HALIFAX
REGIONAL MUNICIPALITY

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Halifax, Nova Scotia
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Item No. 9.1 (iii)

Heritage Advisory Committee - August 25, 2010
Harbour East Community Council - September 16, 2010
Halifax Regional Council
November 16, 2010
December 7, 2010

TO: Chair and Members of Heritage Advisory Committee
Chair and ~~Members~~ of Harbour ~~East Community~~ Council

Original signed

SUBMITTED BY: Paul Dunphy, Director of Community Development

DATE: August 6, 2010

SUBJECT: **Case 15781 - Irishtown Road MPS Amendment Request, Downtown Dartmouth**

ORIGIN

This originates from a request by Darrell Dixon of 3200892 Nova Scotia Limited to amend the Municipal Planning Strategy for Downtown Dartmouth to add an additional opportunity site on Irishtown Road/Ochterloney Street within the Downtown Business Designation.

RECOMMENDATION

It is recommended that Harbour East Community Council and Heritage Advisory Committee recommend that Regional Council:

1. Give First Reading to the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Downtown Dartmouth as contained in Attachments A and B of this report, to add a new Opportunity Site and adopt new site specific policy regarding site and design issues, and schedule a public hearing; and

2. Approve the proposed amendments to the Municipal Planning Strategy and Land Use By-law for Downtown Dartmouth as contained in Attachments A and B of this report.

EXECUTIVE SUMMARY:

This application is a request to amend the Municipal Planning Strategy (MPS) for Downtown Dartmouth to designate four parcels of land as a single Opportunity Site. The site's location on Irishtown Rd (formerly Pine St Ext) and Ochterloney Street is shown on Map 1. The applicant's initial concept envisioned 320 units in three buildings of 7, 14 and 23 storeys with a site plan as shown in Figure 1. At this time, only MPS amendments are being considered. Approval of such MPS amendments would lead to a development agreement process.

Development may already occur on an as-of-right basis on the site. The current MPS land use designation and zoning on the lands (Downtown Business) allows residential buildings up to 24 units and 70' in height on each lot, and a broad range of commercial uses. With the four existing lots, the applicant could potentially get up to 96 units in total. However, additional as-of-right subdivision could occur, which has the potential of substantially increasing this total. Existing policy that applies to the lands does provide Council with the ability to consider development agreement proposals for buildings with greater unit count or height. However, the applicant's site requires more detailed policy guidance due to its complexity and context.

Staff are of the opinion that the applicant's lands are suitable for designation as an opportunity site. Concentrating development within three buildings offers a high potential for positive urban design and architecture, with buildings utilizing a stepped back approach and smaller floor plates above a pedestrian-oriented podium. Development of the lands should be by development agreement, which will allow the preparation of a detailed concept for more public input and a comprehensive review. This will provide a higher standard of urban design and result in a quality development which respects and enhances adjacent heritage resources at street level. Amendments to the MPS are therefore recommended in general terms as follows:

1. Mapping changes to designate the lands as an opportunity site;
2. New site specific policy establishing maximum building heights, and guidelines for massing, streetwall height, building separation, and the need for evaluation of wind and shade impacts;
3. Policy criteria addressing the need for heritage interpretation, provision of recreation facilities and amenities, and the levy of parkland fees; and
4. Removal of text and map references to opportunity sites which have been developed, and clarification to the general development agreement policy for larger buildings within the business district.

Proposed policies require that development address the site's historical context by including, among other things, provision for preservation, restoration and display of Shubenacadie Canal features as shown in Figure 1.

BACKGROUND

The Proposal:

The applicant wishes to designate the lands as an Opportunity Site to allow for the development of three residential buildings with some ground floor commercial uses in the largest building. Building heights in the initial concept were (left to right on Figure 1) 14, 23 and 7 stories, totalling about 320 units. Parking would be provided in underground/podium structures. The applicant also proposes to undertake significant improvements to adjacent HRM-owned parkland that forms part of the parkland corridor known as the Canal Greenway, also shown on Map 1. No acquisitions of HRM land are being sought.

Site Description:

The applicant owns the two parcels of land on the south side of Irishtown Road (formerly Pine Street Extension), and has a purchase and sale agreement for two Sobeys-owned parcels on Ochterloney Street and the north side of Irishtown Road. Three of the parcels are vacant, and one contains a vacant building, a former laundromat. The Irishtown Road area is located at about 8 metres above sea level, which is lower than almost all other areas within the business district.

Existing Policy:

Downtown Dartmouth MPS: The lands are designated Downtown Business. This designation establishes the commercial core for the downtown and envisages a mixed use, pedestrian oriented environment. The area is seen as having many redevelopment opportunities to further the plan's main goals of residential intensification and business growth.

The Downtown Dartmouth MPS specifically targets vacant or underutilised sites for redevelopment as Opportunity Sites. The inclusion of the subject lands as an opportunity site would make the lands a priority for higher density housing as a means to increase the area population. This meets the MPS goal of boosting population without the need for removal of existing housing.

Regional MPS: The lands are designated as Urban Settlement and are also located within the Capital District Sub-Designation. The largest of the four parcels is designated as a Regional Opportunity Site. These sites are seen as offering high potential for major redevelopment which will foster the goals of emphasising and enhancing the Regional Centre and the Capital District as the vital core of HRM. The RMPS also establishes evaluation criteria for development adjacent to heritage buildings.

Existing Development Options:

1. "As-of-Right": The Downtown Business (DB) Zone applied to the lands allows a broad range of uses to be constructed on an "as-of-right" basis. For any use, a building may cover 100% of a lot, and may not exceed 70 feet in height, plus roof structure. Up to 24 residential units may be built per

lot; therefore, under current land use rules a total of 96 units could be built. As the zoning requirements for newly created lots require only 25 feet of street frontage and 2500 square feet of lot area, the subject lands could potentially be subdivided to accommodate several additional 24 unit, or commercial or mixed use, buildings.

2. Development Agreement: For residential building proposals which exceed the land use by-law maximums of 70 feet in height and 24 units, the development agreement option is provided in Policy B-8. This policy applies to the opportunity sites and all other lands within the business district. It establishes guidelines for a building height of 5 storeys and a density of 100 units per acre.

Open Space and Heritage Issues:

The lands are adjacent to the former Starr Manufacturing site and Shubenacadie Canal Corridor, which are owned by HRM and known as the Canal Greenway. The former Starr Manufacturing site has considerable historic significance, although no buildings remain, and has National Historic Event commemoration from the federal Heritage Canada agency. Map 1 shows the greenway corridor. Planning for the development of these lands as parkland with significant interpretive components is advancing, in partnership with the Shubenacadie Canal Commission. Given the subject land's relationship to the greenway, there exist opportunities for the Municipality to receive improvements from the development should a development agreement be approved.

The lands abut the former Greenvale School, which has now been expanded and converted to 38 apartments and office space. This is a registered municipal heritage property. Policy CH-2 of the Regional MPS provides evaluation criteria for development adjacent to such sites.

There is existing MPS policy regarding development on the actual Starr and Greenvale sites. This policy recognizes the significance of each site and establishes site and building design criteria. The policy does not apply to the applicant's lands which fall between these 2 historic sites, however, similar policy criteria can be put in place for the applicant's lands.

Approval Process:

If amendments to the MPS are approved by Regional Council, the developer would then prepare a revised plan and submit a detailed application for approval of a development agreement. An additional public information meeting would be held to present the new concept and receive further public feedback. A public hearing would be held by Harbour East Community Council.

DISCUSSION

Rationale for Proposed Changes:

Municipal Planning Strategies are the expression of the Municipality's intent with respect to future land use patterns. Amendments to the MPS are not routine undertakings and Council is under no obligation to consider such requests. Amendments should only be considered when there is reason to believe that there has been a change in circumstances since the MPS was adopted or where

circumstances are significantly different from the situations that the Plan anticipated. The rationale provided in this instance is as follows:

1. Site Circumstance:

The applicant's largest parcel, the former bowling alley site, would have been designated as an opportunity site when the local MPS was adopted in 2000, had it been known that plans for a grocery store would not proceed. Given that the Regional MPS identifies a portion of the subject lands as an Opportunity Site, it is appropriate that the local MPS should also do so. The remaining parcels are also appropriate for designation given their adjacent location and the fact that they too are vacant. It is appropriate to treat all four parcels as one opportunity site to ensure that the lands develop in a comprehensive and complementary manner. This would enable consideration of a project of higher density and greater building scale.

2. Status of MPS Targets:

Policy I-6 of the MPS stresses the importance of monitoring the plan's success in achieving its goals. The primary goals are to increase the area population from about 6000 to 10,000 by 2020, and to boost the number and viability of businesses. Preamble to Policy I-6 in the plan indicates amendments to the MPS may be needed if these goals are not being met. Unfortunately, statistics indicate that the plan's goals are not being met. Despite the fact that about 300 new dwelling units have been built, the area's population remains static when compared to 1996 levels. This indicates that the goal of an additional 4000 residents by 2020 will not be met unless changes are considered. In addition, the number of downtown businesses has declined and there has been no real improvement in the occupancy of storefronts on Portland Street. Although the King's Wharf project has been approved and the first two buildings (180 units) are now under construction, the economic impacts of the project cannot be quantified for several years. Therefore it is appropriate to consider MPS changes in support of the population and business growth goals. It is staff's position that considering higher intensity development on a new opportunity site is strongly and directly supportive of the plan's overall goals.

3. Past Consultation under HRMbyDesign:

As part of HRMbyDesign, a broad consultation process was undertaken for HRM's urban core area, including Downtown Dartmouth. There was considerable public input at a 2-day local workshop and design forum in 2006/07 on downtown Dartmouth development and design issues. The outcomes from the consultation were endorsed by HRM's Urban Design Task Force and approved in principle by Regional Council on July 31, 2007. Attachment C provides an overview of the outcomes from the Downtown Dartmouth/Dartmouth Cove forum and workshop. Those relevant to the applicant's lands are as follows:

- allowing higher densities of residential development;
- the creation of landmark buildings;

- a general maximum height of 15 stories with slender forms above podiums in the business and waterfront areas;
- allowing a concentration of residential development in the area of the applicant's lands;
- encouraging higher rise projects to be built at the lower elevations in the business district; and
- a need to create and animate public space along the Canal Greenway.

Given the MPS intent to be flexible in order to meet its primary targets, the HRMbyDesign process provides direction in considering amendments to support residential and business growth. The designation of the subject lands as an opportunity site and the adoption of design-oriented site specific policy to guide a development agreement process is consistent with the outcomes of the HRMbyDesign forum as presented to Council.

New Site Specific Policy

The above discussion indicates that circumstances have changed in the past 10 years and that it is appropriate for Council to amend the MPS to designate the subject lands as an Opportunity Site. However, the existing policy (B-8) used to evaluate development on the other opportunity sites is insufficiently detailed to address development on the subject lands. Therefore, staff have created a new more detailed, site specific policy for the applicant's lands. The new policy and regulations, as shown in Attachment A, ensure a higher standard of urban design and heritage sensitivity, and address a number of issues as follows:

Site Planning:

The existing policies and land use regulations for the site would allow for development of multiple low rise to mid rise buildings subject to the existing, limited design standards of the land use by-law. Numerous concerns have been expressed about the insufficient impact these standards have had on architectural design and materials used in the community. Further, the manner in which development on the applicant's lands would relate to adjacent heritage resources is of major concern. Therefore, staff recommend that an alternative design approach be established for the site that consists of fewer buildings (maximum of 3) and a mix of mid to high rise buildings due to:

1) the lands being situated outside the designated viewplanes, the large total size of the parcels, and the substantial separations from established residentially-zoned neighbourhoods, providing an opportunity for more intensive development;

2) existing Opportunity Sites allow only between 4 to 10 storeys due to the fact they either directly abut a residential zone or fall under the designated viewplanes; and

3) the feedback received through HRMbyDesign forum for downtown Dartmouth, supports the creation of landmark buildings that have higher densities, and utilize taller, slender forms above podiums in the business and waterfront areas. Also, it supported higher buildings at lower ground elevations such as on the subject lands.

The Case for Taller Buildings:

Tall buildings can be either a negative or a positive force depending on their design and location. They cast longer shadows than do low to mid-rise buildings and they can create harsh wind conditions, which can impact the comfort and safety of pedestrians at street level. In addition, tall buildings can be detrimental in terms of visual impact if they have large floor plates, simple rectangular or square shapes, or no stepping back of upper floors.

On the positive side, tall buildings can be beneficial to their local environment by providing a strong edge to a public square, plaza, park, or wide street or boulevard. Tall buildings can also provide a positive visual impact to the urban landscape if they display interesting architecture through the use of articulations, which add variety to the building surfaces and breaks up the massing of the building, and if the upper storeys promote visual interest in the urban skyline by incorporating an ornamental or signature top. Further, the shadow and wind impacts attributable to tall and slender buildings can often be mitigated through design to have lesser impacts than a lower structure. Also, a building which steps back and narrows has a tendency to substantially reduce the wind impact at street level.

Massing and Form:

Greater building heights should be subject to certain design considerations regarding building design. Therefore, the new policy contains guidelines for building massing and streetwall height. These ensure setbacks from interior property lines for mid and high rise towers to provide greater sun penetration and building spacing, and ensure the low rise portion of buildings is in proper proportion to the street width.

Wind and Shadow Impacts:

As-of-right development on the lands would likely have substantial wind and shadow impacts on public lands with low to mid rise structures, as allowed by the land use by-law. The buildings would be lower than currently proposed, but would cover the entire land surface and might have no stepbacks of higher floors. This could result in massive slow-moving shadows on the park and the creation of long continuous walls that could have severe wind impacts. As discussed above, higher buildings can potentially have a lesser degree of impact. However, careful consideration of building massing and stepbacks is needed. The recommended MPS amendments therefore include requirements for wind and shadow studies.

Building Heights:

The applicant's initial concept proposed buildings ranging from high rise (14 and 23 storeys) to mid rise (7 storeys), in the configuration shown on Figure 1. Staff reviewed the proposed heights relative to their context in Downtown Dartmouth, public feedback, and MPS policy. Staff recommends that the new site specific policy establish maximum heights of the buildings to provide clarity to both the community and the developer.

A useful urban design guideline regarding tower height to consider is the separation distance between a tower and a lower density neighbourhood zone. Generally, the separation should be at least equal to building height. In the context of the applicant's site, this principle would have the effect of providing a substantial separation, proportional to building height, from nearby residentially-zoned properties.

The recommended maximum building heights for the applicant's site are as follows:

Building 1 - South Side of Irishtown Road - Staff support the applicant's request for policy enabling a 14 storey building, including podium, at the corner of Queen Street and Irishtown Road, despite the fact that the urban design guideline noted above would allow a taller building. The height should be more limited on this site due to the narrow lot width and its corner location. The recommended 14 storey height maximum would be similar to that of Seacoast Towers, which is an 11 storey tower above a 2 storey podium, on the adjacent block to the south, at a higher ground elevation. The proposed policy dictates a 3 storey townhouse-style podium built to the street; with 11 upper levels setback from adjacent properties. This addresses the expressed concerns of adjacent property owners that they would be faced with a shear tower wall, by providing an apparent reduced building scale at ground level.

