



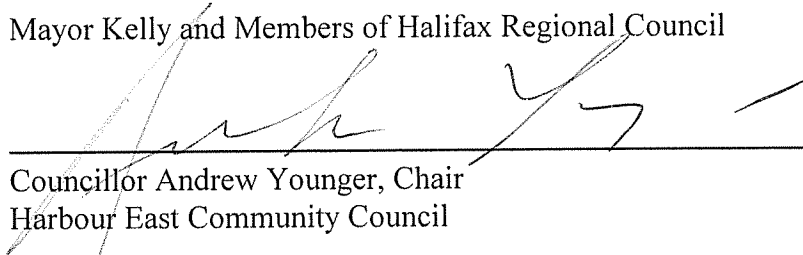
PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 9.1

Halifax Regional Council
April 14, 2009
May 26, 2009

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:


Councillor Andrew Younger, Chair
Harbour East Community Council

DATE: April 3, 2009

SUBJECT: Project 01031 - Wright's Cove Secondary Planning Strategy

ORIGIN

Meeting of Harbour East Community Council held on April 2, 2009.

RECOMMENDATION

Harbour East Community Council recommends that Regional Council:

1. Give first reading to the Wright's Cove Secondary Planning Strategy and proposed amendments to the Dartmouth Land Use By-Law as presented in Attachment A of the report dated March 17, 2009 and schedule a public hearing; and
2. Approve the Wright's Cove Secondary Planning Strategy and proposed amendments to the Dartmouth Land Use By-Law presented as Attachment A in the staff report dated March 17, 2009.
3. Amend Policy WC-4 (b) to read "No building shall exceed 16 storeys in height".

DISCUSSION

Harbour East Community Council considered this matter at their April 2, 2009 meeting and approved the recommendation to forward the matter to Regional Council. An amendment was requested to policy WC-4 (b) found on Page 10 of the Supplementary Staff report dated March 17, 2009 to change the building height limit from 12 storeys to 16 storeys. Policy WC-4 (b) would then read as follows: "No building shall exceed 16 storeys in height."

BUDGET IMPLICATIONS

See attached staff report dated March 17, 2009.

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

See attached staff report dated March 17, 2009.

ATTACHMENTS

1. Supplementary Report dated March 17, 2009.
2. E-mail from Mr. Gary Hill dated March 31, 2009

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: Chris Newson, Legislative Assistant

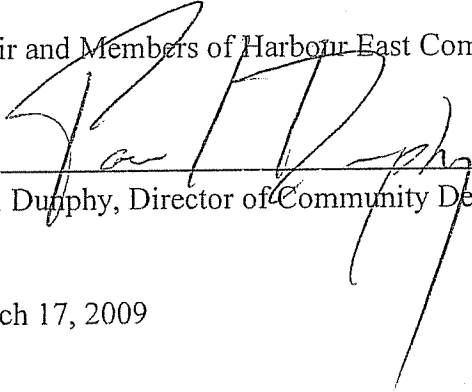


PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Harbour East Community Council
April 2, 2009

TO: Chair and Members of Harbour East Community Council

SUBMITTED BY:


Paul Murphy, Director of Community Development

DATE: March 17, 2009

SUBJECT: Project 01031 - Wright's Cove Secondary Planning Strategy

SUPPLEMENTARY REPORT

ORIGIN

- motion approved at December 4, 2008 meeting of Harbour East Community Council to schedule a public meeting to present the draft Wright's Cove Secondary Planning Strategy and amendments to the Dartmouth Land Use By-law presented in the December 19, 2008 staff report.

RECOMMENDATIONS

It is recommended Harbour East Community Council recommend that Regional Council:

1. Give first reading to the Wright's Cove Secondary Planning Strategy and proposed amendments to the Dartmouth Land Use By-law as presented in Attachment A of this report, and schedule a public hearing; and
2. Approve the Wright's Cove Secondary Planning Strategy and proposed amendments to the Dartmouth Land Use By-law presented as Attachment A;

EXECUTIVE SUMMARY:

In a staff report presented to the Community Council on December 19, 2008, staff proposed a secondary planning strategy for the Wright's Cove study area under the Dartmouth Municipal Planning Strategy and amendments to the Dartmouth Land Use By-law. The proposals were based on the *Wright's Cove Land Use Plan and Transportation Study* (Cantwell & Associates, January 2006) as well as a request from Community Council to introduce height restrictions to the area.

A public information meeting has been held to allow for feedback to the draft amendments. Written submissions have also been received. Consequently, staff have considered these comments and made some revisions. The revised amendments, recommended by staff for approval, are presented as Attachment A.

BACKGROUND

At the December 4, 2008 meeting, the Community Council received a staff report with a draft Secondary Planning Strategy for Wright's Cove with associated amendments to the Dartmouth Land Use By-law. The report outlined planning initiatives pertaining to the Wright's Cove area and then provided an overview of the proposed policy and regulatory amendments addressed. The text of the report is presented as Attachment D.

The Community Council accepted the staff recommendation to schedule a public information meeting to allow for feedback. The minutes of the meeting, held on February 4, 2009, are presented as Attachment B.

Twenty-eight written submissions have been received, and are presented, in chronological order, as Attachment C.

DISCUSSION

The requested amendments and staff response are summarized for each land use designation as follows:

1. Harbour-Related Commercial/Residential:

Request: Revise or eliminate the proposed height restrictions

Twenty-five submissions were received regarding this issue, and the matter was discussed extensively at the public information meeting. Most of the submissions supported modification or elimination of height restrictions.

At the February 7, 2008 meeting, the Community Council passed a motion that staff initiate a process to place height restrictions in the Wright's Cove area. Staff responded that height restrictions would be included in the amendments being prepared for Wright's Cove.

Staff proposed that building heights within the Harbour Related Commercial/Residential Designation be restricted to twelve stories except that, where a proposed development was abutting or adjacent to an existing residential dwelling, the building height would be further reduced to six stories. It is staff's opinion that the currently proposed height restrictions are reasonable.

Recommendation: No amendments recommended.

Request: modify clause (a) of Policy WC-4, which precludes residential buildings from being within 300 feet of the Windmill Road right-of-way, to read as a guideline rather than a restriction.

Five written submissions were received in support of this amendment, and a number of persons spoke in support of this amendment at the public meeting.

The Wright's Cove Study recommended that the 300 foot setback be established to allow for a viable depth for highway commercial development along Windmill Road. The highway commercial development would also serve to mitigate noise for any residential development proposed closer to the cove.

To the extent that highway commercial development can remain viable at a lesser depth, and an effective buffer is established between residential and commercial developments, staff is of the opinion that flexibility to this setback would be reasonable.

Recommendation: Clause (a) of policy WC-4 has been modified to allow for minor encroachment of the 300 foot setback provided that commercial development is still viable along Windmill Road and an effective buffer is established between the commercial and residential developments.

Request: Eliminate consideration of policy IP-5 for new apartment developments

Two written submissions were received in support of this amendment, and a number of people spoke in support of this amendment at the public meeting.

Policy IP-5 contains criteria to be considered in any development agreement application made in Dartmouth for permission to build an apartment building. Criteria include: adequacy of services, preservation of trees and environmental features, and establishing appropriate controls for the development. Because this is a general policy that applies to any apartment development throughout Dartmouth, it should be applied in Wright's Cove.

Recommendation: No amendment recommended.

Request: eliminate the policy for a publicly accessible waterfront trail

This request was made in a written submission, dated January 13, 2009, from Chris Mills on behalf of Seamasters Services, Ltd., and C & T Investments, Ltd., owners of the business at 647 Windmill Road. In the submission, Mr. Mills states that a waterfront trail could present a security risk to this business or otherwise negatively impact operations.

The waterfront trail was an important component in the Wright's Cove Study to allow for connectivity both within the Cove and to neighbouring areas such as Ocean Breeze Estates and Shannon Park. It is the opinion of Staff that these concerns can be addressed in consultation with the property owner regarding the location and design of the trail, through negotiations of a development agreement or a purchase and sale agreement with the property owner.

Recommendation: No amendment recommended.

2. District Centre

Request: Designate the Shannon Parks lands as a commercial, or business district, to allow for a commercial aquarium

In addition to residential development, the proposed District Centre policy designation allows for consideration of commercial developments. Prior to allowing any developments, the Dartmouth Planning Strategy requires that a public participation committee be established. The merits of a commercial aquarium on the Shannon Park lands can be discussed at this time.

Recommendation: No amendment is required.

3. Open Space

Request: Designate Bills Island as Open Space

The request was made in a written e-mail submission, dated February 8, 2009, from Dusan Sudek who states that this island is a small, treeless gravel bar that serves as a breeding colony for Common Terns - a species of concern monitored by Canadian Wildlife Service.

Bills Island is located immediately to the west of the Dartmouth Yacht Club. It is too small to have any development potential. According to municipal records, ownership of the island is unknown and it has no assessed value. As one of the goals of the open space designation is to preserve environmentally significant areas, application to Bills Island would be appropriate.

Recommendation: Bills Island be identified and designated Open Space on the Generalized Future Land Use Map (Schedule WR-1 of the Secondary Plan) and zoned Conservation under the Land Use By-law.

Request: Increase the width of the riparian buffer from 20 feet to that required by the Regional Planning Strategy

The request was made in a written e-mail submission, dated February 8, 2009, from Dusan Sudek. The December 19, 2008 staff report incorrectly stated that a 20-foot riparian buffer was established for the open space designation. The buffer is, in fact, 20 metres and has been incorporated into the designation and the conservation zone applied under the Land Use By-law.

Recommendation: No amendment required.

Request: Make provisions for marina and sailing facilities on Navy Island (Island leased by Dartmouth Yacht Club from the Municipality)

The request was made by Nathan Reece, Commodore of the Dartmouth Yacht Club in a written submission dated February 6, 2009.

The Dartmouth Yacht Club entered into a long-term lease agreement with the City of Dartmouth (September 1963 to August 31, 2062) for the southern Navy Island (the northern island is owned by the Department of National Defence). The agreement provides that the Yacht Club may erect "such buildings, floats, docks, fences and other structures as it deems necessary for the carrying out of its operations". To date, no development has been undertaken.

The type of development and activities envisioned by the Yacht Club for the southern Navy Island are consistent with that supported by the Secondary Plan for lands adjacent to the inner part of Wright's Cove in the Harbour-Related Commercial/Residential designation. Staff would therefore support the request, provided that efforts are made to retain tree cover; the facilities are located so as not to create navigational hazards, and the hours of operation do not pose a nuisance to neighbouring uses.

Recommendation: Provision has been made under a new policy WC-8 to allow the Community Council to enter into a development agreement for the development of the southern Navy Island, subject to satisfying the criterion identified.

Request: Do not support Harbour Industrial development within Wright's Cove or on the west side of Navy Islands

Lands adjacent to the inner portion of the Cove are designated Harbour-Related Commercial/Residential, Open Space, and Limited-Use Residential. No provision has been made for any type of industrial development within any of these designations.

However, lands to the west of the Navy Islands abut deeper waters where harbour-related industrial development is viable. The Wright' Cove study recommends that these lands be reserved for harbour-related industrial uses.

Recommendation: No amendment recommended.

4. Ocean Infill

Request: Introduce a new section regarding ocean infill

This amendment is being recommended by staff because there are a number of water lots within the Wright's Cove Secondary Plan Area. Although the Municipality does not have any authority regarding approval to infill water lots, any subsequent development is subject to municipal land use policies and regulations. Clarification is needed regarding the policies and regulations to be applied.

Text is also proposed regarding the Municipality's position on ocean infill approvals. Due to the environmental sensitivity of the inner harbour, authorities are discouraged from granting approvals in the inner cove except to allow for marine related uses such as wharfs or marinas or to allow for public recreational uses or waterfront access.

Recommendation: A new subsection entitled "Ocean Infill" has been added after policy WC-8 in the Secondary Planning Strategy which states the Municipality's position regarding ocean infill and clarifies that the policies and land use regulations applied to the abutting lands are to be applied to the infilled lands. A new section in the Land Use By-law (section 32F) has been added to implement this intent.

BUDGET IMPLICATIONS

The costs to process this project can be accommodated within the approved operating budget for C320.

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

The Community Council could:

1. recommend to Regional Council that the proposed Wright's Cove Secondary Planning Strategy and amendments to the Dartmouth Land Use By-law attached to this report be approved and that a public hearing be scheduled;

2. recommend amendments to the staff proposal; or
3. refer the proposal back to staff for further consideration.

