



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

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Harbour East Community Council
January 13, 2011

TO: Chair and Members of Harbour East Community Council

A handwritten signature in black ink, appearing to read "Paul Dunphy".

SUBMITTED BY: _____
Paul Dunphy, Director of Community Development

DATE: December 10, 2010

SUBJECT: **Project 01367 - Downtown Dartmouth Viewplanes & Building Height
and Form Provisions**

ORIGIN

This report originates from staff.

RECOMMENDATION

It is recommended that Harbour East Community Council recommend that Regional Council initiate the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) amendment process in order to:

- (i) revise and expand the designated view planes from the Dartmouth Common,
- (ii) eliminate the viewplane from Brightwood Golf Course; and
- (iii) review policies and standards pertaining to building height and form in the Downtown Business and Waterfront designations as outlined in this report.

EXECUTIVE SUMMARY

Existing Viewplane Protection

There are three protected viewplanes in Dartmouth. One viewpoint near the Dartmouth Common ballfield is meant to give two separate views, one of downtown Halifax and the central harbour, with the other being of George's Island. These views are separated by a high rise building. The third viewplane is a panorama of the harbour entrance, mid harbour and downtown Halifax from the vicinity of the 7th green at Brightwood Golf course. These provisions date back to the late 1970's.

Technical Issues with the Viewplanes

In 2008, Regional Council was advised that the viewplane provisions needed to be reviewed, due to concerns with the accuracy of the mapping. In 2010, CBCL Limited was selected through a Request for Proposals process to undertake a technical review. This review demonstrated that the MPS viewplane maps for the Dartmouth Common and Brightwood views are inaccurate.

Dartmouth Common Viewplane

The two existing viewplanes from the single viewpoint on the Common can be maintained, if corrections and updates to MPS mapping are made. CBCL's review also has identified alternate viewpoints which may provide superior views. Such views should be fully analysed and modelled to determine if they are appropriate for protection.

Brightwood Golf Course Viewplane

Staff recommend that the Brightwood viewplane be deleted, based on two factors. First, existing MPS provisions enable major intrusions into the George's Island portion of the view, significantly reducing its visual quality. Secondly, HRM consistently takes the position, when undertaking planning processes or reviewing development requests, that views from private property are not protected. Continuing to maintain a viewplane from a privately-owned golf course where there is no guarantee of public access or use is inconsistent with that position.

MPS Policy Regarding Building Form

Amendments to the viewplanes could result in increased potential for more mid to high rise development proposals to be brought forward even under the current viewplane limits and development agreement policies. However, the MPS contains neither sufficient policy direction nor adequate evaluative criteria for council to consider buildings of greater height than the land use bylaw permits. Staff recommend that policies pertaining to building height and form throughout the commercial core and waterfront areas of downtown be reviewed and amended. Such revisions will ensure that the increase or removal of any viewplane height limits will not lead to inappropriate development.

Amendment Process

To address these matters, staff recommend a two stage MPS amendment process, as follows:

- Stage 1: Explore the alternatives for Common-based views, model the views, and adopt appropriate view protection measures in the MPS documents and delete the Brightwood viewplane; followed by
- Stage 2: Review policies pertaining to building height in the Downtown Business and Waterfront designations to clarify the intent of the MPS regarding taller buildings, and adopt improved design criteria for building form.

BACKGROUND

In 2008, staff indicated to Regional Council that the protected viewplanes in Dartmouth needed to be reviewed to address the vague nature of the viewplane mapping which has consistently resulted in uncertainty as to the exact viewpoints and geometry and its impacts on allowable building heights. In response to this issue, HRM put out a request for proposals (RFP) in early 2010 seeking consultants to review the existing viewplane provisions in detail, specify the extent of any problems, and recommend solutions. CBCL Limited was selected to undertake the study. The scope of work agreed upon included:

- Review current viewplanes - update mapping to a detailed digital database, provide visual inventory of the protected views, and identify issues (completed)
- Model existing designated harbour views (completed)
- Identify additional candidate harbour views (completed)
- Hold initial public open house and public meeting (completed)
- Simulate potential impact of development on candidate views
- Recommend measures to protect selected candidate views
- Conduct 2nd public open house and public meeting
- Determine allowable building heights by city block within viewplanes

Local MPS Policy:

A protected viewplane from the vicinity of the 7th green on the Brightwood Golf Course was adopted as an amendment to the original Dartmouth MPS in 1975, and carried forward into the current MPS adopted in 1978. This was done despite the fact that the course is private property and the viewplane protects a private view. This wide angle viewplane covers most of Downtown Dartmouth's commercial core.

