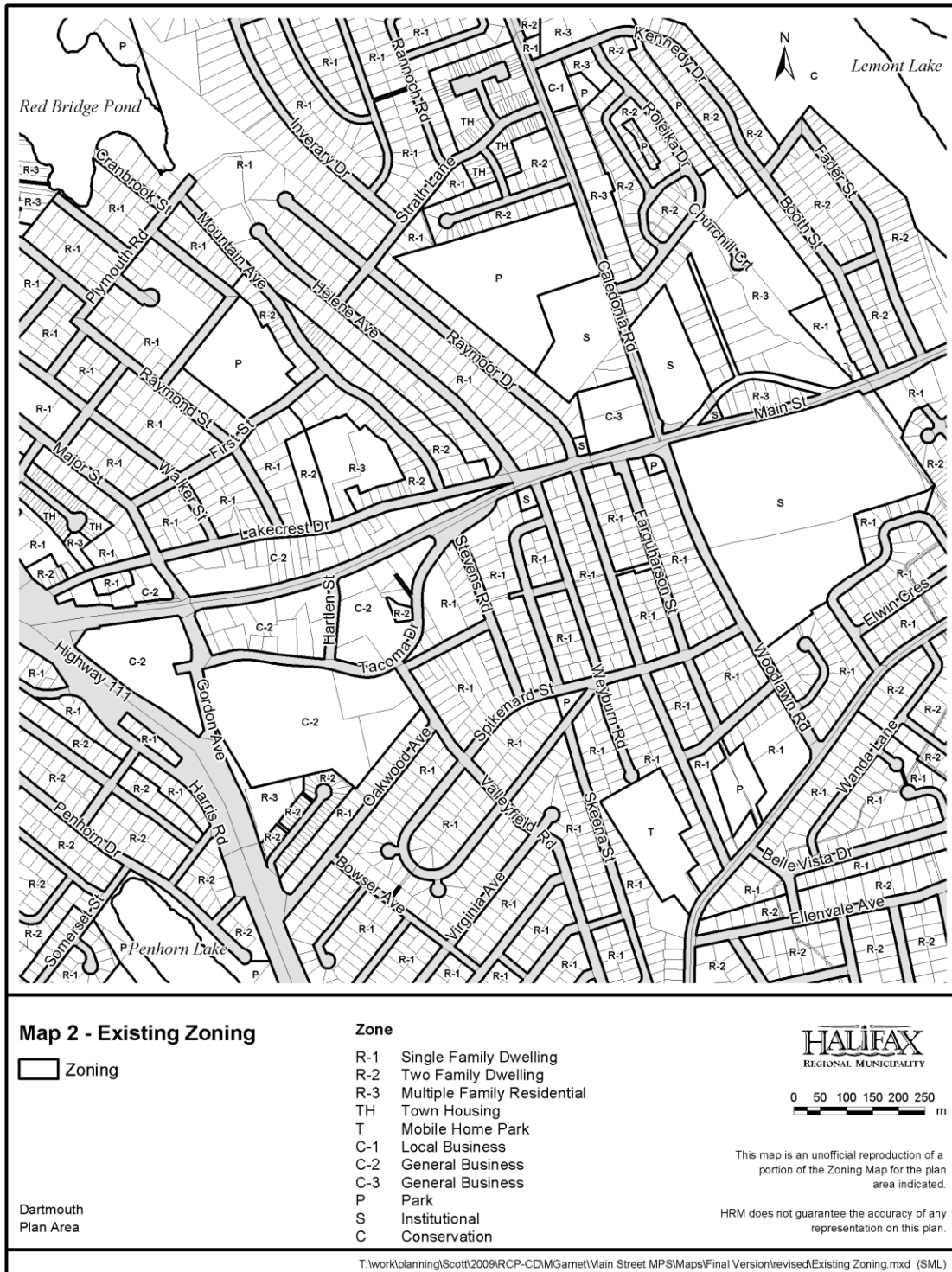
Original signed 

Report Approved by: Brad Anguish, Director, Community & Recreation Services 490-4933

Original signed 

Report Approved by: Ken Reashor, Director, Transportation & Public Works 490-4855





ATTACHMENT 1: Proposed Amendments to the Dartmouth MPS

BE IT ENACTED by the Halifax Regional Council that the Municipal Planning Strategy for Dartmouth, which was adopted by the former City of Dartmouth on the 25th day of July 1978, as amended, is hereby further amended as follows:

1. In the Table of Contents, insert a new line, ending with the appropriate page number, below the line “**Waverley Road Designation (RC-Sep 8/09;E-Nov 14/09). . . .**” and above the line “**CHAPTER 6 – INDUSTRIAL . . .**”, as set out below:

“**Main Street Designation**”
2. In the List of Maps in the Table of Contents, insert the following new lines, ending with the appropriate page numbers, below the line “Map 9x Burnside Business Park 182” and above the line “**LIST OF TABLES**”, as set out below:

“Map 9y Main Street Generalized Future Land Use
Map 9z Gordon & Tacoma Development Agreement Option Area”
3. In Chapter 4 - Housing, delete Section (8) in its entirety (“Zone Requirements for 75 and 77 Lakecrest Drive”)
4. Delete Policies H-11, H-12 and H-13.
5. In Policy C-6, delete the words “core area (Map 3)” and insert the following text after the words “outside of the” and before the period:
 - a. “the Regional Centre, as identified in the Regional Plan, except that limited general office space shall be permitted in the Main Street Designation”
6. In Policy C-9, delete the first word “It” and replace with the following:
 - a. “Except in the Main Street Designation, it”

7. After Policy C-44 and before the “Industrial” title page, insert the following text, to form a new section of the “Commercial” chapter:

“(10) MAIN STREET DESIGNATION

In the *Regional Municipal Planning Strategy* adopted by Regional Council in June 2006, the area focused on Main Street, Lakecrest Drive and Tacoma Drive, between Highway 111 and Caledonia Road, is identified as a growth centre. This area has been characterized by contrasts:

- The area is strategically located just outside the Regional Centre, adjacent to an interchange with the Circumferential Highway, and is served by several bus routes. Yet the area is neither a traditional downtown, nor a suburban retail park.
- Businesses have good visibility from a major arterial road, yet this same road makes customer access difficult and cuts the community in half, especially for pedestrians.
- The landscape has been developed around the desire for surface parking, yet the parking lots are awkward and disconnected.

In 2008, a *Main Street Planning Vision and Streetscape Concept* (Ekistics Planning & Design, 2007) was approved by Halifax Regional Council. The vision was based on input by local community members and businesses with the aid of consultants and municipal staff. There is much potential for incremental re-investment to create a well-defined, compact and vibrant town centre, while minimizing impacts on the surrounding established low-density residential neighbourhoods.

The resulting consensus is expressed in the following vision statement:

The Main Street area between Highway 111 and Caledonia Road will focus on a well-defined, dense, mixed use town centre with great pedestrian spaces and landscaping, goods and services, and buildings that invite residents to walk or bicycle to obtain daily needs and, in so doing, informally interact with their neighbours.

This plan is intended to implement the above vision in relation to development regulations, by fostering a town centre as a focal point for residential and commercial investment in pedestrian oriented buildings and spaces close to public transit, while recognizing the need for automobile access. Development is to be guided by criteria which are easily interpreted by both residents and investors. The aim is to attract re-investment, minimize uncertainties and financial risk, and address land use compatibility and design issues.

There are three key objectives to this Designation:

1. Foster incremental development of a mixed-use town centre;
2. Focus housing close to shops, services, employment and transit; and
3. Encourage walkable streetscapes.

Insofar as they affect land development, these objectives are mainly implemented through the Land Use By-Law, by regulating the siting, orientation, height, configuration and external appearance of structures and setting out conditions to be met by development. There are also development agreement options for specific locations.

Important considerations include human scale, pedestrian access, aesthetics and the potential for buildings to shape public spaces such as streets, plazas and parks. Automobile access and parking is accommodated in such a way as to minimize risks and inconveniences to pedestrians, cyclists and transit users while ensuring that the buildings and their inter-relationships are the dominant elements of the streetscape.

These objectives form the basis of the “Main Street” Designation, which contains supporting policies and sub-designations.

Policy C-45 Council shall establish the Main Street Designation, as shown on Map 9y. The intent for the Main Street Designation is:

- (a) to become a clearly defined, dense, mixed use town centre with pedestrian spaces, a range of housing choices, conveniently located goods and services, and buildings and uses that invite residents to walk or bicycle to obtain daily needs and, in so doing, informally interact with their neighbours;
- (b) to focus higher density housing within a short walk of shops, services, employment and public transit, and minimize impacts on established low-density residential neighbourhoods to the north and south of the Main Street Designation;
- (c) to encourage buildings which evoke streetscapes and townscapes ranging from traditional to modern;
- (d) to ensure visibility between building interiors and the street while addressing privacy issues for residents;
- (e) to provide direction, predictability and scope for private sector re-investment in accordance with the vision;
- (f) to continue to consider the needs of local businesses, the potential for incremental investment, and the viability of potential redevelopment opportunities; and

(g) to maximize synergy and minimize conflicts between residential and commercial uses.

Policy C-46 Council shall implement Policy C-45 through Land Use By-Law provisions that include regulating the siting, orientation, height, configuration and external appearance of structures, including but not limited to stepbacks, streetwalls, facades, roofs and architectural features, and setting out conditions to be met by development.

Sub-Designations

Within the Main Street Designation, specific land use changes or controls are required for three distinct areas due to the types and location of uses. To achieve the intent of the designation, separate sub-designations are established for the three distinct areas, which are:

- Town Centre Sub-Designation;
- Town Residential Sub-Designation; and
- Neighbourhood Edge Sub-Designation.

These Sub-Designations are shown on Map 9y - Generalized Future Land Use for the Main Street Designation.

Town Centre Sub-Designation

This area represents the heart of the Main Street Designation, where both pedestrians and motorists have access to goods and services that meet their daily needs. The intent of the sub-designation is for businesses to re-invest and properties to redevelop, with parking simplified and consolidated behind buildings. Streetfronts should welcome pedestrians and enable motorists to park just once and do several errands within a short walk of their car. Small offices or apartments and condominiums occupy upper floors. Office floors can be strategically located to provide a buffer between ground-floor retail and upper-floor residences, which can also be buffered from traffic noise and emissions by step-backs that serve as decks and balconies.

The Town Centre Sub-Designation is guided by these objectives:

- encourage sidewalk-oriented retail;
- enable offices or residences above sidewalk level;
- orient and shape buildings to frame the street; and
- encourage interesting roofscapes and facades.

Policy C-47 Council shall establish the Town Centre Sub-Designation within the Main Street Designation as shown on Map 9y - Generalized Future Land Use, to:

- (a) encourage a mutually supportive combination of sidewalk-oriented retail with offices or residences above the sidewalk level;
- (b) orient and shape buildings to frame the street;
- (c) provide a human scale for shopping, employment, recreation and living, including space in front for patios, walkways, canopies, awnings, landscaping and other pedestrian supportive features;
- (d) optimize floor space to ensure economic viability;
- (e) minimize impact on nearby residential neighbourhoods;
- (f) encourage variety in roofscapes and facades;
- (g) accommodate a range of architectural styles while encouraging alternatives to conventional suburban design proportions;
- (h) provide flexibility in the types of offices allowed, while limiting the scale of office space to help safeguard office demand in the Regional Centre; and
- (i) locate parking at the rear of buildings or below grade, with limited sideyard parking.

C-2 General Commercial Zone

Policy C-48 Within the Town Centre Sub-Designation, Council shall retain the General Commercial (C-2) Zone while introducing special provisions to:

- (a) enable apartments on upper floors;
- (b) provide for sidewalk-oriented retail;
- (c) require rear-yard, subgrade or limited sideyard parking;
- (d) limit streetwall and building heights; and
- (e) encourage facades and rooflines that evoke an urban or town centre streetscape.

Policy C-49 Notwithstanding any other policy in the Municipal Planning Strategy, Council shall, through the Land Use By-Law, limit the scale of general offices within the Town Centre Sub-Designation of the Main Street Designation.

To maximize floor area, and to enable lake views from apartments at the westernmost end of the Town Centre Sub-Designation, building heights should be tallest between Highway 111 and Gordon Avenue. Placing the tallest buildings near this highway also minimizes impacts on established residential neighbourhoods. Midrise buildings should be located along Main Street and Tacoma Drive between Gordon Avenue and Stevens Road, to enable residential development with commercial uses below.