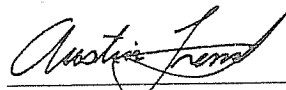
ATTACHMENTS

- A. Proposed Amendments to the Dartmouth Municipal Planning Strategy and Land Use By-law
- B. Minutes of the February 4, 2009 Public Information Meeting
- C. Written Submissions Received
- D. November 19, 2008 Staff Report to Harbour East Community Council¹

A copy of this report can be obtained online at www.halifax.ca/commcoun/hecc/HarbourEastCommunityCouncilAgenda.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: Paul Morgan, Planner, 490-4482

Report Approved by:



Austin French, Manager, Planning Services, 490-6717

¹ A copy of the full report with attachments can be found at <http://www.halifax.ca/commcoun/hecc/HarbourEastCommunityCouncilAgendaDecember42008.html>

**ATTACHMENT A: Proposed Amendments to the Dartmouth Municipal Planning
Strategy and Land Use By-law**

- A The Municipal Planning Strategy for Dartmouth is hereby amended by:
1. Deleting the subsection entitled "Wright's Cove" following policy H-20 under Chapter 2: Housing.
 2. replacing the subsection in Chapter 6 entitled "Harbour Oriented Industrial Areas" with the following"

WRIGHT'S COVE SECONDARY PLANNING STRATEGY

The Wright's Cove Secondary Planning Strategy is based on the recommendations of the *Wright's Cove Land Use Plan and Transportation Study (Cantwell & Associates, January 2006)*. The study was prepared in support of the Municipality's Regional Planning Strategy and undertaken in consultation with stakeholders and community residents.

The study area, illustrated on Schedule WR-1, encompassed a variety of uses including marine-dependent uses such as an ocean research institute, a gypsum loading facility, boat repair and restoration businesses, a yacht club, as well as numerous industrial, commercial, institutional and limited residential uses. A substantial portion of the study area was either undeveloped or had potential for redevelopment given the frontage on Halifax Harbour, close proximity to the Capital District and Burnside Business Park, and the proximity to regional road, rail, and transit systems.

The study objectives were to assess the marine industrial potential of Wright's Cove; assess the build-out potential in consultation with area stakeholders; determine infrastructure upgrading needs and associated costs; and make recommendations for adoption under municipal planning documents.

The primary study findings are summarized as follows:

- The outer portion of Wright's Cove is important for harbour-related industries and should be reserved for this purpose. However, the inner cove is too shallow and may be better suited for recreational, commercial, and residential uses provided that controls are established so as not to cause conflict with industrial uses.
- The salt marsh should be retained as an environmental reserve and the Navy Islands preserved as a vegetated buffer.
- Lands abutting Windmill Road should be retained for commercial and institutional uses but residential and industrial uses should not be supported.

- Lands at Ocean Breeze Estates and Shannon Park offer potential for redevelopment as higher density “urban villages” with supporting services.
- Measures should be taken to limit access points to Windmill Road to improve the safety and efficiency for traffic movement.
- A new access road to the gypsum-loading facility should be considered.
- Various transportation improvements would be needed for redevelopment of Shannon Park and Ocean Breeze Estates.

The study included a future land use plan for allocation of land uses within the study area. The following policies are based on this plan and on other matters, such as sea-level rise and residential height restrictions.

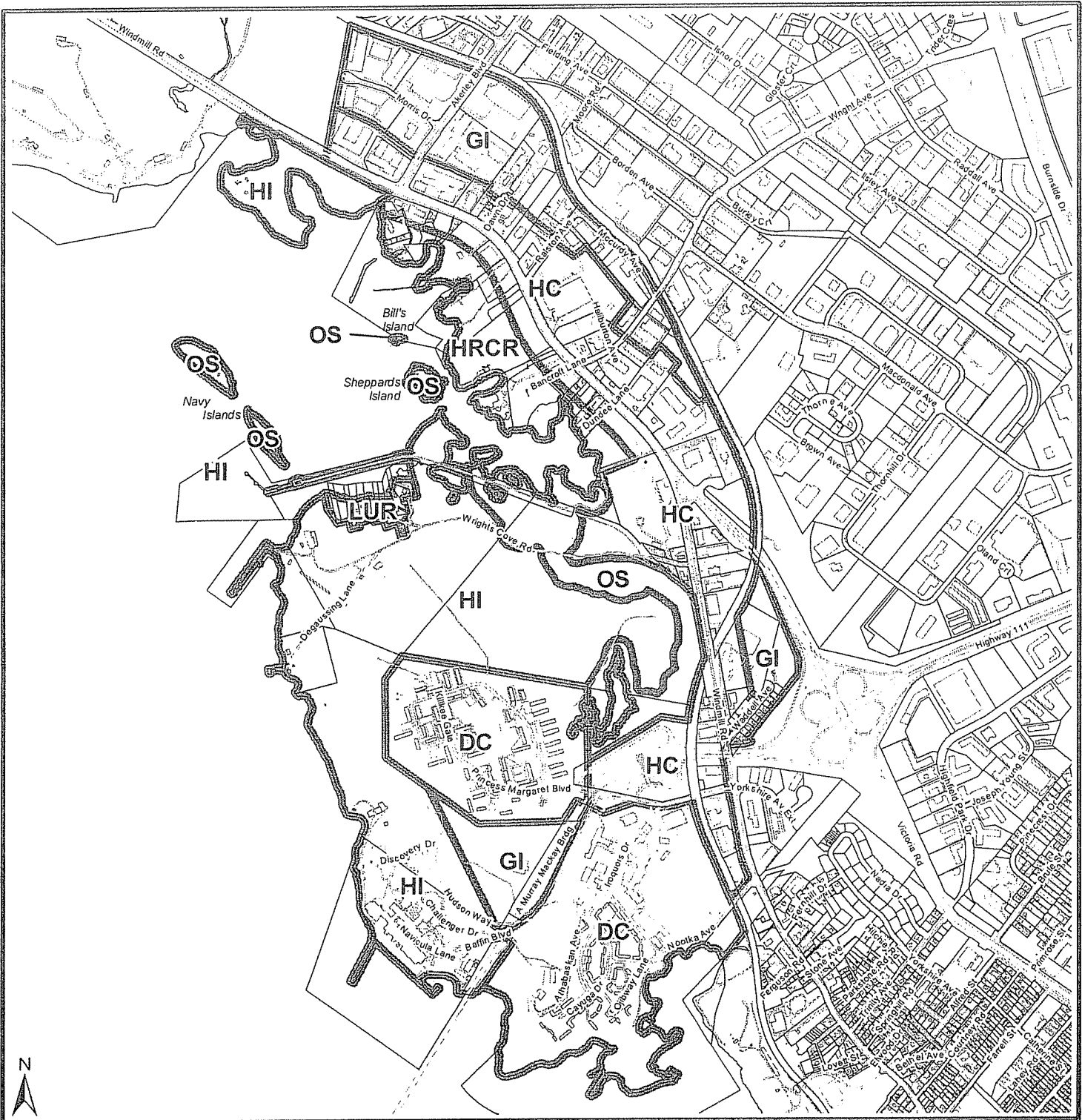
Policy WC-1: The Wright's Cove Future Land Use Plan, presented as Schedule WC-1, shall form the framework for land use allocation within the Wright's Cove Secondary Plan Area.

The District Centre:

Located in close proximity to employment centres and transportation services with views of the harbour, Ocean Breeze Estates and Shannon Park offer potential for more intensive residential communities with supporting services. The Shannon Park lands have specifically been identified in the Regional Planning Strategy as an opportunity site suitable for an Urban Local Centre.

Planning of these sites should be done in a comprehensive and coordinated manner to take advantage of development synergies created by critical mass and to assess infrastructure improvement requirements. The Regional Planning Strategy also directs that a visioning exercise be undertaken prior to development plans being prepared.

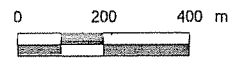
Policy WC-2: The District Centre designation is intended to support development characteristic of an Urban Local Centre as intended by the Regional Planning Strategy. Lands designated District Centre shall be zoned CDD (Comprehensive Development District) under the Land Use By-law. Any development agreement application shall adhere to the requirements of policies H-3(AA) to H-3C of this planning strategy. On the Shannon Park lands, consideration is also to be given to the future impact of sea-level rise on development.



Schedule WC-1
Wright's Cove
Future Land Use

Designation

DC	District Centre
GI	General Industrial
HC	Highway Commercial
HI	Harbour Industrial
HRCR	Harbour Related Commercial Residential
LUR	Limited Use Residential
OS	Open Space



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

Dartmouth Plan Area

Commercial Designations:

Lands bordering Windmill Road are suitable for highway-related commercial development to benefit from the visibility to passing traffic, but, more general industrial uses, which can be incompatible with highway commercial uses, will be supported on lands within the Burnside Business Park further to the north of the highway.

Lands between the inner-cove shoreline and highway commercial uses are not suitable for many highway commercial uses but offer opportunities for businesses that can take advantage of the harbour views or utilize the more shallow waters of the cove. Residential developments may also be integrated within this area, provided that controls are established to protect the interests of commercial uses and existing residential uses, as well as the new occupants.

Policy WC-3: The Highway Commercial designation is intended to support highway related commercial development on lands bordering Windmill Road. Permitted uses shall include retail and wholesale, restaurants, institutional, offices and existing industrial in conformity with the I-2 zone standards of the Land Use By-law. Amendments to the Land Use By-law may be made to permit uses which are similar to those identified under this policy except that no new residential or industrial uses shall be permitted within this designation. By-law amendments may also be made to revise development standards or approval requirements.

Policy WC-4: Within the Harbour-Related Commercial/Residential designation shown on Schedule WR-1, existing business will be permitted to expand in accordance with the I-2 (General Industrial) Zone provisions of the Land Use By-law. Harbour-related commercial uses, institutional uses, offices, hotels, townhouses, apartment buildings, restaurants and public and private recreation uses may be considered within this designation subject to approval of a development agreement. The following matters shall be considered in any agreement:

- (a) no residential development may be located within 300 feet of the Windmill Road right-of-way except that minor variances to this setback may be considered provided that the development viability of the commercial area is not compromised and effective screening, such as fencing or landscaping, is included to serve as a buffer between the commercial and residential developments;
- (b) no building shall exceed 12 storeys in height;
- (c) notwithstanding (b) above, no building shall exceed six (6) storeys in height where the building is proposed to be located on a property

- abutting, or adjacent to, a property containing a single-unit dwelling in existence at the time of application for a development agreement;
- (d) measures are taken in the building design of residential, institutional or office uses to mitigate noise;
 - (e) where applicable, provision is made for the construction of a publicly accessible waterfront trail across the lands;
 - (f) all development on the lands shall incorporate provisions that mitigate potential damages from coastal flooding and storm-surge events;
 - (g) that a survey be completed by a qualified person, verifying that there is no evidence of unexploded ordnance on and adjacent the subject site, particularly if water-lot infill is being proposed;
 - (h) any development contemplated on Sheppard's Island cover no more than twenty-five percent (25%) of the area of the island, and the trees on the remaining seventy-five percent (75%) area are retained in order to screen development on the island and mainland from harbour-related industrial activities in the outer cove; and
 - (i) the criteria of policy IP-1(c) and IP-5 for any apartment building development.

Harbour-Industrial Uses:

Lands bordering Halifax Harbour, where there is sufficient depth for larger ships, have been reserved for harbour-related industrial uses and support facilities.

Policy WC-5: The Harbour-Industrial designation is intended to support development that is harbour-dependent and industrial in nature. Lands within this designation shall be zoned I-3 (Harbour-Oriented Industrial). Amendments to the Land Use By-law may be made to revise development standards or approval requirements, but no uses shall be permitted that are not supportive of harbour-dependent industrial uses.

Existing Residential Uses:

Residential developments serviced with piped water and septic fields have been established along Green Bank Court and Cove Lane prior to the adoption of this secondary planning strategy. These developments will be accommodated but, due to their proximity to harbour-related industrial lands, no additional housing will be supported. Provisions will

also be made to accommodate existing residential lots along Basinview Drive and any redevelopment of these lots will be subject to the policy provisions for the Harbour-Related Commercial Residential designation.

Policy WC-6: The Limited-Use Designation is applied to existing residential lots within the Secondary Plan Area and is intended to allow for the replacement of, or additions to, existing homes. Under the Land Use By-law, lands within this designation shall be zoned R-1 Zone (Single Family Residential), with special provisions made to allow for replacement of, or additions to, existing residences, but new residences shall be prohibited.

The R-1 shall not be applied to any other lands within this Secondary Plan Area, but new townhouse or apartment buildings may be considered on properties zoned R-1 along Basinview Drive in accordance with the development agreement provisions of policy WC-4 and, where a residence no longer exists, the lot may be rezoned to a zone applied to abutting lands.

Open Spaces:

An Open Space designation has been applied to a saltwater marsh and all connecting streams, wetland, as well as to a riparian buffer from these watercourses and to the islands within the cove: Navy Islands, Sheppard's Island and Bill's Island. The designation supports protection of environmentally sensitive areas along with preservation of the tree cover as a visual buffer between developments in the inner cove and existing, or future, harbour-related industrial uses. Passive recreational facilities, such as trails, are also supported.

Limited development is intended for lands designated Open Space. Access to adjacent harbour industrial uses will be permitted under zoning provisions and residential development may be considered on Sheppard's Island in accordance with clause (h) of policy WC-4.

Provision will also be made to allow the Dartmouth Yacht Club to establish marina-related facilities on one of the Navy Islands, based on long-term lease agreement with the Municipality. The Municipality will require approval of any development agreement in order to address any matters pertaining to tree retention and compatibility with adjacent uses.