With the adoption of a downtown chapter in the MPS in 1979, two viewplanes from a specific point on the Dartmouth Common were protected. At the same time, allowable building heights within the Brightwood view were increased, even though it was recognized that this allowed intrusions into the George's Island/outer harbour portion of the view. These view protection measures were carried forward into the new secondary MPS for Downtown Dartmouth, which was adopted in 2000. In addition to the three viewplanes, "corridor" style views of the harbour down various streets are also protected. The official viewplane maps are included as Figures 1 and 2 to this report.

Regional MPS Policy:

The Regional MPS (RMPS) contains policy CH-5 which supports the existing viewplane policies and regulations in both Dartmouth and Halifax. The policy states that changes to the RMPS would be necessary if Council wishes to alter any designated viewplane.

Building Height & Form:

As a result of the existing viewplanes, absolute development heights are established. MPS policy establishes general parameters for building height of 3 to 7 stories within the Downtown Business (DB) and Waterfront (W) designations which is generally well below the viewplanes. The land use bylaw establishes maximum heights of 70' and 45', respectively, within these designations. The intent of MPS policy is that the development agreement process is to be used for projects which exceed these standards. Despite the intent of the MPS, however, the actual development agreement policies do not clearly enable taller buildings, nor do they provide clear design guidance as to building form.

DISCUSSION

Study Findings:

CBCL's work determined that there are issues with both the current viewplane mapping and the building height limitations, as follows:

Commons: The two viewplanes from the Common are from the same viewing position. One view is of Halifax Harbour and downtown Halifax, while the second was meant to be of George's Island. While the view of the harbour and Halifax is visible, if a viewer stood on the actual mapped point George's Island would actually be obscured by a 12 storey seniors' housing tower which was built in 1971. This shortcoming stems directly from the fact that the viewplanes are not defined with geometric precision, as they are in Halifax from Citadel Hill.

Brightwood: CBCL's initial review extrapolated the side limits of the viewplane as shown on Figure 2 back to a single point, located to the north of the 7th green and behind a small rise of land. However, archival information has now shown that the original intent was not to have a single fixed viewpoint, but rather to have a short arc to the south of the green from which the harbour could be viewed. However, the green has been moved since the view was first protected in 1975, and the precise viewing arc coordinates are not provided. Further, even if the correct viewpoint had been identified, allowable building heights on those lands along Alderney Drive from Prince to Wentworth Streets and in the Kings Wharf development, could lead to much of the outer harbour and George's Island view being blocked.

Options:

Council could consider keeping the existing viewplanes. Staff are of the opinion that retaining the status quo does not address the original intent of the viewplanes, due to the shortcomings in the existing mapping and height limitations as outlined above. Further, feedback received at the public meeting held on July 7, 2010, concurred that there is a need for changes to the existing MPS and LUB provisions. Staff therefore recommend that Council should consider amendments

to the affected MPS and LUB documents. Staff are seeking direction from Harbour East Community Council on the options to be investigated as outlined below.

Option 1: Existing Viewplanes: Minor Changes - If Council wishes to protect the viewplanes as originally intended in the 1970's, new viewpoints and mapping would need to be prepared. This would contain detailed geometry to reflect the shifts required in viewpoints as identified by CBCL and noted below:

Common - The viewpoint would need to be shifted 50 m (164 feet) to the east, providing a dual view of the middle harbour/downtown Halifax, and George's Island. This view has been modeled by CBCL, with maximum building heights determined in order to protect the desired view. At present, tree growth on the Common interferes with portions of the view. In addition, this viewpoint may be impacted by planned alterations to the two existing ball fields. The Dartmouth Common Master Plan recommends the two existing fields be replaced by a soccer field which could leave the viewpoint on the playing field. This would not be desirable, as the viewpoint should be capable of use at all times by the public. Consequently, Staff recommend that alternate Common views be considered as discussed under Option 2.