The former car sales lots at the corner of Main Street and Caledonia Road is located within a short walk of the Dartmouth East Community Centre and the Akerley Campus of the Nova Scotia Community College, both of which lie just outside the Main Street

Designation. Together with the pocket park at the corner of Main Street and Woodlawn Road, this site can help define the eastern entry point to the community and serve as a showcase for pedestrian-oriented, mixed use redevelopment. To maximize the potential for redevelopment, midrise buildings should be permitted at the northwest corner of Main Street and Caledonia Road.

To encourage variations in roofscapes throughout the Town Centre Sub-designation, a penthouse occupying a portion of a flat roof, or a loft in a pitched roof, shall be allowed as an additional storey.

Policy C-50 Council shall, though the Land Use By-Law, enable the tallest buildings (not exceeding twelve storeys plus a penthouse or loft) within the block bounded by Highway 111, Main Street and Gordon Avenue, while enabling buildings not exceeding eight storeys, plus a penthouse or loft, in the remainder of the Town Centre Sub-Designation.

While the vision calls for pedestrian oriented streetscapes framed by buildings with parking moved to the rear or below grade, exceptions are enabled for two large district shopping centres. These properties will have the option of negotiating a development agreement for large front yard setbacks for parking, with conditions requiring enhanced pedestrian links, landscaping, architectural reference points and a façade oriented to the public sidewalk. The as-of-right ability to redevelop into a town-centre format without front yard or side yard parking lots will also be available.

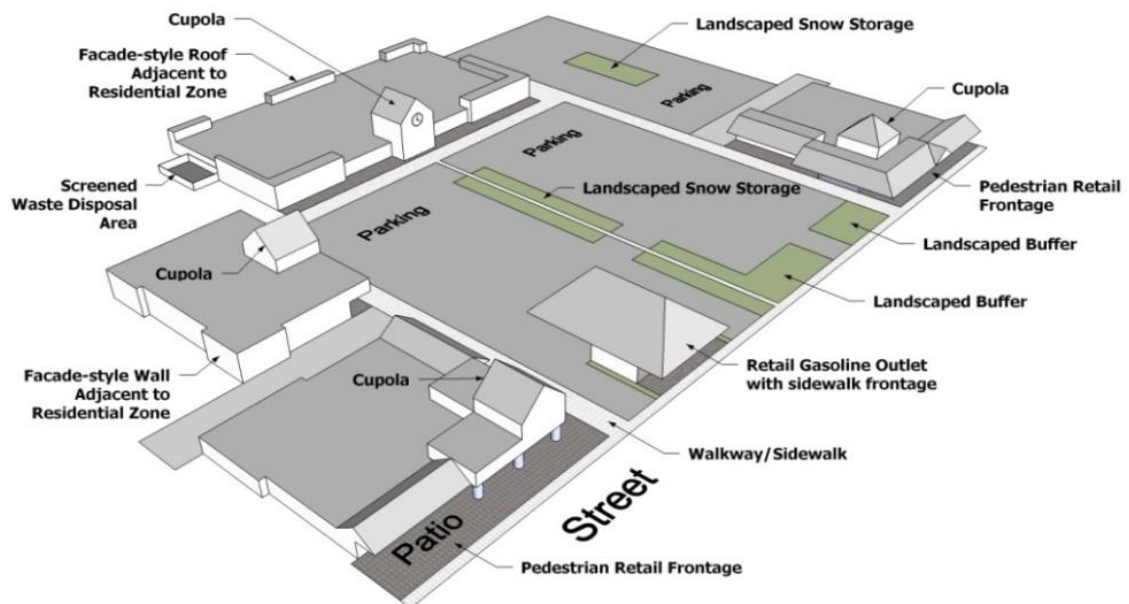
Policy C-51 On the areas of land indicated on Map 9z, Council shall consider front yard setbacks exceeding the maximum set forth in the Land Use By-Law for new buildings, or for expansions to existing buildings where the combined gross floor area of all expansions is greater than 697 square metres (7500 square feet), only according to the development agreement provisions of the *Municipal Government Act*. In considering such development agreements, Council shall have regard to the following, referring to Figure 1 for illustrative purposes only:

- (a) all surface parking visible from the street shall be bordered by raised peripheral walkways paved with visually contrasting material, connecting all buildings with each other and the public sidewalk;
- (b) all surface parking lots shall incorporate islands and buffers which are landscaped with ground-cover plants and trees suited to the local climate;
- (c) at least one main building on each lot shall have a facade located parallel and adjacent to the public street and public sidewalk, with no parking or driveway between the sidewalk and the facade, and shall incorporate display windows and a door, both oriented to the

sidewalk;

- (d) all building facades shall have:
 - (i) awnings, canopies or colonnades providing shelter for pedestrians from the weather;
 - (ii) display windows with non-reflective glazing; and
 - (iii) architectural features highlighting doorways and locations where the sidewalk joins the peripheral walkways;
- (e) building walls and roofs facing an adjacent Residential Zone shall be finished with the same siding and roof cladding as predominate on the facade;
- (f) no parking or loading facilities shall be located within 14 metres (45 feet) of Valleyfield Road;
- (g) all buildings with a facade located within 14 metres (45 feet) of Valleyfield Road shall be in the form of townhouse style residential development; and
- (h) the provisions of Policy IP-1(c).

Figure 1: Example of a plaza integrated with street and sidewalks



Town Residential Sub-Designation

At a regional level, interest in condominiums, apartments and townhouses is growing as

populations age and households consider downsizing. Many lots on the edge of the Main Street commercial area are strategically located to serve these emerging markets. Attractively designed mid-rise residential buildings can provide a buffer between a vibrant town centre and the established low-density residential neighbourhoods to the north and south. New residents will strengthen the market for pedestrian-supportive local businesses in the town centre, and can benefit from direct bus service to major employment centres and universities.

The Town Residential Sub-Designation is guided by these objectives:

- Provide a transition between low-density residential neighbourhoods and mixed use redevelopment in the town centre; and
- Increase potential walk-in retail customers for the town centre by attracting new residents to live nearby.

Policy C-52 Council shall establish the Town Residential Sub-Designation as shown on Map 9y - Generalized Future Land Use, to buffer low-density neighbourhoods from the Town Centre Sub-designation while adding new residents. Buildings shall be in the form of houses, townhouses or apartment buildings not exceeding six storeys, supplemented by lofts and penthouses, with roofs and street walls that are compatible with adjacent residential neighbourhoods. Properties shall be landscaped and shall include outdoor amenity space for residents.

R-3 – Multiple Family Residential (Medium Density) Zone

Policy C-53 Within the Town Residential Sub-Designation, Council shall apply the Multiple Family Residential (Medium Density) (R-3) Zone to properties already characterized by such uses, and to other locations with potential for providing a buffer or transition between residential and mixed uses, as shown on Map 9y. Council shall add special provisions to the R-3 Zone applicable within the Town Residential Sub-Designation of the Main Street Designation, to:

- (a) allow daycare uses;
- (b) require rear-yard, subgrade or sideyard driveway parking;
- (c) limit streetwall and building heights;
- (d) encourage facades and rooflines that evoke a town centre streetscape; and
- (e) encourage building forms and architectural features at a human scale.

Neighbourhood Edge Sub-Designation

The north side of Lakecrest Avenue is fronted mainly by houses, and forms an edge for residential neighbourhoods. There is an opportunity to provide an orderly transition between the medium density development envisaged for the south side of this street, and established low-density residential neighbourhoods to the north. This can be done by allowing auxiliary apartments abutting existing low-density neighbourhoods, and by continuing to allow two-unit dwellings where these are already permitted.

Another neighbourhood edge is located along the south side of Tacoma Drive and both sides of Main Street in the vicinity of Stevens Road and Helene Avenue eastward to Caledonia Road and Woodlawn Road. Proximity to the Community College, high traffic exposure on Main Street, and conversion of some houses for institutional purposes suggest that a wider range of uses or moderate residential density would be appropriate along this edge. The area could support a growing interest in live-work studio lifestyles, creative occupations oriented to personal services, tourism and the arts, accessory retail, auxiliary dwelling units, townhouse style dwellings and offices. Buildings containing these uses should be limited to a low-rise house form of development which would be visually compatible with abutting neighbourhoods.

The Neighbourhood Edge Sub-Designation is guided by these objectives:

- Provide a transition between high-traffic areas and established residential neighbourhoods;
- Provide opportunities for low-intensity crafts, personal services, auxiliary dwelling units, accessory retail and general offices, while limiting total floor area;
- Encourage renovation or expansion of existing houses, or low-rise redevelopment resembling houses;
- Allow small institutional uses; and
- Allow townhouse-style dwelling units without subdivision, subject to driveway restrictions on Main Street.

Policy C-54 Council shall establish the Neighbourhood Edge Sub-Designation as shown on Map 9x - Generalized Future Land Use, to encourage a compatible and orderly transition between high-traffic areas and established residential neighbourhoods, and offer opportunities for single family houses, auxiliary dwelling units, townhouse-style residential blocks, low-intensity arts and crafts, personal services, accessory retail, offices, and small institutional uses, provided that development shall be in a low-rise house form.

NLW – Neighbourhood Live-Work Zone

In the Neighbourhood Edge Sub-Designation, a Neighbourhood Live-Work (NLW) zone at the eastern end of Main Street and Tacoma Drive will allow uses such as consultant and professional offices, studios, spas and small craftshops with minor accessory retail,

with or without a residential unit. The aim is to accommodate small-scale entrepreneurship that does not generate large traffic volumes, require new driveways onto Main Street, or involve large amounts of off-street parking. Single-unit houses, auxiliary dwelling units, and low-rise institutional uses shall also be permitted.

Low-rise townhouse-style dwellings can form a buffer between high-traffic areas and quiet residential neighbourhoods. At the same time, it is important to minimize the number of driveways on busy arterials such as Main Street. Accordingly, townhouse-style residential blocks shall also be permitted, provided that each unit has access to an internal private driveway which services the development.

Policy C-55 Within the Neighbourhood Edge Sub-Designation, Council shall establish and apply a Neighbourhood Live-Work (NLW) Zone at the eastern end of Main Street and Tacoma Drive within the Neighbourhood Edge Sub-Designation, to enable:

- (a) Craftshops, spas, studios and offices, with or without accessory retail and with or without a dwelling unit, provided that driveways on Main Street shall be limited, and provided that all buildings shall resemble houses in appearance, and subject to limitations on total floor area;
- (b) Single unit houses, with or without an auxiliary dwelling unit;
- (c) Institutional uses, provided that driveways on Main Street shall be limited, and provided that all buildings shall resemble houses in appearance; and
- (d) Townhouse style residential blocks where each unit has access to an internal private driveway which services the development.

R-1A - Auxiliary Dwelling Unit Zone and R-2 – Two Family Residential Zone

The Auxiliary Dwelling Unit (R-1A) and Two Family Residential (R-2) zones can also provide appropriate transitions between established low-density residential neighbourhoods and higher densities or activity levels envisaged for the Town Residential and Town Centre Sub-Designations. Accordingly, provision is made to enable the Auxiliary Dwelling Unit (R-1A) Zone and retain the Two Family Residential (R-2) Zone within the Neighbourhood Edge Sub-Designation.

Policy C-56 Notwithstanding Policies C-34 and C-38, Council shall apply the Auxiliary Dwelling Unit Zone to selected lots within the Neighbourhood Edge Sub-Designation, as shown on Map 9y.

Policy C-57 Council shall retain the Two Family Residential Zone for selected lots within the Neighbourhood Edge Sub-Designation, as shown on Map 9y.

Non-Conforming Structures and Structures Containing a Non-Conforming Use

Section 257 of the HRM Charter allows Council, through the Land Use By-law, to relax the restrictions on legal non-conforming structures and legal non-conforming uses within a structure. Any such relaxations will not apply to Adult Entertainment Uses as defined in the Land Use By-Law.

The following objectives underlie the provisions for non-conforming structures and uses:

- Enable building additions for permitted uses;
- Allow existing uses to continue to operate in the original structure;
- Foster incremental change toward realization of the vision for the area; and
- Enable businesses that have already invested in a building to remain and adjust to the new vision as business opportunities arise.