Policy WC-7: The Open Space Designation is applied to a saltwater marsh and connecting streams, wetlands, riparian lands within the Secondary Plan area, as well as the islands within Wright's Cove. The designation is intended to provide environmental protection and retention of tree cover as a visual buffer. Lands within this designation shall be zoned C (Conservation) under the Land Use By-law. Provision shall be made in the

conservation zone to allow for access to the abutting lands zoned I-3 (Harbour-Oriented Industrial).

Policy WC-8: Marina-related facilities may be permitted on the Navy Island owned by the Municipality through a development agreement. The following matters shall be considered in any agreement:

- (a) any buildings, structures, or facilities are located so as to allow for tree retention and avoid navigational hazards;
- (b) hours of operation are established so that activities would not pose nuisance to adjacent residential uses; and
- (c) all relevant criteria under policy IP-1(c).

Ocean Infill

A number of water lots have been established adjacent to lands within this Secondary Plan area. Although the Municipality has no jurisdiction with regard to infilling these lots, the Municipality has an interest in ocean infill within the inner portion of Wright's Cove due to the environmental sensitivity of this area. Any development on infilled land is subject to the Municipality's land use policies and regulations.

The Municipality will encourage senior levels of government to only consider harbour infilling of the inner cove for the purpose of marine related purposes, such as wharfs or marinas, or to provide public recreational areas or public access to the waterfront. In addition, any ocean infill that would adversely impact the saltwater marsh adjacent to the inner cove should be discouraged.

Policy WC-9: In the event that approvals have been granted to infill any water lots within the Wright's Cove Secondary Plan Area, the future land use policies established under Schedule WC-1, and zoning regulations established under the Land Use By-law to the abutting lands, shall be applied to the water lot that has been in filled, and any development may be permitted in accordance with the applicable policies and zoning regulations. The Land Use By-law shall be amended to reflect this intent.

3. Removing the land designations illustrated on Schedule WC-1 of the Wright's Cove Secondary Planning Strategy from Map 3: Dartmouth Industrial Areas under Chapter 6: Industrial
4. Deleting the text between the end of policy M-8 and the subsection entitled "Adult Cabarets and Massage Parlours" in Chapter 6: Industrial.

B The Land Use By-law for Dartmouth is hereby amended by:

1. Rezoning certain lands shown on Schedule 1 to CDD (Comprehensive Development District), C (Conservation), and R-1 (Single Family Residential) Zones.
2. Adding the following clause after clause 18(T):

18(U) Notwithstanding any other provision of this By-law, harbour-related commercial uses, institutional uses, offices, hotels, townhouses, apartment buildings, restaurants, and public and private recreation uses may be considered by development agreement in accordance with policy WC-4 of the Wright's Cove Secondary Planning Strategy.

18(V) Notwithstanding any other provision of this By-law, marina related facilities may be considered on Navy Island by development agreement in accordance with policy WC-8 of the Wright's Cove Secondary Planning Strategy.

3. Adding the following clause after clause 32(4) of the R-1 Zone (Single Family Residential):

32(5) For any R-1 zoned lot abutting Green Bank Court, Cove Lane, or Basinview Drive, no new single family dwellings shall be permitted; but existing single family dwellings and accessory uses may be replaced, repaired, and additions made to in accordance with the R-1 Zone and any other general provision of this By-law.

4. Adding the following clause after Section 32(E):

32F Ocean Infill Lots in Wright's Cove

In the event that approval has been received to Ocean infill within the Wright's Cove Secondary Plan Area, the zoning applied to the abutting lot shall be deemed to be applied to the area that has been infilled and any development on the infilled lands shall conform with the provisions of this Land Use By-law.

5. Adding the following clauses to Section 42(1) of the I-2 (General Business) Zone:

(f) Within lands designated Highway Commercial on Schedule AA, only permitted C-3 or S zone uses and existing industrial uses shall be permitted.

(g) Within lands designated Harbour-Related Commercial/Residential on Schedule AA, existing uses shall be permitted and may expand in accordance with the I-2 Zone provisions, but no change of use shall be permitted except in accordance with Clause 18(U) of this By-law.


6. Adding the following to the list of permitted uses under Section 46(1):

transportation access to I-3 zone uses
7. Adding Schedule AA, attached hereto, to the list of Schedules in the Land Use By-law.






Schedule 1

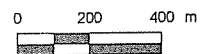
**Wright's Cove
Zone Amendments**

 Study area boundary

Proposed Zone

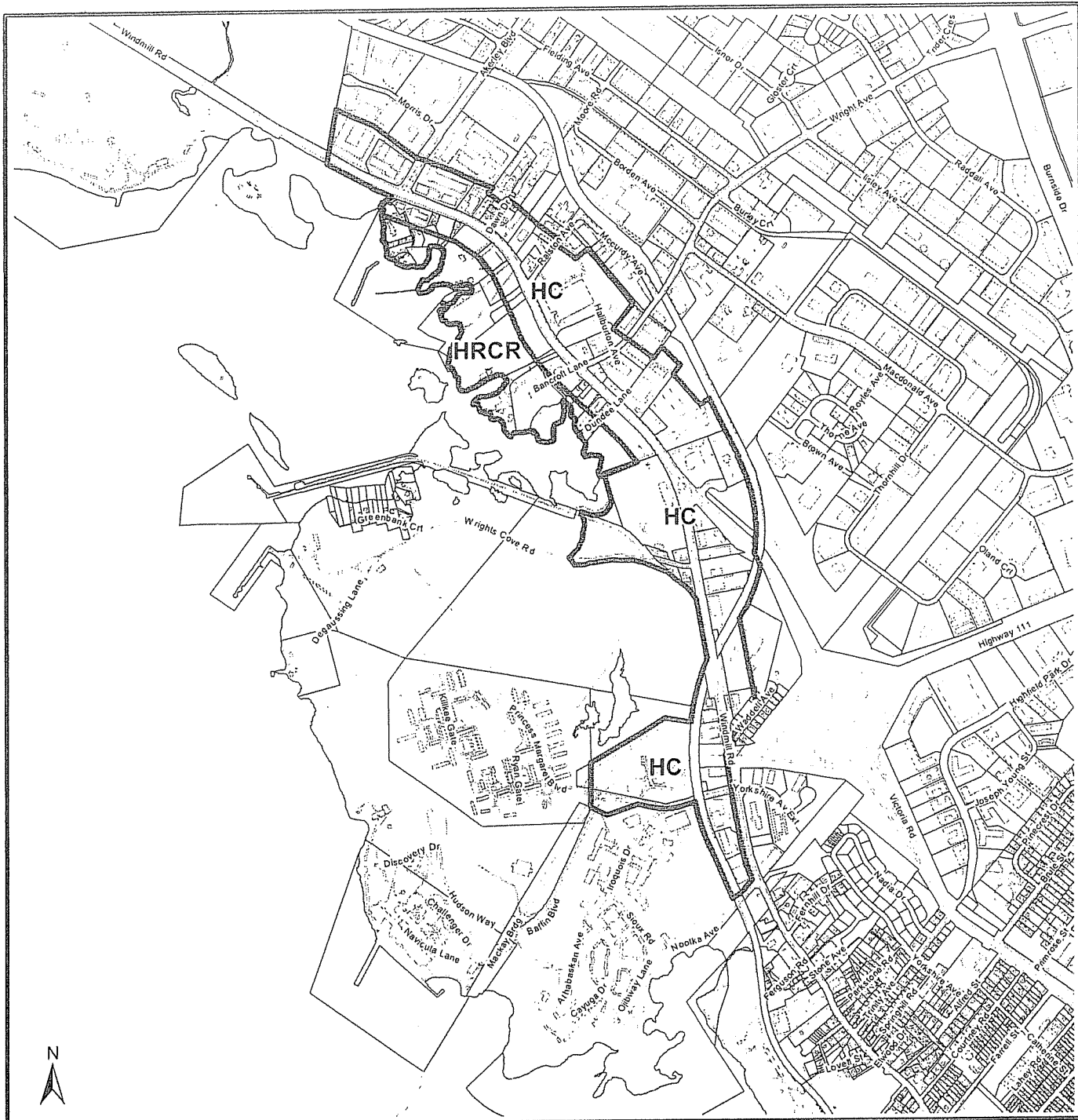
-  Area to be zoned R-1
(Single Family Residential)
-  Area to be zoned CDD
(Comprehensive Development District)
-  Area to be zoned C
(Conservation)

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES



Dartmouth Plan Area

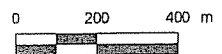
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Schedule AA
Wright's Cove
Commercial Precincts

Dartmouth Land Use By-Law

HALIFAX
 REGIONAL MUNICIPALITY
 COMMUNITY DEVELOPMENT
 PLANNING SERVICES



Designation

HC Highway Commercial
 HRCR Harbour Related Commercial Residential

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

Attachment B: Minutes of Public Information Meeting
Wright's Cove Secondary Planning Strategy

Public Information Meeting
Wright's Cove

DATE: February 4, 2009

LOCATION: Farrell Hall, 276 Windmill Rd., Dartmouth

ATTENDANCE: Roger Wells, Supervisor, Regional & Community Planning
Paul Morgan, Senior Planning, Regional & Community Planning
Scott LeBlanc, Planning Technician, Planning Services
Cheryl Byrne, Planning Controller, Regional & Community
Planning

ALSO PRESENT: Councillor Jim Smith

PUBLIC IN ATTENDANCE: approximately 40

Councillor Smith, District 9, introduced himself and opened the meeting at 7:05p, welcoming everyone to the meeting. He reminded everyone that this process has been an ongoing for a few years, and this meeting is to survey the public on their opinions and thoughts for the Wright's Cove area.

Councillor Smith then recognized the attendance of Councillor McCluskey from District 5, and reiterated the meeting's purpose is to hear from the public and their opinions and thoughts taken into account when the report for recommendations regarding development at Wright's Cove goes to Council.

He then introduced Paul Morgan, and Paul identified himself and Roger Wells as HRM Planners, and Cheryl Byrne as recording secretary. He further indicated the minutes will be attached to the report he will prepare for the Harbour East Community Council, which will eventually go to Regional Council. Paul asked that any citizen wishing to speak to please provide their name and address for the record.

Paul advised that he would be reviewing the draft policies and regulations that are proposed for the Wright's Cove area and was seeking the public's opinion. A report, outlining and explaining all the policies and which had been tabled with Council in December 2008, was made available at the meeting.

He indicated that staff's advice to Council was to have a public meeting to seek input; however, any changes have to be approved by Regional Council after a public hearing.

All suggestions/submissions can be mailed, emailed, forwarded to Paul Morgan, and all information collected will be made available in the report to the Community Council.

Paul provided a brief history. The Wright's Cove Land Use and Transportation Plan, prepared by Cantwell and Co., has been produced. It was initiated in 2005 and presented to Regional Council in 2006. Once it was presented to Regional Council, Council accepted the staff recommendation to approve the report in principle and undertake amendments to our Dartmouth planning documents to implement the recommendations.

For clarification, the Regional Council motion was only to do with the land use recommendations. The transportation recommendations were not approved in principle. Council wanted more consultation with area businesses because some of the recommendations involving Windmill Road and limiting access were not acceptable. At this point, it doesn't appear that some of those recommendations will be moving forward.

Regional Council also asked staff to look at giving residential zoning to some residential properties in the Cove, which will be discussed later.

Finally, the Community Council, last year, asked that staff consider height restrictions in the Cove area. There has been attempt to introduce those into the amendments.

Paul began his presentation outlining the study area, which includes the Shannon Park lands, part of Windmill Road, Wright Avenue, and Akerley Boulevard. It takes in lands all the way up between Windmill Road and the CN line and up to the boundary of the business park. It also includes Magazine Hill, which is part of the DND lands.

He discussed five (5) objectives.

LT means *long term impact on infrastructure*.

Essentially a new plan was produced for this area that includes land use, infrastructure, transportation and advice on these matters. There were a series of workshops with residential owners in the area, marine industrial operators, existing businesses, and all findings were consolidated in final document.

The Land use recommendations are focused on a future land use plan. Paul outlined the designations; the recommendations are all based on this allocation of land use:

1. DC - District Centre designation - includes the Shannon Park lands, Ocean Breeze Estates lands. The study is recommending that these become what is characterized as an "urban village." This would allow for redevelopment of the housing to include some medium to high density housing with supporting uses for these communities, including institutional and commercial facilities. It is recommended to be done in a comprehensive manner in consultation with

stakeholders in the area. To implement, these lands would be rezoned from *Holding* (current status) to a comprehensive district development zone requiring the Community Council to approve a Development Agreement prior to these lands being developed. According the Dartmouth Plans, would also require consultations.

2. HC - Highway Commercial designation applies to land on the upper side of the highway (north side), includes one lot deep on the Burnside Park side of the highway and, on the cove side, 300 ft back from the edge of the road. The study recommends allowing for business uses to continue that benefit from being on Windmill Road and access to traffic. However, in the future, no allowance would be made for new industrial uses. Therefore, recommendations are to retain light industrial, but within this designation, no new industrial uses. Any existing industrial uses will be allowed to continue and expand under current zoning provisions, but no new industrial or residential uses will be permitted.

3. GI - General Industrial designation. No changes for these property owners. The light industrial zone will continue to be applied in addition to any general commercial uses, industrial uses would be permitted.