Brightwood – The exact location of the viewpoint needs to be established and detailed mapping is required for adoption. This view has been modeled but there is a significant flaw in the Georges Island/outer harbour portion of this view. In 1979 as part of the adoption of the downtown section of the MPS, it was decided to allow building heights of 200' above sea level along three blocks of Alderney Drive, in the area as shown on Figure 1. Previously, development in this area had been limited to 6-9 stories. The 200' height was put in place even though it was recognized that such tall structures would intrude into the view and block George's Island and much of the harbour. To ensure that the viewplane actually provides a harbour view as was first intended in 1975, allowable height on these lands would have to be reduced to about 100' above sea level. This change would negatively impact potential development areas but not Kings Wharf project where the existing development agreement allows for building heights of 130 to 150 feet. This action would be contrary to HRM's philosophy of not protecting views from private property, and would have a negative impact on development rights.

Option 2 -Protection of Alternate Views: Council could consider alternative or additional viewplanes from the Common or Brightwood. Under the terms of HRM's contract with CBCL, up to 4 additional views remain to be modeled. Possible views are suggested as follows:

The Dartmouth Common - From the 1970's to the early 1990's, the former City of Dartmouth acquired nine properties along the harbour side of Alderney Drive between Wyse Road and Geary Street and demolished the buildings. This was done as part of a program to repatriate Common land and to open up visibility of the harbour from the Common and from Alderney Drive. In 2005, the former Dartmouth Heritage Museum was demolished. The net result of these demolitions is that two possible candidate viewpoints, easily accessible to nearby streets, have been opened up. Each of these offers excellent views of George's Island, the mid-harbour and downtown Halifax. The views from these sites were not as panoramic in 1979, when the current viewplanes were adopted, and therefore may now merit consideration. One of the points, adjacent to the Coast Guard navigation beacon near the intersection of Wyse and Windmill

Roads, already contains a public viewing platform, an outcome of the Dartmouth Common Plan of the 1980's. These viewpoints, perhaps in conjunction with others higher up on the Common such as from the historic gazebo, could be integrated into the existing walking trail system so that Common users can enjoy varied perspectives of the harbour. If these viewpoints are to be considered as the basis for new viewplanes, part of the planning exercise should be to provide for economically viable development of sites along Alderney Drive, and on the CN rail yards. Such an exercise is supported by existing policy in the Downtown Dartmouth MPS, which recognizes that redevelopment of this area is critical to the revitalization process for the community.

Brightwood – Although not recommended by staff, alternate viewpoints within Brightwood could be considered. Attendees at the public meeting indicated that the view from the 7th tee is a superior view than that currently protected viewpoint near the 7th green. This tee view is from a point approximately 30 feet higher in elevation than the green, and is considered the ‘signature view’ for golfers. This point does offer a better view of George’s Island, and the outer harbour, and therefore could be an appropriate protected view. A second possible view point would be from the top of the drumlin on which the course is built. This viewpoint, near the 4th green, is one of the highest points in Dartmouth at 88 m above sea level and, due to its sharp rise from surrounding lands, potentially offers a 360 degree panorama of Dartmouth, and the entire harbour including Bedford Basin. Currently, tree growth obscures most of the view from this point. Subject to confirmation through modeling, these alternate viewpoints could be compatible with the currently allowable building heights. The relocation or inclusion of new viewpoints from Brightwood would require consultation with the golf club.

Viewplane Amendments & Policy Regarding Building Height & Form:

The existing viewplanes provide an “absolute ceiling” for building heights in the plan area, stated by maximum allowable roof elevations above sea level. In most of the commercial district around Portland Street, this ceiling is set at 150 feet above sea level and depending on a given site’s elevation, allows 8-12 stories. However, MPS policy generally sets a lower ceiling, based on a maximum number of stories. For example, a general parameter for building height of 3 to 7 stories is set within the Downtown Business (DB) designation. Within the DB zone a maximum building height of 70 feet is set for as-of-right development. The intent of the MPS is that the development agreement process is to be used for projects which exceed these standards. Within the Waterfront Designation, a policy guideline of 5 stories is established. The land use bylaw limits height to 30' where a building is within 100 feet of the harbour, and to 45 feet at greater distances from the harbour.