Policy C-58 Within the Main Street Designation, the restrictions contained in the HRM Charter respecting legal non-conforming structures and legal non-conforming uses in a structures, shall be relaxed to allow the non-conforming structure to be extended, enlarged or altered, subject to the provisions of the Land Use By-law, and provided that no adult entertainment uses exist on the property.

Sites Adjacent to the Main Street Designation

Policy IP-1(b) enables an area immediately adjacent a given generalized land use designation to be considered for a zoning amendment to a use permitted within the adjacent designation without requiring a plan amendment, provided that the policies of this plan are not violated. Given the need to protect established residential neighbourhoods to the north and south of the Main Street Designation, this flexibility could lead to unintended impacts. To avoid encroaching on these neighbourhoods, Policy IP-1(b) shall not enable the rezoning of properties outside the Main Street Designation to uses permitted within that designation.

Policy C-59 Notwithstanding Policy IP-1(b), a site adjacent to the Main Street Designation shall not be considered for a zoning amendment to a use permitted within the Main Street Designation.

Within the Main Street Designation, opportunities may arise to redevelop properties which abut one another but fall under different Sub-Designations and zones. It should be possible to consider such cases without requiring a plan amendment, by enabling amendments to the land use by-law within one sub-designation to provide for the development of uses which are permitted in the abutting property zoning and sub-

designation. Nevertheless, to safeguard established low-density residential neighbourhoods, this option should not enable any amendments that would increase the intensity of use for any property within the Neighbourhood Edge Sub-designation.

Policy C-60 Council shall, within the Main Street Designation, consider the development of similar uses on properties which abut one another, through amendments to the land use by-law within any sub-designation except the Neighbourhood Edge Sub-designation, to provide for the development of uses which are permitted by the zone on the abutting property within the abutting sub-designation as shown on Map 9x (Main Street Generalized Future Land Use Map).

Access, Parking and Pedestrians

Driveways and parking are recurring issues in and around the Main Street Designation. Surface parking lots are awkwardly configured, with parking both at the front and rear of many properties, with a narrow driveway connecting the front and back. The result is a commercial area permeated by cars and dominated by asphalt. Some motorists choose to park on nearby streets, particularly Lakecrest Drive, where safety concerns have been raised for pedestrians trying to cross that street from nearby apartments.

Part of the solution will be to consolidate parking wherever possible behind buildings, with clearly marked driveway access and convenient pedestrian routes between parking lots, businesses and residences. The idea is to enable motorists to park once rather than multiple times, and to reach several businesses within a short walk. This arrangement will also benefit transit users and local residents. Moreover, as mixed-use redevelopment accommodates more residents within the Main Street Designation, a larger proportion of customers and employees will be able to reach their destinations on foot.

The *Regional Parking Strategy Functional Plan* (IBI Group, 2008) has recommended that required amounts of parking in HRM be modified to reflect locations within Regional Plan Growth Centres, such as the Main Street Designation. Accordingly, this plan seeks to optimize minimum parking requirements to reflect the vision for the area.

Background research (*Transportation Study – Main Street Area, Dartmouth, NS* (Genivar, 2011)) has examined several opportunities for maintaining motor vehicle capacity through the area while reducing neighbourhood shortcutting, optimizing pedestrian routes and improving bicycle access. The recommendations of that research study, together with innovative approaches to commercial thoroughfare access, should be borne in mind at such a time as roadway construction may be planned for the area in the future.

The following objectives concern the transportation and parking aspects of the Main Street Designation:

- consolidate parking;

- reduce impervious surfaces;
- rationalize driveway access;
- facilitate safe and convenient pedestrian and bicycle access;
- encourage transit supportive layout, land uses and building designs; and
- reduce neighbourhood shortcutting.

Policy C-61 Council shall, through the Land Use By-Law within the Main Street Designation, regulate the amount, location and design of on-site parking to reflect all the objectives, the local context and the intended market for development, with particular attention to safe and convenient pedestrian access, public transit availability, special needs groups, housing affordability, green space and stormwater management.

Policy C-62 Council shall, when planning and budgeting for transportation infrastructure improvements within the Main Street Designation, consider the recommendations of the Transportation Study – Main Street Area, Dartmouth, NS (Genivar, 2011) together with innovative best practices in commercial thoroughfare design and transit oriented development.”

8. Insert the following policy after Policy IP-5 and before Subsection (p) of the Implementation Chapter, as set out below:

“Policy IP-5A Notwithstanding Policy IP-5, within the Main Street Designation, Council shall permit apartment buildings through the Land Use By-Law.”

9. Insert the following table after Table 4a and before the heading “IMPLEMENTATION” in the Implementation chapter, on a separate page, as set out below:

“Table 4b: Generalized Land Use Matrix – Main Street Designation

Town Centre Sub-Designation	Town Residential Sub-Designation	Neighbourhood Edge Sub-Designation	<<<Sub-Designation <i>Land Use</i>
	•	•	Single Unit Dwelling
	•	•	Auxiliary Dwelling Unit
	•	•	Two Unit Dwelling
	•		Townhouse
•	•		Multiple Unit Dwelling
			Mobile Homes
•			Neighbourhood Conv. Stores
•	•	•	Home Occupations
•		*	Retail Trade
•		+	Service Commercial
•			Regional Commercial
•		•	Local Office
•		•	General Office
•		*	Tourist Commercial
			Warehousing/Distribution
			Light Industrial
			Harbour Oriented Industrial
			General Industrial
•	•	•	Local Park/Rec. Facilities
•	•	•	District Parks/Rec. Facilities
•	•	•	City Parks/Rec. Facilities
•	•	•	Regional Parks & Facilities
			Watershed
			Environmental Protection Area
•	•	•	Local Institutional
•	•	•	City/Regional Institutional
•			Utilities

* Only retail accessory to a craftshop, day spa, studio or office, in NLW Zone only.

+ Spa only, in NLW Zone only.

”

10. At the beginning of the first sentence of the second paragraph of Policy IP-1 (b), delete the words “Table 4 identified” and replace with the following text:

“Tables 4, 4a and 4b identify”

11. In the second sentence of the second paragraph of Policy IP-1 (b), delete the words “on matrix form on Table 4” and replace with the following text:

“in matrix form in Tables 4, 4a and 4b.”

12. In the sentence listing the maps at the end of the second paragraph of Policy IP-1 (b), delete the word “and”, and add the following text, preceded by a comma, after the text “9r” and before the text “(As amended”:

“,9y and 9z”

13. Insert the following two maps as attached to this report, namely Map 9y and Map 9z respectively, each on a separate page, after the page for Map 9x and before the page with the header “FORMER CITY OF DARTMOUTH – AMENDMENT INDEX”, as set out overleaf.



Map 9y
Main Street Generalized Future Land Use

-  Main Street Designation
-  Neighbourhood Edge Sub-designation
-  Town Centre Sub-designation
-  Town Residential Sub-designation
-  Auxiliary Dwelling Unit Lots
-  Two Family Residential Lots

HALIFAX
REGIONAL MUNICIPALITY

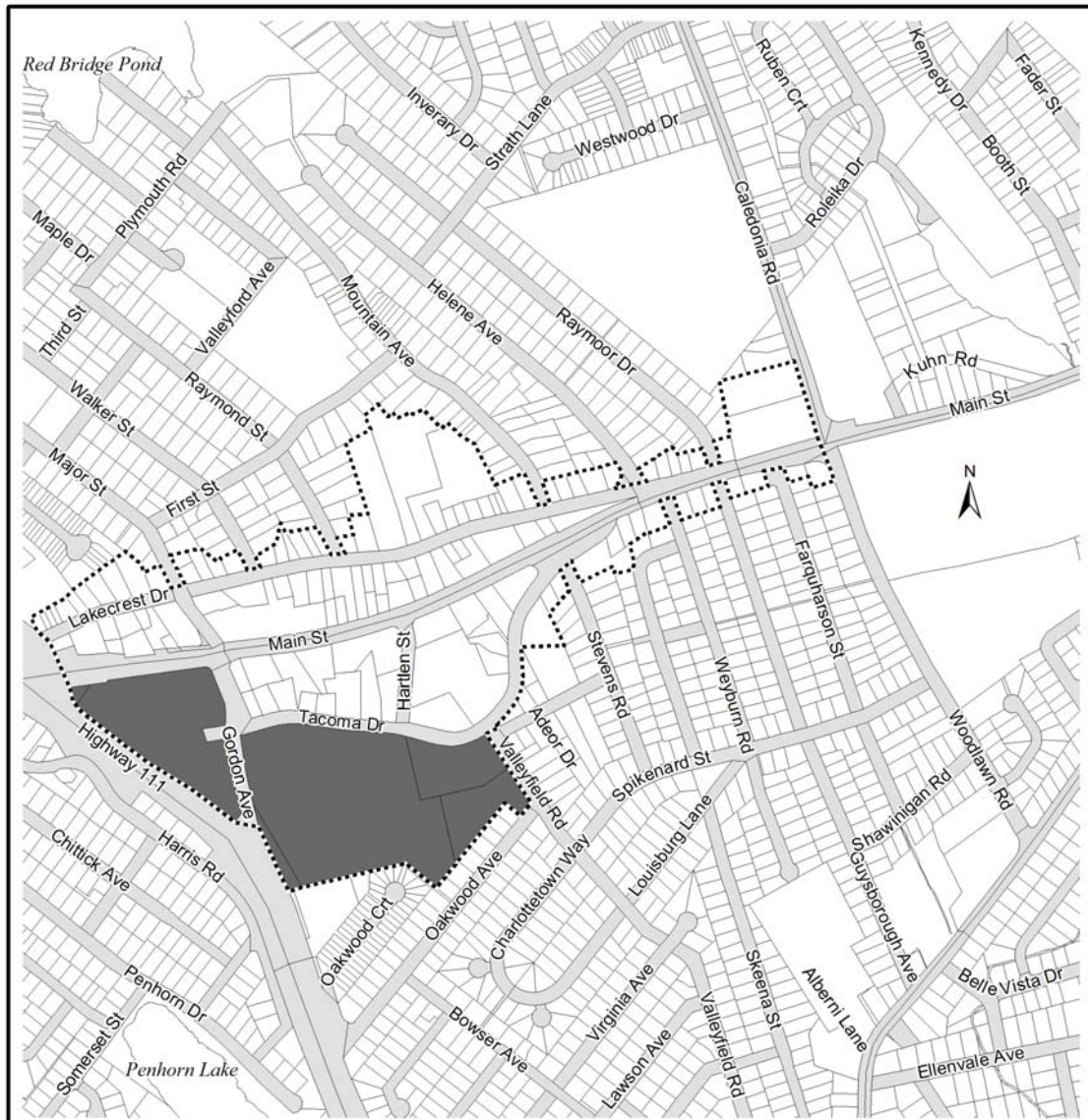
0 50 100 150
m

Dartmouth
Plan Area

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

June 27, 2013

T:\work\planning\Scott\2009\RCP-CD\MGarnet\Main Street MPS\Maps\Final Version\revised\GFLUM rev7.mxd (SML)



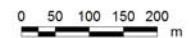
Map 9z

**Gordon & Tacoma
Development Agreement
Option Area**



Main Street Designation

Gordon & Tacoma Development Agreement Option Area



Dartmouth
Plan Area

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

June 26, 2013

T:\work\planning\Scott\2009\RCP-CD\MGarnet\Main Street MPS\Maps\Final Version\revised\Schedule AH.mxd (SML)

ATTACHMENT 2: Proposed Amendments to the Dartmouth LUB

BE IT ENACTED by the Halifax Regional Council that the Land Use By-Law for Dartmouth, which was adopted by the former City of Dartmouth on the 25th day of July 1978, as amended, is hereby further amended as follows:

IN THE TABLE OF CONTENTS

1. Insert a new line, ending with the appropriate page number, into the first page of the Table of Contents, below the line “**PART 7** T-Zone (Mobile Home Park) Zone 47” and above the line “**PART 8** C-1 (Local Business) Zone 48”, as set out below:

“**PART 7A** NLW (Neighbourhood Live-Work) Zone ”

2. Insert four new lines, each ending with the appropriate page number, into the second page of the Table of Contents, below the line “Schedule “AD” Wrights Cove Commercial Precincts (Schedule AA) 111” and separated by one blank line above “SECTION 5: NONCONFORMING USES 112”, as set out below:

“Schedule “AE” Main Street Zoning
Schedule “AF” Main Street Building Heights
Schedule “AG” Main Street Streetwall Heights
Schedule “AH” Gordon & Tacoma Development Agreement Option Area ”

IN SECTION 1: DEFINITIONS

3. Renumber clause (ma) of subsection 1 of section 1 as clause (maa), and insert the following definition after clause (m) and before the renumbered clause (maa) of subsection 1 of section 1, as set out below:

“(ma) CRAFTSHOP - means indoor work space which accommodates up to three artisans or craftspeople for creating, modifying or repairing portable artwork, miniatures, furnishings, apparel, timepieces, jewellery, musical instruments or other comparable items, and may include a minor accessory retail component; but excludes Tattoo Parlours, Adult Entertainment Uses, bulk manufacturing or processing, a recycling or disposal depot, or the manufacturing or processing or repairing or testing or use of internal combustion vehicles or engines.”

