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PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Halifax Regional Council
July 13, 2004

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

for *Shenple Murphy*
Councillor Bruce Hetherington, Chair
Harbour East Community Council

DATE: July 9, 2004

SUBJECT: **Case - 00584 - Amendment to the Municipal Planning Strategy for Dartmouth (Parcels B&C, Woodland Avenue)**

ORIGIN

Harbour East Community Council - July 8, 2004

RECOMMENDATION

Harbour East Community Council recommends that:

1. That Halifax Regional Council initiate the process to amend the Municipal Planning Strategy (MPS) for Dartmouth to expand the type of residential uses permitted by the Comprehensive Development District Policy for Parcels B&C, Woodland Avenue to permit the development of a multiple unit dwelling.
2. Request staff to follow the public participation program as approved by Council in February, 1997.

BACKGROUND

This matter originates from an application by ARW Developments Limited to amend the Comprehensive Development District Polices for Parcels B&C, Woodland Avenue, to permit a multiple unit dwelling to be developed.

DISCUSSION

Harbour East Community Council discussed this matter at a meeting held on July 8, 2004 and approved the recommendation found above.

ATTACHMENTS

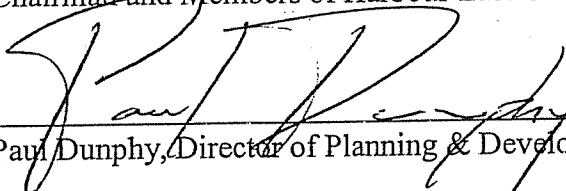
Staff report dated June 28, 2004.

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Sherryl Murphy, Legislative Assistant

Harbour East Community Council
July 8, 2004

To: Chairman and Members of Harbour East Community Council

Submitted by: 
Paul Dunphy, Director of Planning & Development Services

Date: June 28, 2004

Subject: **Case 00584 - Amendment to the Municipal Planning Strategy for Dartmouth (Parcels B&C, Woodland Avenue)**

ORIGIN:

Application by ARW Developments Limited to amend the Comprehensive Development District Policies for Parcels B&C, Woodland Avenue, to permit a multiple unit dwelling to be developed.

RECOMMENDATIONS:

It is recommended that Harbour East Community Council:

1. Recommend that Regional Council initiate the process to amend the Municipal Planning Strategy (MPS) for Dartmouth to expand the type of residential uses permitted by Comprehensive Development District Policy for Parcels B&C, Woodland Avenue to permit the development of a multiple unit dwelling;
2. Request staff to follow the public participation program as approved by Council in February, 1997.

BACKGROUND

Synopsis of Proposed Development: ARW Developments Limited intends to develop a comprehensive mixed use residential subdivision on lands identified as Parcel B&C, Woodland Avenue East and Block X, South Ridge Circle, Dartmouth. As a component of this the applicant wishes to change the location of a proposed multiple unit dwelling currently permitted under an existing development agreement for Block X, South Ridge Circle in order to relocate the proposed building several hundred feet west of its approved location (See Map 1). It is the Developer's intention to construct a 44 unit, 4 storey condominium.

Municipal Planning Strategy Designation and Zoning:

Block X is subject to the Municipal Planning Strategy and Land Use By-law for Dartmouth. It is designated Residential under the MPS and zoned CDD (Comprehensive Development District). In 1996, a Development Agreement with Mount Cedar Developments Limited was approved by the City of Dartmouth for Block X which permits a range of housing types including one apartment building containing up to 48 dwelling units. To date, Block X has not been developed to completion.

Parcels B&C are subject to the Municipal Planning Strategy and Land Use By-law for Dartmouth. Parcels B&C are designated Residential and zoned CDD (Comprehensive Development District) Zone with the exception of an 8 acre portion that was rezoned from CDD to R-1 (Single Family Dwelling) Zone in 2003 to permit the development of a church (See Map 1). The uses permitted by CDD policy are limited to a mix of housing units containing single unit dwellings, two unit dwellings and townhouses.

The Developer intends to locate the multiple unit dwelling on a portion of Parcels B&C zoned R-1 with access obtained over lands zoned CDD. The proposal is not permitted under the R-1 Zone nor does CDD policy contemplate relocation of the multiple unit dwelling. *Therefore a site-specific MPS amendment and rezoning is required to permit consideration of this use by development agreement.* This approach would see a site specific criteria incorporated into the Municipal Planning Strategy. A proposal to construct a multiple unit dwelling must satisfactorily address such criteria. Some issues which can be addressed in these criteria are:

- Quality of development (architectural design)
- Density, building height
- Traffic flows/site access
- Neighbourhood interests
- Landscaping and amenity features
- Relationship to surrounding areas