Despite the intent of the MPS and the potential ability to develop taller buildings which do not interfere with the viewplanes, the actual development agreement policies are not clear. They do not clearly enable taller buildings, nor do they provide clear design guidance as to building form. This already leads to confusion in considering proposals for mid-rise buildings of over 7 stories, even though a given site concept plan may be well below the absolute viewplane limits. If the Brightwood viewplane is deleted as recommended, there will be increased potential for taller proposals to come forward and staff anticipate increased development pressure. Therefore, amendments to clearly address goals for overall building height and form are also needed. Such revisions will both clarify the original intent of the MPS regarding taller buildings, and ensure

that the removal of any viewplane height limits will not lead to an inappropriate form or scale of development.

Recommendations:

Based upon the above discussion, staff recommend a staged approach to amending the planning documents:

Stage 1. Viewplane Amendments

Dartmouth Common: There are clear shortcomings with the existing protected views from the Common. There is public support for undertaking revisions and exploring alternate viewpoints. In addition to the corrected view modelled by CBCL, there are at least two other viewpoints which should be considered. In evaluating options for alternative view points, possible development scenarios should be modelled to allow for development of lands owned by both HRM and CN along Alderney Drive, as supported by existing MPS policy.

Deletion of the Brightwood Viewplane: A common development-related concern of residents and property owners is the loss of views from homes and yards as nearby lands are developed. HRM consistently takes the position that such private views are not protected, and that only views from public land can be considered for protection. Although in the case of Brightwood there is a longstanding tradition of the course being open to the public during the winter months, there is no guarantee of such continued access or use, and in any event winter access does not appeal to a broad spectrum of the public. Of the 20 in attendance at the July public meeting, no speakers were in favour of retaining a viewplane from Brightwood Golf Course, given its status as private property.

If the course were to ever be redeveloped, there may be opportunities for acquisition of parkland parcels with views which could then be formally be protected. At this time, however, staff recommend deletion of the Brightwood view plane.

Stage 2: Adoption of Interim Building Form Guidelines for the Business & Waterfront Designations:

Under the existing viewplanes, there is potential for mid to high rise development in the commercial and waterfront areas of the downtown. Amendments to the protected viewplanes may allow taller buildings in some areas of the downtown core. Although the development agreement process is intended to be used for taller buildings, the MPS contains neither sufficient policy support for taller buildings nor adequate evaluative criteria to assess the design of such projects. Therefore, amendments to clearly address overall height, streetwall heights, and building form are also needed. These amendments will ensure that any proposals for taller buildings which could come forward as a result of changes to the viewplanes can be properly evaluated. These would serve as interim design controls until a more detailed secondary planning process is conducted through the next phases of HRM By Design.

The two stages outlined will be completed one after the other with the main focus being the protection of views from the Dartmouth Common. Each stage will be a separate project for tracking purposes. Upon completion of Stage 2, Staff will investigate the need for additional reviews of height and form standards within Downtown Dartmouth such as the neighbourhood opportunity sites. However, this process is a low priority when compared to the need within the business and waterfront districts.

Conclusion:

The review of the current viewplanes in Dartmouth indicates that there are shortcomings with the MPS mapping relative to the Dartmouth Common viewplanes, and that alternate Common-based views should be considered for protection. However, protecting a viewplane from private property is inconsistent with HRM's standard practice, and as such the golf course-based view should be removed. Staff recommend that the MPS and LUB amendment process be initiated to only protect viewplanes based in the publicly-owned Dartmouth Common. In addition to reviewing the view planes, there is a related need to review and revise MPS policies regarding building height and form in the Downtown Business and Waterfront designations only.

BUDGET IMPLICATIONS

The costs to process this planning application can be accommodated within the approved 2010/11 operating budget for C310 Planning & Applications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

Amendments to the Regional Plan and the Planning Strategies for Dartmouth and Downtown Dartmouth will require extensive community engagement. The engagement process will be consistent with the intent of the HRM Community Engagement Strategy, the Halifax Regional Municipality Charter, and the standard MPS Amendment Public Participation Program.