4. Insert the following definition after clause (n) and before clause (o) of subsection 1 of section 1, as set out below:

“(na) DRIVE-THROUGH - means a Commercial Use offering goods or services other than vehicle products or vehicle services, to customers while sitting in their motor vehicle, including fast food, beverages and banking.”

5. Insert the following definition after clause (qb) and before clause (r) of subsection 1 of section 1, as set out below:

“(qc) FACADE, within the Main Street Designation, means any building wall facing a street, front yard parking lot or side yard parking lot.”
6. Insert the following definition after clause (ra) and before clause (s) of subsection 1 of section 1, as set out below:

“(rb) FLAT ROOF means a roof that is sloping no greater than 2:12 and does not form part of an arced roof.”
7. Add to the end of the definition for “Height” in clause (t) of subsection 1 of section 1, to form a continuation of said definition, the following text as set out below:

“Within the Main Street Designation permitted height may be exceeded to accommodate the top storey of a building where such storey is no greater than 5 metres (15ft) high and covers no more than 25% of the building footprint, or where such storey is a loft within a pitched roof.”
8. Renumber clause (za) of subsection 1 of section 1 as clause (zaa), and insert the following definition after clause (z) and before renumbered clause (zaa) of subsection 1 of section 1, as set out below:

“(za) MAIN STREET DESIGNATION means those lands identified in Schedule AE.”
9. Renumber clause (ada) of subsection 1 of section 1 as clause (adaa), and insert the following definition after clause (ad) and before renumbered clause (adaa) of subsection 1 of section 1, as set out below:

“(ada) QUONSET HUT means a building with a wall that is not vertical, with a roof that meets the foundation, or with a wall that is fluted or corrugated.”
10. Insert the following definition after clause (afd) and before clause (ag) of subsection 1 of section 1, as set out below:

“(afe) RETAIL FUEL OUTLET means a building or a part of a building or a clearly defined space on a lot used for the retail sale of fuels for motor vehicles.”
11. Insert the following definitions after clause (ai) and before clause (aj) of subsection 1 of section 1, as set out below:

“(aia) SPA means the provision of personal services for relaxation, wellness or beauty but excludes surgery, Medical Clinics, overnight accommodation or Adult Entertainment Uses.

- (aib) STEPBACK means a specified horizontal recess from the top of a streetwall, which shall be unobstructed from the streetwall to the sky except as otherwise specified.”
12. Insert the following definitions after clause (ak) and before clause (al) of subsection 1 of section 1, as set out below:
- “(aka) STREETWALL means the wall of a building, or portion of a wall facing a street line, that is below the height of a specified stepback or angular plane, and which excludes minor recesses for elements such as doorways, and which excludes intrusions such as bay windows.
- (akb) STREETWALL SETBACK means the distance between the streetwall and the streetline.
- (akc) STUDIO means indoor work space which accommodates three or less artists or other professional workers to create, interpret or modify graphics, text, computer programs, choreography, music, and other comparable works, and may include an Accessory retail component, but excludes public performance venues, Tattoo Parlours, Adult Entertainment, bulk manufacturing/processing, a production line or call centre.”

IN SECTION 2: GENERAL PROVISIONS

13. Insert the following subclauses after subclause (ii) of clause (b) and before clause (c) of subsection 14 of section 2, as set out below:
- “(iii) Apartment buildings within the Main Street Designation (except for townhouses and Senior Citizens Housing) shall provide 0.5 parking space per bachelor unit, 0.5 parking space per 1-bedroom unit, 1 parking space per 2-bedroom or larger unit, and 1 visitor parking space per Building, plus one additional visitor parking space for every 15 Dwelling Units;
- (iv) Dwelling units within the Main Street Designation owned by a registered charity, non-profit organization, non-profit co-operative, or government agency, for the purpose of providing special needs housing, shall be exempt from the parking space requirement ratios in this By-Law.”
14. Insert the following text after the word “provided” and before the semicolon in clause (d) of subsection 14 of section 2, as set out below:
- “, except within the Main Street Designation, where one parking space shall be provided for every 65 sq. m (700 sq. ft.) of floor area”
15. Insert the following text after the word “provided” and before the semicolon in clause (e) of subsection 14 of section 2, as set out below:

“, except within the Main Street Designation, where one parking space shall be provided for every 37 sq. m (400 sq. ft.) of Floor Area”

16. Insert the following text after the word “provided” and before the semicolon in clause (f) of subsection 14 of section 2, as set out below:

“, except within the Main Street Designation, where one parking space shall be provided for every 28 sq. m (300 sq. ft.) of Floor Area”

17. Insert the following clause after clause (f) and before clause (g) of subsection 15 of section 2, as set out below:

“(fa) within the Main Street Designation no apartment building parking or commercial parking or institutional parking shall be located in the front yard, nor shall any parking be located in any side yard except for one parallel parking lane on each side of a driveway;”

18. Insert the following subsection after subsection 15 and before subsection 16 of section 2, as set out below:

“15A Within the Main Street Designation a waste disposal or recycling facility shall not be located in the front yard, and shall be fully enclosed and screened from public streets and adjacent dwellings.”

19. Replace the period at the end of clause (c) of subsection 16 of section 2 with a semicolon, and insert a new clause after clause (c) of subsection 16 and before subsection 17 of section 2, as set out below:

“(d) within the Main Street Designation no loading space shall be located in a yard abutting a street.”

20. Insert the following text into Subsection 18B of section 2, after the words and punctuation “Notwithstanding any other provision of this By-law,” and before the words “apartment development”, as set out below:

“ and except within the Main Street Designation,”

21. Insert the following clauses after clause (c) and before clause (d) of subsection 19 of section 2, as set out below:

(ca) Within the Main Street Designation, the restrictions contained in the HRM Charter respecting legal non-conforming structures and legal non-conforming uses in a structure, are relaxed to allow the non-conforming structure to be extended, enlarged or altered provided that:

- (i) the non-conforming structure remains on one lot;
- (ii) all extensions and enlargements on the lot total no more than 697 sq. m (7500 sq. ft.);
- (iii) the non-conforming use does not expand into the extension, enlargement or alteration;
- (iv) an Adult Entertainment Use does not exist on the Property;
- (v) the extension, enlargement or alteration complies with all provisions in the Land Use By-law for the Main Street Designation except that the maximum front yard setback or flankage yard setback may be exceeded;
- (vi) a walkway is provided between the main door and the nearest public sidewalk, with crosswalks traversing any vehicle lanes; and
- (vii) the extension, enlargement or alteration:
 - a. does not result in a Drive-Through becoming the Primary Use; and
 - b. does not result in the total Lot Coverage or Building Height exceeding the maximum Lot Coverage or Building Height in the Land Use By-law for the zone applied to the property.”

22. Insert the following clause after clause (h) and before clause (i) of subsection 23 of section 2, as set out below:

“(ha) Within the Main Street Designation no parking space is required for any home occupation, nor for a dwelling unit owned by a registered charity, non-profit organization, non-profit co-operative, or government agency, for the purpose of providing special needs housing;”

23. Insert the following subsections after subsection 27B and before subsection 27C of section 2, as set out below:

“27BA Within the Main Street Designation no accessory building shall have a flat roof.

27BB Within the Main Street Designation Quonset Huts are not permitted.”

24. Insert the following clause after clause (3) and before clause (4) of subsection 28 of section 2, as set out below:

“(3A) Notwithstanding Clause (3) of Subsection 28, within the Main Street Designation the front yard setback shall be:

- (a) for Gordon Avenue, Major Street and Hartlen Street a minimum setback of 1 metre (3.3 ft.) and a maximum setback of 6.1 metres (20 ft.)
- (b) for Lakecrest Drive and Valleyfield Road a minimum setback of 6.1 metres (20 ft.)
- (c) for all other streets a minimum setback of 2 metres (6.6 ft.) and a maximum setback of 9.1 metres (30 ft.)
- (d) unenclosed balconies, unenclosed porches and bay windows may project into the required front yard setback provided they are no less than 1.0 metre (3.3 ft.) from the front lot line.”

25. Insert the following clause after clause (j) of subsection 30 and before subsection 31 of section 2, as set out below:

“(k) notwithstanding Section 30(g), a permanent identification, sponsorship or directional sign erected by the area Business Improvement District shall be permitted in any Zone within the Main Street Designation.”

26. Insert the following clause after clause (b) of subsection 32E(19) and before subsection 32E(20) of section 2, as set out below:

“(c) within the Main Street Designation, those signs permitted within that Designation.”

27. Insert the following text in subsection 32E(21) of section 2 before the first sentence, and replace the capital letter “N” at the start of said sentence with a lower-case letter “n”, as set out below:

“Except in the Main Street Core Area, n”

28. Insert the following new subsection after subsection 32E(21) and before subsection 32E(22) of section 2, as set out below:

“32E(21A) Within the Main Street Designation Ground Signs in front yards on Lakecrest Drive, or in any yard within the Neighbourhood Live-Work (NLW) Zone shall:

- (a) not exceed a height of 2 metres [6.5 feet] above Established Grade;
- (b) comprise no more than two Sign Faces, which shall be affixed back to back;
- (c) not exceed 2.97 square metres [32 sq. ft.] in area for each Sign Face;
- (d) not exceed 3 metres [10 ft] in the width of each Sign Face;
- (e) have their supports and base in a Landscaped area or immediately above a flower bed or planter measuring no less than 0.6 metres [2ft] wide; and
- (f) notwithstanding 32E(21) be set back at least 3 metres [10 ft] from the curb or from the edge of the pavement or travelled way where there is no curb, and shall not encroach upon the public right-of-way.”

29. Insert the following subsections after subclause a) of clause IX of Subsection 32G of section 2 and before section 3:

“32H MAIN STREET DESIGNATION – ARCHITECTURAL REQUIREMENTS

32H.1 EXEMPTIONS

All development within the Main Street Designation shall comply with the Architectural Requirements set forth in this Section with the exception of:

- (a) Single unit Dwellings
- (b) Auxiliary Dwelling Units
- (c) Accessory Buildings
- (d) Temporary construction uses
- (e) Changes in use or occupancy within an existing Building; or
- (f) Internal renovations with no extension to an existing Building.

32H.2 EXTERIOR CLADDING

- (a) Where masonry style finishes are used for a portion of a Building:
 - (i) the masonry-finished portion shall be closer to the ground than any wood-style finish on the same wall; and
 - (ii) the masonry-finished portion shall continue around each corner of the Building at least 0.6 m [2 ft] before any transition to another style of finish.
- (b) The following external wall finishes shall not be permitted:
 - (i) unfinished concrete, except for foundation walls no greater than 0.6 m [2 ft] above Established Grade;
 - (ii) unfinished plywood;
 - (iii) particleboard, chipboard or strandboard;
 - (iv) corrugated plastic, corrugated fibreglass or corrugated metal; or
 - (v) metal siding utilizing exposed fasteners.

32H.3 ENTRANCES

- (a) Every building shall have at least one identifiable, convenient and accessible pedestrian entry door which is:
 - (i) adjacent to, and visible from a sidewalk or walkway, providing access to the building from the street during regular business hours;
 - (ii) accessible by pedestrians from the sidewalk or front lot line without the need to cross a parking lot or drive-through lane; and
 - (iii) with separate entry doors for Residential and Commercial portions of a Building.

32H.4 FACADES

- (a) At least one of the following architectural elements shall be incorporated at intervals of at least every 12.2 m (40 ft) on every Facade within an R-3 Zone or Neighbourhood Live-Work (NLW) Zone, and at least every 15.2 m (80 ft) on every facade within the C-2 Zone:
 - (i) Protrusions;
 - (ii) Recesses;
 - (iii) Offsets;
 - (iv) Bay Windows;
 - (v) Porches; or
 - (vi) Pillars.

