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THESE ARE DRAFT AMENDMENTS, ARE SUBJECT TO CHANGE, AND HAVE NO LEGAL STANDING

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MUNICIPAL PLANNING STRATEGY

DARTMOUTH

THIS COPY IS A

REPRINT OF THE

MUNICIPAL PLANNING STRATEGY

FOR DARTMOUTH

WITH AMENDMENTS TO

APRIL 23, 2025

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MUNICIPAL PLANNING STRATEGY
FOR
DARTMOUTH

THIS IS TO CERTIFY that this is a true copy of the Municipal Planning Strategy for Dartmouth which was passed by a majority vote of the former City of Dartmouth at a duly called meeting held on the 25th day of July 1978, and approved with amendments by the Minister of Municipal Affairs on the 15th day of September, 1978, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 23rd day of April, 2025.

GIVEN UNDER THE HAND of the Municipal Clerk and under the seal of Halifax Regional Municipality this _____ day of _____, 20___.

_____
Municipal Clerk

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Map 10: Generalized Future Land Use (Separate Map) (RC-Sep 30/20; E-Dec 5/20) (RC-Feb 15/22;E-Apr 9/22)

Repealed the following maps:

Map 1c (Development Area) Deleted (Mar 5/19; E-Apr 6/19)

Map 1d (Generalized Land Use) Deleted (Mar 5/19; E-Apr 6/19)

Map 1d (Development Area) Deleted (Mar 5/19; E-Apr 6/19)

Map 1e (Development Area) Deleted (Mar 5/19; E-Apr 6/19)

Map 1G Direction for Growth) Deleted (Mar 5/19; E-Apr 6/19)

Map 1H (Lands of Craigwood Estates) Deleted (Mar 5/19; E-Apr 6/19)
MAP 2A Repealed (RC-Sep 30/20; E- Dec 5/20)

Map 8b (Amendment By-law C-522) Deleted (Mar 5/19; E-Apr 6/19)

Map 9 (Generalized Land Use) Deleted (Mar 5/19; E-Apr 6/19)

Map 9b (Generalized Land Use) Deleted (Mar 5/19; E-Apr 6/19)

Map 9c (Municipal Development Plan 1983 – Generalized Land Use) Deleted (Mar 5/19; E-Apr 6/19)

Map 9d (Generalized Land use) Deleted (Mar 5/19; E-Apr 6/19)

Map 9e (Generalized Land Use) Deleted (Mar 5/19; E-Apr 6/19)

Map 9e (Development Area) Deleted (Mar 5/19; E-Apr 6/19)

Map 9g (Generalized Land Use) Deleted (Mar 5/19; E-Apr 6/19)

Map 9h (Generalized Land Use) Deleted (Mar 5/19; E-Apr 6/19)

Map 9I (Generalized Land Use), which became effective on February 8, 1988 Deleted (Mar 5/19; E-Apr 6/19)

Map 9j (Directions for Growth) Deleted (Mar 5/19; E-Apr 6/19)

Map 9N (Generalized Future Land Use), which became effective on June 26, 1999 Deleted (Mar 5/19; E-Apr 6/19)

Map 9O (Development Boundary) Deleted (Mar 5/19; E-Apr 6/19)

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Map 9P (Lands of Craigwood Estates) Deleted (Mar 5/19; E-Apr 6/19)

Map 9p (Portland St./Portland Valley Area) Deleted (Mar 5/19; E-Apr 6/19)

Map 9q (Portland St./Portland Valley Area) Deleted (Mar 5/19; E-Apr 6/19)

Map 9(r) (GFLUM Amendment Lands Redesignated from Park & Open Space to Residential) Deleted (Mar 5/19; E-Apr 6/19)

Map 9t (Sheppard's Island Map) (Mar 5/19; E-Apr 6/19)

Map 9V (Wright's Cove Future Land Use) (Mar 5/19; E-Apr 6/19)

Map 9W (Future Land Use Map 249/251 Windmill Rd.) (Mar 5/19; E-Apr 6/19)

Map 9X (Burnside Industrial Business Park) (Mar 5/19; E-Apr 6/19)

Map 9Y (Burnside Mixed Use Comprehensive Development District) (Mar 5/19; E-Apr 6/19)

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INTRODUCTION

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Introduction

The Municipal Planning Strategy for Dartmouth shall not apply to the lands located within the Regional Centre Municipal Planning Strategy (RC-Oct 26/21;E-Nov 27/21) as shown on Map 1: Urban Structure - Secondary Municipal Planning Strategy for Regional Centre. (RC-Sep 18/19;E-Nov 30/19)