Building 2 - North side of Irishtown Road - The largest building in the concept was for 23 storeys on this one acre parcel. The separation between the closest developable portion of the site (this excludes an easement to HRM which can't be built upon) and properties zoned DN along Prince Albert Road is about 190'. A height of 23 storeys as proposed, is therefore too tall. A building height of 190' or about 19 stories, would work within the separation principle. This allows for penthouse space to be accommodated as part of an interesting roof design. Therefore, staff recommends a maximum building height of 18 storeys with a penthouse, with the top 15 storeys set back over a townhouse-style podium of 3-4 storeys. This would address stated public concerns by ensuring that the building at the pedestrian level is not out of scale to the public space.

Building 3 - Ochterloney Street - The third building proposed was a 7 storey building, on the Ochterloney St parcel, adjacent to Greenvale School. This site is at a higher elevation, and is appropriate for mid-rise development as allowed by the land use by-law. The proposed 7 storey building appears to meet the height and zone requirements of the land use by-law, except a development agreement would be required for buildings containing more than 24 units. Therefore, staff recommends a maximum building height of 7 storeys.

Density:

The applicant's initial concept in this case, about 320 units on 1.6 acres, represents 190 units per acre. In the context of the urban core, such a density is not unreasonable provided that the best urban design principles are utilized, that services can accommodate the population, and that traffic impacts are acceptable. The approach of not regulating by density but rather by height and urban design, has been adopted in Downtown Halifax under HRMbyDesign, where there is no density limit. In this case, the proposed policy would limit the total number of units to a maximum of 300, although the

building form standards recommended in the new policy may reduce this. Detailed information at the development agreement stage would be required to ensure adequate services and acceptable traffic impact.

Heritage Considerations:

The subject lands are situated in an area of Downtown Dartmouth where heritage is an important issue both on the lands and adjacent properties as follows:

1. *Archaeological Considerations* - The subject lands have seen numerous phases of occupation since the settling of Dartmouth by Europeans, as well as possible use by aboriginal peoples. As part of any proposed development on the lands, the proposed policy requires the applicant to have a detailed archaeological assessment undertaken, as well as monitoring, during excavation.

2. *Greenvale* - The lands abut Greenvale Lofts (a registered municipal heritage property). The building has been expanded from its former school configuration, and houses 38 dwelling units and office space. Policy CH-2 of the Regional MPS guides the evaluation of development proposals adjacent to heritage sites. In conjunction with CH-2, the proposed policy ensures a pedestrian oriented, townhouse-style podium that complements Greenvale School, with mid and upper rise components of the building setback from the property. Should the MPS amendments be approved, a subsequent, detailed concept would be needed to demonstrate appropriate scale at the pedestrian level, and the inclusion of sympathetic architectural detail and materials. This subsequent development agreement application would go to the Heritage Advisory Committee for review and recommendation.

3. *Canal Greenway Lands* - The former Starr Manufacturing lands were acquired by HRM in 1997. The Municipality has been developing, in partnership with the Shubenacadie Canal Commission, a master plan for these lands which form part of the Canal Greenway which runs from Lake Banook to the harbour. Development on the lands must not impede HRM's ability to implement the intent of the Canal Greenway plan. One concern relates to HRM's intent to close Irishtown Road between Queen Street and Prince Albert Road. The applicant's initial concept envisages that the street be kept partially open to provide access to the larger of the three proposed buildings. The proposed policy therefore sets out that development must be complementary to the plan. Further, a portion of the site was once part of both the canal and Starr lands, and it is important that their context within the Canal Greenway be addressed and commemorated. The proposed policy addresses this issue, by requiring the applicant to address the historical interpretation of the site and its context to the Canal Greenway parklands.

Open Space and Recreation Issues:

Policy IM-15 of the Regional MPS establishes the need to consider the proximity of a proposed development to recreation facilities and their ability to support the resident population. There is already strong demand from the community for improvements to the abutting Canal greenway parklands to serve a variety of active and passive recreation demands, as well as a need for historical

interpretation features. Introducing an additional 300 units will substantially increase demand at a time when the Municipality's ability to provide improvements is limited. The conceptual site plan envisions direct pedestrian access from the ground floor commercial uses to the parklands, which further increases the need to upgrade the park. Under the developer's proposal the four existing lots would be consolidated. In the case of the lands, it is reasonable to require parkland fees for lot consolidation. The proposed policy therefore requires the payment of a 10% parkland fee, as is required for any subdivision of similar unit count.

Developer Upgrades of Public Lands:

As discussed in previous sections, development of the applicant's lands has potential implications for heritage interpretation and open space and recreation facilities on adjacent HRM-owned lands. The proposed MPS amendments require the developer to properly address these issues and ensure adequate services. The ability of HRM and the Canal Commission to implement the Canal Greenway vision must not be impaired.

Should the lands be developed as shown on the concept plan, as shown in Figure 1, there is little space on-site to provide infrastructure required by policy. To address this, the applicant has indicated that he will undertake the public space improvements as shown. The value of these improvements will be determined prior to the development agreement stage. As the HRM Charter does not enable a requirement for off-site improvements through the development agreement process, a parallel process is needed.

HRM has successfully managed in-kind contributions from developers which entailed capital improvements to municipal property in the past. In this case, a contract with the developer separate from but related to any development agreement, would be required. This secondary contract would outline a service exchange as well as design and construction drawings for site improvements, which have been advanced to the schematic design stage. Such a contract would have to comply with all terms and conditions of HRM's existing standard Specified Price Contract for Capital Projects.

Conclusion:

The subject lands merit consideration as an Opportunity Site within the Downtown Dartmouth MPS. This would be consistent with the Regional Plan's approach, while a mid and high rise scale of development is supported by the HRMby Design process. Given the configuration of the lands and their relationship to the Canal Greenway, introducing new, more detailed site-specific policy is a more appropriate approach than using Policy B-8 which applies to the other opportunity sites. Attachment A therefore contains policy which requires a development agreement process for the subject lands, and establishes detailed design criteria.

Approval of these MPS amendments will not obligate Council to approve any development, but rather, will establish clear parameters and criteria that Council will consider in any subsequent development agreement application. The development agreement process would necessitate preparation of a new concept, further public participation, and a public hearing by Harbour East Community Council. A new concept must satisfy all of the policy criteria. A separate contract which

obligates the developer to undertake improvements to the off-site public lands would also have to be approved through the procurement process. This would be linked to the development agreement.

BUDGET IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved 2010/11 operating budget for C310 Planning and Applications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

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

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of HRM's Community Engagement Strategy. The level of community engagement was 'consultation', achieved through a public meeting held on February 15, 2010, with about 110 in attendance. A public hearing has to be held by Council before they can consider approval of any MPS amendments.

For the public meeting, notices were posted on the HRM website, in the newspaper and mailed to property owners within a broad notification area. Attachment D contains a copy of the minutes from the meeting. Should Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area will be notified. Approval of the MPS amendments would not constitute or guarantee approval of a development; a subsequent public development agreement process would be required.

The proposed MPS amendments will potentially impact the following stakeholders: local residents, area businesses, and property owners.

ALTERNATIVES

1. Council may choose to approve the amendments to the Downtown Dartmouth MPS and LUB to designate the applicant's lands as an opportunity site and add new site specific policy, as described in Attachments A and B. This is the staff recommendation.

2. Council may choose to approve the amendments, with modifications, to the Downtown Dartmouth MPS and LUB to designate the applicant's lands as an opportunity site and add new site specific policy, as described in Attachments A and B.

3. Council may choose to refuse the amendments to the Downtown Dartmouth MPS and LUB.

ATTACHMENTS

Map 1 Location and Generalized Future Land Use

Figure 1 Conceptual Site Plan
Figure 2 Revised MPS Map 3
Figure 3 Revised MPS Map 4
Figure 4 Revised MPS Map 6
Figure 5 Revised LUB Schedule B

Attachment A Amendments to the MPS for Downtown Dartmouth
Attachment B Amendments to the LUB for Downtown Dartmouth
Attachment C Forum 2 Outcomes for Downtown Dartmouth under HRMByDesign
Attachment D Minutes of Public Information Meeting
Attachment E Existing Policy B-8 Regarding Development on Opportunity Sites

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: Mitch Dickey, Planner, 490-5719

Report Approved by: Original signed
Austin French, Manager, Planning Services, 490-6717

Report Approved by: Original signed
Phillip Townsend, Director, Infrastructure and Asset Management, 490-7166

Map 1 - Location and Generalized Future Land Use

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COMMUNITY DEVELOPMENT
PLANNING SERVICES

Subject Lands

Canal Greenway Study Area

Downtown Dartmouth
Secondary Planning Strategy

Designation

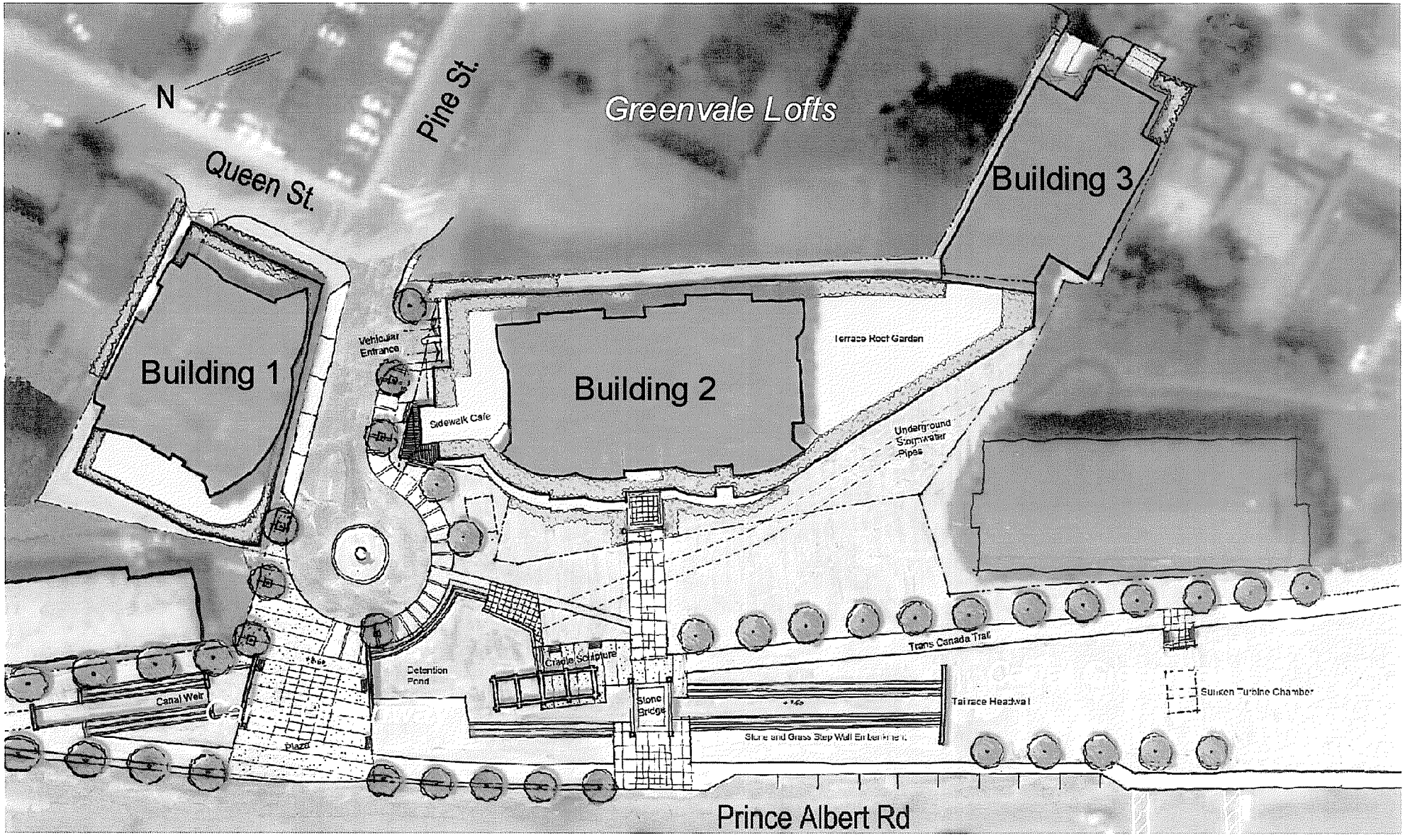
DN	Downtown Neighbourhood
DB	Downtown Business District
PK	Park and Open Space
W	Waterfront

0 105 210 420 630 Feet

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Downtown Dartmouth Secondary Planning Area.

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

Figure 1 - Conceptual Site Plan



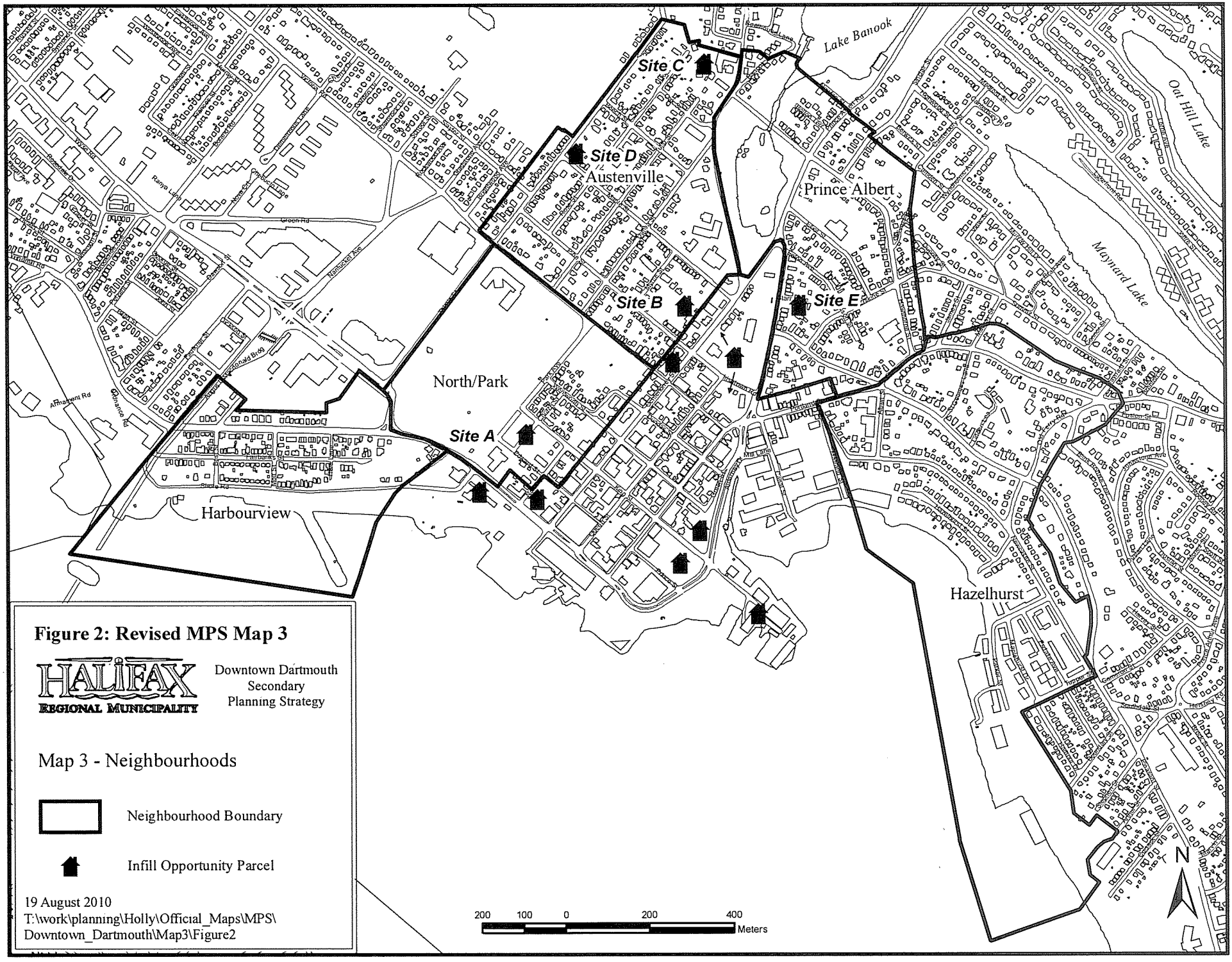


Figure 2: Revised MPS Map 3

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Downtown Dartmouth Secondary Planning Strategy