- (b) Facades in the C-2 Zone shall have retractable or fixed awnings or overhangs along at least 70% of the facade length, projecting at least 1.5 metres [5 ft] from the streetwall, or to the front lot line, whichever is less;
- (c) Utility connections, fill pipes, exhaust vents and ventilators on facades shall be screened from the view of pedestrians by landscaping, solid board fencing, a decorative wall or an architectural feature; and
- (d) Garage doors shall occupy no more than 50 percent of the streetwall length of any building.

32H.5 WINDOWS

- (a) Windows shall be provided along at least 35% of the facade length on each storey and, within the C-2 zone, display windows shall also be provided along at least 50% of the facade length at sidewalk level.
- (b) All windows in all facades shall be vertical or square in general orientation, except for glass walls and retail display windows.
- (c) All windows shall be accentuated by design details such as frames, arches, hoods, decorative moldings, lintels, pediments or sills, except for glass walls and retail display windows.

32H.6 ROOFS

- (a) Flat roofs shall not be permitted except where:
 - (i) the flat roof is a deck or balcony; or
 - (ii) the flat roof is located above a roof with no less than 7:12 and no more than 24:12 pitch on all sides of the building, or
 - (iii) the flat roof is surrounded by decorative parapets; or
 - (iv) the flat roof has eaves with decorative moldings or cornices where the underside of the eaves joins the building walls.
- (b) At least one of the following architectural roof elements shall be incorporated at intervals of at least every 12.2 m (40 ft) within an R-3 Zone or NLW Zone, or at least every 15.2 m (80 ft) within a C-2 Zone:
 - (i) Offsets
 - (ii) Changes in Roof pitch
 - (iii) Raised or protruding parapets
 - (iv) Cross-Gables
 - (v) Dormers
 - (vi) Cupolas
 - (vii) Masonry-finished chimneys
- (c) All rooftop equipment, including satellite and other telecommunication equipment, air handling units, elevator equipment, cooling towers and exhaust fans, shall be visually screened from the street by the roof structure through the use of architectural features.

32H.7 STREETWALL STEPBACKS

- (a) Within the C-2 and R-3 Zone, every Building shall have a Stepback above the maximum Streetwall Height specified on Schedule AG, as follows:

The minimum Stepback shall be 1.8 metres [6 ft] except:

- (i) where the distance between the Streetline and the Streetwall equals or exceeds the total minimum Front Yard plus the minimum Stepback, no Stepback shall be required; and
- (ii) uncovered decks, balconies, railings, parapets, and roofs, other than flat roofs, are permitted to encroach into the Stepback.

IN SECTION 3: ZONES

30. Insert the following text as a new line item in the list in subsection 31, below the line which reads, “T Mobile Home Park Zone Zone” and above the line which reads “C-1 Local Business Zone”, as set out below:

“NLW Neighbourhood Live-Work Zone”

IN SECTION 3, PART 1: R-1 (SINGLE FAMILY RESIDENTIAL) ZONE

31. Add the following text to the end of the last sentence in clause (d) of subsection 32(2) of part 1 of section 3, and replace the period with a comma, as set forth below:

“, and within the Main Street Designation as identified on Schedule AF.”

IN SECTION 3, PART 1A: R-1A (AUXILIARY DWELLING UNIT) ZONE

32. Insert the following subsection after subsection 32B(4) of part 1A of section 3, and before part 3, as set out below:

“32B(5) OTHER REQUIREMENTS: MAIN STREET DESIGNATION

Notwithstanding Section 32B(3), within the Main Street Designation R-1 and R-1A uses shall comply with the following requirements:

Lot area minimum:	371.6 square metres (4,000 square feet)
Lot frontage minimum:	12.2 metres (40 feet)
Rear yard minimum:	6.1 metres (20 feet)
Side and flanking yard minimum:	2.4 metres (8 feet)
Height of main building:	10.7 metres (35 feet)”

IN SECTION 3, PART 3: R-2 (TWO FAMILY RESIDENTIAL) ZONE

33. Add the following text to the end of the last sentence of clause (e) of subsection 33(3) of part 3 of section 3, and replace the period with a comma, as set out below:

“, and within the Main Street Designation as identified on Schedule AF.”

IN SECTION 3, PART 4: R-3 (MULTIPLE FAMILY RESIDENTIAL) ZONE – MEDIUM DENSITY

34. Add a new clause after clause (e) of subsection 34(1) and before subsection 34(2) of part 4 of section 3, as set out below:

“(f) day care facility within the Main Street Designation.”

35. Insert the following subsections after subsection 34(3) and before subsection 34(4) of part 4 of section 3, as set out below:

“34(3A) Notwithstanding subsections 34(3) and 34(4), within the Main Street Designation no development permit shall be issued for an apartment building or a day care facility except in conformity with the following:

Minimum lot area	372 square m [4000 sq. ft.]
Minimum frontage	14 m [46 ft], except for a flag lot, in which case the minimum lot frontage shall be not less than 9.1 m [30 ft] and the building shall be located within the widest portion of such lot
Minimum Front or Flankage Yard	6.1 metres [20 ft]
Minimum Rear Yard	12.2 metres [40 ft] for any portion of the Rear Yard abutting an R-1, R-1A or R-2 Zone
Minimum Side Yard	12.2 metres [40 ft] for any portion of the Side Yard abutting an R-1, R-1A or R-2 Zone
Maximum Lot Coverage	60 %
Maximum Height of Main Building	Refer to Schedule “AF”

34(3B) Within the Main Street Designation an apartment building along the south side of Lakecrest Drive or the west side of Valleyfield Road shall have the appearance of Townhouse Dwellings.

34(3C) Within the Main Street Designation, with the exception of driveway access, required yards shall be landscaped.”

36. Add the following text to the end of the last sentence in the “**NOTE:**” which follows subsection 34(6), and replace the period with a comma, as set out below:

“, except within the Main Street Designation.”

IN SECTION 3, PART 6: TH (TOWN HOUSING) ZONE

37. Add the following text to the end of the text in clause (c) of subsection 36(2) of part 6 of section 3, as set out below:

“except within the Main Street Designation – 45%”

38. Insert the following clause after clause (f) and before clause (g) of subsection 36(2) of part 6 of section 3, as set out below:

“(fa) Within the Main Street Designation a rear yard setback of not less than 6.1 metres (20 feet) shall be provided.”

39. Add the following text to the end of the text in clause (g) of subsection 36(2) of part 6 of section 3, and replace the period with a comma, as set out below:

“, and within the Main Street Designation as identified on Schedule AF.”

40. Insert the following part after part 7 and before part 8 of section 3, as set out below:

“PART 7A NLW (NEIGHBOURHOOD LIVE-WORK) ZONE

37A(1) NLW USES PERMITTED

No development permit shall be issued in any NLW Zone except for:

Craftshops

Spas

Studios

Offices

Townhouse style residential developments where each unit has access to an internal private driveway which services the development

R-1, R-1A, and S uses as hereinbefore set out

37A(2) Buildings used for R 1, R 1A, or S uses in the NLW Zone shall comply with the requirements of the R 1, R 1A, or S Zone respectively.

37A(3) REQUIREMENTS: OTHER USES

- (a) No development permit shall be issued for a townhouse block, craftshop, spa, studio or office except in conformity with the following:

Minimum Lot Area	371.6 sq. m [4000 sq. ft]
Minimum Frontage	15 m [50 ft]
Minimum Front Yard	6 m [20 ft]
Minimum Side or Flanking Yard	4.5 m [15 ft]
Minimum Rear Yard	6 m [20 ft]
Maximum Lot Coverage	45 %
Maximum Height of Main Building	10.7 m [35 ft]
Maximum Total Floor Area	930 sq. m (10,000 sq. ft.)

- (b) Premises containing a craftshop, spa, studio or offices shall be designed to maintain the appearance of a single unit dwelling except that:
 - (i) the front yard may include one ground sign; and
 - (ii) the facade may include one 2-sided projecting sign up to 0.5 square metres (5.3 sq. ft.) in area for each sign face;
- (c) All craftshop, spa, studio or office uses and associated storage areas shall be located within a Building; and
- (d) The maximum building height shall be as shown on Schedule AF.”

IN SECTION 3, PART 9: C-2 (GENERAL BUSINESS) ZONE

- 41. Insert the following clauses after clause (b) and before clause (c) of subsection 39(1) of part 9 of section 3, as set out below:
 - “(ba) Within the Main Street Designation, R-1, R-2 and TH uses are not permitted;
 - (bb) Within the Main Street Designation a drive-through is not a permitted main use;
 - (bc) Within the Main Street Designation, general office uses shall be permitted to occupy a maximum of 3 storeys”
- 42. Insert the following new clause after clause (b) and before clause (c) of subsection 39(3) of part 9 of section 3, as set out below:
 - “(ba) Within the Main Street Designation, except for those lots abutting Lakecrest Drive, residential uses are not permitted on the ground floor of a building, except for entrance lobbies, common areas and accessory uses.”
- 43. Insert the following clause after clause (d) and before clause (e) of subsection 39(3) of part 9 of section 3, as set out below:
 - “(da) Within the Main Street Designation, where the yard abuts any R-1, R-1A or R-2 zone, a minimum 6.1 metre (20 ft.) side and rear yard is required.”
- 44. Insert the following clause after clause (e) of subsection 39(3) of part 9 and before part 10 of section 3, as set out below:

“(f) Within the Main Street Designation, the maximum height shall be as identified on Schedule AF.”

45. Insert the following subsections after subsection 39(3) of part 9 and before part 10 of section 3, as set out below:

“39(4) Within the Main Street Designation, retail fuel outlets and accessory uses shall be prohibited except where the main building is located between the sidewalk and the fuel pumps, which building shall have at least one facade parallel and adjacent to the front lot line, with a display window and a full-length canopy or awning extending out at least 1.5 metres [5 ft] in front of the façade.

39(5) Building walls and roofs facing an adjacent Residential Zone shall be finished with the same siding and roof cladding as predominate on the facade.

39(6) Within the Main Street Designation, utility connections, fill pipes, exhaust vents and ventilators on facades shall be screened from the view of pedestrians by landscaping, solid board fencing, a decorative wall or an architectural feature.

39(7) Within the Main Street Designation, no illuminated sign, no outdoor loudspeaker, nor any drive-through lane, shall be located less than 6 metres (20ft) from any adjacent residentially zoned property.

39(8) Within the Main Street Designation no drive-through lane, no drive-through window, nor any surface parking shall be located between the building and the street.

39(9) Notwithstanding Sections 15(fa) and 28(3A)(a) and (c), on lands shown on Schedule “AH” – Gordon Avenue and Tacoma Drive Development Agreement Lands, front yard setbacks exceeding the maximum set forth in this by-law may be considered only by development agreement in accordance with Policy C-51 of the Municipal Planning Strategy.