Notwithstanding the foregoing, the Municipal Planning Strategy for Dartmouth does not apply to the lands designated as "Housing Accelerator", as shown on Map 1: Designation Boundaries, of the Suburban Housing Accelerator Secondary Municipal Planning Strategy. (RC-Mar 18/25; EFF Apr 23/25)

This Municipal Development Plan for the City of Dartmouth has been prepared in accordance with the provisions of "The Planning Act," Chapter 16, Statues of Nova Scotia, 1969. This Municipal Development Plan covers the entire area of land and water contained within the political boundaries of the City of Dartmouth.

> **The purpose of the plan is to provide guidance to the decisions of City Council in the regulation of physical, social and economic development and the provision of public services and facilities.**
>
> **The overall goal of the plan is to provide an orderly system of growth and development within the City, and in doing so, provide for an environment which will make Dartmouth a pleasant and safe place to live and work.**

This plan is based on the policies of the 1965 Official Town Plan and its further modification and update in the 1971 Draft Plan and the 1973 supplement. This plan also reflects the public opinions gathered from public meetings and written briefs since 1971 to present, which form an integral part of the plan development process. This plan brings together the intent of a series of planning documents within the City as well as operational policies and procedures in effect in Dartmouth as they apply to the content of this plan.

The plan is broken down into ten chapters:

Introduction	Industrial
Population	Transportation
Directions for Growth	Open Space and Environment
Housing	***Deleted (RC-Jul 11/00;E-Sep 2/00)***
Commercial	Implementation

A series of objectives have been developed from the overall goal stated above.

TITLE	OBJECTIVE
Public Participation	to encourage and provide mechanisms for continued public education and involvement and participation in the planning process within Dartmouth
Directions for Growth	(a) to identify areas for new growth

	(b) to maximize the use of existing infrastructure
Housing	to provide for a high quality of mixed housing stock in sufficient numbers to meet the needs of people of all income groups and in a pleasant and safe environment
Commercial	to determine the commercial needs of Dartmouth and regulate the size of and location of these facilities
Industrial	to continue to promote industrial development in Dartmouth and make available adequate serviced industrial lands to provide for continued employment and needed industrial growth
Downtown	(a) ***Deleted (RC-Jul 11/00;E-Sep 2/00)*** (b) ***Deleted (RC-Jul 11/00;E-Sep 2/00)***
Transportation	to provide an efficient transportation network incorporating roads, mass transit and pedestrians for the orderly, efficient and safe movement of people and goods
Open Space & Environment	to provide for areas and activities for the citizens of Dartmouth to enjoy their leisure time, provide visual relief within an urban area, and protect the natural and social environment

Public Participation

Participation of the public in the Planning Process within Dartmouth has taken many different avenues and has been a major element in the ongoing development of the Planning Process in Dartmouth. City Council has seen fit in the past to establish advisory boards that are made up of interested citizens with varying levels of expertise but all with a genuine concern for the City. These boards include (a) Lakes Advisory Board, (b) Community Services Advisory Board, (c) Recreational Advisory Board, (d) Downtown Planning Advisory Board, and © Housing Advisory Board. The function of these boards is to give advice to Council on matters that fall within their realm of concern. These boards have worked very well in the past and should continue to do so into the future. Advisory Board meetings should be open to the general public and the time and location of their meetings should be advertised. (Policy I-1) (Policy I-2)

Public participation in the Neighbourhood Improvement Program has been one of the main factors for the continued success of this program in Dartmouth.

The Public is also invited to participate both formally and informally in zoning matters. This is done mainly through the voluntary hearing process, unique to Dartmouth, and the formal public hearing process required for all zoning amendments. Council has also from time to time, requested input from the public on major issues within the City, such as the implementation of major recreation plans, (MicMac Blvd. Park) and major development proposals, (Albro Lake Study), etc.

Planning matters are normally brought before Council through the Committee-of-the-Whole system. Council has established the Committee-of-the-Whole as a form of planning board that will

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meet on a regular basis to discuss major planning issues and concerns. These meetings are open to the public and input at anytime is welcomed. (Policy I-2) (Policy I-3)

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Regional Plan Context

Under the Provisions of the Planning Act, Section 12, a municipality within an area that is regulated by a Regional plan, that municipality must prepare a Municipal Development plan within two years of the Regional Plan coming into force (April 1975). This time limit for Dartmouth has been extended to December 1978 for adoption of its Municipal Development Plan.