Map 3 - Neighbourhoods

Neighbourhood Boundary

Infill Opportunity Parcel

19 August 2010
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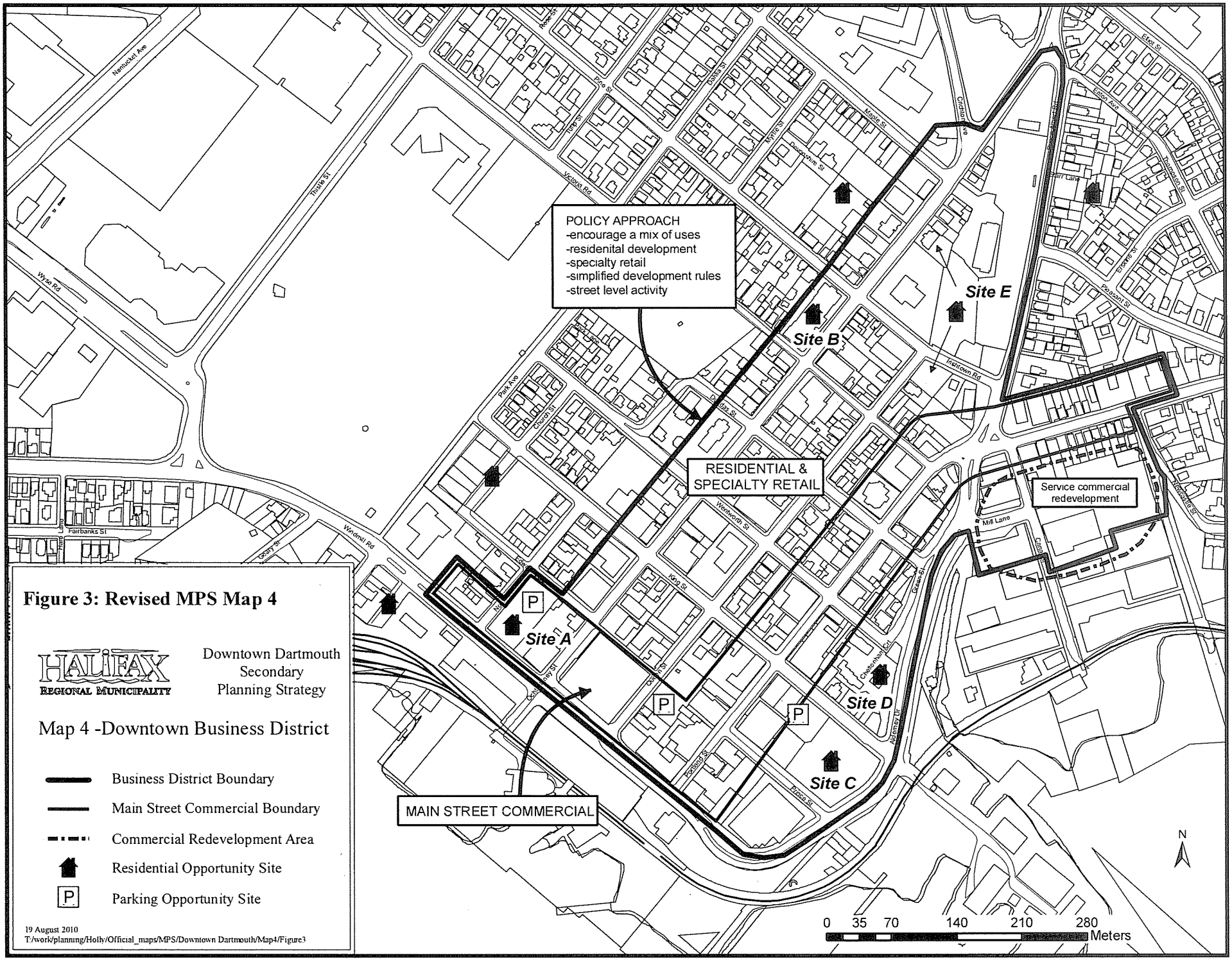
POLICY APPROACH
-encourage a mix of uses
-residenital development
-specialty retail
-simplified development rules
-street level activity
RESIDENTIAL & SPECIALTY RETAIL
MAIN STREET COMMERCIAL
Service commercial redevelopment
Site A
Site B
Site C
Site D
Site E
Figure 3: Revised MPS Map 4
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Downtown Dartmouth Secondary Planning Strategy
Map 4 -Downtown Business District
Business District Boundary
Main Street Commercial Boundary
Commercial Redevelopment Area
Residential Opportunity Site
Parking Opportunity Site
19 August 2010
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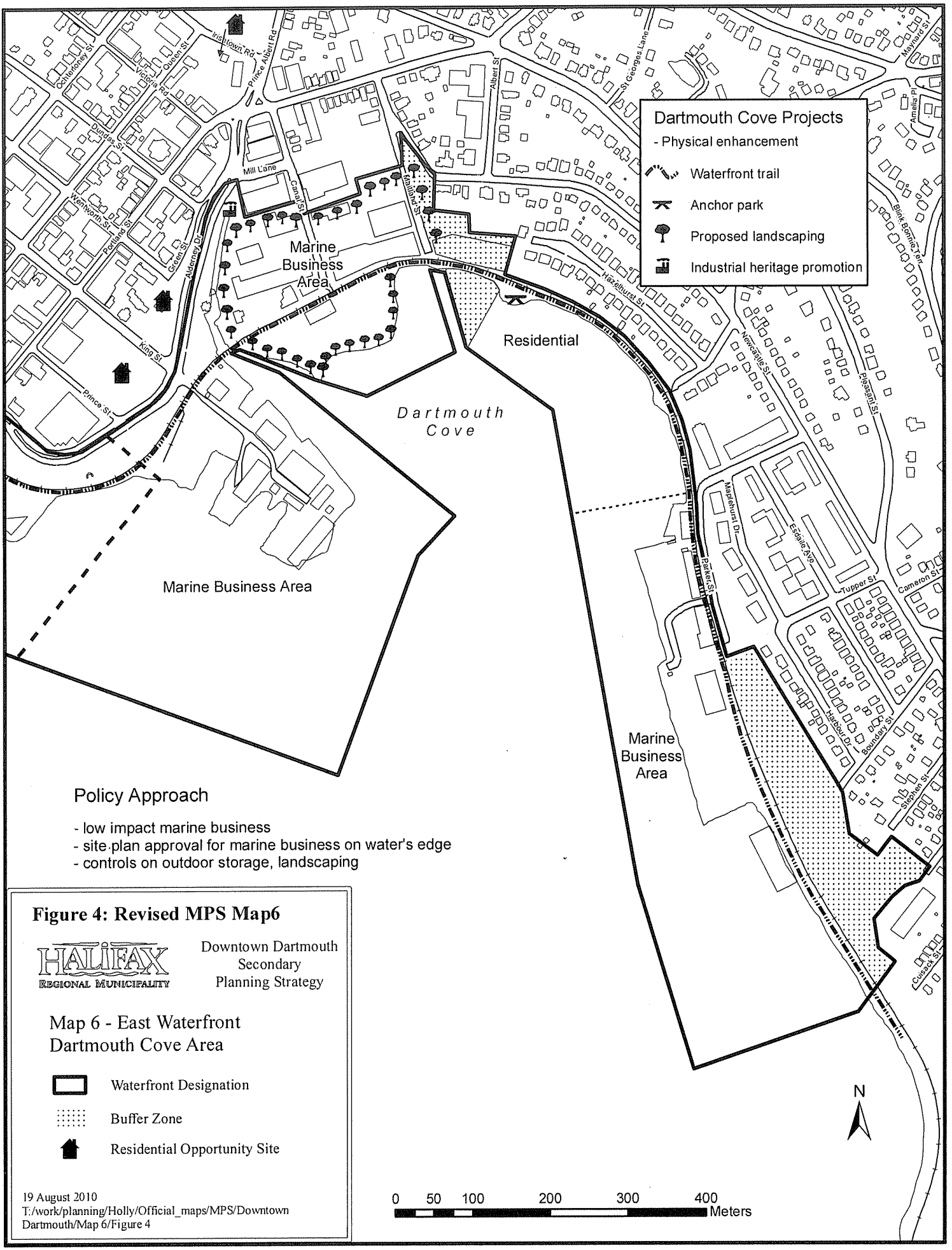
0 35 70 140 210 280
Meters
N


Dartmouth Cove Projects
- Physical enhancement
Waterfront trail
Anchor park
Proposed landscaping
Industrial heritage promotion
Marine Business Area
Residential
Dartmouth Cove
Marine Business Area
Marine Business Area
Policy Approach
- low impact marine business
- site plan approval for marine business on water's edge
- controls on outdoor storage, landscaping
Figure 4: Revised MPS Map6
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Downtown Dartmouth Secondary Planning Strategy
Map 6 - East Waterfront Dartmouth Cove Area
Waterfront Designation
Buffer Zone
Residential Opportunity Site
19 August 2010
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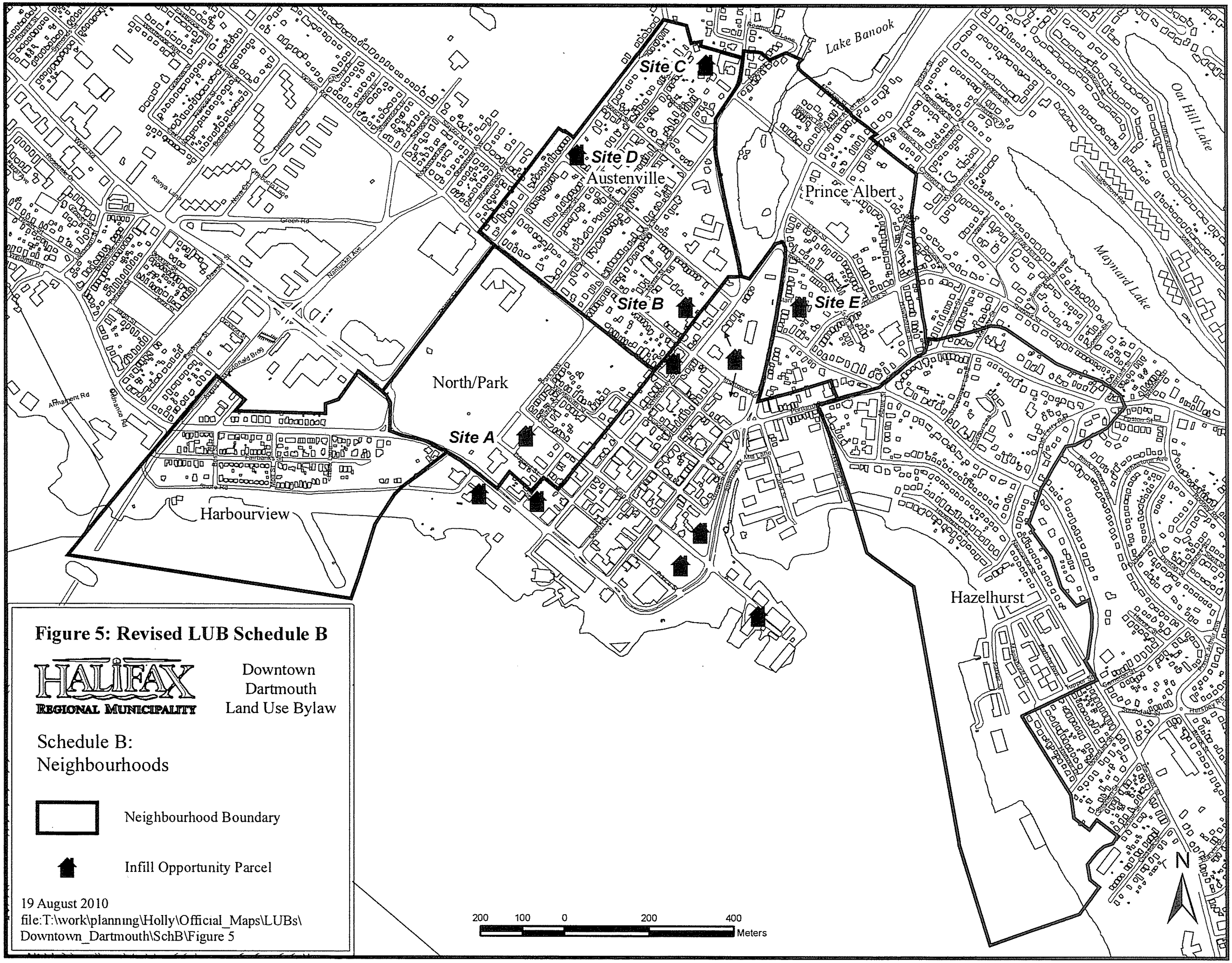
N
0 50 100 200 300 400
Meters
Irishtown Rd
Prince Albert Rd
Queen St
Victoria Rd
Dundas St
Wentworth St
Portland St
Green St
Alderney Dr
King St
Prince St
Mill Lane
Canal St
Maitland St
Albert St
St Georges Lane
Maynard St
Amelia Pl
Blink Bonnie Terr
Hazelhurst St
Newcastle St
Pleasant St
Maplehurst Dr
Estella Ave
Parker St
Tupper St
Cameron St
Harbour Dr
Boundary St
Stephen St
Cusack St



Oat Hill Lake
Maynard Lake
Lake Banook
Prince Albert
Austenville
North/Park
Harbourview
Hazelhurst
Site A
Site B
Site C
Site D
Site E
N
200 100 0 200 400 Meters
Figure 5: Revised LUB Schedule B
HALIFAX REGIONAL MUNICIPALITY
Downtown
Dartmouth
Land Use Bylaw
Schedule B:
Neighbourhoods
Neighbourhood Boundary
Infill Opportunity Parcel
19 August 2010
file:T:\work\planning\Holly\Official_Maps\LUBs\
Downtown_Dartmouth\SchB\Figure 5

Attachment A
Amendments to the MPS for Downtown Dartmouth

BE IT ENACTED by Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Downtown Dartmouth as adopted by the Council of Halifax Regional Municipality on the 11th day of July, 2000, and approved by the Minister of Municipal Affairs on the 16th day of August, 2000, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 22nd day of April, 2010, is hereby amended as follows:

1. By replacing Map 3 with the revised one as shown in Figure 2 attached hereto.

2. By replacing Map 4 with the revised one as shown in Figure 3 attached hereto

3. By replacing Map 6 with the revised one as shown in Figure 4 attached hereto

4. By adding the following wording to Figure 5 of Section 4.2:

"Site E - Irishtown Road/Ochterloney Street

Location and Context

This site consists of 4 separate parcels, the largest of which is designated as an Opportunity Site under the Regional MPS. The RMPS seeks to encourage medium to high density infill on such sites within the urban core. Intensive redevelopment of this site can occur without the loss of any existing housing, which is a goal of this plan. Given the total area of 1.6 acres, the site offers an excellent opportunity for a major infill project with landmark architecture which can be vital to achieving this plan's goals of increasing the area resident base and supporting local business development."