IN PART 19: S (INSTITUTIONAL) ZONE

46. Insert the following clause after clause (c) and before clause (d) of subsection 45(2) of part 19 of section 3, as set out below:

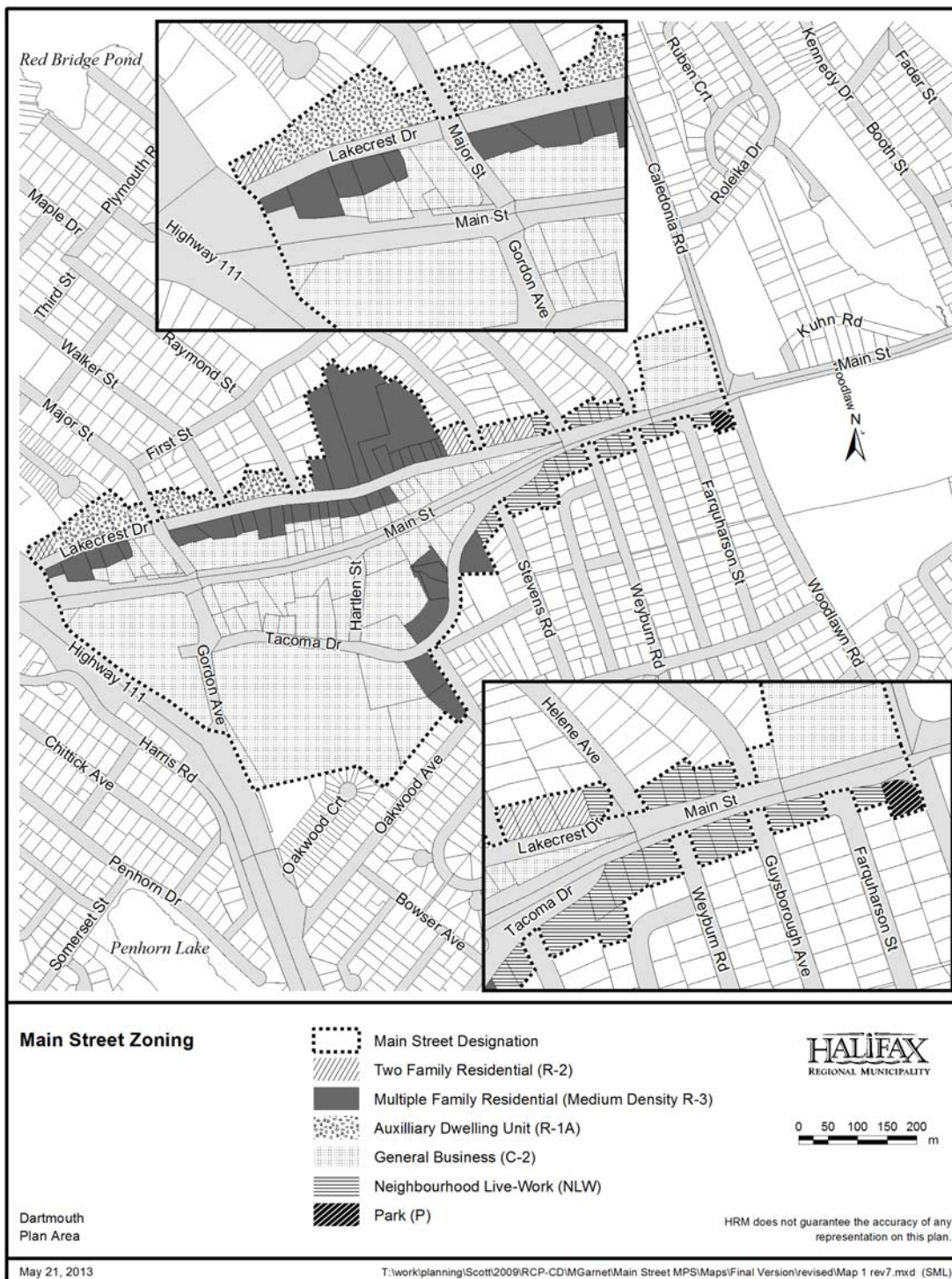
“(ca) Within the Main Street Designation, maximum height shall be as identified on Schedule AF.”

IN SECTION 4: SCHEDULING

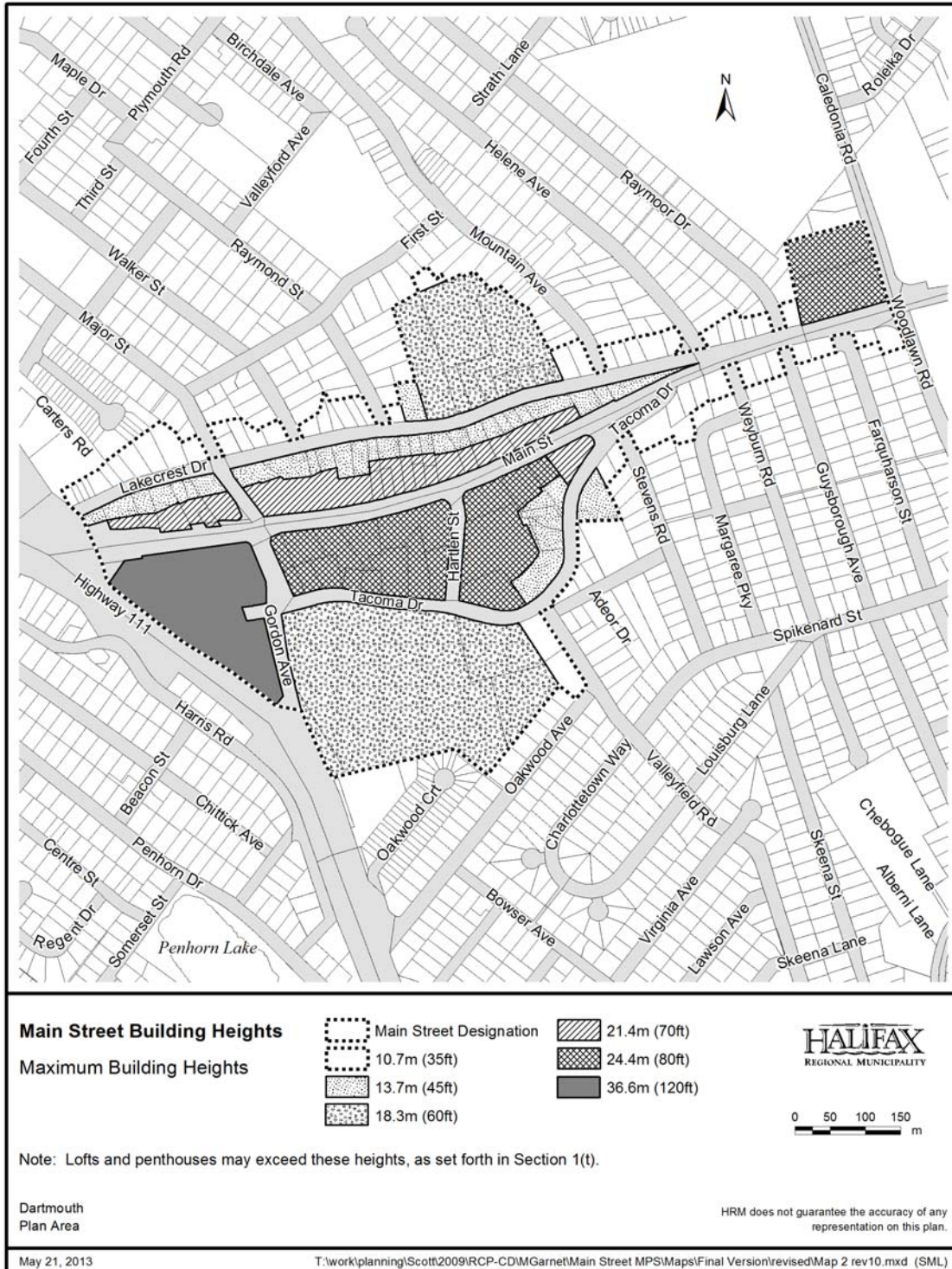
47. Insert a new Schedule AE, a new Schedule AF, a new Schedule AG, and a new Schedule AH after Schedule “AD”, each Schedule beginning on a new page, as set out on the following pages.

48. Amend the City of Dartmouth zoning map (Appendix “A” of the Dartmouth Land Use By-Law) to reflect the zoning set forth in Schedule AE on the following page, and to delineate the Main Street Designation as shown on said Schedule.

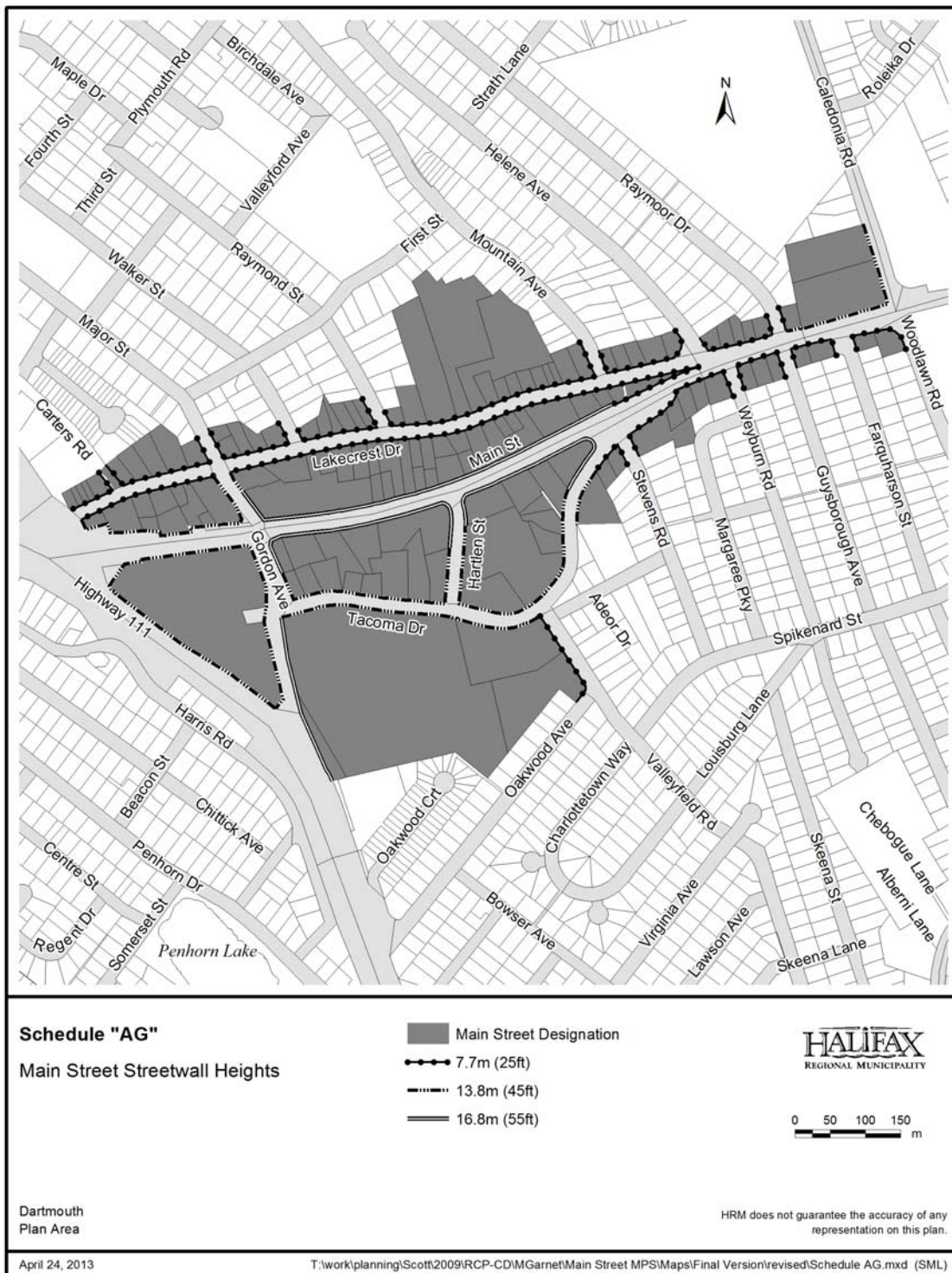
“SCHEDULE “AE”