The proposed level of community engagement is consultation, achieved through a public meeting early in the review process. One public meeting has already been held on July 7, 2010, the minutes of which are included as Attachment A to this report. Additional public meetings are needed. In addition, a public hearing is required before Council can consider approval of any amendments.

The proposed MPS amendments will potentially impact the following stakeholders; advocacy groups, community and neighbourhood organizations, developers, general public, individuals, community leaders, other HRM Business Units and Divisions, property owners.

ALTERNATIVES

1. Council could request staff to initiate the process to consider amending the Regional MPS and the MPS documents for Dartmouth and Downtown Dartmouth, in order to revise and expand viewplanes from the Dartmouth Common, and to delete the Brightwood viewplane. This is the recommended course of action.
2. Council could choose to retain the existing Common and Brightwood viewplanes, with amendments to provide accurate mapping and geometry.
3. Council could choose not to initiate the process to consider amending the Regional MPS, and the MPS documents for Dartmouth and Downtown Dartmouth in order to reconsider current protected viewplanes and examine alternatives.

ATTACHMENTS

- Figure 1 Map 7a of the Dartmouth MPS
Figure 2 Map 7 of the Downtown Dartmouth MPS

Attachment A Minutes of Public Information Meeting - July 7, 2010

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 : Mitch Dickey, Planner, 490-5719



Report Approved by: _____
Austin French, Manager of Planning Services, 490-6717

CITY OF DARTMOUTH



PLANNING and DEVELOPMENT
DEPARTMENT

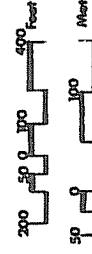
M.D.P.

MUNICIPAL DEVELOPMENT PLAN
1979

HEIGHT RESTRICTIONS BY FEET
ABOVE SEA LEVEL

VIEW PLANES

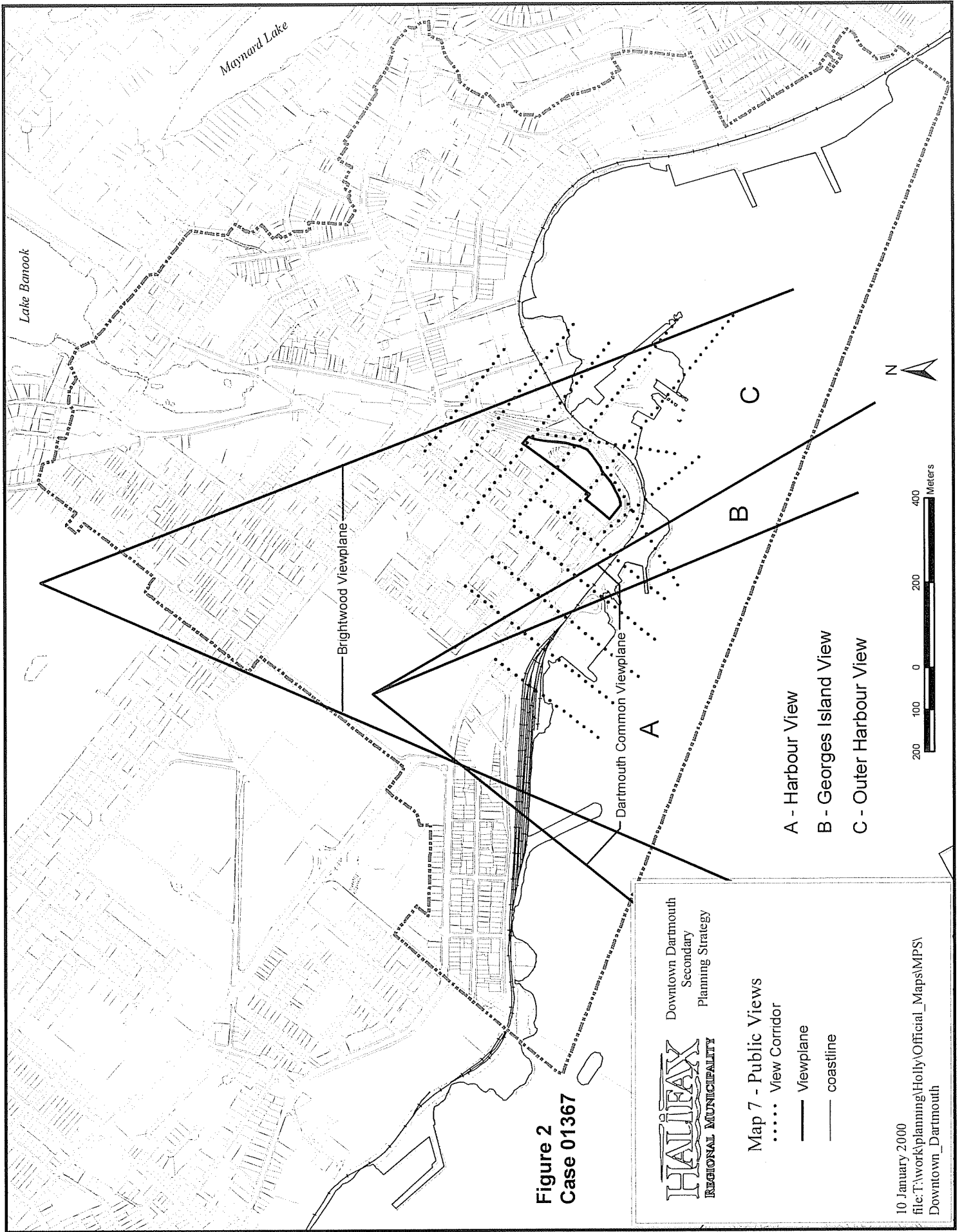
*(As Amended by
By-law 5-387, Nov. 2, 1979)*