5. By adding the following preamble and policy immediately after Policy B-7:

"Development of Opportunity Site E

Site E is appropriate for high density, mixed use, mid to high rise development. Full development of these brownfield parcels can help achieve population growth and support local business revitalization as desired by this plan. However, historic/heritage goals, recreation, and urban design goals must be addressed.

Canal Greenway and Parkland Issues

Site E abuts the Canal Greenway, the historic corridor which incorporates the former Shubenacadie Canal and Starr Manufacturing lands. A master plan for improvements to the corridor has been developed by HRM and the Shubenacadie Canal Commission. A portion of

Site E was part of both the canal and Starr properties at one time, and development of the site should contribute to both the revitalization and heritage interpretation of the lands in the context of the larger master plan. The municipality has intended to close the public street between Queen Street and Prince Albert Road, to recapture former canal lands for parkland and historic interpretation purposes. However large scale development on Site E may require access to this street, which could impact the implementation of that portion of the Canal Greenway plan.

The Canal Greenway lands are largely unimproved for public use and currently provide limited recreation opportunity. Development of up to 300 units on Site E will create major demand for useable recreation lands. Direct pedestrian access may be provided from residential and commercial space directly onto the park's trail system. This is not standard practice however if properly done it can offer benefits in animating and engaging the site and fostering viable businesses. However, Council must consider whether such a major development is premature or inappropriate by reason of the demands placed on the Canal Greenway as parkland. A requirement for parkland fees as enabled by the HRM Charter and the Regional MPS would help ensure that the public space is adequately improved. Although the Subdivision By-law typically exempts lot consolidations from this fee, it would be collected if these lands were further subdivided as is permitted under the zoning.

Urban Design Considerations

Slender, higher buildings on the Irishtown Road frontages may be considered as an alternative to lower, bulkier structures in order to reduce wind impacts and the duration of shadows on public spaces and nearby properties. Building height at the Ochterloney Street frontage should not exceed that permitted by the land use by-law. Building massing and form should be determined based on current urban design principles, such as the use of appropriate proportions for streetwall heights for the building bases/podiums, and the need for setbacks of mid and high rise building sections from adjacent private lands.

The site is located adjacent to the former Greenvale School, a registered heritage property. Full as of right development on Site E under existing zoning could have negative impacts in terms of shadows, wind patterns, as buildings may be up to 7 stories in height plus and have 100% lot coverage. Allowing taller but more slender structures over a low rise podium may mitigate these impacts. In addition, Policy CH-2 of the Regional MPS provides guidance for evaluation of the impact of proposals next to registered heritage properties.

Policy B-7a

Notwithstanding Policy D-1, Residential Opportunity Site E, as shown on Map 4, is appropriate for mid and high rise residential and mixed use development not exceeding 300 units within three buildings. In addition to the need for a high quality of design and construction, any proposal must foster attractive pedestrian oriented streetscapes, and ensure active, complementary interaction with the adjacent HRM parkland and Shubenacadie Canal

corridor. Development on each of the separate parcels shall only be considered together and under a single development agreement to ensure comprehensive and complementary development. The development agreement process shall be utilized for any development on the lands. Council shall therefore consider:

a) that building heights:
   (i) up to 70 feet in height plus roof on the Ochterloney Street frontage may be permitted;
   (ii) up to 14 stories on the south side of Irishtown Road may be permitted; and
   (iii) up to 18 stories plus penthouse on the north side of Irishtown Rd may be permitted.

b) that high quality building materials are used and the building design:
   (i) makes use of podiums to provide 100% indoor/underground parking for residents and businesses. The parking portion of such podiums shall be screened from any adjacent private or public property through the provision of active, useable floor area and careful design at the edges of the structures;
   (ii) incorporate interesting details and materials at the pedestrian level, with a high proportion of windows in any ground floor commercial space;
   (iii) include a variety of housing unit types including multiple bedroom units and townhouse-form units at ground level that can accommodate residents in a variety of life stages, household sizes, incomes and tenure needs; and
   (iv) include provision for pedestrian-oriented commercial uses, preferably café or restaurant uses with outdoor patios, where the site abuts HRM parkland.

c) appropriate massing and building form for low, mid and high rise components of the buildings including:
   (i) the need for transitions in scale, or separation distances equal to building height, from directly abutting areas which are designated as Downtown Neighbourhood;
   (ii) defining appropriate standards for bulk and above grade stepbacks at the low, mid and high rise levels, and separation distances between buildings to ensure adequate street-level conditions with respect to minimizing wind and maximizing sun penetration and sky exposure;
   (iii) ensuring an appropriate streetwall height of the low rise portion of each building to street width at a target ratio of 2:3; and
   (iv) potential wind and shadow impacts on public space and appropriate means to minimize such impacts.

d) that the project provide:
   (i) extensive, high quality soft and hard landscaping which enhances the pedestrian environment and complements the Canal Greenway;
   (ii) substantial useable active and passive amenity space both inside and out to cater to a range of ages and lifestyles, particularly in support of families; including

the provision of useable green space on rooftops; and

(iii) payment of 10% parkland dedication fees for any further subdivision or consolidation of the parcels;.

e) that the project address the site's historical context as part of the former Shubenacadie Canal and Starr Manufacturing sites by:

(i) ensuring a detailed archaeological assessment is carried out, and that measures are in place to allow proper site investigation prior to and during construction;

(ii) considering restoration of a naturalized open stream bed to replace the piped waterway, formerly the mill stream, that flows underneath a portion of the site; and

(iii) including provision for preservation, restoration, and display of canal features, and interpretation of canal history.

f) the establishment of phasing times for completion; and

g) Regional MPS Policy CH-2 (regarding development adjacent to heritage properties) and Policy IM-15 (general implementation criteria)."

THIS IS TO CERTIFY that the amendments to the Municipal Planning Strategy for Downtown Dartmouth, as set out above, were passed by a majority vote of the Halifax Regional Council on the _____ day of _____, 2010.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2010.