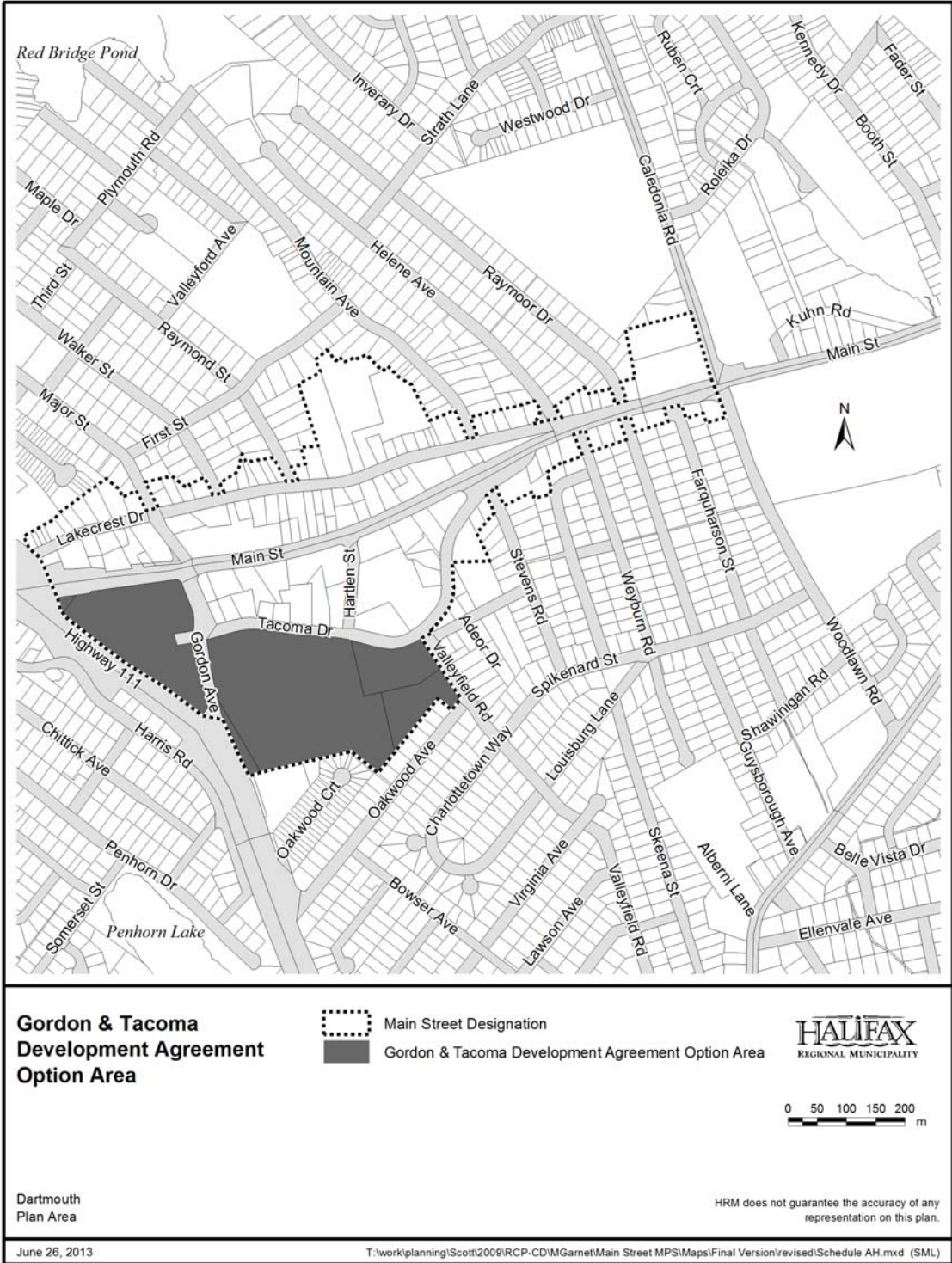
SCHEDULE “AF”



SCHEDULE "AG"



“SCHEDULE “AH”



BACKGROUND

The Regional Planning Strategy calls for an investment in streetscapes throughout HRM to create liveable, attractive centres and corridors for future growth and investment. In addition to a number of streetscape initiatives identified for the Capital District, three communities were identified as priorities: Herring Cove Road in Spryfield, Sackville Drive in Sackville and Main Street in Dartmouth. Streetscape Studies have already been completed for Capital District (2004), Herring Cove Road (2004) and Sackville Drive (2000) and serve as a basis for prioritizing implementation projects in those areas.

The F/Y 2005-2006 and F/Y 2006-2007 Capital Budgets each notionally included \$1 million for the implementation of the Capital District Streetscape Program and another \$1 million in each of those same fiscal years for the Regional Streetscape Program. No additional funding was approved for either of these Streetscape Programs in 2007 - 2008 due to the slow take-up of funds caused by staff shortages over the previous years. It is expected that funds will again be put before Regional Council for approval in the 09/10 capital budget.

DISCUSSION

An Executive Summary of the Main Street Dartmouth Planning Vision and Streetscape Concept is included as Attachment 1 of this report.

The geographic extent of the primary study area is defined as the urban Main Street corridor from the Mic Mac Parclo to the NSCC Campus with a secondary study area encompassing Main Street from NSCC to the Forest Hills Extension. The primary study area is the focus of the design and planning investigation (see Attachment #2), whereas, the secondary study has concentrated on determining a suitable pedestrian and Active Transportation connection from the Forest Hills Extension to the primary area.

The planning process leading to the creation of this strategy began in the summer of 2006 and has been transparent and open to the public. The consultants have undertaken dozens of interviews, a visioning workshop and a design workshop and recently conducted a Public Open House attended by over 120 people (January 2008). Most of the ideas presented in the report have come directly from the community. The report balances vision with practicality: it explores a preferred long-range future for the Main Street area; and, it also presents achievable short-term projects, which can be implemented on public lands in support of the longer-term vision. The public feedback has been extremely positive.

To date, HRM has re-zoned C-3 lands in the Main Street area to C-2 in keeping with the findings of the consultant study. The area Councillor and staff have been meeting with members of the business community in the formation of a Business Improvement District (BID), which will be instrumental in implementing the long-range elements of the planning vision.

Based on the Regional Planning Strategy's designation of Main Street as a Suburban Local Centre and the community visioning that has taken place through this consultant study, HRM staff are now gearing up to prepare a Secondary Planning Strategy (SPS) for the area. Using the findings and conclusions of the consultant's study, the SPS will convert its land use related recommendations into policy statements and land use by-law provisions. A proposed public participation program for this process (Attachment 3) includes a series of open houses / workshops to progressively refine the concepts into policy and regulatory format. In addition to general advertising through media and the HRM web site, the consultation program will directly invite input from those members of the public and business interests who participated throughout the course of the consultant's study. The BIDC will be an integral stakeholder and liaison group throughout the preparation of the SPS.

Implementation of the Pocket Park proposed as a demonstration project for the SW corner of Woodlawn and Main Street is anticipated this coming Spring 2008 utilizing funds currently available in the Regional Streetscapes Program capital account.

Improvements identified in this 30-year plan are projected to cost in the order of \$8 million (2007 dollars). The report assumes that, subject to Regional Council's annual budget approval process, the primary source of funding identified for this work (\$300,000+ per year) will be the Regional Streetscapes Program capital budget. However, it is also worth noting that some project costs are possibly either not HRM (e.g. Parclo changes) or have the potential for attracting external funding (e.g. LED lighting demonstration project). In addition, some projects such as the bike lanes in the secondary study area have already been completed while other project components may be undertaken as part of routine maintenance and renewal. Thus, costs may not be as high as first appears.

BUDGET IMPLICATIONS

There are no immediate financial commitments associated with this report. The potential implementation of capital works stemming from the recommendations contained in the consultant's report (for example traffic improvements) will be the subject of further reports to Council, either by separate cover or as advanced through Council's business planning and budget process.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

None.

ATTACHMENTS

1. Executive Summary - Main Street Dartmouth Planning Vision and Streetscape Concept
2. Primary Study Area / Vision Plan
3. Proposed Secondary Planning Strategy Public Participation Program

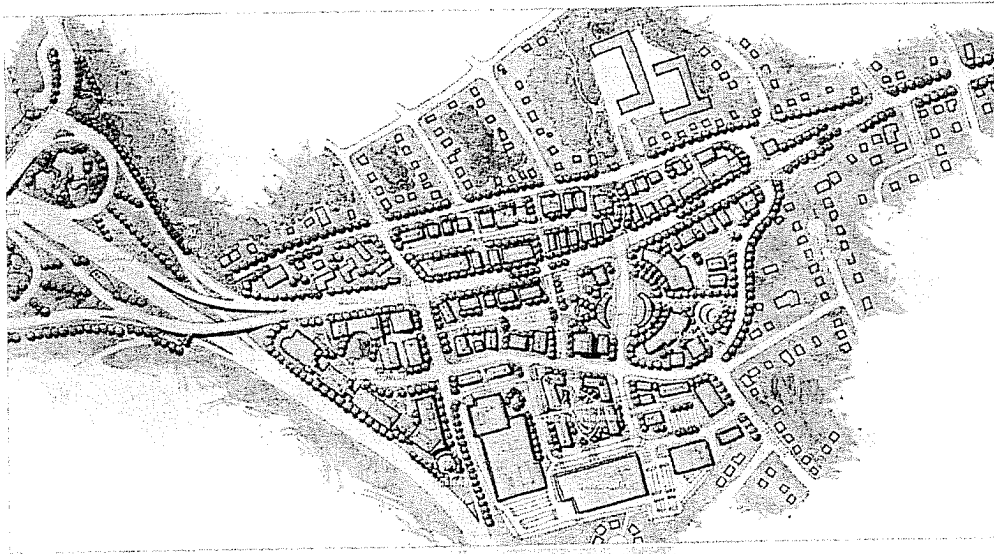
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Barry Yanchyshyn, Senior Landscape Architect Real Property Planning 490-3967

Report Approved by: Original signed
Peter Bigelow, Manager, Real Property Planning, IAM 490-6047

Financial Approval by: Original signed
Catherine Sanderson, Senior Manager, Financial Services, 490-1562

Report Approved by: Original signed
Cathie O'Toole, Director, Infrastructure and Asset Management - 490-4825



Executive Summary

1. The Vision Plan

The Main Street area sits in the centre of The most rapidly expanding and concentrated shopping area in HRM. A large 'slice' of protected watershed lands completes the ring around the Main Street area. This is a physical centre, a pinch point, and could easily become a real 'village centre',

The transportation context is similar. Main Street is the only direct road connecting the CBD with the Preston area. Metro transit recognizes the importance of the area and operates an informal bus depot from the shopping centre parking lot. There are thousands of residents within a fifteen minute walk of this area and hundreds of units are planned, or can be accommodated in the five existing residential areas adjacent to the area.

The study area is missing a link in the completion of the AT network. As a result, Lakecrest Drive has been recommended as the AT route to connect the AT network to everything to the east and west of the area in the HRM AT functional plan that has been approved in principle by HRM.

Suburban style growth, in Montague, Preston, Porters Lake and other areas suggests that these surrounding neighbourhoods may be ready for a village centre as gas prices force alternatives to current transportation, work and shopping patterns.

These assumptions formed the foundation of the long-term vision for Main Street:

The Main Street area will become dense, mixed use village core with great pedestrian spaces, goods and services, and facilities that invite residents to walk or bicycle to obtain daily needs and in so doing informally interact with their neighbours.

The plan to implement this vision for Main Street is elegantly simple and founded upon four 'big ideas' derived from the concepts stemming from two public workshops:

Years 1-9

Main Street becomes a tree lined arterial with improved pedestrian amenities and with entry parks, or gateways, at each end of the area. Trees are placed in the median wherever possible. The street is primarily for through-traffic,

however pedestrian cross walks are improved. Lighting levels are maintained but the pole height is reduced to pedestrian scale and pedestrian and commercial access is improved.

Years 10-30

Lakecrest Drive becomes the AT route through the area.

Lakecrest still accommodates two-way auto traffic and new on-road bicycle facilities make it the main bicycle route, however sidewalks are added or improved.

Lakecrest Drive, Tacoma Drive, and Gordon Avenue become a circular road around Main Street making a 'Village Ring' street, which will improve both pedestrian and auto circulation in the area.

While regional automobile traffic may still be the primary use of Main Street, the 'Village Ring' is locally oriented.

The three shopping centres (Tacoma Centre, Sobeys, & Smitty's) become a traditional village centre.

Redevelopment of these shopping centres as vibrant, mixed-use, street-related, pedestrian-friendly areas will help achieve the vision for the streetscape and improve the ambience as requested by business and residents. Redevelopment could also add several hundred homes to the area.

continue to become more viable locations for businesses to establish due to ease of access.

There is a distinct mix in architectural styles and building conditions on the street. The building and site quality varies extensively from property to property.

Signage, particularly billboards, reinforce a high-way corridor sensibility rather than a core area feel. Tall light standards also reinforce the perception of Main Street as a highway. There are no coordinated signage standards or a Main Street 'brand'.

There is no identified Active Transportation connection between the Forest Hills trail and the Shubenacadie Canal trail through the Main Street area. Main Street is challenging for the participants in active transportation and there is limited space in the right of way for a multi-use trail link. Also, the current transit hub is 1.5 blocks away from Main Street.

Lakecrest Drive and the three shopping centres are not easily accessible from Main Street and vice versa, specifically for pedestrian traffic. Pedestrian street crossings can be difficult in some areas.