4. HI - Harbour Industrial is applied to lands that have access to deep water. Includes the National Gypsum lands, Bedford Institute of Oceanography, lands owned by DND on the northwest side of the Cove, and recommendation is for these lands to be retained for uses that will benefit from being adjacent to deep water for harbour-related uses. Under the proposal, the policies will support continued use for these purposes, and the current harbour-oriented industrial zone applied to these lands will remain. Essentially for these property owners, there are no changes to the land use regulations.

5. HRCR - Harbour-Related Commercial-Residential designation. Applies to lands 300ft back from Windmill Road and all the lands from there to the inner harbour. These lands in the Cove are too shallow for harbour-related uses. The suggestion is that lands that could benefit from being close to this Cove should take advantage of the views of the water, and in some harbour-related uses, they could make use of the shallow cove, e.g., marinas, boat repair. Also suggested were uses such as offices or hotels that can take advantage of the views be permitted, but any new uses would not be permitted under zoning. A Development Agreement would be required and approval by the Community Council with criteria identified. One specific criterion under policy WC4 is our recommendation that any building be a maximum of 12 storeys high, **except** abutting or adjacent to an existing residential use at the time the application is made for a Development Agreement, that height restriction is reduced to six storeys. Other criteria that any development would have to take into consideration are such things as future rise in sea level, provisions for trails and their connection all the way to Shannon Park, as well as consider the potential for unexploded ordnances and the related safety issues.

The designation includes lands off Basinview Drive. The existing residences will be given a residential zone.

6. LR - Limited-use Residential designation has been applied to houses on Cove Lane and Greenbank Court. They are currently zoned Holding. Residents prefer a residential designation for various reasons. It is therefore proposed that zoning be R-1, with a restriction of no new houses. The suggestion is there is too much risk of conflict with marine industrial uses. The R-1 zone would be applied to Basinview Drive. New residential could be considered in Basinview Drive in accordance with the provisions made for the inner harbour.

7. OS - Open Space designation has been applied to the salt marsh along the inner cove and the watercourse leading to it, the wetlands, and a 20 ft riparian buffer. The intent is to protect the watercourse and saltwater wetland. It also applies to the Navy Islands and Sheppard's island to maintain the trees to act as a screen between uses in the inner and outer harbours. Under the land use bylaw, these lands would be zoned Conservation Zone, with one special provision to be made under the open space zoning that has been adopted under the Dartmouth Land Use Bylaw: access to harbour-related uses could be permitted in the Conservation Zone. This is to allow for access to National Gypsum lands.

The existing water lots in the Cove have not had their zoning addressed and this should be rectified. Owners can apply to infill water lots. The Municipality has no jurisdiction whatsoever. It is the jurisdiction of the Federal and Provincial Governments. The only logical recommendation made by staff to the Community Council is the zoning applied to the abutting land would be the same for these lands, and the abutting policies would be applied to these lands as well.

Next steps.

After submissions are accepted from the public, staff will prepare a report to Community Council for consideration of changes to be recommended to the draft proposals they received in December. The Community Council will receive the recommendations at a future meeting and will be asked to make recommendations to Regional Council (accepting the staff recommendations or recommend changes). Regional Council, upon considering approval, would then set a public hearing. Regional Council will make a decision after the public hearing.

The presentation was followed by questions/comments from the audience.

1. Owen Caldwell, Halifax: Three statements.

(1) page 11. Section A where it says "no part of any residential building," believes it is an improper absolute. Depending on the property itself, it should say "recommended," and then leave it up to City Council, leave it up to the people who issue the permits whether or not whatever is being applied for should be granted.

(2) Number C should be eliminated. Believes it is an unfair restriction based on the economic feasibility for the developer. It is not necessarily feasible to put up a 6-, 7-, or a 4-storey building. From an aesthetic point of view, there should be a standard. A half-decent building is going to have to be 12 storeys, especially when the value of the property is considered. "I've been

a taxpayer all my life, and I've owned property, but I don't necessarily want to own property. I'd like to rent." A 12-storey building can be a nice, luxury apartment that is available to rent. He believes there are a lot of people in his position that don't necessarily want to own a condo.

(3) (i) on pg 12. It refers to IP5, which is the high density. It is not economically feasible to build a building based on those restrictions—something like 60 units for 1.5 acres. It is necessary to have density to build quality units. Density will also bring more tax dollars.

2. Ed Schumacher, Basinview Drive

Mr. Schumacher commented that highest scaled developments in Halifax are on the Halifax waterfront. It is not a high-density complex. It is a nice development. Highfield Park is a case of high density.

He inquired about water rights, pre-Confederation and post-Confederation.

Roger Wells responded: Regardless of ownership, any application for infill still requires approval of Federal and Provincial agencies. If it is pre-Confederation, ownership is deemed to be owned by name on deed – pre-1867. Lots created after 1867 are deemed to be owned by the Halifax Port Authority, who through Federal jurisdiction, have vested interest in all water lost created after 1867. He clarified that this had no any bearing on infill approvals. There is still a need to go through DFO, Transport Canada, Dept. of Environment, etc., to get approval for infill.

Paul pointed out that Community Council asked that restrictions be put in regarding height. There is no magic number. Based on the request, "12 storeys" was chosen based on the previous application for Sheppard's Island, which had tallest building at 12 storeys. The reason behind going to six storeys, if adjacent or abutting a house, is because the older houses there are quite low density. A 12-storey building may be too imposing. Differing opinions are expected, and everyone is entitled to have their say.

3. Bart Henneberry, Bedford

Mr. Henneberry commented he was familiar with Clayton Park and Highfield Park areas. He is in commercial real estate and advised these developments are called multi-residential stick construction. There's a reason why they are that high. They're made out of wood. He does not believe they will stand the test of time. He believes they are a poor quality accommodation that people build because they're "penny wise and pound foolish." He indicated that people who live in residential high-rises always prefer concrete construction. It is a lot more expensive; however it has soundproofing and is more aesthetically pleasing. He provided an example, "the malaise in Clayton Park." While HRM is talking about high-density and bringing people to the core in order to have people use public transit and reduce using their private vehicles, he doesn't believe it is being encouraged by the low-density mentality at present. This is prime waterfront land that should be taken advantage of. It's going to be expensive for it to be economic and cannot be limited to six storeys. Currently there are no options for people in the Burnside area who want

condominium living and the ability to walk to work. He commented that it is short-sighted to limit height restrictions.

Mr. Henneberry would like to see flexibility regarding the setback, which should be considered when drawing up a Development Agreement.

Roger Wells responded that six-storey buildings are required to be made of concrete. Mr. Henneberry was in agreement; his point was that it is not financially feasible.

4. Kevin Chisholm, Bedford

Mr. Chisholm believes that the land is valuable, well sought after, and the more people that we can bring in is better for the economy. He doesn't believe height restrictions and the low density is the thing to do. The idea is to have more people there, it's better for all of us.

5. Bonnie Matthews, Beaverbank

Ms. Matthews has provided a written submission, and is in favour of high-density.

6. Mary Schumacher, Basinview Drive

Ms. Schumacher is totally against anything over six storeys because of the additional traffic that will be generated in the area. She is concerned the influx of people that a 12 storey building will bring to the area including the yacht club is not feasible. Six storeys and townhouses would be acceptable. Her preference is for ownership rather than rental.

Mrs. Schumacher is concerned this last area on this harbour will be destroyed by over-building. She is in agreement with the restriction on Sheppard's Island to six storeys. She will continue to keep fighting for this area. She commended Roger and staff for all their work on this.

Paul responded to Ms. Schumacher's submission. He mentioned that rental issues arose before. The Municipality cannot specify whether a unit can be owned or rented.

He also indicated that policy restricts development of Sheppard's Island to 25% [of the island]. Conceivably, there could be a 12-storey building; however, he doesn't believe Community Council would agree to it.

7. Karen Briand, representing the Maritime Aquatic Institute

Ms. Briand provided a written submission, and indicated her group would like to see an aquarium be built at the Shannon Park site and the future zoning of Shannon Park be made a commercial business district.

8. Gloria Williams, Lower Sackville

Ms. Williams is in favor of 12-storey buildings. As a senior, property-seeking couple, they are interested in maintenance-free, luxury apartments with good views that can only be accessed by higher buildings. She also feels that it is her choice for location, and if she lives in a luxury apartment, she wants a luxury view.

9. Pam Lutz, Leaman Drive, District 9

Ms. Lutz indicated that living in Dartmouth North brings with it a real sense of community. The Wright's Cove area, at present, is not a very pretty area. A decent sense of design with an eye to the environment is necessary for the area, and she does not disagree with the 12-storey height restriction. She would like to see more middle- to upper-income bracket people move to the area who will contribute to the area as a whole. It is not all gangs and drugs in Dartmouth North, there are many generational families. It has a very explicit, warm community feel. She welcomes development providing it contributed to upgrading of District 9.

10. Amy, grew up in Fall River and now lives in Halifax

Amy believes that it is only an eventuality that this area would be developed. She also believes it is valuable and has the opportunity to be like Bishops Landing, which is beautiful and draws tourists and economic activity. She is in support of the 12 storey restriction.

11. Yvonne Kaiser, Dartmouth

Ms. Kaiser agrees with high density in this area. She acknowledged that this development will provide jobs for our trades people this would build our economy.

Paul responded to comment on Bishop's Landing. For information purposes, he pointed out that most of Bishop's Landing is five (5) storeys or less and of concrete construction. There is one section outside the view plane to George's Island that is seven storeys.

12. Felix Perry, Dartmouth

Mr. Perry is currently a retiree and would like to move back to north Dartmouth and is in favor high end condominiums that overlook the harbour, as well as a nice community he can call home. He believes City Planning is responsible for making the additional traffic to the area as integrative as possible.

Amy Kerr: Rebuttal to Paul's comments on Bishop's Landing.

Bishop's Landings' five (5) storeys were built because they couldn't go higher due to the properties behind. In the cove, however, there is no one to consider in that regard.

Paul responded that the negotiations for Bishop's Landing building heights went all the way to the Appeal Board, and the complaints were against a high-rise on the Halifax waterfront. He acknowledged that only part is seven storeys and also that it is concrete construction.

13. Paul Garrett, Bedford

Mr. Garrett is a carpenter who just moved here from Ontario. He believes the height restriction to six storeys reduces a developer's ability to finance development.

14. Charmaine Perry, Lower Sackville

Ms. Perry is in favor of a 12-storey luxury apartment to enhance the beauty of the Dartmouth waterfront.

15. Jean McNeil, Dartmouth

Ms. McNeil is in favor of development, and is in favor of 12 storeys or more.

16. Paul Kimball, Halifax

Mr. Kimball currently lives in Halifax because he believes there are few places in Dartmouth where he wants to live. He does not want to be a homeowner. Halifax has more to offer, and Dartmouth is more limited.

He believes the needs and interests of the people who will live in those extra six (6) storeys have to be considered. Mr. Kimball would like to live on the waterfront and believes the people that will inhabit the additional six storeys will bring benefit to the entire area. We must balance the needs of many with the needs of a few or one.

17. Trent Davis, Greenbank Court

Mr. Davis is concerned with the open space policy. He confirmed with Paul Morgan that there would be protection for the salt marsh. He believes it is very important to not lose the natural environment that is currently in the area. He believes this is a desecration to this side of the harbour. He fears that this area could become too dense very easily and would not like that to happen.

18. Moe Muise, Dartmouth

Mr. Muise believes Dartmouth is not growing fast enough. He is inspired when he sees the proposed development. He believes innovation and investment will help the tax base and is for development. He would like to see 24 or more, even 40 storeys. He also believes that six-storey buildings are ludicrous.

He is discouraged with the slow pace of getting things accomplished, and believes it is causing us to lose population to other provinces. He also believes ideas and developments are current squashed. He believes new development will bring more development.

19. Gary Hill, property owner of 5 properties in the area: 719 and 721 Windmill Road, 9, 15, and 22 Basinview Drive. He believes his opinions should be considered based on his intent to develop in the area. He raised several issues.

3. The original Cantwell study said 'recommended' 300 ft setback and he would like that to be incorporated in the current planning documents because by saying "recommended," variance is allowable and is reasonable. If the word recommended is not indicated, adherence is then specific to 300 ft.
4. Mr. Hill is not in favour of six-storey buildings. It is not financially feasible. It is possible to build a 12-story building profitably.
5. The proposed 10-foot wide footpath to entice people to come to waterfront will cost land value (approx. \$100,000 by his calculations). However, the proposal suggests we don't build anything higher than six storeys. Therein lies a discrepancy and does not make sense to Mr. Hill. He prefers no height restriction at all. However, if there has to be one, it should be 12 storeys, and it should apply to everyone.
6. Regarding the IP5 agreement, he believes it is accepted internationally that you put high density next to the waterfront because it is highly sought-after property. When you move back further from the waterfront, the design then moves to medium density.

Mr. Hill congratulated HRM for holding the meeting, and would like to move forward with the development.

Paul Morgan commented there was nothing universal in planning.

20. John Brison, Bridgewater

Mr. Brison is preparing for retirement and wants to live in a luxury high-rise building overlooking the Dartmouth Yacht Squadron where his boat will be moored.