_____

Cathy Mellett, Municipal Clerk

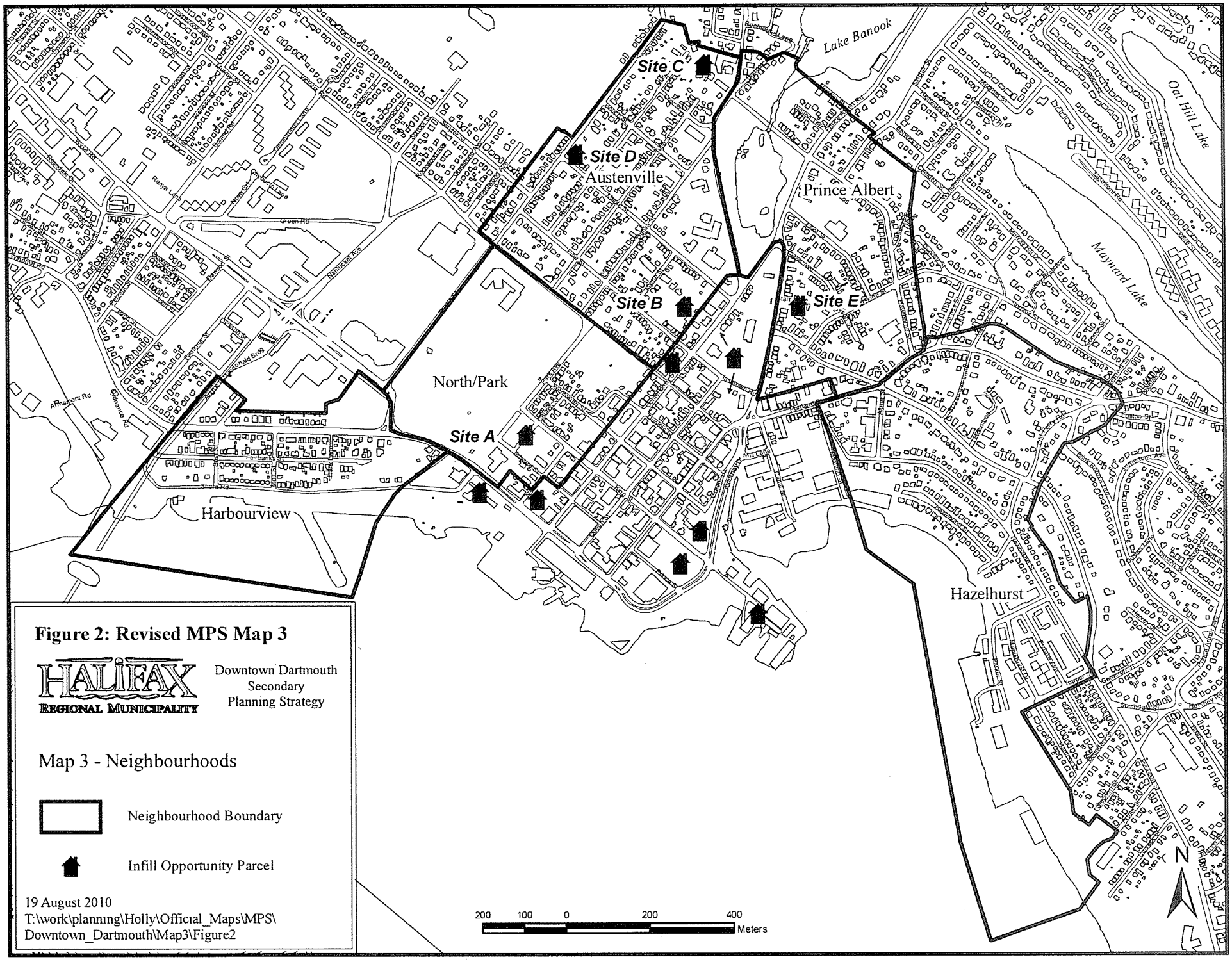


Figure 2: Revised MPS Map 3

HALIFAX REGIONAL MUNICIPALITY

Downtown Dartmouth Secondary Planning Strategy

Map 3 - Neighbourhoods

Neighbourhood Boundary

Infill Opportunity Parcel

19 August 2010
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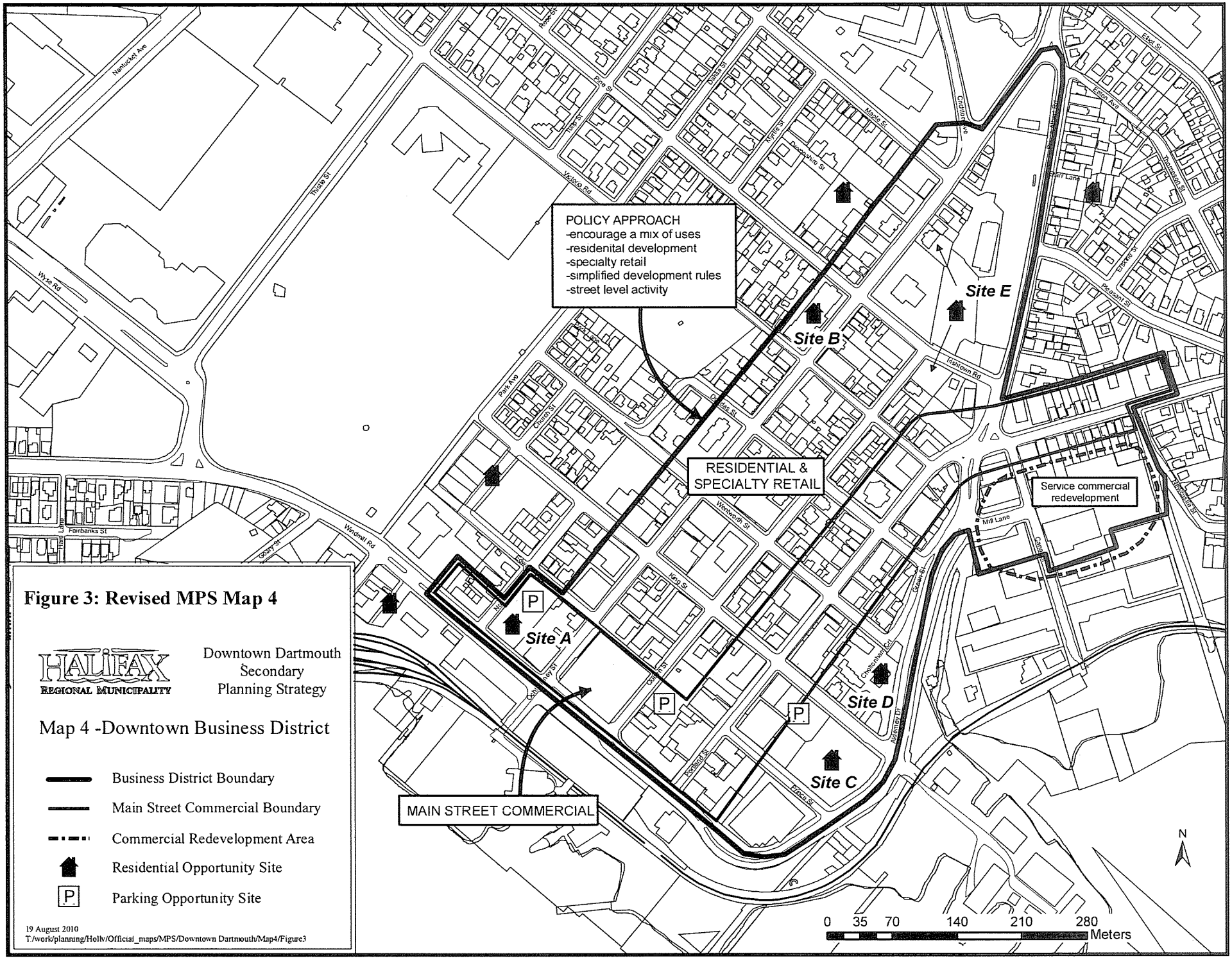
POLICY APPROACH
-encourage a mix of uses
-residenital development
-specialty retail
-simplified development rules
-street level activity
RESIDENTIAL & SPECIALTY RETAIL
MAIN STREET COMMERCIAL
Service commercial redevelopment
Site A
Site B
Site C
Site D
Site E
Figure 3: Revised MPS Map 4
HALIFAX REGIONAL MUNICIPALITY
Downtown Dartmouth Secondary Planning Strategy
Map 4 -Downtown Business District
Business District Boundary
Main Street Commercial Boundary
Commercial Redevelopment Area
Residential Opportunity Site
Parking Opportunity Site
19 August 2010
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Meters
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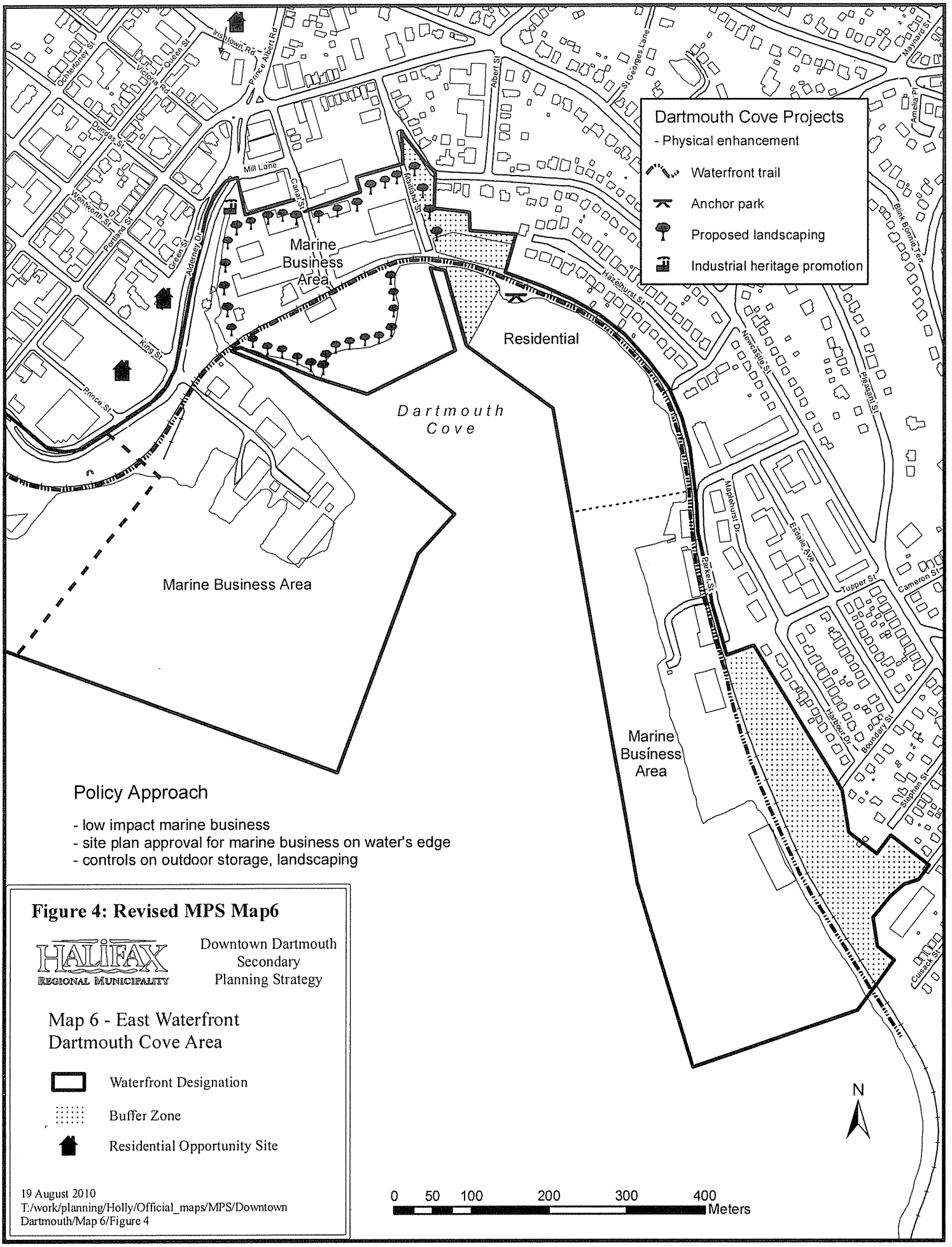
Dartmouth Cove Projects
- Physical enhancement
Waterfront trail
Anchor park
Proposed landscaping
Industrial heritage promotion
Marine Business Area
Residential
Dartmouth Cove
Marine Business Area
Marine Business Area
Policy Approach
- low impact marine business
- site plan approval for marine business on water's edge
- controls on outdoor storage, landscaping
Figure 4: Revised MPS Map6
HALIFAX
REGIONAL MUNICIPALITY
Downtown Dartmouth Secondary Planning Strategy
Map 6 - East Waterfront Dartmouth Cove Area
Waterfront Designation
Buffer Zone
Residential Opportunity Site
19 August 2010
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Attachment B
Amendment to the Land Use By-law for Downtown Dartmouth

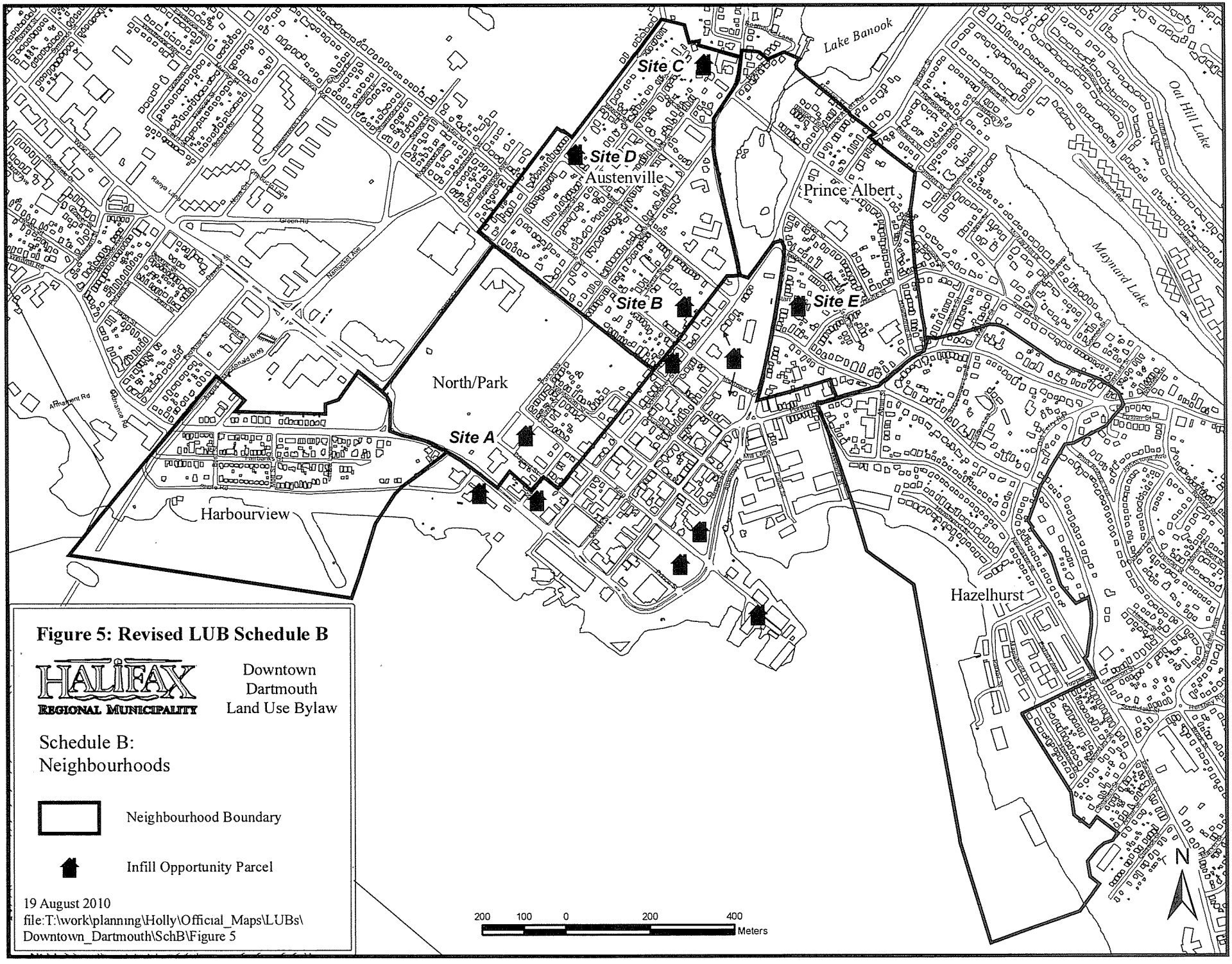
BE IT ENACTED by Regional Council of the Halifax Regional Municipality that the Land Use By-law for Downtown Dartmouth as adopted by the Council of Halifax Regional Municipality on the 11th day of July, 2000, and approved by the Minister of Municipal Affairs on the __th day of __, 2000, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 22nd day of April, 2010, is hereby amended as follows:

1. By replacing "Schedule B - Neighbourhoods Map" with the new Schedule B as shown in Figure 5 attached hereto.

THIS IS TO CERTIFY that the amendments to the Land Use By-law for Downtown Dartmouth, as set out above, were passed by a majority vote of the Halifax Regional Council on the _____ day of _____, 2010.

GIVEN under the hands of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____, 2010.

_____
Cathy Mellett, Municipal Clerk


Site C
Site D
Austenville
Prince Albert
Lake Banook
Oat Hill Lake
Maynard Lake
Site B
Site E
North/Park
Site A
Harbourview
Hazelhurst
Figure 5: Revised LUB Schedule B
HALIFAX
REGIONAL MUNICIPALITY
Downtown
Dartmouth
Land Use Bylaw
Schedule B:
Neighbourhoods
Neighbourhood Boundary
Infill Opportunity Parcel
19 August 2010
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Downtown_Dartmouth\SchB\Figure 5
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Downtown Dartmouth/Dartmouth Cove

Downtown Dartmouth/Dartmouth Cove is an area steeped in history including a significant stock of existing built heritage resources. The visual and physical proximity to Downtown Halifax can be anticipated to be a primary influence on the role, function and growth of the area moving forward. Downtown Dartmouth has a 'village' feel characterized by its small block and street pattern, compact built form, intimate scale, clearly defined edges and numerous churches.

Character Statement

- Protecting and enhancing the area's heritage which is of significance to the entire region
- The mixed-use character including the marine industrial functions are defining characteristics
- The topography, including the shoreline and south facing slope provide exceptional views to the harbour mouth and afford sun penetration
- The area should continue to function as a major centre for surrounding neighbourhoods
- Reinforce the 'village' character while remaining a regional draw

Opportunities for Downtown Dartmouth/Dartmouth Cove:

- Design at-grade levels for adaptive reuse into retail
- Appropriate heights and visually pleasing buildings
- Need to define approach for taller buildings
- Small town character
- Promote entertainment uses
- Portland Street as a cultural and entertainment corridor
- Improve shoreline and create intimate spaces
- Continuation of trail to enhance opportunities for pedestrian connection to downtown
- Create a 'Promenade' along the trail
- Celebrate the canal by ensuring buildings that front onto it
- North park neighbourhood properties have an impressive character
- Marina opportunities at the foot of Ochterloney St and the Dartmouth Cove
- Extending the pier to break wave impacts
- Tourist attractions needed
- Only public uses and parks on the waterfront side of Alderney Drive
- Keep Dartmouth Cove as a 'cove'

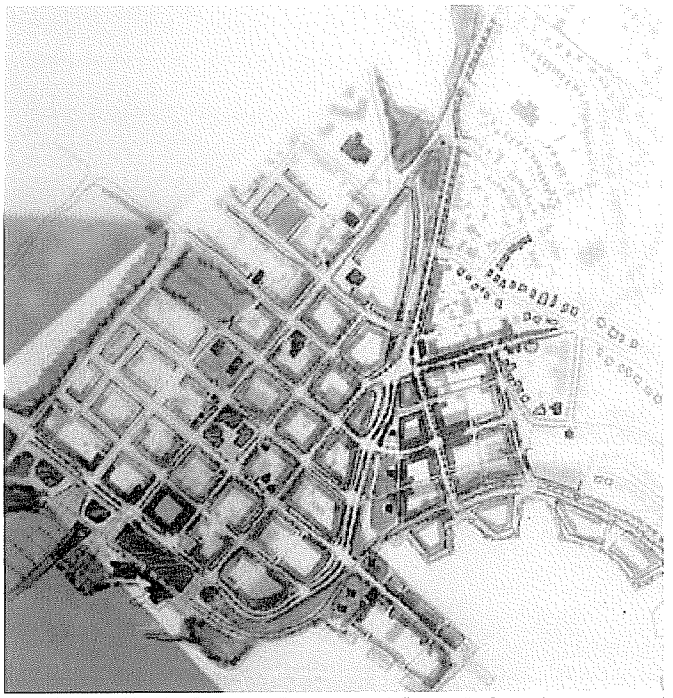
Additions to the Regional Centre Urban Design Framework

- 5 Corners an opportunity for secondary gateway
- The bridgehead a primary gateway
- Civic Landmark Streets: Ochterloney, Queen and Prince Albert (scenic route)
- Views – Ochterloney, King and Portland are key 'window' views to the water; Wyse Rd and Alderney Drive provide panoramic views; and, the 'curve' of Alderney provides a tremendous panoramic view opportuinity
- Open Space – several shoreline opportunities
- Trails – missing link between the bridge and Ochterloney

Urban Design Strategies for Downtown Dartmouth/Dartmouth Cove:

General Approach to Built Form

- Landmark buildings to accommodate density
- Taller buildings with slender floor plates
- Reinforcing human-scaled street walls
- Stepped development to the shoreline to secure harbour views
- Strategic sites to be used for institutional and recreational uses
- 'Pavilion' buildings along the waterfront that do not obscure harbour views
- Promote roof gardens overlooking the water
- Higher densities and taller buildings should buffer existing low-rise residential with compatible forms and transitions in scale



Draft Concept Plan for Downtown Dartmouth and Dartmouth Cove. Provides a model building frontages and open spaces

North Street

- Remain predominantly residential in character

Ochterloney Street

- A variety of setbacks
- Heritage character
- Number of churches

Alderney Drive

- Traffic needs to slow down
- On-street parking should be permitted off peak traffic hours
- Commercial and mixed uses
- Signalized pedestrian crossings

Queen Street

- Institutional and service uses Such as the Alderney centre and post office
- Concentration of residences to the opposite end to the harbour

Portland Street

- Buildings close to the street continuous with animated frontages
- Entertainment uses
- Reinforcing and defining the uses

Cove Area

- Mixed uses
- Marine industrial uses and the rail line to be respected and i ntegrated
- Contemporary style and an eclectic style

Canal

- Day lighting the buried canal
- Create Public space frontage to the canal
- Engage and animate canal frontage

Attachment D

HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE # 15781 - 3200892 NS LTD

7:00 p.m.
Monday, February 15, 2010
Dartmouth High School, Dartmouth

IN ATTENDANCE:	Councillor Bill Karsten Councillor Gloria McCluskey Councillor Darren Fisher Councillor Jim Smith Mitch Dickey, Planner, HRM Planning Services Holly Kent, Planning Technician, HRM Planning Services Sharlene Seaman, Planning Controller, HRM Planning Services
ALSO IN ATTENDANCE:	Darren Dixon, Applicant, 3233503 NS Ltd/3200892 NS Ltd.
PUBLIC IN ATTENDANCE:	Approximately 110

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

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

Councillor Bill Karsten opened the meeting by introducing himself and the councillors in attendance. He stated that the application was to amend the Downtown Dartmouth Municipal Planning Strategy (MPS) to allow mid to high rise residential development. He welcomed everyone and advised people to consider and respect the opinions of others. He introduced the Halifax Regional Municipality (HRM) technician and the controller in attendance and then passed the floor to the planner, Mitch Dickey.