MAP 7a



Figure 1
Case 01367



Attachment A

PUBLIC INFORMATION MEETING MINUTES

PROJECT 01367 - DARTMOUTH VIEWPLANES

7:00 PM, WEDNESDAY JULY 7, 2010

FINDLAY COMMUNITY CENTRE

IN ATTENDANCE: Councillor Gloria McCluskey
Mitch Dickey, Planner, HRM Planning Services
Holly Kent, Planning Technician, HRM Planning Services
Gordon Smith, CBCL Limited, Consultant for HRM

PUBLIC IN ATTENDANCE: Approximately 20

The meeting commenced at approximately 7:05 p.m.

1. Opening remarks/Introductions/Purpose of meeting - Mitch Dickey

Mitch Dickey provided an overview of the project. He said there has been longstanding confusion over the protected viewplanes in Dartmouth in terms of the exact location of the viewpoints and their geometry. They are vague when compared to how the viewplanes in Halifax are defined. He said that city staff indicated to Council in 2008 that a review of the viewplanes would be undertaken. HRM put out a call for proposals and CBCL, a local consulting firm, won the contract. He said a consultant was needed due to the specialized skills required and that HRM could not do the study in-house within a reasonable time. He advised that Gordon Smith of CBCL would give a presentation of the study, and that this would be followed by a question and answer session.

2. Presentation of Study Results

Mr. Gordon Smith presented the results of the study. In brief, the current mapping for the 3 views (one from Brightwood, and two different harbour views from the same point on the Common) is wrong. The mapping does not achieve the intended goal. The Brightwood viewpoint is mapped as being from behind a hill crest, and almost no harbour can be seen. The Common viewpoint was intended to provide a view of George's Island however the top storey of the Alderney Manor seniors' residence blocks the island completely. If HRM wants to protect the

views as intended then the viewpoints need to be moved. This will work on the Common but may not from Brightwood. The issue is that development in several blocks is allowed to go up to 200' above sea level. Development on these lands, the WDC parcel behind the Royal Bank Building and at Kings Wharf, will block the view of the harbour mouth and George's Island.

An alternative view point from the 7th tee rather than the 7th green may work to protect the view of the harbour mouth and the island, however it has not been modeled as yet so it remains to be seen how the 200' height would impact that view. The view from above the 4th green at the highest point of Brightwood would offer the best view however existing vegetation blocks the vista at this time. Several other possible viewpoints from the Common have been identified as possible candidate views. These have not been modeled as yet.