21. Pat Mills, Manager, National Gypsum

Mr. Mills advised that National Gypsum has operated since 1954 and have moved over 135 million tons of gypsum from Shubenacadie area through the port. This facility is vital to their company and contributes 100 jobs. They are industrial. The bread and butter of the harbour is loading ships and moving material. They are committed to working with people and preserving the environment. However, it is important to remember it is industrial marine and this leads to competing interests. It is important to have the jobs in industrial marine to drive other development.

Paul interjected that the plan does support National Gypsum's business use.

22. Nancy Hill, Bedford

Ms. Hill would like to see a marriage of industrial, residential, and a high density apartment complex. Everyone can work together and make a beautiful city.

23. Geraldine Treadwell, Lower Sackville

Ms. Treadwell is in favor of a 12-storey building on the waterfront in Dartmouth. She believes it is a very good idea.

24. Joe LeClair, Dartmouth

Speaking to the issue of traffic, Mr. LeClair suggested better transit schedules in higher density areas. He believes it is possible to combine high density areas with a good amount of ecology and industrial. He believes Burnside needs this, and it is being held up too long. He believes there is also a necessity of jobs, and it is not economically viable to build six storeys if you want it to be nice.

25. Sandy MacLean, Dartmouth

Mr. MacLean compared present-day Halifax with Halifax in the 1970s. It is his opinion that no city can survive without development. It has to be determined whether or not we, as a community, want development. If the community wants development, then it has to be made friendly for developers. Otherwise, the developers will go somewhere else if not able to make a profit.

Mr. MacLean is in favor of 12 storeys.

Gloria Williams, Lower Sackville

Repeat speaker. Believes 12-storey is better than 6-story. Boardwalks that will be built (based on the views of Governor's Landing in Bedford, across the water from Wright's Cove) offer the opportunity for people of all ages to walk, as well as people in wheelchairs, because of the access to the fresh sea air. People on the Dartmouth side want that too.

27. Jeff Pritchard, Dartmouth

Mr. Pritchard is a member of the Dartmouth yacht club. He is not in favor of a 12-storey building. He commented on Bishop's Landing having vacant units available for those who are interested in high-end properties.

He was also unclear as to why there would be no new construction allowed in the residential area rezoned to R1 in Wright's Cove near the Gypsum plant.

Paul responded that there would be restrictions because of the risk of harbour-related industrial uses in close proximity. The study recommendations, which Paul's recommendations are based on, said "allow for the existing residences to stay there, give them the R1 zone they want, or residential zone, so they can get mortgages to do additions and so forth. But we won't want to take the risk of allowing additional residences there and the industrial uses getting complaints such that they'll feel they have to move somewhere else."

Paul indicated that written submissions to the Community Council are welcome. To date, nothing has been decided. Staff are currently in the draft proposals stage.

28. Jim Lake, Sackville

Mr. Lake is of the opinion that it is good valuable land that has to be put to good use, and it has to be high density.

29. Ali Nejat, Real Estate Agent, Hammonds Plains Rd.

Mr. Nejat believes project will bring a lot of beauty and good value to properties and should be 12 storeys or higher. It is close to all amenities.

30. K.J. Gandhi, Architect/Planner

Mr. Gandhi talked about developers preferring to develop nice things. If met with resistance from authorities and the process takes a long and tedious route, they will not develop. His opinion is that we need development. He believes the whole area can be developed into an extremely nice area that will give much back to the city. Planners should not be restrictive, they should solve problems. The process should be simple, short and faster.

31. Jim Thomas, past Commodore, Dartmouth Yacht Club

Mr. Thomas is in support of the Harbour Isle development.

Paul Morgan clarified that the Yacht Club can expand without a Development Agreement within the existing zoning.

32. Mike Webber, Dartmouth

Mr. Webber is in support of the Harbour Isle development.

Mrs. Schumacher, Dartmouth

Ms. Schumacher apologized for offending anyone. She is 100 per cent in favor of Harbour Isle development. However, the Basinview drive development's 12 storeys is too high.

33. David Greer, Fall River

Mr. Greer believes the area has to grow. It is the first time he has seen the information. He believes that such a small area needs high density.

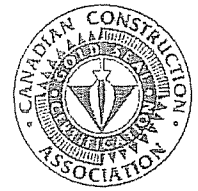
Paul Morgan ended the meeting at 8:46 pm. He indicated that he and Roger Wells will prepare the report to the Community Council. Any submissions will be attached. Submissions can be emailed, faxed, or sent to Paul Morgan. All submissions will go to Community Council.

Thank you for your interest.

Meeting was adjourned at 8:46p.




HARBOUR ISLE
HALIFAX INCORPORATED
 800 Windmill Road, Suite 301
 Dartmouth, NS B3B 1L1
www.harbourisle.ca

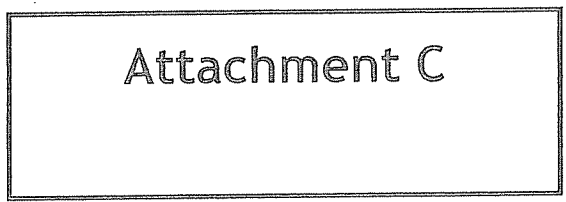


Phone (902) 481-2025

Fax (902) 481-1177

January 6, 2009

Halifax Regional Municipality
 40 Alderney Drive
 Dartmouth, NS
 B2Y 2N5



Attn: Paul Dunphy
 Director of Community Development

Re: Wright's Cove Secondary Planning Strategy
 Project # 01031

Dear Paul

We have read the proposed changes being considered in the Wright's Cove and feel that you and your team should be commended for a positive and realistic vision for this area. Input from the community and local business has been well balanced and will provide a sense of vibrancy as this area evolves.

Our company owns the Harbour Isle site (formerly Sheppard's Island) as well as the former Moosehead lands adjacent for a total of twenty-five acres. Our current development plans envision a mix of land uses that compliment one another and respect the changes being proposed. We do have exception with policy WC-5 being considered, as it will limit the options available to us. I understand the intent of this policy however our properties are not within 500 feet of the nearest home. Consideration should be given to the proximity to adjacent structures and not just a twelve-story height limit.

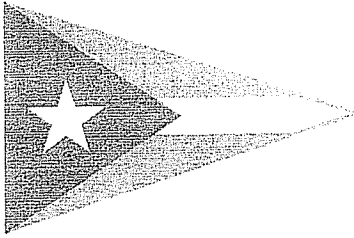
We look forward to the upcoming public meeting as this has been a long time in the process.

Yours truly,



Brian Chappell PQS(F) GSC
 Development Manager

CC Paul Morgan HRM Planner



Dartmouth Yacht Club

697 Windmill Road, Dartmouth, NS B3B 1B7
Telephone: (902) 468-6050 • Fax: (902) 468-0385

14 January 2009

Halifax Regional Municipality
40 Alderney Drive
Dartmouth, NS B2Y 2N5

Attention: Paul Dunphy, Director of Community Development

WRIGHT'S COVE SECONDARY PLANNING STRATEGY – PROJECT #01031

The Dartmouth Yacht Club has reviewed the planning strategy for the Wright's Cove area dated 19 November, 2008. We have noted that the plan notes refer to building heights of 12 stories, however we have been made aware that the Harbour Isle Development plan calls for a building of 16 stories.

The Dartmouth Yacht Club wishes to go on record as having no objection to the 16 story concept.

The support of the Dartmouth Yacht Club for any project in the Wright's Cove area is contingent on the freedom of the club to continue to use the DYC lands and waters in the same manner as it has in the past.

Nathan Reece
Commodore
Dartmouth Yacht Club

Copy to:



Paul Morgan
HRM Planning

Good evening. My name is Bonita Matthews and I am a resident of the HRM, and I would like to address three issues.

1. Page 11(a) I would like to see it read that... it is RECOMMENDED no part of any residential building may be located... within 300 ft. of the Windmill Rd right of way... I think you have to take into consideration... that they may have plans of beautifying the area on the waterfront side... with walkways, landscaping etc...and will need to make the most of the developing space in front.

2. Page 11 ©. I don't understand... with the re-zoning, developers have been given access to build on the waterfront... why their plans would be restricted to 6 storeys... which would not be developing the property to its fullest potential...I feel that it would be more beneficial to have a 12 story height restriction in place... for all of the proposed structures... This would certainly maximize the potential of using the waterfront property.

3. Page 12(i) subject to criteria policy IP-5. I feel these buildings should be made high density instead of medium density...I feel it would be more beneficial for the developers...and for HRM in the long run..not to settle for less...when you have a greater opportunity to accomodate more people...and for them to enjoy the waterfront...from a luxury building.

I would like to ask you to delete the para. regarding the IP5 guidelines & replace it with high density

7:00
Farrell Hall
276 Windmill Road, Dartmouth.

Rezoning the Area of Shannon Park

- A. We are asking that the future zoning of Shannon Park be made a commercial or business district.
- B. We have started this NPO for the sole purpose of Building an 300,000+ gallon Aquarium on the site formally known as Shannon Park.
- C. There are several reasons why the location of the aquarium would be ideal these reasons are as follows:

II. Reasoning for Shannon park as the ideal site for a large commercial aquarium..

- A. Space and location are vital , Lot# _____ is the most ideal location for a facility the size of the projected one. It has an area large enough to support parking and the facility, as well as it is close to water's edge which was an issue in earlier studies for an aquarium in HRM.
- B. We believe having an aquarium on this site would benefit the work that Dalhousie University and BIO are doing in the areas of research.
- C. This would also open up Halifax as a leading member in Aquatics ; as well as advancements in Marine care and the quality of marine life off our shores..

There is no facility of the size that we are proposing else where in Atlantic Canada. That could cater to the variety of issues that would be representing.

III Environmental issues

- A. being as self sufficient as possible making our facility a model to use as many natural resources as possible , from solar panels on the outside as a décor façade to seaweed tanks to help with filtration from Harbour water ,to thermal heating,
- B. We would like to exhibit endangered species of fish, plant and aquatic mammals that are indigenous to our shores for purpose of displaying and educating. Having environmental issues solved in the building design also puts us in a leading position environmentally throughout the country plus allowing for other faculties to take similar initiatives.
- C. also electing to replenish species population back in to a stable environment. Oceans

Conclusion: In all a facility of the size and calibre on which we are proposing we are hoping to bring Halifax a facility that will enhance this cities diversity and what it stands for.. A place of interest , one where you can visit and see advancements that we are making in marine life and showing the compassion and sacredness we have for our land and animals, environmentally.. Spiritually by acknowledging that the animals and plants in our oceans are in direr need of assistance. Lets be the kind of place that is known for maintaining is beauty in all forms of life..

From: Old Port Pub
To: <morganp@halifax.ca>
Date: 13/01/2009 3:10:57 pm
Subject: Wright's Cove Secondary Planning Strategy

Mr Morgan,

RE: Project 01031 Wright's Cove Secondary Planning Strategy Policy WC-4 (b)

As co-owner of Old Port Pub & Grill, 900 Windmill Road, I represent our company's position, being that we DO NOT support Policy WC-4 (b) which limits building height to 12 stories. As a small business owner in the Burnside Industrial Park, we fully support the residential development project, as it would only serve to benefit our business and that of surrounding areas.

Sheri Milheron
Co-owner
Old Port Pub & Grill

KASSNER GOODSPEED
ARCHITECTS LTD

12 January 2009

Mr Paul Morgan, Planner
Halifax Regional Municipality
40 Alderney Drive
Dartmouth, NS

Re: Wright's Cove Secondary Planning Strategy - Case 01031

Paul;

I have taken an opportunity to review the proposed Wright's Cove Plan in some detail. I would like to register our support for the strategy.

Included in the plan area are several sites that we have had occasion to study in-depth over the course of our practice. We have an appreciation for the geography and place of the area. In this regard, we applaud this move toward a mixed-use strategy, allowing people to live, work and shop in closer proximity and enabling a more sustainable approach to living.

The Basin shoreline in Wright's Cove has superb exposure, with harbour views to the south and west and sheltering hills to the east and north. The shallow waters, not suitable for industrial use, have great potential for commercial and recreational water access. There is sufficient setback from the Windmill Road commercial corridor for a new neighbourhood to develop along the basin shoreline.

Successful mixed-use areas require careful and well considered design. This area could develop quickly with complicated and unsettled adjacencies. In this case, we support the development agreement process as the proper forum for approvals.

From a detail perspective, we have concerns that the imposition of a specific height limit will generate an array of buildings of identical height along the shoreline. The area deserves better. We think the plan should specifically encourage variations in building form and height, especially along the shore line. The Harbour Isle project is a good example of a coordinated set of building forms, clearly derived from their site and offering great visual interest inside an average height under 12 stories.

Yours truly

Dan Goodspeed FRAIC
0863 -HRM Wrights Cove Plan

Suite 200-5663 Cornwallis Street, Halifax, NS, B3K 1B6, Tel: (902) 422-1557 Fax: (902) 422-8685 Email: kgarch@kgarch.ns.ca

Richard M Kassner MRAIC MNSAA MAAPEI MAANB,
Daniel B Goodspeed FRAIC MNSAA MAAPEI MAANB.