Mr. Dickey introduced himself as the planner in charge of the application. He thanked everyone for coming as the more feedback they receive, the more information they can bring forth to Council. The application is to amend the Downtown Dartmouth MPS to allow mid to high rise residential development. Darrell Dixon was introduced as the applicant for 3233503 NS Ltd. and 3200892 NS Ltd. He has requested that four parcels of land on Pine and Ochterloney Street be designated as an opportunity site under the MPS.

2. Overview of planning process - Mitch Dickey

Mr. Dickey advised that Regional Council (RC) had an initial look at the request and deemed it worthy of taking to the public. They directed staff to undertake the consultation process. HRM Staff are working closely with the Shubenacadie Canal Commission (SCC), as the site is adjacent (to the Heritage Corridor). There is no staff position or recommendation at this time.

He showed the site location and advised that the developer currently owns the two parcels on the Pine Street extension (officially Irish Town Road). The other two parcels which are owned by Sobey's but Mr Dixon has a purchase a sale agreement with Sobey's for that land. The land is one point six acres in total.

Mr. Dickey stated that the parcels are commercially zoned DB (Downtown Business), which allows twenty four residential units per lot or fairly unrestricted commercial uses, to a maximum height of seventy feet. Additional height for roof structures is permitted. The concept the developer has submitted is three buildings, low to high rise. He is also offering to make improvements to the Canal Greenway property (owned by HRM).This term, Greenway, is used to describe the former Canal Corridor, from Lake Banook down to the harbour.

He noted that HRM has been planning improvements on their land for a number of years and that there is no sale of HRM land proposed with this application. He than showed an aerial view of the site. The MPS for Dartmouth was adopted in two thousand, after a three year public participation process. This gave good guidance. One of the overriding principals of the Downtown Plan was to help revitalize the commercial core. The downtown has seen a lot of population decline over the past thirty years. The trend has continued and the idea is to encourage quality residential development downtown and to boost the population. This will boost the main street (Portland Street) as well as the area of businesses. This will help reverse the decline.

Mr. Dickey advised that in terms of progress the plan sought a number of ways to encourage new housing development which would bring some light back to Downtown Dartmouth. There has been progress in the past ten years. There has been about three hundred new units, mostly apartments and condos that have been built, along with, some town houses and single units. The population has increased about four hundred people in the Downtown Dartmouth Plan area over the past ten years. This is half way to the year twenty-twenty and the population is just barely holding its own.

Mr. Dickey stated that in the Downtown Plan there were three approaches to development. The first being; As of right, within the commercial zones. Many things can be built here without having to go to Council or through a public process. A twenty four unit building can be built on a lot as of right. You can build office, hotel or retail buildings. There are no set backs required as it is an urban area. You can build to the property line and up to a seventy foot height limit, plus a roof. Secondly; Public process by Development Agreement (DA). If a developer wanted to go over seventy feet in height or wanted more than a twenty four unit building they would have to apply for a DA, have a public meeting, seek Council approval. There have been four or five of those projects. The policy was a

guideline of one hundred units an acre, in a five to seven story height. Council has flexibility for greater height and density but urban design considerations and impacts at pedestrian level are key. Through the DA process, Council has more control over the architectural design and the appearance of the building. Thirdly, identifying opportunity sites. When the Downtown Plan was being looked at, they were looking for ways to do a quick impact to help boost the Downtown. They identified, typically, vacant commercial sites. There were a few in the residential neighborhoods as well. These were targeted for development and given a favorable treatment in terms of zoning and density. There were four sites designated within the business core and two have been developed. There are also a couple in the residential neighborhoods. The MPS envisions these sites as having the most potential for going higher in height and higher in density. Part of the purpose being focus development and revitalization on the empty parcels. Also trying to discourage the removal of existing housing stock and building stock, going for the big impact on already vacant lands. The plan also recognized four in the business district but there were others that could be identified in the future. This is what the developer has requested.

Mr. Dickey talked about the Regional Plan, which was adopted in 2006, as it designates the applicant's largest parcel (the former bowling alley site) as an opportunity site. Being in the Regional Centre of the Regional Plan, specifically encourages high density development on those parcels. Since the Downtown and Regional Plans have been adopted, HRM has done a Regional Center Urban Design Study that focused on the Halifax Peninsula and Dartmouth, within the circumferential. There was a 2 day public workshop held for downtown Dartmouth. This discussed development, design, height and density. The outcomes of this design forum have been endorsed in principle by Regional Council.

He stated that there were some key principles that related to the applicant's lands within the HRMbyDesign public workshop: The outcomes identified the possibility of concentrating new development at the top of Queen Street, which must protect and enhance pedestrian character, which is a key feature of the existing Downtown Plan. Allowing increased density, taller but slender buildings (high quality design and top notch materials), engaging and animating the Canal frontage, get development along side the Canal and bring some life back to the area (this would be in conjunction with HRM funding improvements on the lands) were noted. Also the use of terracing and landscaping on buildings, rooftop gardens, and green roofs and a softer building look and lesser environmental impact.

Mr. Dickey explained the process. This was an MPS amendment request that RC has advised staff to continue with. The first step in the process is to get public comments and feedback on what is being proposed. Also to find out what the issues and questions are. The second step is to prepare a report to go to Harbor East Community Council (HECC) addressing a review in terms of the MPS and what the comments are at the public meeting. From HECC they would then go to RC where they would hold a Public Hearing (PH) on an MPS change. This would not enable the application to happen, even if the MPS is amended. The developer would than have to apply for a Development Agreement (DA) which would entail further public meetings with more detailed plans as the plans

are conceptual at tonight's meeting. If there is a DA application, the final stage would be a Public Hearing (PH) at HECC.

Mr. Dickey listed some questions that he wanted to touch on as these questions were at the core of things. The Regional Plan and the Regional Center Urban Design Study favor these lands for more intensive development with higher density and more height than can generally be done.

He advised the public that he wanted to hear their general comments on the proposal and how they feel on what the developers direction is. He wanted to know what issues there are, not only on this site, but with the downtown area. He had emails and phone calls in prior weeks concerning the quality and appearance of buildings. He feels that this issue should be addressed. Also he wanted to address any other concerns in the past ten years which may have implications for these lands.

Mr. Dickey stated the ground rules, asking everyone to respect everyone's point of view. He then passed the floor to Mr. Darren Dixon, the applicant.

3. Presentation of Proposal -Darren Dixon

Mr. Dixon introduced himself as the proponent and thanked everyone for coming to the meeting. He stated that he purchased some property in Dartmouth (the old laundry mat site) about five years ago and at that time he was trying to understand the direction of growth. He has been in the development industry for all of his life, developing and providing housing in different forms all throughout the HRM. After purchasing the property, he designed a forty eight unit building for that land. He questioned if the development was the right thing to do on the property. He put the drawings away for a while and then wanted to see how downtown Dartmouth transitioned and developed.

He stated that he has always been a believer in other properties and businesses in the Dartmouth area. He grew up on the Eastern shore and has spent his childhood celebrating festivities in Dartmouth, specifically, Sullivan's Pond. He believes strongly that Dartmouth needs a significant project in the downtown to add some vibrance and life to what the numbers confirm to be a bit of a stale growth in the period of Dartmouth.

Mr. Dixon stated that recently he made an agreement with the Sobey's company to acquire their property. This would allow him to bring forward his project. He thinks this project is a step forward to add a nice vibrance Downtown. This would give an opportunity for people to live, walk and work within the area. It would also utilize the existing infrastructure, services and retail areas within the downtown. He believes this gives Dartmouth the things that make great cities, great cities. He refers to this only as a preface so everyone knows where he stands.

He stated that the Sobey's lands are under agreement and there is an amendment going forward with the management group that has not yet been ratified. That is going through a process. He stated that Sobey's would like it noted that they have nothing to do with this proposal but they would like something positive to go on the land.

Mr. Dixon referred to the drawings. He stated that the Canal Commission and all the work that they have done, makes the location a very historical destination point. This was a key factor in his way of thinking as to when the project would roll out. He advised that he is working closely with the Canal Commission to try to make the site an address that Dartmouth would recognize and have a historical nature. He hopes this will bring people to the area. He stated that his proposal included doing the work with the Canal Commission, physically, to try to make sure the surrounding area gets developed as a part of the project.

Mr. Dixon talked about the three development sites. His intent with the "Wellington" (off Ochterloney) is to try and preserve Ochterloney Streets architecture which has developed over the years. Some new projects have held up a historic look and feel. He showed a carriageway that would lead into the parkade of the building for underground parking. This would also be parking for the second building. It would be a seven storey building with approximately forty units. The intent for the tower building, know as the "Grand", would be twenty three stories and one hundred ninety three units. The design is a curvilinear design with a nice curtain wall. It would have a concrete, pre cast panel. He has spent a lot of time looking at buildings all over Canada and North America, being in the construction world and he really likes how a curvilinear building looks in the skyline. It is not just a square or unpleasing shape but fits in the skyline very nicely. The intent for the building known as the "Sullivan" is to have a fourteen storey, eighty unit building with a similar shape as the "Grand". He feels that this shape would give it nice soft edges as it enters into the skyline.

He stated that one of the things Halifax By Design did for the Halifax area was to provide some principles around building design and how it should interact with the neighborhood. His company has tried to embrace some of those principles. Particularly trying to get a street level context to the area, around the cradle area, within the Canal. They are thinking about having a ground level café and a local commercial. The second floor would be residential with decks to get people down on the second level so it doesn't feel like there is a building right over top of you. Also, it would have a wrap around canopy to a deck area so the drop off to the building would be on the extension of Irish Town Road. One of the focal points would be that there is a front door approach to Prince Albert Road. Visitors would have the opportunity to enjoy the Canal and the historical approach of the area. This would provide an "address" to the area.

Mr. Dixon stated that they are trying to ensure that the buildings make sense, at this part of the design process, that the buildings are able to be built on the site and that they make sense from a physical standpoint. He thinks the building makes sense to him in each of these aspects. He also believes that it is a very rare opportunity to find parcels of land that are adjacent to the downtown core and can provide people the abilities to walk to ferry's and to work. This provides a community feeling that is need with a certain scale.

He noted that one of the bigger questions of discussion is whether or not the density is right for the community. He believes that it is important at this point to provide a significant project so there will be lots of life and people downtown. Also to get a range of people of different ages to use the local restaurants and the local community to add life to the downtown. He is concerned about the numbers

provided by the Regional Plan as HRM has spent a number of years on the Plan. One of the focuses for the downtown was to breathe life back into the area, to bring people back to the downtown. This is on an environmental, human and economical level. His reason for doing the project is that it just makes more sense. It is a great location and he would love to see this go through the approval process with community support.

Councillor Karsten opened the floor for questions and comments.

4. Questions/Comments

Trevor Parsons, Downtown Dartmouth, is a business owner. Owns property adjacent to the smaller parcel in question. He stated that he is in favor of increasing the density in that location, on all three sites. He feels that it is important to get people in the area. He was told that a DA would be in place for the sites but an amendment to the MPS would happen first. He wanted to know what specifically is proposed to be changed in the MPS and asked why the change is needed.

Mr. Dickey stated that the plan currently states that you can build up to a seventy foot high building, plus a roof. This is as of right. There are policies where that can be exceeded by going through the DA process. There was discussion about that but he thought the policies were too vague. The MPS doesn't really define under what circumstances you are able to go higher and it doesn't really articulate a lot of design principles for higher buildings. Staff advised Mr. Dixon that if he wanted to proceed, the MPS needed to amended to clarify when you could go higher and what the community benefit would be. In terms of the actual amendment to the plan, the four lots would be identified as a single opportunity site on the attached map in the plan. Also, there is some anticipation that there would be a site specific policy for these sites. The sites are unique as there aren't really any other parcels like them in the Downtown. The location is particularly important because they are next to the Canal. It is important that development on these sites relate to and compliment the public space and history there. Doing an MPS amendment will clarify this in the plan and give Community Council a clear guidance as to what is appropriate.

Don Chard, Downtown Dartmouth, is concerned about the height of the buildings. He doesn't believe they are consistent with the development in the area. He recognizes that the Downtown Plan calls for an increase in the downtown population and places will need greater density to achieve that goal. Halifax shows examples, like the Brunswick Street brick townhouses (The Brickyard), where a substantial increase in density has been achieved without putting up high rises. He is concerned that the scale of the development as it will overwhelm the immediate surrounding area. There are height limitations in that area and there are opportunity sites in that area.
He asked why there would be a consideration for a development, up to twenty two stories, when this site would traditionally have a low rise development. He is concerned about the likely cost of the units in the developments because the developer did say it was appropriate to have a good mix of population. He asked the low and high end of the unit prices. He is concerned about the area as it is in a flood plain. He asked how the developer will respond to the fact that in the early nineteen seventies a hurricane left about six feet of water in the area. He thinks it is very important for staff

to look into this. He also questioned the sunlight and the shadowing for the buildings. He noted that the buildings are slim in nature and asked if this to help these issues.

Mr. Dickey responded first by stating the height will be looked at in more detail after the meeting, when the comments are reviewed. He advised that there is a history of low, square, massive buildings that cover one hundred percent of the lot. These might be seven stories high but they can be very intrusive. This design principle is to cover less of the lot and to go a bit higher. This gives more of a graceful structure and provides more sunlight to the adjacent properties. The height is driven a little by those factors. He wondered what people think of going higher but slender. The height will be addressed at HECC.

Mr. Dickey suspects that the density of the brickyard would be thirty units an acre. He will look into that. In terms of the flood plain, he is aware of what happened in nineteen seventy one when the dam broke and the flood happened. If the same thing happened now, the nine foot water pipe wouldn't carry all of the water. There would still be some surface flooding. How to flood proof the buildings or the potential damage would have to be considered in a site specific policy. Shadows have been talked about and a shadow study would be required from the developer. He turned the floor to Mr Dixon to address the question about costs.