The philosophy behind regional planning in the context of the Halifax-Dartmouth region is to provide a broad framework of policies and controls necessary to accommodate growth in the region while preserving the natural and social environment. In essence, the Regional Development Plan is a control document. The Regional Plan also recognizes the role of municipal planning and in fact instructs the three municipalities to prepare Municipal Development Plans within the general framework of the Regional Plan. Therefore, the relationship of municipal plans to the Regional Plan is viewed as municipal plans being a refinement or detailing of the general policies of the region into the context of each municipality. This is in fact the position Dartmouth has taken in preparing its Municipal Development Plan as it relates to the Regional Plan. Through the process of plan preparation, several concerns and issues have arisen that will constitute possible conflicts with the Regional Plan. In general terms the major concern is the apparent lack of procedures for the implementation of the policies and programs within the Regional Plan. It is assumed that through the Municipal Development Plan process and its implementation that the policies of the Regional Plan will in turn be implemented. This may or may not be the case in actual practice. The net effect of this may very well be to put a municipality in a position where without any commitment, financial or otherwise, it may not be able to fulfil these expectations. Several policies within the Regional Plan have been implemented and others are in the process. The concern is that the plan itself does not address implementation methods and as a result is very open ended.

Areas of Conflict with the Regional Plan

1. The development boundary of the Regional Plan in the Port Wallace area of the City does not coincide with the development boundary of the City of Dartmouth and has created a situation where no development at all may occur between the two boundaries. In this situation the Regional Development Boundary should be amended to reflect the City of Dartmouth's Development Boundary.

2. The regional park designation of the Lake Charles/MicMac area should in the Regional Plan be enlarged slightly to include the islands in Lake MicMac, both sides of the canal between the two lakes and the actual water surface of both lakes to more accurately reflect the detail planning that has been undertaken in this park. In this respect the Regional Plan is particularly weak in how Regional Parks will be implemented. Therefore, the limits of the municipality in implementing policies of the Regional Plan must be given due consideration in reviewing this plan and other actions of City Council.

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Summary

In conclusion, the Regional Plan must be recognized as a broad-brush approach to planning for the region and that municipal planning is a process that identifies in some detail the aspirations of a municipality within that region and that conflicts may arise between these two processes. The conflicts that have arisen to date are not serious to the extent that the intent or spirit of the Regional Plan is being contested, but mainly reflects a refinement in thinking and identifies more clearly the issues that are of importance to the municipality and, therefore the Regional Plan should be amended where necessary to reflect the policies within this Municipal Development Plan.

Policy I-1 It shall be the intention of City Council to continue with the advisory board system presently underway to foster continued public input

Policy I-2 It shall be the intention of City Council that all regular advisory board meetings shall be open to the public and the time and location of these meetings shall be advertised

Policy I-3 It shall be the intention of City Council to (a) continue and encourage the on-going public participation on decisions which will affect the planning or development of the city and (b) investigate and develop additional methods to foster the ongoing participation of the public

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POPULATION PROJECTIONS & ANALYSIS 1976 – 1996

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The Projection

Dartmouth Population Projections to 1996

The attached population projections were developed at the Institute of Public Affairs, Dalhousie University for the Planning and Development Department of the City of Dartmouth. The projections reflect observed trends in the geographic distribution of people within Halifax County, land use preferences especially with respect to housing, fertility and survival rates and in and out migration patterns. The projections are based ostensibly on 1966 and 1971 data. Aggregate statistics for 1976 have been incorporated into the calculations but since such data has yet to be made available in either detailed or final form, the projections suffer from an absence of current information. It is suggested that these projections be 8istrict8ed as soon as more complete information becomes available within the next few months.

Table 1 shows the population shares within Halifax County of Dartmouth and its suburbs for the years 1961, 1966, 1971 and 1976 and the projected population shares for 1981, 1986, 1991 and 1996. Table 2 shows the population distribution by 5 year age groups for the City of Dartmouth and for the outlying areas of Cole Harbour, Eastern Passage and North Dartmouth. The projections incorporated into these tables are based on the assumptions outlined below.

Base Populations

The benchmark data for the aggregate population projections was the 1976 preliminary Census data and, for the population age group distribution, data from the 1971 Census of Canada.