Public Consultation: On April 1, 2004, Harbour East Community Council approved a Public Participation Committee (PPC) for the subject properties. The purpose of the Committee is to create a Concept Plan that establishes guiding principles for the development of Parcels B&C and Block X. The Committee recently held a series of meetings on the development proposal and discussed a wide array of issues ranging from municipal servicing to the type of uses permitted

within the development. The proposed relocation of the multiple unit dwelling generated a great deal of discussion by the Committee. In general, the Committee expressed concern relative to the history of multiple unit dwelling development in Dartmouth and compatibility of multiple unit dwellings with other housing types. While a majority of Committee members voted in favour of relocating the multiple unit dwelling from its currently permitted location behind South Ridge Circle, the Committee is uniformly against any future proposals for additional multiple unit dwellings in Parcels B & C and Block X.

There will be additional public consultation before any decision on the MPS amendment is made by Council. The applicant will meet with the public and present a preliminary concept. Area residents will have an opportunity to review the proposal and to suggest appropriate evaluation criteria for a development agreement. A development agreement can be prepared and presented concurrently with any appropriate MPS policy amendments.

DISCUSSION:

It is staff's opinion that the request for a Plan Amendment has merit and should be considered for several reasons as follows:

1. Improvement Over Existing Situation

An important objective of Comprehensive Development Districts in Dartmouth is to create "comprehensive" mixed residential developments. In accordance with the provisions of the existing development agreement, the remnants of Block X may be developed independently from Parcels B&C. Pending permission to relocate the multiple unit dwelling, the applicant intends to develop both Block X and Parcels B&C in an comprehensive manner. This will serve to integrate Parcels B&C and Block X and result in a single development agreement which applies to Parcels B&C and the remnants of Block X.

The Woodland Avenue Public Participation Committee discussed the proposed relocation of the multiple unit building in depth. While concern about future additional multiple unit dwelling development in this area was expressed, the Committee acknowledges the benefit of planning all parcels in a comprehensive manner and finds merit in relocating the building to the proposed site.

2. Replacing Multi-unit Stock with Multi-unit Stock

A multiple unit dwelling is currently permitted in accordance with the development agreement for Block X. In staff's view, relocating the multiple unit dwelling is consistent with the community's vision for a mixed use residential subdivision. It is staff's opinion that a well designed, appropriately situated multi-unit building has the potential to integrate well with both the existing and proposed mixed residential neighbourhoods.

3. Locational Advantages

The proposed siting of the building on Parcels B&C is an improved location because of its situation adjacent Woodland Avenue and the proposed First Baptist Church Dartmouth. This location is closer to the periphery of the proposed development for Parcels B&C, the existing Lancaster Ridge Subdivision and the transit route on Lancaster Boulevard and South Ridge Circle. It is recognized that higher density development typically has a higher traffic generation and need for proximity to transit routes and should be located on or near principal streets.

Conclusion

The requested MPS amendment has merit as the relocation of the use represents an opportunity to develop all lands in a comprehensive manner. In order to enable this to occur, an amendment to the MPS is required.

BUDGET IMPLICATIONS:

There are no budget implications.

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:

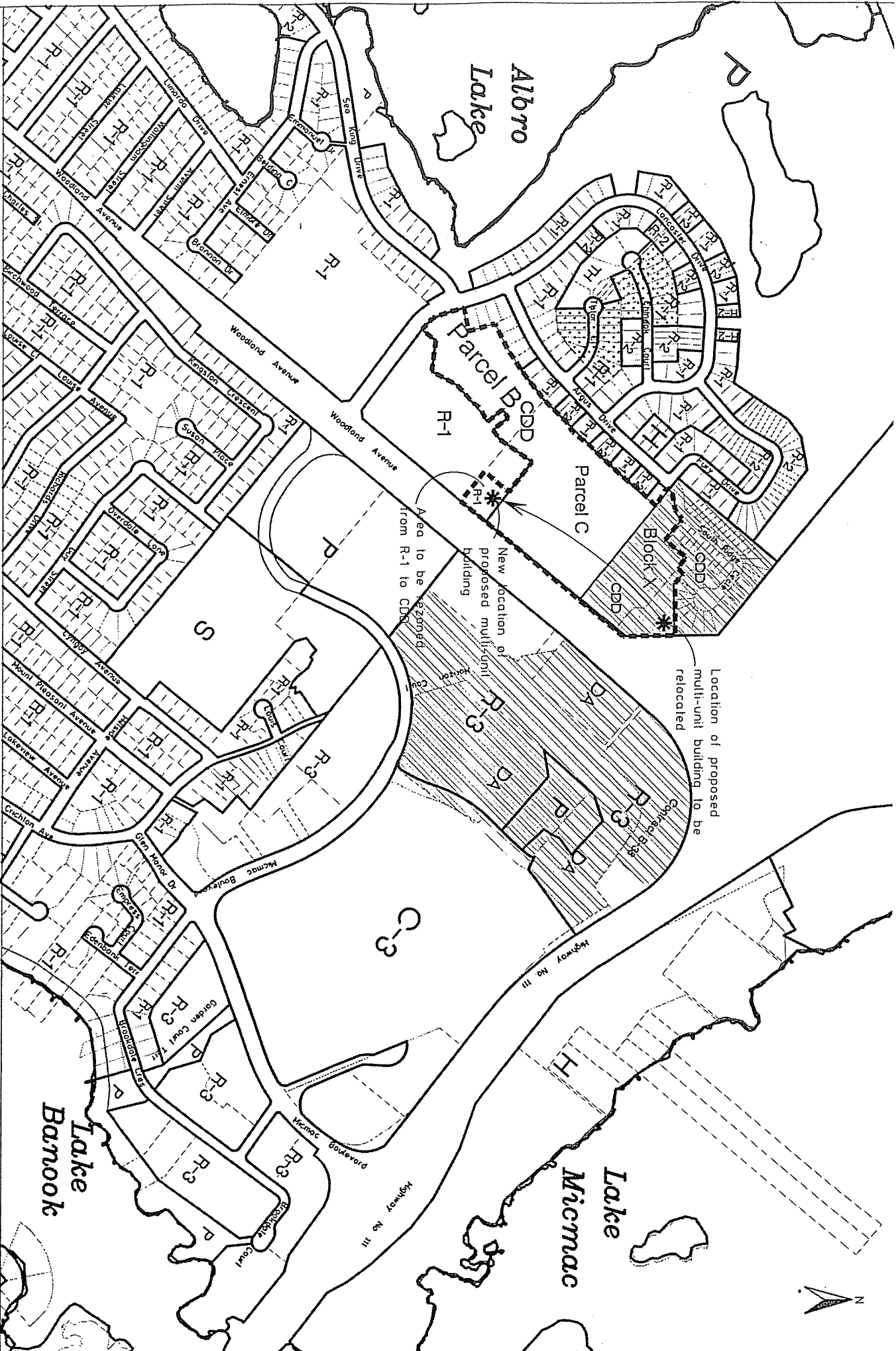
1. Proceed with the requested amendment. This is recommended for reasons described above. In addition to the required advertisement for the public meeting accessible to the public, the Woodland Avenue Public Participation Committee has discussed this proposal and will present a report to Harbour East Community Council.
2. Refuse the requested amendment. This is not recommended for the reasons outlined above.

ATTACHMENTS

Map 1: Location and Generalized Future Land Use/Zoning
Attachment I: Extracts from the Municipal Planning Strategy for Dartmouth

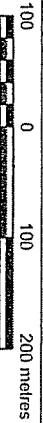
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Report Prepared by: John MacPherson, Planner I, 490-5719



Map 1
Location & Zoning

- P Park
- R-1 Single Family Residential Zone
- R-2 Two Family Residential Zone
- R-3 Multiple Family Residential Zone
- CDD Comprehensive Development District
- C-3 General Business Zone
- H Holding Zone
- S Institutional Zone
- TH Townhouse Zone



January 20, 2004

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ATTACHMENT I - Extracts from the Municipal Planning Strategy for Dartmouth

Policy H-3F Canada Lands Parcels "B" and "C" - Woodland Avenue East

Notwithstanding the provisions of Policies H-3, H-3(AA), H-3A, H-3B, H-3C, H-3D, and H-3E, the following provisions shall apply to the property zoned as Comprehensive Development District (CDD) and known as the Canada Lands Parcels "B" and "C" - Woodland Avenue East site (Schedule V). For clarity of interpretation, unless noted below, all other provisions of these policies shall apply to the Canada Lands - Woodland Avenue East site.

- (c) the overall density of development shall not exceed 6 units per acre;*
- (d) the general mix of housing units shall, on the completion of development, contain a minimum of 50 percent lots which are sized as standard R-1 (Single Family Residential), R-1M (Single Family Modified Residential), and R-2 (Two Family Residential) lots according to the provisions of the land use bylaw. R-1M lots shall not comprise more than 15 percent of the total housing mix and up to 50 percent of lots or dwelling units (if not freehold lots) may contain townhouse units, according to the provisions of the land use bylaw;*
- (e) the minimum lot size for a R-1M lot, as referred to in clause (b) above, shall be 40 feet of frontage and 4000 square feet of lot area;*
- (f) the townhouse units, as referred to in clause (b) above, shall generally be located on the portion of the development parcel adjacent to Woodland Avenue; and there shall be no land use permitted in this comprehensive development district other than residential uses, as noted above, and uses accessory thereto, and open space and recreational uses. (Regional Council-January 29, 2002, Effective-March 2, 2002)*