January 13, 2009

BY FAX

Paul Dunphy
Director of Community Development
HALIFAX REGIONAL MUNICIPALITY
PO Box 1749
Halifax, NS B3J 3A5

Fax No. (902) 490-4208

RE: **Project 01031
Wright's Cove Secondary Planning Strategy**

Dear Mr. Dunphy,

Speaking for Seamasters Services Limited and C & T Investments Limited, the business and land owner located at 647 Windmill Road, I will make the following comments with regard to the proposed amendments to the Dartmouth Municipal Planning Strategy and Land Use By-Law.

Security concerns of the landowner should supersede public desire for an accessible waterfront trail when considering existing and future land uses within the Harbour-Related Commercial Residential zone. A waterfront trail could be impractical and/or could negatively impact upon the operation of a commercial or industrial enterprise. In such cases, no allowance for a trail should be given.

A 12-storey building limit could present significant challenges to larger scale, worthwhile building projects within the Harbour-Related Commercial Residential zone. One such project being proposed by Harbour Isle Halifax Incorporated encompasses a number of buildings, one of which I understand to be 16 floors in height. This is an exciting project, one that could bring considerable wealth and esthetic value to the area. In this case, I can assure you that we have no problem with their proposal to build in excess of 12 storeys.

Aside from these exceptions, the amendments adequately balance competing land interests within the area.

Yours Truly,

Chris Mills
VP- Operations

Cc Paul Morgan, HRM Planning

HEAD OFFICE AND PLANT: P.O. BOX 411, 647 WINDMILL ROAD, DARTMOUTH, NS B2Y 3Y5 PHONE: (902) 468-2029 FAX: (902) 468-5143

BRANCH LOCATION: P.O. BOX 2474, 901 ASHBURN ROAD, SAINT JOHN, NB E2L 3V9 PHONE: (506) 633-0070 FAX: (506) 633-0520

From: gloria williams
To: paul morgan <morganp@halifax.ca>
Date: 06/02/2009 4:00:48 am
Subject: Harbour East Community Council - Wright's Cove Secondary Planning Strategy.

Dear Mr. Morgan,
I was present at the Public meeting at Farrell Hall on Wednesday, February 4, 2009.

Due to the many number of comments being voiced, and shortage of time, there were several important issues that I feel should have been addressed. These issues should be given due consideration in your deliberations on the subject at hand, the future use for high rise apartments next to the yacht club.

A local resident was very vocal in her efforts to urge council not to permit a 12 story Luxury Apartment which apparently is directly across from her property. She cited the following Traffic, spoilage of shoreline, looming building, and the list went on. Lets consider the following rather ludicrous statements:

TRAFFIC: She advocates a 12 story building up the street from her location, yet adamantly frowns on one across the street?? -

SPOILAGE OF SHORELINE: A beautifully constructed boardwalk which would clean up the shoreline would hardly be detrimental but would beautify an otherwise sad looking shape of the current shoreline.

LOOMING BUILDING: Across the street hardly gives any weight to that statement.

Some of the more important issues that were passed over I think should be strongly considered:

ECONOMIC WELL BEING During a time when the recession has cost hundreds and hundreds of jobs, the planned 12 story buildings would create thousands of jobs in the construction field, carpentars, plumbers, electricians, painters, gyprock layers, grounds people, movers, and the list goes on. for those who have been forced to draw UIC, thereby saving the "twin cities" money which could be allocated to other areas. The folks who will live in these 12, 14, 16 story luxury dwellings will bring new money into the area. Burnside Industrial Park has hundreds of goods and services available for public consumption. They (the newcomers) will help bring in new businesses into the high density area.

DARTMOUTH'S APPEARANCE - Raising the Bar: Nova Scotia and in particular Halifax-Dartmouth has been playing catch-up with other Canadian cities for years, in wages, construction, highways, rent, gas, food, etc etc, isn't it time we caught up with the rest of Canada and start to loosen the belt a little bit and stop nit-picking? Better still it's time for Dartmouth to get dressed up and put on a new face. It's time for Dartmouth to keep up with her "sister" city Halifax and groom some of the areas that greet the many thousands of visitors who come here each year, the many hundreds of country dwellers who want to move closer to the cities. It's time to "Raise the Bar" and let the land developers do their job.

DENSITY - The IP-5 should not even be considered. Regardless of height it restricts no more than 60 units per 1.5 acres. That's 60 families when it could offer 120 families a chance to live by the waterfront and enjoy country living in an urban setting. The valuable land would certainly not be utilized to its full potential.

While I can appreciate any homeowner wanting to keep huge amounts of land between them and other dwellings, for private reasons and to keep a sense of serenity about them, this should not bias the council in their deliberations on the future development and economy of Dartmouth. Because she feels due to the length of time she has lived there that she has the right to dictate who and what should be placed on vacant land, I cannot help but wonder what her explanation

would be on "Live and Let Live" This is a free country ...isn't it? If I own a piece of land, I should be able to put on it what I choose, as long as it does not insult or take away the beauty of the existing land. I cannot see how a 12 story Luxury apartment building would do anything but attract upscale dwellers and beautify an otherwise un-sightly shoreline.

I appreciate your taking the time to read my email. And I do hope to be one of those lucky "dwellers" in one of the 12 story luxury apartments. I have family in Dartmouth, and my husband and I are seniors looking to sell our home in Lr. Sackville, and move closer to hospitals and amenities.

Sincerely,

Gloria M. Williams
26 Gordon Court
Lr. Sackville, B4E 1W6

From: "Judy LeCain"
To: <morganp@halifax.ca>
Date: 06/02/2009 9:00 59 am
Subject: HARBOUR EAST DEVELOPEMENT -WRIGHT'S COVER-SECONDARY PLANNING

I definitely support this project and it has been well overdue. Other developments on the waterfront are pleasing to the eye now as opposed to what was there before new projects escalated. It's time that Dartmouth had these developments like the Harbour East Development and people from this city are able to enjoy the harbour views from their apartments. This is a high scale development and is what this waterfront needs. I am in full support of this development!!

jslecaain@hotmail.com

Bedford, Nova Scotia B4A 3T6

From: "Charmaine Perry"
To: <morganp@halifax.ca>
Date: 06/02/2009 10:30 05 am
Subject: Wright Cove Planning

I attended the meeting this past week and after listening to the pros/cons for the building of a luxury apartment on the Dartmouth Waterfront by Mr. Gary Hill I want to say that I agree totally with a high density, 12 story building. I've lived in Dartmouth most of my adult life and I have to say that the type of apartments available in Dartmouth leave a lot to be desired. If someone wants to move into a better luxury apartment they have to move to Halifax. I've lived in some of the apartment buildings available in Dartmouth and I would never, never, live in one again. They're old, need a lot of repair, and some are nothing more than slums (Pinecrest Drive for instance).

If someone speaks of going to the waterfront, no one ever thinks of Dartmouth. Our waterfront is filled with train tracks, industry, smoke stacks and some pretty unappealing looking buildings, the only beautiful part is by the ferry terminal and Shore Road. Unfortunately Dartmouth waterfront leaves a lot to be desired, it isn't very pretty. To put in a beautiful, 12 story luxury building with pathways would not only be a wonderful addition to our city but would give an opportunity to citizens of the HRM to enjoy the trails. Something like this would be a great attraction to baby boomers like myself, not wanting the responsibility of owning a home or condo anymore, but to have the opportunity of staying in Dartmouth in a beautiful building with a beautiful view.

I can't understand the holdup of such a wonderful project. The older lady who lives in the area of the proposed development was extremely rude and very vocal but never once said why she opposed it only that she did oppose it. We were there to voice our opinion however, she went way beyond and became insulting and should have been stopped.

Why should only a few have the opportunity of having a beautiful, waterfront view, this city belongs to all of us and not just that one family who lives in the area.

Dartmouth seems to be exceptionally slow with development and that I don't understand this at all. Bring our city back to life, onward and upward!

We want development and beautiful, luxury apartments by the waterfront.

From: "Joanna Henderson"
To: <morganp@halifax.ca>
Date: 06/02/2009 12:20:06 pm
Subject: Harbour East Development - Wrights Cove - Secondary Planning

I have been following the Wright's Cove Development project and would like to say I support a high density, no height restriction project

I feel it would be of benefit to the community that all can enjoy the waterfront and it would make sense to make the project high-rise so that everyone can enjoy the wonderful view.

Thanks

Joanna Henderson

Joanna Henderson
Client Service Agent
Veterans Affairs Canada

From: kautilya gandhi
To: Paul Morgan <morganp@halifax.ca>
Date: 06/02/2009 6:26:18 pm
Subject: Wright's cove

Hi Paul,

Following comments to the policy amendment.

- 1) High Density development should be allowed in the area
- 2) 12 storey development should be allowed in the area without any restriction to adjacent/abutting single family home
- 3) Wording should be changed to say "recommended" 300 feet setback from Windmill road for residential development.

Regards,
K.J. Gandhi
719 Windmill Road
721 Windmill Road
9 Basinview Dr.
15 Basinview Dr.
22 Basinview Dr.
email: kj@legacybuilder.ca

Twice the fun—Share photos while you chat with Windows Live Messenger.
<http://www.microsoft.com/windows/windowslive/messenger.aspx>

From: "Dusan Soudek" <dsoudek@ckns.ca>
To: "Paul Morgan" <morganp@halifax.ca>
Date: 08/02/2009 11:44:34 am
Subject: Comments on draft Wrights Cove Secondary Planning Strategy

To Whom It May Concern:

I have read the above document and attended the public information meeting held on February 4, 2009, with respect to the draft Wrights Cove Secondary Planning Strategy document. I would like to make the following comments:

1. Bills Island. The document completely fails to mention this small island, the smallest one of the three Wrights Cove islands. It is a tree-less gravel bar, notable for the fact that in late spring and in early summer it hosts a breeding colony of Common Terns, a seabird species of concern. The Canadian Wildlife Service monitors the colony on an irregular basis. We recommend that this small island be designated as Open Space.

2. Width of Riparian Buffers. The above document calls for a twenty foot riparian buffer along the margin of the saltmarsh near the head of the cove, the "connecting stream," the shoreline of Sheppards Island, and possibly elsewhere in the area. Doesn't the Regional Planning Strategy mandate a ten metre buffer? If so, why the reduction in width? Such a narrow strip of trees is extremely vulnerable to windthrow, and is most unlikely to survive the first windstorm.

3. I fully support the concept of and look forward to the completion of the proposed Harbourfront Trail in the Wrights Cove area.

Yours sincerely,

Dusan Soudek
Chair, Environment Committee
Canoe Kayak Nova Scotia
www.ckns.ca

home:
2358 Clifton St
Halifax, N.S.
B3K 4V1

From: Ann Purcell
To: <morganp@halifax.ca>
Date: 08/02/2009 3:05:11 pm
Subject: Harbour East Development - Wright's Copve - Secondary Planning.

I support this project which will allow people to live by the waterfront and also this project will provide constructions jobs.

Twice the fun—Share photos while you chat with Windows Live Messenger.
<http://www.microsoft.com/windows/windowslive/messenger.aspx>

From: EA Singer
To: <morganp@halifax.ca>
Date: 09/02/2009 9:19:49 am
Subject: Harbour East Development - Wright's Cove - Secondary Planning

Hi Paul

I wish to show my support for the projected development of Wright's Cove. These developers have shown a great deal of patience in waiting for approval of this project. I believe that there should be no height restriction on this development and that approval should be expedited. The economy is on a downturn and here we have a group that wants to take us into the future and aid Halifax by doing so.

Sincerely
Elizabeth Singer

February 6, 2009

HRM Planning
Halifax, NS

To Whom It May Concern:

I'm writing this letter in support of Mr. Gary Hill who is in the process of seeking HRM approval for a residential development at Wright's Cove, off Windmill Road in the Burnside Industrial Park.

I am a homeowner in District 9 and I welcome a new development that will not only add to the tax base of this community, but will also beautify an area that, at the moment, could use a facelift. Burnside is an industrial wasteland and any attempt to make it attractive and welcoming to HRM's citizens is a positive development.

I do not feel there should be a height restriction to the proposed development. If the proposal pays attention to aesthetics, environmental concerns and traffic issues, it will add legitimacy to the fact that Dartmouth is a wonderful place to call "home." The fact that the intended units will cater to middle- to high-income families means that this district will benefit from the intellect and talents of the new residents who move here. Boardwalks at the development will mean that all residents in the area may enjoy the vistas that a water view can provide.

It would be wonderful if the new residents of the proposed development would contribute to the community, get involved in our programs, and make a positive impact in the community at large. I applaud Mr. Hill's vision and support the concept wholeheartedly.

Best regards,

Pam Lutz
District 9

From: "Maurice Muise"
To: <morganp@halifax.ca>
Date: 10/02/2009 5:57:13 pm
Subject: RE: HARBOUR ISLE DEVELOPMENT

Hi Paul:

Thanks for your input on the Harbour Isle Project at the Public Hearing. As you can tell from my address below, I am a Dartmouth resident. I firmly believe that we must grow through development and development that is of a world class nature. The Harbour Isle project certainly meets that criterion. That development will surely bring other exciting opportunities and people to this Region - something that has been long overdue.