Mr Dixon advised that Canada Mortgage and Housing Corporation's (CMHC) recent report for Halifax confirm that there are currently very low vacancy rates for class A rentals in Halifax, Dartmouth and Bedford. In terms of the breakdown for apartments versus condos, the costs would be dependent on the market conditions at that time. Currently, if they were condos, the range would be starting at around two hundred thousand and ending around three hundred fifty thousand. This is a range of the possible costs for condos. He does not know the split between apartments and condos but thinks there would be more rentals units.

Bruce Hilchey, Downtown Dartmouth, states that he is the President of the Condominium Corporation. He grew up in Dartmouth, moved away for twenty years and returned to Dartmouth because of the location and potential for growth. He bought a condo at Canal Bridge in two thousand four and took occupancy in two thousand five. He is primarily concerned about the block of land that is bounded by Queen street, the Pine street extension, Portland Street and Victoria Road. The developer (Innovative Properties), at the time of purchase, had a conceptual plan for that block. One of the buildings was the Canal Bridge condominium. The second building was Canal Row (a townhouse development). The third was a twenty four unit building proposed for the site of the old laundry mat site. He believed that it was a nice looking development package. That was the perception as to what would be developed on that block.
Mr. Hilchey stated that he had no knowledge of the developer purchasing the parcel. He asked if the developer was aware of the intention for the site prior to purchase. He is concerned about any fundamental change of the perception of what was to go on the site. His building has a deeded right of way that goes across the back of the parking lot site (beside the old laundry mat site). He is concerned because there is a natural boundary between the properties on the west side of Pine street and the other side of Pine street, where the bowling alley site is and the other larger buildings. His

building is involved in the area and so is Seacoast Towers, which he thinks, wasn't the best fit for the downtown area. If a much larger building is going on the site where he thought a smaller building was going to be built, he will feel very closed in. This sets a precedence for the rest of the block. If this extends to the rest of the block, he feels that his building will be a small fish in a big pond. He is not opposed to development in downtown Dartmouth and returned in hopes that development would take place. He thought there was a "medium height building" character. This height would include Greenvale School and the Canal Bridge condominium, which is around seventy feet in height. These buildings seem consistent with the height that fits the area. He is opposed to any higher density development on the Pine Street lot and the laundry mat sight beside it.

Mitch Dickey advised that the developer had plans for two twenty four unit buildings but felt that was not the way he wanted to go. As far as the right of way goes, HRM is aware and that would be more of a civil matter than an HRM matter. It would have to be maintained on any plans or schematics and kept open and available during and after any construction.

George Brown, Downtown Dartmouth, advised that his house would be in the shadow of this building and he is concerned about the effect he will have on the wind pattern. He recently built a solar roof on his house and is worried about this as an investment. He will be in the shade for about half the day.

Mr. Brown read a part of Policy B-9 from the Downtown Dartmouth Secondary Planning Strategy which was approved by Council on July 26, 2008. It says that Council recognizes the important of the Star manufacturing and the Greenvale School sites in the history of Dartmouth and its gateway to Downtown. A mixed used development will be encouraged on this block consisting of open space, heritage and small scale commercial and residential components which blend with the character of the area. The development agreement process will be used to ensure a comprehensive approach which reflects the various community goals for the site. In evaluating proposals for this site, Council should consider the following criteria; The proposal is consistent with the objectives for the site which are to encourage protection and promotion of the sites heritage features. Provision of a small trail link and other open space opportunities and development of small or medium scale commercial or residential components. The definition of small or medium density as thirty six units per acre, stacked town houses, twenty five to forty, three storey walk up apartments, thirty four to forty.

He stated that the restrictions on height and density in the MPS seem specific enough to him.

Mr. Dickey stated that the policy quoted applies specifically to the HRM owned lands. It was used for analyzing the Greenvale proposal that is under way but it doesn't apply to any other properties.

Robert Roren, Downtown Dartmouth, is concerned about the height of the building. He thinks the building would be nicer if seventeen stories were removed from it. He stated that the building will leave him in the shade and will take away his afternoon sun. He believes that the building doesn't fit with the neighborhood. He measured from the front of thirty seven Prince Albert Road and advised that the front door concept, on the building, is one hundred and fifty four feet from the end

of that driveway. This would mean that there would be a twenty three storey building, one hundred and fifty four feet away from the adjacent family units. He does not feel that this it is reasonable.

Maya Warnock, Downtown Dartmouth, lives behind Seacoast. She stated that her house was lost in hurricane Juan. She had been told that the wind patterns came in, in such a way, it went up one side of Seacoast at one hundred seventy five kilometers, created a vacuum and then came down the other side at three hundred fifty kilometers. She feels that if you place high-rises in front of older buildings, the Downtown will be destroyed. The buildings cannot withstand theses wind patterns. She would like this to be taken into consideration. She feels that the building is built similarly to Seacoast, a patio bottom and narrow in the middle. She could not live in her house for six months after Juan. She also mentioned that there are eight high-rises going up on the Kings Wharf side. She asked if the city was overbuilding and creating unnecessary vacancies, if we needed these new developments and what will that do for the traffic Downtown and if there is water and sewage capacity for these developments.

Mitch Dickey advised that there is lots of sewage capacity in the Dartmouth treatment plant to accommodate development downtown. Part of the sizing for the Dartmouth treatment plant was based on the population goal being achieved. A developer has to do a hydraulic analysis regarding water service for a developing site. Regarding the Kings Wharf, HRM does not regulate the market. Developers are taking a risk as to whether or not the market is there.

Ken Wright, North Street, asked how long did it take for the Downtown Dartmouth Plan.

Mr. Dickey advised that it took about two years. It started in late nineteen ninety seven.

Mr. Wright stated that his comment about the plan approved in two thousand should have been complimentary to what was there at the time. He asked Mr. Dickey to think about the comment as it only applies to the development that was under question.

Mr. Dickey stated that the policy Mr. Brown referenced was written at the time specifically for the publicly owned properties, such as Greenvale and the Starr site that HRM acquired. At the time it was presumed that Sobey's would actually build something on the bowling alley site and would have been able to do that under the Downtown Business Zoning.

Mr. Wright asked what Sobey's would have been able to do at that time.

Mr. Dickey stated that they would have had to meet the architectural requirements at street front but could have built a large single floor grocery store.

Mr. Wright advised that they would also have to meet the Downtown Plan.

Mr. Dickey added that if for some reason they were proposing to do residential on top of the store, they could have applied for a Development Agreement to go beyond the seven stories.

Mr. Wright asked how high would have been approved.

Mr. Dickey stated that he could not speculate on what Council would approve.

Mr. Wright asked if this was a Development Agreement or a zoning proposal.

Mr. Dickey advised that this was a request to amend the Dartmouth MPS specifically for the four properties that the developer owns. A new policy will come out of this that deals solely with development on those lands. There are no rezoning in downtown Dartmouth. If MPS amendments are approved following a public hearing then a development agreement process would be followed with more public input sought.

Mr. Wright asked why is the matter not being dealt with one stage at a time.

Mr. Dickey advised that they were doing that and the developer had brought some drawings to provide some focal points for discussion.

Mr. Wright stated that people have asked questions about the viability of the area for rezoning. That should be dealt with first.

Mr. Dickey stated that there are no rezonings in Downtown Dartmouth. You can do things as of right or through a DA.

Mr. Wright stated that people have a right to meet the policies of the plan.

Mr. Dickey advised that they also have a right to request an amendment to the plan.

Mr. Wright stated that the amendment to the plan should be dealt with first and then the buildings and how nice they are should come after. This is a normal planning procedure. He stated that Mr. Dickey has been a planner for many years and should be able to answer these questions.

Councillor Karsten stated that he did answer the questions and the pictures could be turned around but it was dealing with the amendments to the MPS. They are not approving any DA tonight.

Mr. Wright asked why there were pictures of buildings at the meeting. Councillor Karsten advised that he has been around for five years and this procedure was not abnormal. Mr. Wright stated that he has been around a lot longer than five years and it was becoming abnormal to him. If the policies are being changed, how far away are these buildings from the ex-HRM sites.

Mr. Dickey stated that the request is to amend the Plan. There is not a clearly articulated vision for these sites. There has been MPS amendments before where the developers didn't present any proposals and the Planners get criticized because there isn't enough information for residents to look at and get a visual aid. Mr. Dixon was asked to bring something to guide discussion.

Mr. Wright again asked how far away the sites were from each other regarding Policy B-8.

Mr. Dickey stated that the policy Mr. Wright is asking about does not apply to these properties. The policy does talk about, in terms of detailed design, preservation, restoration, heritage features, consideration for day lighting the stream, restoration of natural habitat, quality of design, pedestrian friendly design, rededication of environmental contamination and the standard verbiage. If the amendments are done, because of the proximity of the lands to the HRM owned lands, the same issues are basically in play.

Mr. Wright asked if there are the same issues except height and density. Mr. Dickey advised that they were here to get input on those issues to take back to Council. Mr. Wright asked why the developer does not go for a DA now.

Mr. Dickey stated that if he was to apply for a DA now, as the plan was written, there are no architectural goals, in terms of design, that are clearly defined. It also does not give Council guidance in terms of if a developer wants to go beyond seventy feet. Council needs, to evaluate a development agreement proposal, clear guiding policy. As far as these lands go, there is a lack of guiding policy.

Mr. Wright asked where there is a lack of guidance in the Plan when you are in one hundred and fifty feet of the policy.

Mr. Dickey stated that there is a site-specific policy for the abutting properties but it does not apply to these properties at all. The general policies for the business district apply.

Mr. Wright asked how could Mr. Dickey say that.

Mr. Karsten thanked the speaker and advised that tonight's meeting was not a meeting for debate but to gather information. He also advised that some of the questions are not coming to a direct point. He stated that would allow one more question.
Mr. Wright stated that when you come to a policy and have it approved by Council, why do you come back to change it.

Mr. Dickey stated that the Municipal Planning Strategy is a guiding document for Council. Circumstances change over time. Shortcomings and plans arise. The plans are continually being amended, revised and updated to reflect various circumstances. A request has been made to revise the plan and Council has advised Planning to come out and get public feedback. They need to hear concerns, thoughts and ideas, but they do not have answers for every question. Regional Council requires a public process to be followed when an MPS amendment request is made.

Councillor Karsten added that on the issue , when the Regional Plan came before Regional Council, they stressed that this was a living, breathing document. It was not going to be carved in stone that would be perpetual. They are flexible in response to changing circumstances.

Scotty Hayward came to Halifax in the early seventies when he joined the Military. When he became a diver, he moved to the Dartmouth side. He has noticed that most of Downtown Dartmouth is not like Halifax and is pretty residential. There is a small core between Portland and Queen Streets that are the Downtown. Everything else becomes very established, older neighborhoods. He is a business owner and he is wondering if buildings like this would change the stagnant area. He doesn't want Downtown Dartmouth to be like Halifax but it is nice to have the area be like it is, not to bring in thousands of people. He feels that this building is a big monstrosity.

Holly Cameron, downtown Dartmouth, expressed concern about increased traffic to Downtown Dartmouth. She feels that a lot of people that work in Halifax cut through Downtown to get to the bridges. She asked if the Canal Commission had planned to shut down the bottom of the Pine Street extension to day light the Canal.

Mr. Dickey advised that the Canal Greenway study recommends closure of the Pine Street extension. The idea continues to be the closing of that extension from Prince Albert Road to gain space for the Parkland corridor and perhaps to day light the Canal. A traffic analysis was done and it was accepted by the traffic people. It won't have a significant impact on traffic patterns. It would result in more people going up Victoria Road. The portion of Pine Street that is one way right now would likely become two way and that is seen as providing adequate circulation in the area. In terms of overall traffic, there is lots of road capacity within the Downtown to handle increased traffic. Getting people to live Downtown instead of out in the suburbs will decrease traffic substantially. Having said that, for any specific proposal, a developer would have to provide a traffic impact study for review. The results would be presented to the public.

Holly Cameron asked if there was any chance that Sobey's will build a grocery store there. Mr. Dickey said no.

Bruce Fraser, Dartmouth talked about social economic status (rich and poor). He talked about the bottom fifteen percent of the status living sometimes above the stores Downtown and the older houses which are not pretty. He asked what the plan is for the next twenty five years. He believes that these nice new buildings will be occupied by the upper eighty five percent of the status. How can we add this to the plan so there is a mixed use in terms of the ranges of incomes in the next twenty five years.

Mr. Dickey stated that HRM has affordable housing goals to try and provide a balance of housing for all sectors. It is hard to achieve at all times. It is based on a case by case basis. They can look at the new developments and see what the price ranges might be as well, how broad of the market they might appeal to. The Downtown Plan talks about different types of construction and a range of unit types. The plan also talks about the risk of losing existing housing stock and existing commercial buildings with apartments above to redevelopment. To date, there hasn't bee much demolition of housing stock in Dartmouth. Most of what has happen has been on empty or solely commercial sites. HRM does not know what will happen in twenty five years but advises that HRM will continue to

work on the affordable housing policy under provincial legislation. It is a hard battle and it is important.

Dan Norris, Downtown Dartmouth, was involved with the Heritage and Culture Committee for Dartmouth back in the nineteen eighties. There was a strong desire, at that time, to have a strong heritage component and to see it reflected in the buildings that were being built and the buildings that were being renovated. In the nineties he participated in the planning for Downtown Dartmouth and again there was a strong heritage component that came up.

Mr. Norris stated that he purchased a property on behalf of the City from Mr. John Stanfield for the Starr manufacturing lands. He also worked with Dexel Developments for a proposed renovation for Greenvale school. He stated that these discussions, that went on for many years, stated that there would be a desire to reflect the history and also to allow for new development. The height of seventy feet was suggested so the buildings would be seven to ten stories high and compliment the existing buildings. This would set apart Dartmouth as opposed to Halifax. He moved Downtown and purchased a building in two thousand and one.

He stated that he is a strong proponent for new development and thinks it would be wonderful on these vacant sites. It would be worthwhile for Council to reflect the views from people who have been involved in Community Planning for twenty plus years in Downtown Dartmouth. He thinks the developer should look at a height of seven to ten stories. Council can look at adding more on top of that height if they think there is sufficient efforts that are going into the Canal/Greenway concept. He inquired about the shadow study and a wind study as these properties were City purchased with public funds. If there are shadows across a park, for example, it won't look attractive. The citizens won't appreciate those lands. He stated that there were a lot of policies in place and there is a pretty strong consensus that should be looked at of seven to ten stories plus bonusing for heritage features that are retained.

Janet Moody, Dartmouth, came with an open mind but she is scared because her mother lives in a condo that overlooks the lot where the proposed development would be. The height of the buildings is very concerning because of the shadows and the wind that will be caused. She is not afraid of any development but she thinks the developer should stay within the policy for the benefit of the neighborhood.

Councillor Karsten acknowledged the arrival of Councillor Jim Smith.