3. Questions/Comments

Mr. John Holm asked if other views within Dartmouth were being looked at for protection, and he wondered if the review was needed due to development proposals. Mr. Dickey advised that at this time only the harbour-oriented Brightwood and Common views are being considered. There were many views studied in the 1980's and several were proposed for protection in the new Dartmouth plan that was proposed in 1991. Staff will look for direction from Council on any other views. He also advised that there are no development applications submitted which fall under the viewplanes.

Mr. Tony Maskine, Dartmouth business owner, said it is clear that the existing Brightwood view protects nothing due to its location behind the crest of a hill. Moving the viewpoint as suggested by CBCL wouldn't appear to solve anything due to the ability to build structures to 200' above sea level behind the Royal Bank Building and at Kings Wharf.

Gordon Smith advised that if full buildout in the 200' height area was permitted then the view of George's Island would be lost even from the revised viewpoint. A view from a higher point, such as from the 7th tee instead of the green, would appear to provide a better view of George's Island and the outer harbour. However the view from the 7th tee has not been modeled yet.

Councillor McCluskey said the view from the 7th tee is much better.

Mr. Ross Cantwell, former Dartmouth resident and member of the 1990's planning committee for the downtown, asked how the building footprints in the model were determined. Gordon Smith advised they were done for each block in the downtown business district, plus on the opportunity sites. He advised the King's Wharf buildings shown are based on the current promotional materials for the development.

Mr. Cantwell asked what the dimensions of the tower shown on the WDC lot behind the Royal Bank Building were, advising that a 100' by 100' point tower would be the ideal floorplate based on current development economics and urban design goals.

Mr. Jim Ogilvie, Manager of Brightwood Golf Course, advised that a view from the 7th teebox makes more sense. He says that is the signature view from the course. He wondered what building heights would be permitted that would not impede the view.

Mr. Patrick O'Regan, area resident and member of Brightwood, advised the teebox view is much better and is the one most commonly photographed and painted. He said that golfers have more time to stand and enjoy the view from a tee than from a green where they must quickly finish their putts and move on due to other golfers coming along the fairway. However this view is enjoyed by members only for most of the year as the course is private property. He said HRM should not protect views that benefit only a very few which may compete with the greater public good.

Mr. Trevor Parsons, Dartmouth resident, said he agrees with Mr. O'Regan. Views from private property should not be protected. He said the golf course will eventually redevelop as a gated community and only a very few would enjoy the view, while redevelopment in the downtown is constrained for their benefit. Mr. Parsons said that it is views from the Dartmouth Common, which is public land and comparatively heavily used, are those worth protecting. However he is concerned about the plan to convert the two baseball diamonds to a soccer field which would reduce access and likely need large fences to enclose the field. He said that with reduction of the Common for the new bus terminal, conversion to a soccer field would only further reduce the public lands. The baseball fields should be retained as they are more accessible to more people than a soccer field would be.

Gordon Smith advised that the recommended revised Common viewpoint should be outside the boundaries of the soccer field however this would have to be confirmed through more detailed design work.

Mr. Bernie Hart, Dartmouth resident, asked Councillor McCluskey if it is too late to stop the soccer field plan. He agreed with Mr. Parsons that it represents a further reduction in the Common.

Mr. Colin May, Dartmouth resident, expressed concern with starting a public process in the summer. He said such projects should start in the fall and that summer meetings are no good. He said that there should be no ability for developers to build anything over 2 stories in the downtown. Good architecture should be the most important goal and the development agreement process should be used for anything higher and require a demonstration of public benefit. He

used Queen Square as an example of bad architecture. He said harbour views are one of the best aspects of downtown, and wondered about the view down King St from the ball fields.

Mr. Cantwell said the Commons views are the important ones. He said that a destination on the Common is the gazebo however the view was partially blocked in the 1970's by Alderney Manor the 14 storey seniors tower. He thought that a viewplane exercise should be linked more closely to the Dartmouth Common Master Plan. He said that as a member of the planning committee one of the key goals was to develop land use policy that would foster a village atmosphere at street level. But to make this work greater densities are needed if developers are to invest in the area. It is only through increasing population in the area that local businesses can thrive.