Table 1: Population Distribution (Population Shares) for Halifax County, Dartmouth and Suburbs

Year		Halifax County	Dartmouth (City)	Dartmouth % of County	Cole Harbour Eastern Passage No. Dartmouth	Cole Harbour Eastern Passage No. Dartmouth % of County
1961	(a)	225,723	46,966	.208	9,129	.041
1966	(a)	244,948	58,745	.240	11,097	.045
1971	(a)	261,461	64,765	.248	11,160	.043
1976	(a)	278,531	65,341	.235	14,806	.053
1981	(b)	290,826	65,753	.226	18,529	.064
1986	(b)	312,744	66,485	.213	23,205	.074
1991	(b)	330,494	67,080	.203	28,022	.085
1996	(b)	346,369	67,650	.195	33,842	.098

Source

(a) Statistics Canada, Population Urban and Rural Distribution Catalogue 92-709, Vol. 1, Part 1. 1961, and 1971 Census of Canada, Population, Halifax Metropolitan Area, Catalogue 95-702, Unpublished data (1976)

(b) Institute of Public Affairs Projections

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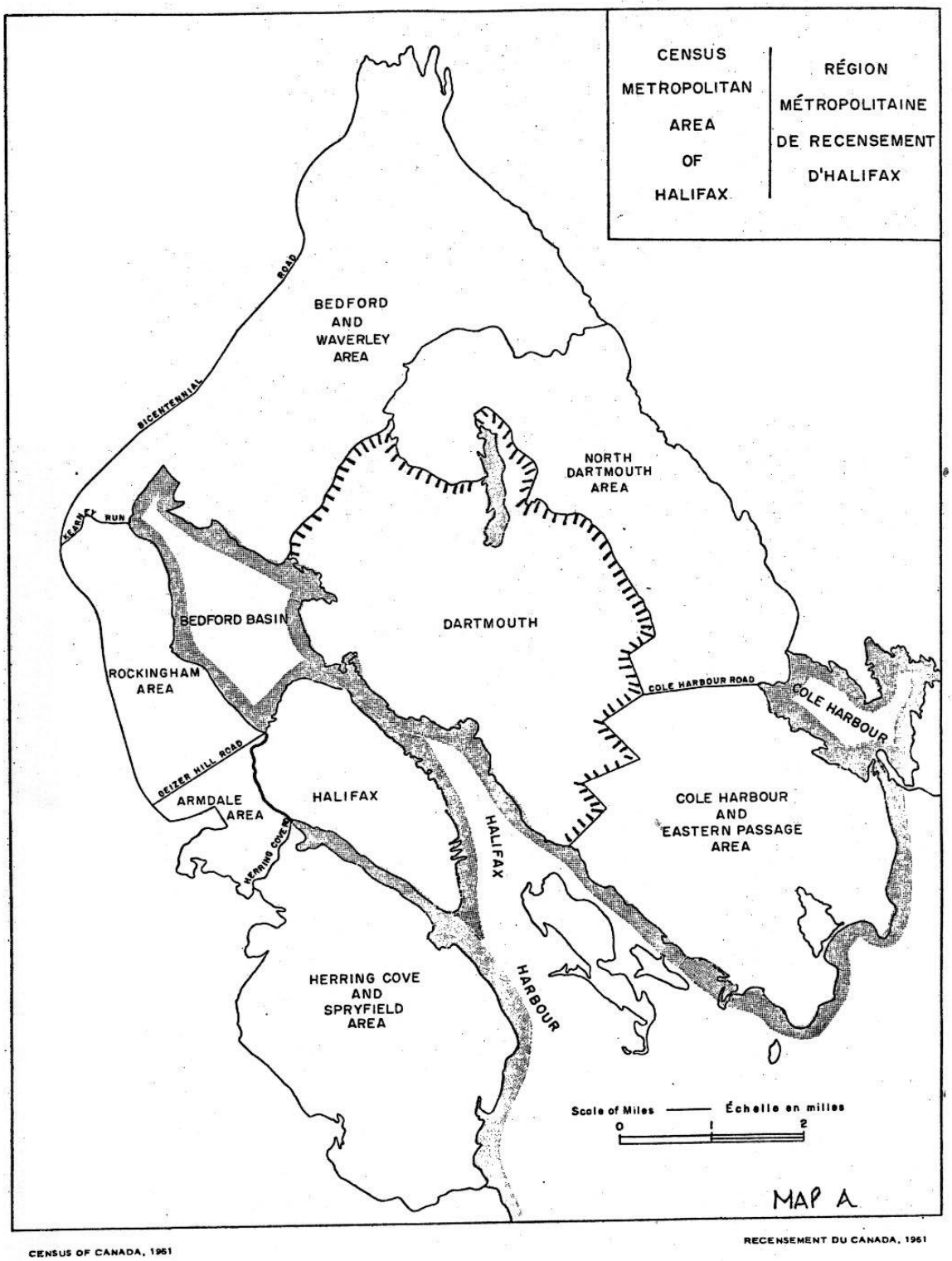
Map A: Dartmouth Municipal Planning Strategy



