

## DARTMOUTH COMMON LEGISLATION

### Dartmouth Common Legislation

- Original Land Set Aside Early Settlement – Formal Grant – 1788 – “In Special Trust”
- Dartmouth Common Act – 1986 –
  - to preserve the Dartmouth Common for the use and enjoyment of...the inhabitants of Dartmouth
  - may not sell, lease, licence, or otherwise alienate
  - no person shall build on the Dartmouth Common
- Amendment 1994- may build an addition to a building...if the building and addition are both totally on those lands (Sportsplex Lands)
- Amendment 2008 – may build, expand public transit facilities...not exceeding six acres. When no longer used for transit, the lands revert back to their use as Dartmouth Common Open Space
- Subsumed into HRM Charter 2009

## Existing Legislation

- HALIFAX REGIONAL MUNICIPALITY CHARTER, 2008
- (1) In this Section, "Dartmouth common" means the common of Dartmouth so far as it was vested in the City of Dartmouth on April 22, 1986.
- (2) The Municipality may not sell, lease, license or otherwise alienate the Dartmouth common.
- (3) Subject to subsections (4) and (5), no person shall build on the Dartmouth common.
- **(4) A person may build an addition to a building located on the lands described in the Schedule to Chapter 87 of the Acts of 1994, An Act to Amend Chapter 68 of the Acts of 1986, the Dartmouth Common Act, if the building and the addition are both totally located on those lands..**
- **(5) The Municipality may build, expand or improve public transit facilities on that part of the Dartmouth Common adjacent to Nantucket Avenue and not exceeding six acres.**

## Dartmouth Common Legislation

- Identify Dartmouth Common (new)
  - HRM Dartmouth Common Plan Identified Parcels
- Common to be held in trust – (existing)
- May not sell, lease, alienate – (existing)
- Six acres for transit terminal – (existing)
  - Unused to revert to Commons

## Dartmouth Common Legislation

- ❑ Existing building expand – Cabinet approval (new)
- ❑ Existing Building change in use – Cabinet approval (new)
- ❑ Existing Buildings
  - Revert to open space when life finished unless HRM/Cabinet otherwise agree

## Dartmouth Common Legislation

- ❑ Parking lots expand – Cabinet approval (new)
- ❑ HRM has Regulation Authority around regular use

## Dartmouth Common Legislation

- Principles or objectives – from draft master plan
  - Public access
  - Connectivity
  - Pedestrian priority
  - Collaboration
  - Stewardship

## Dartmouth Common Legislation

- Permitted uses – Park types
  - Park and open space
  - Gazebos
  - Sports fields
  - Interpretive centers
  - Regulate activities

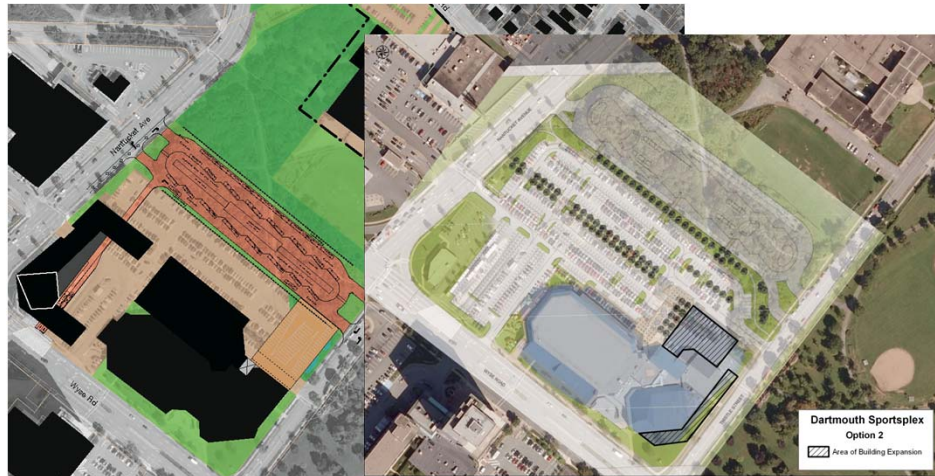
## Feedback From Councillors

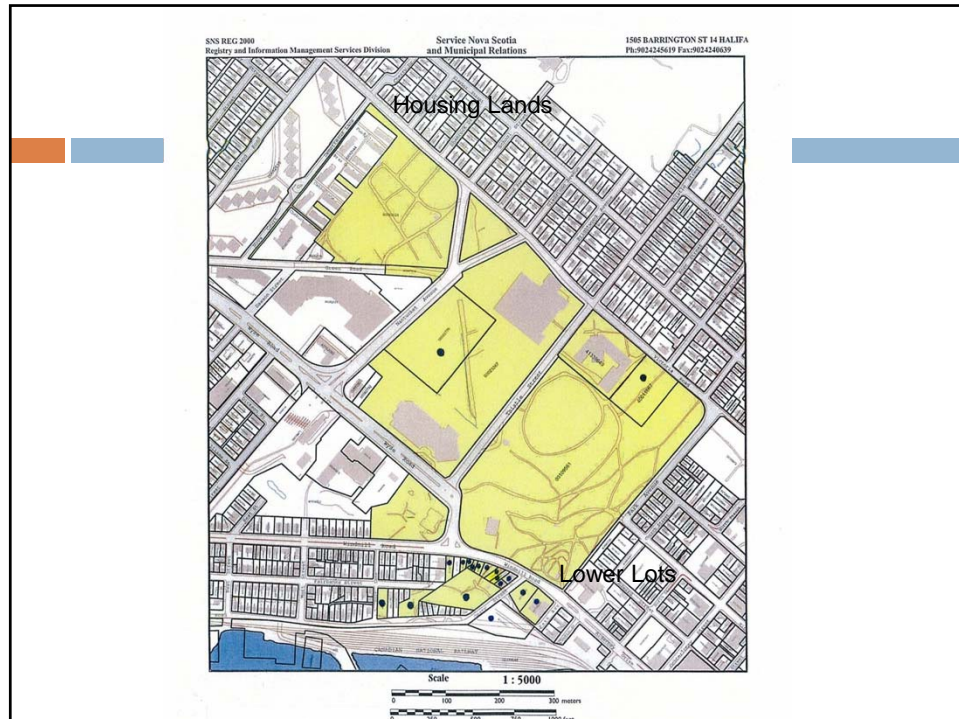
- Support protecting the Common through legislation
- Support default reversion of building sites to Open Space unless otherwise jointly agreed
- Concerned about Sportsplex plans already in the works
- Concerned about including HRM approval in process

## Feedback From Councillors

- Concerned about lower parking lots – Land Assembly for densification of downtown
- Question why Housing Lands in the Historic Common not included
- Should look at similar legislation for Halifax Common

# Sportsplex Expansion Plans





## Official Legislative Process

- Premier has indicated that they would consider input from this Council debate
- Also an opportunity to make presentation at Law Amendments Committee – clause by clause review



## Discussion