Wanda Webber, Downtown Dartmouth, has seen change in terms of development, good and bad. She has not seen the carry over to the Downtown Business sector. She believes that the influx of people has not impacted the business Downtown. She believes that the focus should be in developing the commercial sector Downtown. She was interested in Mr. Dixon's comment about growing up on the Eastern Shore and how they enjoyed coming into Dartmouth to Sullivan's pond and to natal day activities. She advised that these developments are not for Downtown Dartmouth and the MPS is good the way it is. She stated that it is not carved in stone but tweaking is okay, not changing to

this scale. She believes Dartmouth is such a special place because of the proximity to the harbour. It is people friendly. The building proposed should be further out from the core.

She is concerned about a building that is close in proximity to the Downtown, behind the Kent Building Supplies. She feels that there wasn't much opposition to that building. She feels that the Downtown needs something to draw people there on a regular basis. She is concerned about the MPS as there seems to be a lack of commitment to a real vision for Downtown Dartmouth. Without that commitment there will be many requests for many developments and that would be a shame. The parking issue is a concern for her as she takes the bus and sees the traffic at rush hour. It is a very busy time. She stated that there is more than one person per unit Downtown, referring to an earlier comment. She wonders what the level of commitment is from Council. She thinks also that parking has not been addressed.

Noel McKinley, Downtown Dartmouth, supports the need to bring more people downtown. He believes that when looking at development, it is important not to set short term goals, such as increasing the downtown by four thousand people by twenty-twenty. If Kings Wharf is bringing another two thousand people to the downtown, this development will bring a lot more people. He particularly liked the building designated for Ochterloney Street. He does have concerns about the height of the towers. There is a hollow in that location and he is concerned about wind and shadows. He also feels that the height of the buildings will be overwhelming.

Mr. McKinley encourages Council to use the same principles that were used with the Greenvale project. This means there may not be a requirement to follow for the development. The current height restriction is reasonable. He understands that sometimes there has to be flexibility with developments but to look at more than doubling the height of a building, over the current standards, needs to be questioned. He thinks the impact of the development should be looked at.

He believes that we do need this development and it does need to be a combination of commercial and residential. He is again suggesting that the height will be an issue.

Greg Baker, Dartmouth, advises that he will be living in the shadow of this building. He is for this sort of development but questions the height. He thinks that the building can be higher than seventy feet but maybe not as high as proposed. He thinks there should be more people downtown, rather than in Portland Hills or Colby village. He asked about the appropriate mix of commercial and residential. He hopes that there will be a grocery store as that is a core service that a lot of people would enjoy in a pedestrian friendly town. He also asked about the procedures in place for studying wind and light. That is a continuing concern as everyone would like a little bit of sun. Is there a number of hours requirement with developments. He asked the limits on the wind tunnel effects.

Mr. Dickey stated that commercial is required to be on the ground floor of any development on Alderney Drive and Portland Street, up to Five Corners. It is very important to have commercial, local service and retail on that type of site. It is largely a market based decision as to how much the developer would commit to that here. Wind impacts at sidewalk levels, regarding pedestrians have

limits that are deemed acceptable. That is pretty standard. Shadow studies will vary by area. Planning tends to look at the impact on affected properties. There is no solid rule for shadowing. These would be key items to examine in detail if this proposal advances.

Mr. Baker advised that trees can be a wind trapper and asked if there was any possibility of there being trees planted in front of this building or it being put into a Development Agreement.

Mr. Dickey stated that yes, it would be an important part of what a developer would have to do on the site, through the Development Agreement process. HRM will also continue to plant trees on the Starr and Canal parklands. The Downtown Plan talks about higher buildings stepping back because of sun penetration to the street as it accelerates the wind. If the is a podium between the tower portion and the street, it deflects the wind. Awnings and strategic walls are also used to break wind.

Mr. Baker asked how set in stone is the closing of Irishtown Road for the residents of Prince Albert Road. It is a fairly popular road to get out of that area and most of the streets run in the opposite direction. Is that happening with or without the development.

Mr. Dickey advised that it is a pretty important part of the parkland plan but before that can be done, Regional Council has to hold a public hearing on that matter.

Mr. Baker asked if at that time it could be suggested to have a bike lane go through there to allow accessability. Mr. Dickey stated that it would be a given to have bike access with wider sidewalk and a substantial pedestrian corridor.

Anne Timmins, Downtown Dartmouth, lived there her whole life and likes walking in the area. She thinks the developments that have been done for the Canal Bridge and Greenvale School have good quality and are nice developments. She thinks that it is important to develop the four parcels of land in a style so they are complimentary to these other developments. The Ochterloney Street development is attractive and doable. She feels the other two are obscene and remind her of Fenwick towers. They would be a needle in a hay stack.

Catherine Buckie, Downtown Dartmouth, asked how much room would the base of the two towers take up. She asked if it would take up the whole area of land. Would there be any green space around either tower.

Mr. Dixon stated that the podium takes up the entire area of land, not quite street frontage. The idea is to set it back far enough to get some street level commercial and some sidewalk cafes so there is an urban streetscape feel from the Irish Town Road Extension. The parking podium is about ninety percent lot coverage. The green space would be raised on the podium itself. The towers are quite cylindrical in nature and the purpose for that is to provide elevated green spaces and green spaces for the Irish Town Extension and around the towers themselves.

John O'Connor worked in Downtown Dartmouth for about thirty years. He has been waiting a long time for development to occur and believes that this is a good sign. He is the chairman of the Shubenacadie Canal Commission and he wants to hear what people have to say. They have a background in heritage history and identity in the City. He reminded everyone how important the site is and that it may be the last opportunity to give Downtown Dartmouth a unique identity that would mean something to the whole HRM. He wanted to remind the people that cooperation will be needed from private businesses and the government to make this a success and a grand place in the city.

Phil Pacey, Halifax, is concerned about Greenvale School as it is a heritage building that is three or four stories high. He noted that the Dartmouth MPS states that all new buildings should complement heritage buildings. It was mentioned that the Dexel development was designed to complement Greenvale school. These four lots should also be designed to compeiment Greenvale school as well. One of the ways a new building complements a heritage building is by respecting it and its height. Developments on these four lots should not exceed the height of Greenvale school.

He believes that this is a good principle to go by. The plan is clear in stating that three to five stories is a desired height for developments in Downtown Dartmouth. There are buildings in the area that are a similar height. Considering that Dexel had developed at that scale, it would be unfair to them and other developers who have developed at a reasonable scale, to change the scale for another developer. He quoted "What is sauce for the goose should be sauce for the gander".

Mr. Pacey stated that there is no good reason to change these good policies. Developments are occurring and developers are making money in the three to five storey range. He stated that there is nothing broken here so there isn't anything that needs to be fixed. He calculated that the density works out to be about twenty thousand persons per square kilometer. That is much higher than the density which prevails in Downtown Dartmouth at present. By building the regular range of height in developments, there is a substantial increase in density. There isn't a need to go higher.

Troy Scott, Downtown Dartmouth, is a business owner who believes this is a fairly ambitious project. He commends the developer for taking it on but he feels that it will take a developer with a lot of teeth to pull it off at the end of the day. It doesn't look like a cheap project. The policy will be changed for Pine Street and the Ochterloney section. He asked if the development going to occur all at once. He is worried because the policy would be changed and the property could be sold afterwards with a Development Agreement. He asked if that should be a worry.

Mr. Dickey stated that HRM doesn't have the ability to regulate any Land Use matter by ownership. They cannot plan for one person to develop a property. They can only hold an owner to either a zone standard or a Development Agreement.

Mr. Scott stated that it seems odd that the development straddles a street. He thinks the smaller site should be developed and there should be a DA for the larger building on the Starr property so it can be sold at a higher price afterwards. There are a lot of units in the smaller Seagate residence and it

may take a longer time to rent or sell them. He asked if the project will be done all at once or will the smaller tower be done first.

Mr Dixon advised that the schedule would be to start on Ochterloney Street somewhere in winter or spring of two thousand eleven. That is a one year construction cycle. Using that to leverage the market, the tower project will be second, followed by the third building. He sees this as a two to five year construction to allow for the market absorption. He also stated that he views this project as something he wants to own forever. That is his intent.

Arlene Diepenbrock is concerned about the fact that Planning can consider one parcel of land in isolation from the MPS. She thinks that is a big mistake and stated that the idea of the strategy is the vision for the Downtown as a whole. She understands that the parcel is being looked at as a separate opportunity to increase development. She would like to see development Downtown stay within the guidelines of the MPS. She sees no place for a twenty three or a fourteen storey building.

Colin May, Dartmouth, stated that the only reason he goes downtown is to go to the bank, when he doesn't use the computer, to go to Celtic Corner, to go to the post office or to go to Mrs. Fishers store. They have lived there for almost twenty six years. He wonders if the developer is foolish or brave. He can live with the seven storey building but he believes that the downtown needs to be razed and start over. He thinks that the City needs to be more active with this. The mistake on that block is that it should have been developed as one block, not separately. He refers to the interest in developing by Danny Chedrawe at one time and stated that he would have never gotten this far without sitting down with the people adjacent to his property.

He thinks that across the street there are often police cars, EHS or medical personnel due to low income people. The United States require that a certain percent of units be set aside for low income. He thinks that our city should get involved with the properties on Victoria Street that bend around on Queen Street and expropriate and people rehoused to redevelop the whole block. He also believes that the same sort of thing should happen on Portland because the buildings are old.

He noted that a few years back, on his street, there were ten school aged children and now there are two and in twelve months there will be one. When the city talks about density, residents were keen on getting increased numbers of families and children because of the threat of losing Bicentennial school and loss of other schools. He feels that no families will move into that building if they have school aged children. That is a big issue for him and it has never been properly addressed.

He agrees to the seven storey building. He also stated that Brightwood Golf course is as high as a twenty two storey building. Him and his wife thought about moving into the Greenvale site but he is glad he didn't. If he were that developer he would be miffed that he could be staring at this bigger building after spending time and energy on that project. He noted that he is opposed.

Tim Olive is the executive Director of the Downtown Dartmouth Business Commission. He stated that adherence to the Regional Plan and densification to the downtown is needed. He sat on the

committee that developed the secondary MPS and stated that it was quite a process. It took two and a half years. He never envisioned having a twenty two or twenty four storey building in that location or other locations. There was a great site on Prince Street, that is still vacant, that would have been suitable. He noted that the comments at the meeting were mostly about shadows, wind and height. He was please to hear Mr. Dickey say that he was going to look into the height of the largest building. He stated that the statement was not a small statement to make as it is very significant and he is happy that it will be looked into.

Mr. Olive said he was in favor of the development but the comments given caused him to feel concern. He quoted an earlier speaker who stated that the buildings like this should not be built downtown but maybe further out. The Business Commission put up a fight because an office tower was being built in Dartmouth Crossing, where the Regional Plan calls for nothing over five stories to be built outside the downtown core because they wanted those people walking our streets and shopping in our stores. It was passed anyway. There is now another residential development in Dartmouth Crossing. Those people are not going to come to Downtown Dartmouth to shop. It will be easier to walk through Dartmouth Crossing.

Mr. Olive stated that another comment he heard was that we don't need the population and why don't we promote the Downtown businesses. If you put money into a business, you better make sure people are going to come through your door. It is a fact that we need more people Downtown but how we bring them downtown is the issue. The issue is that we need more people living on a tighter block. He supports this as a business community. He stated that he couldn't say that he was in support of a twenty two or twenty four storey building overlooking the Starr site but he does think a seven storey building would not be feasible and would not accomplish the densification that is needed. He feels that there must be a happy medium that puts people downtown, in an appropriate setting with an appropriate finish.

He touched on the issue of redrawing the MPS and the process. He stated that the Lock Four project is an abomination as the building was built under the policy B-8 that is there now. It is a disaster that looks like a barn and shouldn't have been built that way but the plan allowed that to happen. He stated that Mr. Dickey and HRM Planning recognized that. Whether it is another development or Mr. Dixon's development, in a refined form, there needs to be a lot more restriction on building finishes and design and compatibility with the neighborhood than there was on Lock Four and some other buildings. The people he has talked to has mentioned that they are scared that the developer will be able to put another Lock Four next to that heritage site. He stated that he put that to Mr. Dickey and he stated that it could not happen that way.

Mr. Olive stated that Mr. John O'Connor was right about protecting that site. However, there are some very opportunistic lands to develop. He would like to get it right the first time. He would like to bring people downtown to expand the business community and have people who want to stay downtown and shop.

Jean Richard MacNeil, Downtown Dartmouth, stated that as a student of historian John Martin, he has learned a little bit about Dartmouth and it's civility and always doing the right thing. The Downtown was designed hundreds of years ago. It was designed as it is for many reasons. One reason is because of the Chebucto wind that comes up the Harbour. It flows up Banook, all the way to Truro. When you build buildings such as the Kings Wharf development, it blocks the wind that it destined for Truro. Technically, we are responsible for the global warming of Truro. Halifax is a good example, which was lightly discussed. We want to build a responsible efficient city for everybody but watching people in Halifax get knocked down by the wind isn't funny. The taller the building, the more wind that hit the recipients. To start building a better City, looking at the wind affects would be a good way to start.

5. Closing comments

Councillor Karsten asked for any other questions and thanked everyone for attending the meeting. He gave contact information for Mr. Dickey and information on the website.

Mr. Dickey stated that there was an earlier version on the website but it may be hard to find. He was also seeking a way to take comments via the website. He stated that anyone who signed the sign up sheet would be notified as the case progresses. In terms of process, the next steps would be a staff review of the proposal and a report and recommendation to Harbour East Community Council. He thanked everyone for coming and advised that he would be sticking around to answer any additional questions.

6. Adjournment

The meeting adjourned at approximately 9:15 p.m.

Attachment E
Existing Policy B-8 Regarding Development on Opportunity Sites

Policy B-8

Higher density housing proposals that do not meet the standards of the Business District Zone may be considered by Council through the development agreement process. In addition to the general criteria set out in Policy N-5, the following criteria shall be considered by Council in evaluating such proposals:

1. *The "residential opportunity sites" referenced in Policy B-7 should be given priority for higher density development;*
2. *The design of apartment buildings should be sensitive to the traditional character of the downtown and the immediate surroundings. A general guideline of 100 units per acre and 5 storeys shall be utilized as parameters for the scale and massing of development. The following additional criteria apply to the residential opportunity sites:*
   - *a) Up to eight stories may be permitted on Site A provided no greater than 3 stories is permitted on the Edward and North Street elevations;*
   - *b) Up to 10 stories may be permitted on Site C, provided the design of the building is stepped down towards Portland and King Streets.*
   - *c) Up to four stories may be permitted on Site B.*
   - *d) Up to five stories may be permitted on Site D with sensitive treatment along King Street adjacent to existing single family dwellings.*
3. *Buildings should be designed to reinforce a human scale streetscape. The stepping back of higher rise buildings away from the street should be considered to avoid a massive building appearance, as should the subdivision of large building facades to create the appearance of several smaller buildings;*
4. *Commercial or other uses serving the public are encouraged at the street level of residential buildings.*
5. *Where on-site parking is required, it should be enclosed within a building.*
6. *Reduced standard laneways may be considered as an alternative means of access to the residential opportunity sites.*