Let's get this project going with "NO HEIGHT RESTRICTIONS".

Sincerely,

MAURICE J. MUISE, CBI

72 Shore Road

Dartmouth, Nova Scotia B3A 1A3

From: Kevin Chisholm
To: <morganp@halifax.ca>
Date: 10/02/2009 9:34:17 pm
Subject: Wrights cove area

Hi,

My name is Lynn I'm a resident of Halifax.

I have the following comments to the suggested amendments to the Wright's Cove Area:

- 1) They should have a high density development
- 2) Restriction of 6 storey construction should be eliminated.
- 3) Word "recommended" should be used for the setback of 300 feet from Windmill Road.

Regards,

Lynn Young Chisholm

From: <kevin.chisholm@halifax.ca>
To: <morganp@halifax.ca>
Date: 10/02/2009 9:35:47 pm
Subject: Wrights cove area

Hello,
My name is Kevin Chisholm, I am a resident of Halifax.
I have following comments to the suggested amendments to the Wright's Cove Area:

- 1) They should have a high density development
- 2) Restriction of 6 storey construction should be eliminated.
- 3) Word "recommended " should be used for the setback of 300 feet from Windmill Road.

Regards,
Kevin Chisholm

Kevin Chisholm

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From: felix perry
To: <morganp@halifax.ca>
Date: 10/02/2009 11:48:55 pm
Subject: Zoning Submission

Felix L. Perry
20 Bradorian Drive
Dartmouth, NS

To City Planners and Council of HRM

In the matter of zoning bylaws and development of the waterfront properties in the North End of Dartmouth.

I strongly recommend that any new waterfront developments be expedited quickly and efficiently once the viability and environmental impact studies are conclude. Also I suggest strongly that the following three points be considered...

All harbour front and basin front properties should in future be developed as high density residential. No height restrictions or at least if heights are going to be enforced then it should be equal for all construction and be taken by the highest residential construction already existing
I was born and grew up in Tufts Cove at the heart of Dartmouth's North end. I watched it turn from a lovely residential area into what it is today. I saw Nova Scotia power plant take the place of housing to belch black coal smoke over the community, I saw the woods and the lakes where I hunted and fished in as a child turned into a giant landfill site and commercial property that is still expanding today.
I saw Highland Park being put up so shabby and cheap that buildings actually collapsed in the first good windstorm. I saw Windmill road become a hooker's stroll. In other words I watched as the City Planners over the years turned a family community into a major slum.
We have developers who are buying up this property with a view to building quality residential buildings on the waterfront that just may turn not only the North End but all of Dartmouth around and make it the kind of place I want to live in again.

Felix L. Perry

The gift of imagination and the ability to use it without fear is one I will always treasure...

Felix L. Perry

From: Amy Kerr <
To: <morganp@halifax.ca>
Date: 11/02/2009 11:37 am
Subject: Burnside Rezoning for Multi-Unit Residential Developments

Hi Paul,

Here are my thoughts on the issue at hand:

- * Waterfront land is valuable land and should be used to its full potential
- * There should be NO height restriction on developments in that area
- * If HRM insists on a height restriction, it should be minimum of 12 stories for everyone developing
- * High density is a must for waterfront properties!

Thank you for your time,

Amy Kerr

From: bmatthews <
To: <morganp@halifax.ca>
Date: 11/02/2009 12:16 am
Subject: Re: your previous HRM meeting re residential planning on the waterfront

CC: Gary Hill <gary@atlantictalent.ca>

Mr. Morgan: I was in attendance at the meeting last week in Dartmouth regarding the issues of density and height restrictions of the proposed residential buildings on a waterfrontage area that has been neglected far too long. And once again I would like to state that I believe that for developers to develop these proposed properties on the waterfront to their fullest potential, they should not be restricted to a mere six storeys. If zoning for the waterfront area has already been passed, It would be more beneficial for these developers as well as HRM to have at the very least a twelve story restriction for all proposed structures. And these structures with no exception, should absolutely be of high density. This way you are guaranteed to accomodate and please a lot more people with a beautifully landscaped, luxury residence, who can enjoy the amazing view of our waterfront! Don't settle for less, when you have an opportunity to work with people who are going to finally give this area the face-lift it so badly needs. There are many like myself who would be excited to have such a building to enjoy during their retirement years. Don't let us down. Bonita Matthews.

From: Amit Gandhi
To: <morganp@halifax.ca>
Date: 11/02/2009 1:41 pm
Subject: RE: Wright's Cove Amendments

Hi,

My name is Amit Gandhji I am resident of Halifax.
I have following comments to the suggested amendments to the Wright's Cove Area:

- 1) The are should have a high density development
- 2) Restriction of 6 storey constructin should be eliminated.
- 3) Word "recommended " should be used for the setback of 300 feet from Windmill Road.

Regards,

Amit Gandhi

--

Amit Gandhi
Materials Engineering Student
Dalhousie University

From: Trish McEachern
To: <morganp@halifax.ca>
Date: 11/02/2009 2:41 pm
Subject: Zoning by-laws

To The City Planners and HRM Council
c/o Mr. Paul Morgan
HRM Senior Planner

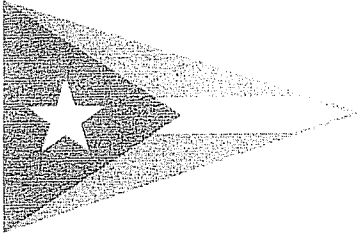
RE: zoning by-laws and development of waterfront properties
on Windmill Road.

Being a resident of Dartmouth for more than 30 years, I'd like to add my opinion to the current debate over harbour and basin front properties, and their restrictions. I feel all multiple unit residential properties should be developed as high density, and without height restrictions

A six story height restriction is certainly too small for the waterfront. If HRM insists on imposing a height restriction, then all properties should be 12 stories. The needs of the community are better served when greater use is made of the available space.

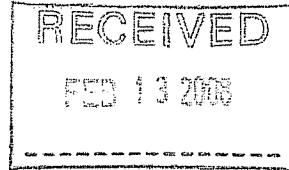
Sincerely,
Trish McEachern

Ask a question on any topic and get answers from real people. Go to Yahoo! Answers and share what you know at <http://ca.answers.yahoo.com>



Dartmouth Yacht Club

697 Windmill Road, Dartmouth, NS B3B 1B7
Telephone: (902) 468-6050 • Fax: (902) 468-0385



Community & Regional Planning
Community Development
P.O. Box 1749 Halifax, N.S.. B3J 3A5
Att: Paul Morgan

Feb. 6, 2009

Dear Mr. Morgan:

We have reviewed the proposed changes to the land use policies and regulations for the Wright's Cove area and our members have the following concerns.

The Navy Island land designation of "Open Space" would restrict the building of any recreational boating facilities on land on Navy Island on which DYC currently holds a 99 year lease signed with the City of Dartmouth on Nov. 30, 1964. DYC has for many years planned to develop this area as an extension to DYC's current facilities. The destruction of our marina system by Hurricane Juan has delayed this project, however our long range planning committee is currently studying the feasibility of constructing various facilities which could include one or more of the following: marina & docking facilities, Junior and/or Adult Sail Training facilities, and picnic and playground area. We strongly feel that the development of the lands of Navy Island should be restricted, but should also allow for the construction of recreational boating facilities.

In addition to the above we do not support industrial development within Wright's Cove or on the west side of Navy Island in the areas currently designated as "HI" (Harbour Industrial). Further Industrial development in these areas we feel would create additional safety hazards for our junior sailors and others who currently use these waters for their training programs. Considering there are no designated recreational boating areas within Halifax Harbour, protecting this area from further industrial development would be an important first step in providing a safe environment for these important recreational activities.

Respectfully,

Nathan Reece
Commodore
Dartmouth Yacht Club

From: "Phil Reid" <morganp@halifax.ca>
To: <morganp@halifax.ca>
Date: 16/02/2009 5:39 pm
Subject: 12 storey Apartment Bldg - Windmill Road - adjacent Basinview Drive

Dear Mr. Morgan:

Thank you for providing me with the information regarding the development of the Wright's Cove Area and filling me in on what has transpired at the recent meetings concerning the proposed 12 storey apartment/condo development by Gary Hill and Legacy Contracting.

As you are aware, I have several concerns about the construction of this building:

- Who would want to live there? There is no infrastructure for the 300 or more occupants that would live here.
- Windmill Road is already very congested and this would add to the HRM's problems in this regard.
- The proposed development plans for the Wright's Cove Area calls for buildings that cannot exceed 6 storeys.
- The builders informed us at one point that this would be a high class building with rents in the \$1,500 range. They have since backed off and I here \$1,000 tp \$1,200. Given the first of my points, who would live here, leads me to believe that they would be lucky to get \$600-\$800 for this area if not lower.
- There are no green spaces for the occupants with the exception of the properties of the area's home and business owners.
- Our property borders on the DND Munitions Property. In the past, they have detonated several shells that have washed up on shore. In one instance, they rattled this building to such a degree that prompted me to call DND to tell them where we are located and that it scarred the hell out of some of our staff. They closed the Magazine Hill while they did this but did not inform us or any of the residents. I guarantee you that some of the residents (kids) will find their way to the shore and they will walk it as I have seen others do in the past (neighbor's kids).
- The Developers/Mr. Hill has been upsetting the residents of Basinview .one in particular. They have put survey stakes in his lawn, property he thought he owned for years since the last survey. May I request that the HRM undertake their own survey, if indeed the green light is given, in order to confirm the Developer's survey.
- This building, if approved, should have the appropriate setback from the property line. They plan on putting this building as close as possible to Mr. Hines' property in order to take advantage of as much water front as possible.

The bottom line here is money. The Developers or their supporters have no concern for the residents, businesses or traffic congestion in this area. If you allow them to build here, they will fill the building and sell it to the highest bidder and be done with it. They will attempt to fill it with anyone willing to pay their price and when they find out they can't get their price, the rents will drop in order to support the venture. We will be left to deal with the fallout. I have already mentioned a 6' chain-link fence to protect our property here. That will not be cheap. If this project is approved, I have no doubt our Company will have to do this to protect our interests.

Thank you for your time and the opportunity to address this issue.

Phil Reid

Philip Reid

Vice President, Administration

Newfoundland Capital Corporation

Direct Line: (902) 481-5220

From: Michelle Squire
To: <morganp@halifax.ca>
Date: 20/02/2009 11:38 am
Subject: Wrights Cove Developments

Paul Morgan,

Though I missed the meeting a few weeks ago since I was out of the country, I would still like to present my feelings regarding the Wrights Cove Developments.

I am for development of buildings that are 12 stories and against a limit of 6 stories. I am also for high density for water front properties.

Thank you for your time.

Michelle Squire

How fun is this? IMing with Windows Live Messenger just got better.
<http://www.microsoft.com/windows/windowslive/products/messenger.aspx>

Feb.21, 2009.

Dear Paul,

My husband and I were very excited about the proposed development of Wright's Cove. The residential section is very valuable and should be developed to its full potential.

The condominiums proposed by the Harbour Isle and Gary Hill groups would be an attractive living area beside the Dartmouth Yacht Club.

This area is not large and high density is required to maximize its potential. There is no need for height restrictions in this area since it borders an industrial park (unlike downtown Halifax, for example, with its view-plane restrictions).

In these dire economic times, it is fortunate that there are people ready to invest in such a large-scale development plus there are others who are just watching and waiting ready to choose this as their convenient place to live.

Dartmouth (and all of HRM) would benefit from the taxes these developments would generate. It makes so much sense to move forward with these exciting proposals remembering that opportunity knocks but once!

Sincerely,
Marie D. Kerr

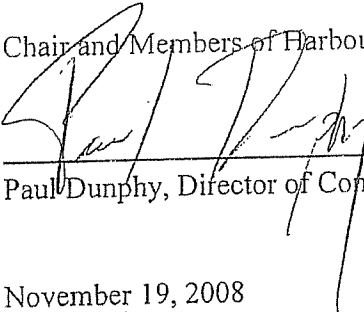


PO Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Attachment D

Harbour East Community Council
December 4, 2008

TO: Chair and Members of Harbour East Community Council

SUBMITTED BY: 
Paul Dunphy, Director of Community Development

DATE: November 19, 2008

SUBJECT: Project 01031 - Wright's Cove Secondary Planning Strategy

ORIGIN

- motion approved at the April 18, 2006 meeting of Regional Council
- motion approved at the February 14, 2007 meeting of Harbour East Community Council

RECOMMENDATIONS

It is recommended that Harbour East Community Council schedule a public meeting to present the draft Wright's Cove Secondary Planning Strategy and amendments to the Dartmouth Land Use By-law presented in Attachment A.

EXECUTIVE SUMMARY:

The *Wright's Cove Land Use Plan and Transportation Study* (Cantwell & Associates, January 2006) was prepared as an initiative in support of policy provision made for the Halifax Harbour Designation of the Regional Planning Strategy. Council has approved the study recommendations in principle and directed staff to prepare amendments to municipal policies and regulations to implement the study recommendations.