Mr. Cantwell said that a sweeping view of the harbour and Halifax from the Common over the CN yards is not reasonable. The yards are built on infill and as such will be very expensive to develop. If building heights are held to 4-6 stories that requires large building footprints with more units per floor. The piles, footings and foundations are very expensive in this configuration. He said it would be better to allow taller but much more narrow buildings using the point tower form, and keep wide expanses of view open between the buildings from the Common. This would also work better for maintaining visual connections to the harbour from street level, rather than presenting a wall of low rise buildings to the street. He said that economics must be considered - the MPS supports redevelopment for the yards but the details have to make it feasible.

Mr. Maskine said that point towers work better economically and from a visual perspective. Requiring sprawling low rise buildings does not help the downtown. He said there is no view left to protect from Brightwood at the lower elevations due to the ability to develop 200' above sea level between Portland and Alderney, and at Kings Wharf. Only views from the high ground can offer a good harbour view. Preserving a wide swath benefits only the select few who golf or who will buy homes there eventually, and harms the economic viability of the downtown. He said all factors must be considered and that strategic goals must be set.

Mr. May said that redevelopment of the downtown has been talked about for 30 years or more. He said the Dell Holdings site on King St could hold 84 units now, with townhouse style buildings. He said the owner is only interested in attracting renters and doesn't want to sell individual units which are not good for downtown. Family housing should be the goal. He said that HRM should expropriate the land and put out a proposal call for development.

Ms. Lindsay May of Dartmouth asked what happened with the views identified for protection in 1991. Mr. Dickey advised that they were proposed to be protected under the new Dartmouth MPS at that time, however city council chose to reject the documents entirely.

Ms. May said that visitors to the city don't go to Brightwood, they go the very accessible waterfront and the Common which they are always impressed with. The commons views are the best from key spots such as the gazebo. She expressed concern over the soccer field relocation and potential for exposing for pyritic slates for construction. The Common Master Plan is badly needed but should reconsider the soccer field and include views.

Ms. Frances Howard expressed concern that although nobody at all wanted the new bus terminal, Council chose to approve it. She expressed her concern that HRM has hidden ulterior motives for this review of the viewplanes and that it doesn't matter what people say as staff and Council don't listen.

Ms. May said that as residents we take for granted how easy it is to walk to the waterfront and enjoy the commons. Visitors are always impressed with both aspects of the downtown and these should be preserved and enhanced.

Mr. May said that perhaps a walkabout of the common could be arranged with city staff and the consultant. There are many possible viewpoints worthy of consideration. Mr. Dickey advised that this was being considered.

Mr. O'Regan said as a lifelong resident he appreciates the access to the waterfront. However the downtown needs to come to life through more development - without development then infrastructure and local service businesses on Portland St especially cannot be maintained. The population and tax bases must grow. Economical densities must be allowed with appropriate design.

Ms. Howard said that Portland Street is alive and vibrant now and that the office space is filled with a concentration of professionals, businesses and activities that don't need to be seen.

Mr. Cantwell said that the presence of ground floor office or residential space is a key indicator of weakness in a downtown business area.

Mr. Parsons referenced a report that went to Regional Council the day before, regarding the state of downtown Dartmouth and Halifax. This report reflects the situation that the areas are neglected and seen as seedy and dangerous. He highlighted the construction of the village-area of the Dartmouth Crossing development and the huge investment to create a fake downtown, that HRM did nothing to oppose while the real downtowns continue to decline. He agreed with the report which said that strong policy and investment are needed to reverse the trend - including restrictions on suburban office and retail developments.

Mr. Cantwell offered his congratulations to Gordon Smith and CBCL on an excellent project and looked forward to the next stage.

4. Closing comments

Mr. Dickey advised that this is the first step in the public process. He anticipated the next step would be a report to Harbour East Community Council at their September meeting. Direction will be sought from Council on whether to proceed with amendments. If Harbour East so directs, then other views can be modeled by CBCL to determine which should be protected. As revisions would be needed to the local MPS and the Regional Plan if the viewplanes are to be changed, then Regional Council must authorize the process and would ultimately make decisions. More public meetings will be held.

5. Adjournment

The meeting adjourned at approximately 8:45 p.m.