2. Challenges to Implementation

Main Street is a major urban thoroughfare with approximately 30,000 vehicles per day (VPD) providing high visibility for but poor accessibility to commercial uses. This amount of traffic presents both an opportunity and a challenge for commercial prosperity in the study area. Adjacent commercial prosperity is enhanced by high traffic volumes, however, commercial prosperity starts to decline for businesses fronting directly on the street when there is >30,000 VPD because lack of vehicle accessibility becomes a significant deterrent for drivers. Unless more traffic lights are installed, side-streets and adjacent streets will

3. Costs and Implementation

The implementation strategy illustrates how the recommended public projects may be completed in three phases; phasing has assumed that current funding levels for the Capital District Streetscape Program will remain at current levels over the course of the 30 year vision for project completion.

The total implementation budget for the Main Street Streetscape Study is approximately **\$8.0 million** (2007 dollars). Within five years, the public area along Main Street would be completed. The HRM and project funding partners therefore need to contribute approximately \$300,000 annually

(2007 dollars) in capital or in-kind to the projects identified each year.

The following is a list of the recommended projects over the first 5 years:

1. COMMENCE MAIN STREET IMPROVEMENTS & LED STREET LIGHTING DEMONSTRATION

The first priority for the Main Street is to demonstrate some incremental improvements on a highly visible section of Main Street between Gordon Avenue and Hartlen Street. The projects included in the first year of the five year phased improvement to this section include landscaping the existing medians, street trees along both sides, improved signage, benches, bike racks, waste containers, railing improvements, and a LED street lighting demonstration project. The budget for this project is \$257 000.

2. WOODLAWN POCKET PARK

One of the key entry points into the primary study area is the pocket park on the corner of Woodlawn and Main Street. The park requires landscaping improvements with low maintenance plantings, adequate seating, a wayfinding kiosk and the new configuration will improve visibility to all areas of the park from Main Street. The budget for this project is \$30 000.

3. NEW INTERSECTION TRAFFIC STUDY

A traffic study must be completed for the new intersection on Main Street and Stevens Road. This study will cost about \$30,000 plus HST.

4. COMPLETE MAIN STREET PRIMARY STUDY AREA IMPLEMENTATION

A four year plan is proposed to complete the streetscape recommendations for the Primary Study Area that follow in this study.

4. HRM Next Steps

The following list outlines the next steps to be taken by the HRM to implement the Main Street streetscape improvements.

1. REZONE C3 ZONED LANDS TO C2 AND CREATE A MIXED USE ZONE

An policy priority for the Main Street Streetscape study area has been to rezone all areas currently zoned C-3 to C-2. These two zones are very similar, with the primary difference being the permitted use of warehousing and storage facilities in the C-3 zone. This type of land use is inconsistent with the intent of the current Regional Plan and the long term goal to create a Suburban Local Centre in the Main Street area.

Note: Either as part of a future secondary planning process or as a direct result of this study, HRM could create a mixed-use zone and design guidelines/standards for the Main Street Area.

2. FORM A BID

Merchants in the area are in the process of investigating the formation of a BID for the area. The business community will play a leading role and become the body for organizing and coordinating efforts to implement the vision. A BID will establish the necessary lines of communication with the HRM and coordinate the implementation of projects that contribute to the maintenance, development and promotion of Main Street Dartmouth.

3. NEW SECONDARY PLAN FOR MAIN STREET (DARTMOUTH) WITHIN 5 YEARS

A secondary planning strategy for the Main Street Suburban Local Centre (SLC) would address all issues pertaining to development, permitted uses, transportation, and urban design for the broader area surrounding the streetscape study boundary. The intent of the Main Street Study is to complement this future secondary planning process by articulating a physical planning vision and identifying immediate physical improvements for targeted areas of Main Street that address some of the problems associated with the current development pattern.

4. IMPLEMENT THE AT PLAN

The proposal to use Lakecrest Drive as an AT corridor as the best location for an AT link to the regional AT network will bring residents on side

Executive Summary

with the proposed AT corridor over the next number years. Main Street is simply too busy and Tacoma Drive has a variety of access/egress/road crossing challenges.

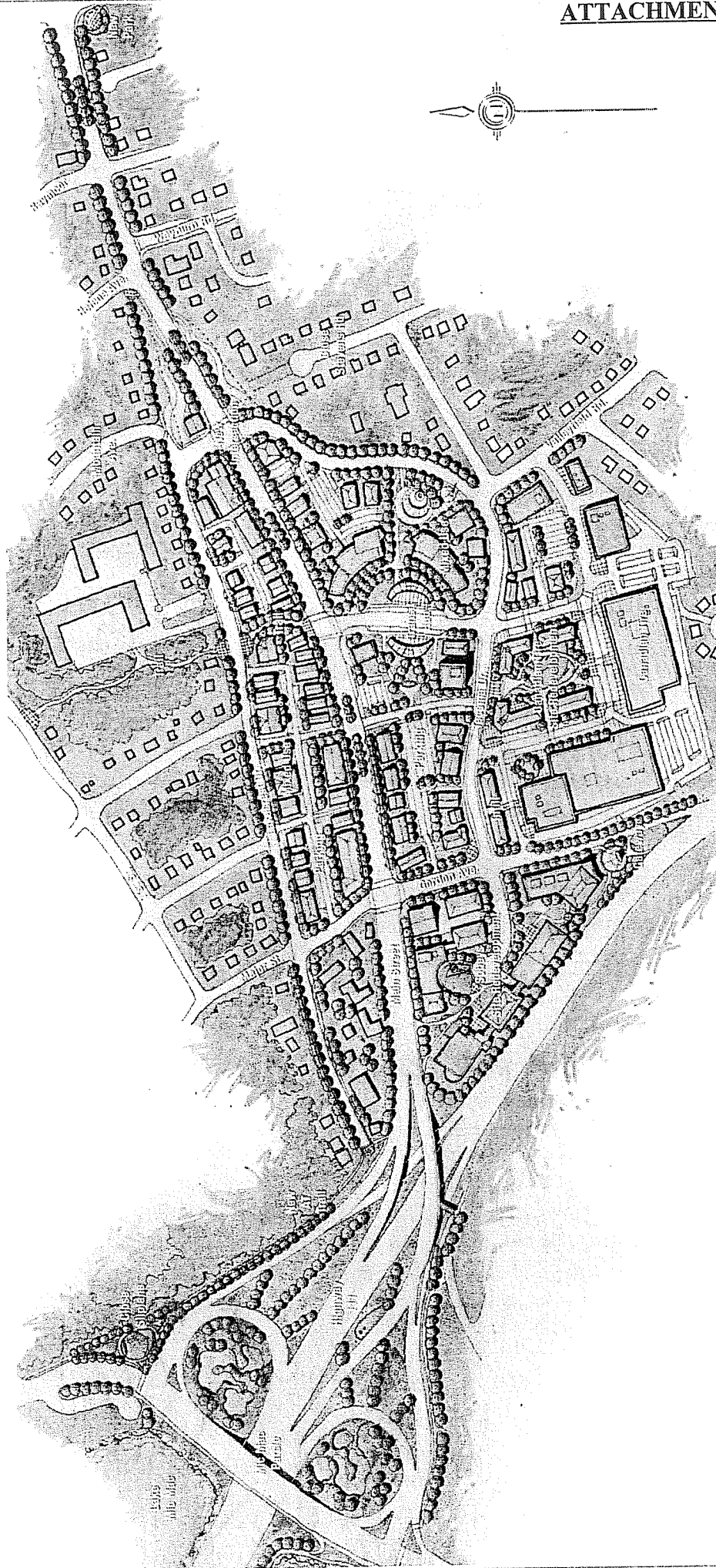


Figure 3.1

Vision Plan

MAIN STREET DARTMOUTH streetscape design project



ATTACHMENT # 3

Proposed Public Participation Program Secondary Planning Strategy (SPS) Preparation, Main Street, Dartmouth

ONGOING:

- Website providing drafts, questionnaires, consultation calendars & outcomes
- On-line forum
- Updates and invitation for comments at BIDC meetings

OPEN HOUSE/WORKSHOP #1 (June 2008):

- Summarize consensus achieved from Streetscape Study consultations
- List questions remaining to be resolved
- Display Alternatives showing how these questions might be resolved
- Invite comments on the Alternatives
- Provide a written questionnaire

OPEN HOUSE/WORKSHOP #2 (Fall 2008):

- Summarize responses to Open House #1, including questionnaire
- Display revised or hybrid Concept
- Display draft diagrams and text for land use by-law provisions
- Invite comments on proposed Concept, draft diagrams and regulatory text

PRESENTATION TO HARBOUR EAST COMMUNITY COUNCIL (Jan, 2009)

- Presentation of findings and recommended SPS Policy/LUB direction
- Seek direction from Council regarding Draft Policy/LUB revisions and determine need for additional public/stakeholder consultation

OPEN HOUSE/PUBLIC MEETING #3 (if necessary) (Feb. 2009):

- Recap process already undertaken
- Display and present proposed SPS and LUB
- Receive final comments

RECOMMENDATION TO HARBOUR EAST COMMUNITY COUNCIL

- Present final proposed SPS to Council for Recommendation
- First Reading at Regional Council
- Public Hearing before Regional Council

ATTACHMENT 4:
Changes since the last Public Information Meeting

The proposed policies and regulations reflect a somewhat different regulatory approach, and some further changes to the proposed rules, compared with those described at the last Public Information Meeting and in the mail-out to commercial landowners. These changes have arisen as a result of the internal review and discussions with stakeholders interested in developing projects that could help realize the overall vision for the area. The main differences between the recommendations in this report and the last draft which was presented to the public are listed and explained below:

- A “Main Street Designation” replaces the “Main Street Core Area” proposed earlier, and no longer includes the Kuhn Road area.
- Kuhn Road and the proposed conservation area to the north will be brought to Council under a separate report. The issues are substantially different in this area because it lacks piped sewers.
- Zoning maximizes the use of already available zones, rather than devising new zones, by adding special provisions that will apply only within the Main Street Designation. This will simplify interpretation while ensuring that new buildings are oriented, configured and designed to encourage pedestrian access and foster a human scale.
- Large front setbacks for new buildings or large extensions at the two large retail plazas are enabled by development agreement rather than as-of-right. This mechanism is better suited to the complex issues involved, and will give local businesses and residents opportunity for more detailed input. The underlying aim of integrating any further plaza-style retail with the streetscape and pedestrian network remains unchanged, as does the as-of-right option to redevelop parking lots in a town centre format.
- Extensions and enlargements for nonconforming structures are limited to a total of 697 sq. m (7500 sq. ft.) on each lot.
- The as-of-right option for limited front yard parking in return for a civic green has been deleted, due to the complexity of the proposed rules and anticipated difficulties with their interpretation.
- Minimal side yard parking will be allowed, in the form of a parallel parking lane on either side of a driveway.
- Limits to residential garage doors have been simplified.
- The Craftshop, Spa and Studio (CSS) Zone is renamed as the Neighbourhood Live-Work (NLW) Zone. Instead of presenting two options (one for a craftshop, spa or studio with or without a dwelling unit, and the other for low-rise, residential or institutional uses), any of the uses are permissible without being mutually exclusive, in order to simplify interpretation. Offices have been added as a permitted use. Total floor area for this zone

has been limited to 930 sq. m (10,000 sq. ft.). Townhouses are also allowed, provided all units have access to a private driveway servicing the development.

- The renamed Neighbourhood Live-Work (NLW) Zone is applied to the north side of Main Street from Helene Avenue to Caledonia Road instead of the R-1A (Auxiliary Dwelling Unit) Zone, to provide a more equitable development potential with the south side of Main Street where live-work zoning was originally envisaged.
- An additional 1.5 storeys are permitted for the Lakecrest Apartment lands and the lot immediately to the west, to improve the viability of sub-grade parking and encourage development of the vacant lot in a form compatible with the area vision.
- An additional storey is permitted on each side of Main Street between Major Street/Gordon Avenue and the Tacoma Drive intersection, and at the corner of Main Street and Caledonia Road. This will improve the viability of sub-grade parking and encourage redevelopment in accordance with the area vision.
- Streetwall height along Main Street is capped above the fifth storey rather than the fourth storey, to enhance the viability of redevelopment while reflecting the greater width of this arterial in terms of streetscape proportions.
- Minimum stepback depth is reduced from 10 feet to 6 feet, to encourage redevelopment and help reduce associated costs.
- Flat roofs are allowed anywhere, provided they meet architectural requirements. This simplifies interpretation and enables a wider variety of styles, while continuing to ensure visually attractive designs.