The amendments, presented in Attachment A to this report, introduce a secondary planning strategy for the Wright's Cove study area under the Dartmouth Municipal Planning Strategy which would replace all current policies. Certain lands would also be rezoned under the Land Use By-law. Amendments to the Regional Planning Strategy would be introduced at a later date in conjunction with a more comprehensive for the Halifax Harbour designation.

Staff are proposing that the amendments be presented at a public meeting to allow for feedback. Based on this input revisions may be incorporated into a final package for review by the Community Council followed by a public hearing at Regional Council.

BACKGROUND

Wright's Cove Land Use and Transportation Study:

The Wright's Cove study was initiated under the Regional Planning Strategy. Its objectives were:

- to assess the marine industrial potential of Wright's Cove;
- assess the build out potential for the area in consultation with area stakeholders;
- determine infrastructure upgrading needs and associated costs; and
- make recommendations for adoption under municipal planning documents.

Upon completion, the study was presented at a public meeting held on December 7, 2005. Minutes of the meeting are presented as Attachment B.

The study was then presented at the April 18, 2006 meeting of Committee of the Whole. An executive summary of the main findings and recommendations was presented. A copy of the PowerPoint presentation is provided in Attachment C. That evening, Regional Council approved a motion to:

- Approve-in-principle the findings and recommendations of the "Wrights Cove Land Use and Transportation Plan" dated January 2006, and request staff to commence the process to incorporate the land use provisions of the report recommendations into the draft Halifax Harbour Plan, MPS Policy and Land Use By-Law regulations.

- Request that staff consider providing residential zoning to existing homes on Cove Lane, Greenbank Crescent and Basinview Drive.
- Request HRM Transportation and Public Works staff to conduct further analysis and property owner consultation regarding recommended traffic improvement measures along the Windmill Road Corridor.

At the February 7, 2008 meeting of Harbour East Community Council, a motion was passed requesting a staff report on initiating the process to amend the MPS to provide height restrictions in the Wright's Cove planning area. In an information report, presented at the May 1, 2008 meeting, the Community Council was advised that proposed building heights would be included in the package of amendments for the Wright's Cove area and that public consultations would be held before proceeding to Regional Council for consideration of approval.

The Regional Planning Strategy

The Wright's Cove study area is within the Halifax Harbour designation under the Regional Planning Strategy. It supports completion of the comprehensive planning exercise for this area under the direction of the steering committee for consideration of adoption under the Regional Plan. Guidelines for preparing detailed policies are articulated under policy EC-8. Those relevant to the study area are summarized as follows:

- reserve sufficient harbour frontage and harbourfront lands for marine-dependent industrial/commercial development, for the Port of Halifax to remain a globally competitive seaport
- develop regulations that mitigate potential negative impacts of existing and potential marine-dependent industrial/commercial areas on adjacent uses, while maintaining the economic viability of marine-dependent uses
- discourage new residential development from locating in areas that abut sites designated for intensive marine industrial/marine commercial uses
- facilitate, support, plan and develop new parks and trail systems in appropriate locations within the Halifax Harbour Designation including linkages to inland park/trail systems and seek to secure or acquire appropriate waterfront sites for parkland and trail development
- identify appropriate locations within the Halifax Harbour Designation that are suitable for multi-unit or mixed use residential development
- establish appropriate regulations for site and building development and appropriate planning approval processes for residential development

- ensure that any residential development proposals abutting Halifax Harbour include provision for public access to the Harbour and trail/boardwalk development
- discourage new residential development from locating in areas that abut existing and proposed marine industrial uses. Where residential development is proposed to locate in proximity to existing or proposed marine industrial uses, develop appropriate mitigation measures.

The Regional Plan supports completion of the Halifax Harbour Functional Plan and directs that this plan consider the Wright's Cove Land Use and Transportation Plan. Upon completion of the functional plan, it is anticipated that a comprehensive policy set of amendments for the Halifax Harbour designation will be brought forward for approval. Until such time, the Regional Plan allows for amendments to community planning documents which would address the guidance adopted.

Shannon Park has been designated as an Urban Local Centre in support of a mixed use development with medium to high residential housing, commercial, institutional and recreational uses.

HRM Business Parks Functional Plan: Part 1 (Colliers International Atlantic Realty Advisors & Associates, July 2008):

This plan, prepared in fulfilment of a regional plan policy, reviewed the development provisions of Burnside Business Park, including the Wright's Cove study area. It recommended a new land use allocation which corresponded with the Wright's Cove study recommendations with one minor difference. The Wright's Cove study recommended that both hotels and residential development be permitted around the inner cove with residential development requiring approval of a development agreement and hotels permitted under the zoning provisions. This study recommended that both residential developments and hotels require development agreement approval.

This plan also recommended that the Municipality investigate the feasibility of replacing development standards, adopted under the Dartmouth Land Use By-law, with a site plan review process for the Burnside lands. This matter was not addressed in the Wright's Cove study.

DISCUSSION

Current Municipal Policies and Regulations:

The Wright's Cove study area encompasses "Industrial" and "Harbour Oriented Industrial" designations under the Dartmouth Municipal Planning Strategy (see Map 1). The industrial designation has been applied to both developed and undeveloped lands within Burnside Industrial Park, as well as adjacent lands, in support of continued general industrial and commercial development. Lands within this designation are zoned I-2 (General Industrial) under the Dartmouth Land Use By-law (Map 2).

Sheppard's Island and some adjacent waterfront lands have been designated "Harbour Oriented Industrial" by the Planning Strategy and zoned I-3 (Harbour-Oriented Industrial) Zone by the Land Use By-law. The Harbour Oriented Industrial designation has been applied to support uses which require or benefit from direct access to the harbour, such as construction, maintenance and repair of marine vessels and facilities for the storage and handling of bulk containers and cargo. A majority of the lands within this designation have been zoned I-3 (Harbour-Oriented Industrial) under the Land Use By-law. The H (Holding) Zone has been applied to existing residences to permit additions or replacement but the zone does not allow for new dwelling units.

Since the original adoption in 1972, several amendments have been introduced to the Dartmouth Planning Strategy and Land Use By-law which have placed less emphasis on harbour-related industrial uses in certain parts of Wright's Cove. These are summarized as follows:

- 2001: The designation and zoning of lands between Windmill Rd. and Wright's Cove were changed from Harbour Related Industrial to General Industrial. The amendments had been recommended by staff to allow for a commercial development on the south side of Windmill Road, across from Akerley Blvd. The General Industrial Zone allows for a wide range of commercial uses not permitted by the I-3 zone.
- 2004: Provisions were introduced to rezone existing residences on Greenbank Court, Cove Lane and Basinview Drive from I-3 zone to H (Holding) Zone. The new zone allows for replacement, repair and expansion of existing homes which was not permitted under the I-3 zone.
- 2007: A site specific policy was introduced to allow for a residential development at 675 Windmill Road, commonly known as Sheppard's Island. The Community Council approved a development agreement later that year and recently approved an amendment to the agreement.

The Proposed Amendments:

The amendments presented in Attachment A would introduce a secondary planning strategy in the Dartmouth Planning Strategy which would replace all previous policies pertaining to Wright's Cove. The secondary plan is based on a land use allocation plan for the Cove which was recommended by the Cantwell study. The plan is illustrated on Schedule WR-1 of Attachment A.

The land use designations and associated policy and regulatory amendments are summarized as follows:

- The Shannon Park and Ocean Breeze Estate lands are designated as district centres to allow for development of a mix of medium and high density residential housing, commercial, institutional and recreation uses. To support comprehensive planning of these lands, the CDD (Comprehensive Development District) Zone is applied under the Land Use By-law which will

require community consultations and development agreement approval by the Community Council for any development or redevelopment to proceed.

- Lands bordering Windmill Road are designated Highway Commercial to allow for businesses that can benefit from visibility to passing traffic such as retail and wholesale businesses, and restaurants, as well developments that can benefit from good access such as office and institutional uses. New heavy industrial uses, such as metal fabrication and manufacturing, which can be incompatible with highway commercial uses, will no longer be permitted but will be supported in other areas of Burnside.
- Lands between the inner cove and the Highway Commercial designation have been designated Harbour-Related Commercial/Residential. Uses which can utilize the shallow waters of the cove, such as marinas, boat sale and maintenance operations, recreation uses or uses which can take advantage of the harbour views, such as offices, hotels, restaurants and residential uses may be considered through approval of a development agreement provided that the Community Council is satisfied that the matters identified in policy WC-5 (Attachment A) are satisfactorily addressed. Existing businesses will be permitted to expand under the current I-2 (General Industrial) Zone provisions applied to these lands.
- Policy WC-5 specifically limits any building to a maximum of 12 stories in height or 6 stories if the building is to be located on a property abutting or adjacent to a property containing a single unit dwelling at the time the application is made.
- A Harbour Industrial designation has been established over waterfront lands at both ends of Wright's Cove where there is sufficient depth for larger ships. The designation supports retention of these lands for harbour dependent industrial uses. The I-3 (Harbour - Oriented Industrial) Zone has been applied to these lands under the Land Use By-law.
- Policy provision has been made for the Community Council to consider amendments to development standards or approval requirements for commercial and industrial uses under the Dartmouth Land Use By-law. These provisions may be particularly useful in the event that a decision is made to change the approach to development approvals, as recommended by the Business Park Functional Plan.
- An open space designation has been applied to a saltwater marsh and connecting stream, wetlands and a twenty foot riparian buffer from these watercourses. The designation has also been applied to Navy Islands and Sheppard's Island to support preservation of the tree cover for a visual buffer between developments in the inner cove and existing or future harbour related industrial uses. Except to allow for access to harbour industrial uses or to allow for limited development of Sheppard's Island (25% of the area), these lands are to be preserved with limited use for trails or similar passive uses.

- Existing residential lots on Green Bank Court, Cove Lane and Basinview Drive have been rezoned from H (Holding) to R-1 (Single Family Residential) Zone under the Dartmouth Land Use By-law. Special provisions are introduced under the R-1 Zone which permit the replacement of or additions to existing single unit dwellings on existing lots, provided that on-site sewage treatment and water service can be provided, but no new housing units on vacant lots are permitted. No additional lands may be rezoned to R-1 but further development of townhouse and apartment buildings may be considered on R-1 zoned lots along Basinview Drive in accordance with the development agreement provisions of the Harbour Related Commercial/ Residential Designation.

BUDGET IMPLICATIONS

The HRM costs to process this project can be accommodated within the approved operating budget for C320.

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

The Community Council could:

- accept the staff recommendation to hold a public meeting to receive feedback to the proposed Wright's Cove Secondary Planning Strategy and amendments to the Dartmouth Land Use By-law, presented in Attachment A. This is the staff recommendation.
- instruct staff to make further amendments to the proposed Secondary Planning Strategy and amendments Land Use By-law amendments before scheduling a public meeting.

ATTACHMENTS

Map 1: Current Generalized Land Use Designations under the Dartmouth Municipal Planning Strategy for the Wright's Cove area

Map 2: Current Zoning for the Wright's Cove Area under the Dartmouth Land Use By-law

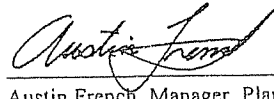
- Proposed Amendments to the Dartmouth Municipal Planning Strategy and Land Use By-law.
- Minutes of December 7, 2005 Public Information Meeting.

C. Executive Summary of Wright's Cove Land Use and Transportation Study.

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: Paul Morgan, Planner, 490-4482

Report Approved by:



Austin French, Manager, Planning Services, 490-6717

Attachment 2

From: Julia Horncastle
To: Paul Morgan
Date: 4/1/2009 1:46 pm
Subject: Fwd: Re: Re Zoning for Multiple Unit Residential Windmill Rd, Dartmouth

CC: Chris Newson
Chris

Can you please circulate this correspondence to HECC tomorrow night.

thanks
Julia

>>> Paul Morgan 01/04/2009 1:42 pm >>>

Hi Julia: Could you have a copy of this correspondence circulated to members of HECC at the April 2nd meeting in association with added item project 01031 - Wright's Cove Secondary Planning Strategy. Thanks.

Community & Regional Planning
tel: 490-4482

>>> Paul Morgan 31/03/2009 4:18 pm >>>

Gary: I checked the records and can't find this correspondence. I will circulate it with the councillors on Thursday evening.

>>> Gary <gary@atlantictalent.ca> 31/03/2009 3:29 pm >>>
Paul

I didn't receive an acknowledgement of receipt of my previous submission so
I am resending the following:

RE Zoning for Multiple Unit Residential for Windmill Rd., Dartmouth, NS

See: page 11 Policy WC-4

1: Page 11 (a)

SETBACK: - Add word "RECOMMENDED" to Page11(a)

Add the word "RECOMMENDED" to Page 11 (a)

We would like it to read that it is RECOMMENDED that no part of any residential building may be located within 300 feet of the Windmill Rd, right-of-way.

2: Page 11 (c)

HEIGHT: - Delete page 11(c)

I am strongly against a 6-story height restriction for any property.

I am would like a 12-story height restriction on all the lands on the Windmill Road area.

3: Page 12 (i) subject to criteria policy IP-5 etc.

DENSITY: - Should read high density

Regards

Gary Hill

371 Shore Drive.,

Bedford, NS B4A 2C7