Map A
Dartmouth Municipal Planning Strategy

Table 2: Population by Age Group (a) Dartmouth and Area

Age Group (Years)	1971 ©	1976 (d)	1981 (f)	1986 (f)	1991 (f)	1996 (f)
Dartmouth (City) (b)						
0 – 4	6,675	5,488	5,523	5,584	5,634	5,683
5 – 9	8,060	8,305	7,079	7,125	7,203	7,266
10 – 14	7,485	7,652	7,841	7,932	8,002	8,071
15 – 19	6,125	6,349	6,526	6,603	6,660	6,718
20 – 24	6,750	6,997	7,184	7,267	7,331	7,394
25 – 34	10,085	10,265	10,474	10,592	10,687	10,777
35 – 44	8,030	8,304	8,499	8,597	8,673	8,747
45 – 54	5,770	5,690	5,869	5,938	5,989	6,041
55 – 64	3,335	3,404	3,568	3,611	3,642	3,673
65 – 69	925	1,117	1,266	1,287	1,294	1,306
70 +	1,525	1,770	1,924	1,949	1,965	1,982
Totals	**64,765**	**65,341©**	**65,753**	**66,485**	**67,080**	**67,650**
Cole Harbour Eastern Pass. N. Dartmouth (g)						
0 – 4	1,225	1,629	2,038	2,552	3,082	3,742
5 – 9	1,640	2,176	2,724	3,411	4,119	4,974
10 – 14	1,415	1,880	2,353	2,947	3,559	4,278
15 – 19	930	1,214	1,519	1,913	2,298	2,815
20 – 24	845	1,125	1,408	1,764	2,130	2,502
25 – 34	1,900	2,547	3,187	3,991	4,820	5,890
35 – 44	1,500	1,984	2,483	3,109	3,755	4,575
45 – 54	690	918	1,149	1,439	1,737	2,098
55 – 64	490	637	787	998	1,205	1,418
65 – 69	160	222	278	348	420	508
70 +	365	474	593	743	897	1,042
Totals	11,155	14,806	18,529	23,204	28,022	33,842
Total Dartmouth Area	**75,920**	**80,147**	**84,282**	**89,690**	**95,102**	**101,490**

Sources

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(a) **Note:** Age group distributions for the years 1976 through 1996 have been estimated and projected on the basis of 1976 preliminary aggregate data and may be subject to revision upon receipt of final and more detailed information from Statistics Canada.
(b) 1971 Census Tracts 100 through 114.
(c) Statistics Canada, Population Characteristics, Halifax Metropolitan Area, Catalogue 95-702 (CT-2A), March 1973, Series A.
(d) Breakdown of population by age group estimated.
(e) Statistics Canada, unpublished data.
(f) Institute of Public Affairs Projections.
(g) Includes Colby Village and Forest Hills Developments (1971 Census Tracts).

Survival Rates

It was assumed that the survival rate would remain at the 1971 level during the projection period.

Fertility Rates

It was assumed that the fertility rate (birth rate) would continue to fall as it has since the mid 1960s. Table 3 shows the actual number of births for the County and for Dartmouth for the years 1970 through 1975.

Table 3: Annual Number of Births to Residents 1970 – 1975

Year	Dartmouth	County
1970	1423	5055
1971	1571	5036
1972	1413	4807
1973	1429	4735
1974	1270	4520
1975	1168	4582

It was assumed that the number of births for the City of Dartmouth would continue to fall while the birth rate for the suburban districts will be fairly stable and at a higher level than Dartmouth or the County as a whole due to the preponderance of young families living in, or moving to that area.

Migration

Preliminary 1976 population figures indicate a slight drop in the rate of population growth for Halifax County as a whole. While the population will continue to grow throughout the projection period, it is assumed that the rate of growth due to immigration will be slightly slower than has been experienced over the last 10 years.

Population shifts within the County are much more difficult to project since one is dealing with smaller areas. It has been assumed, however, that the primary focus of population growth will be the Sackville area with the North Dartmouth, Cole Harbour and Eastern Passage region being a

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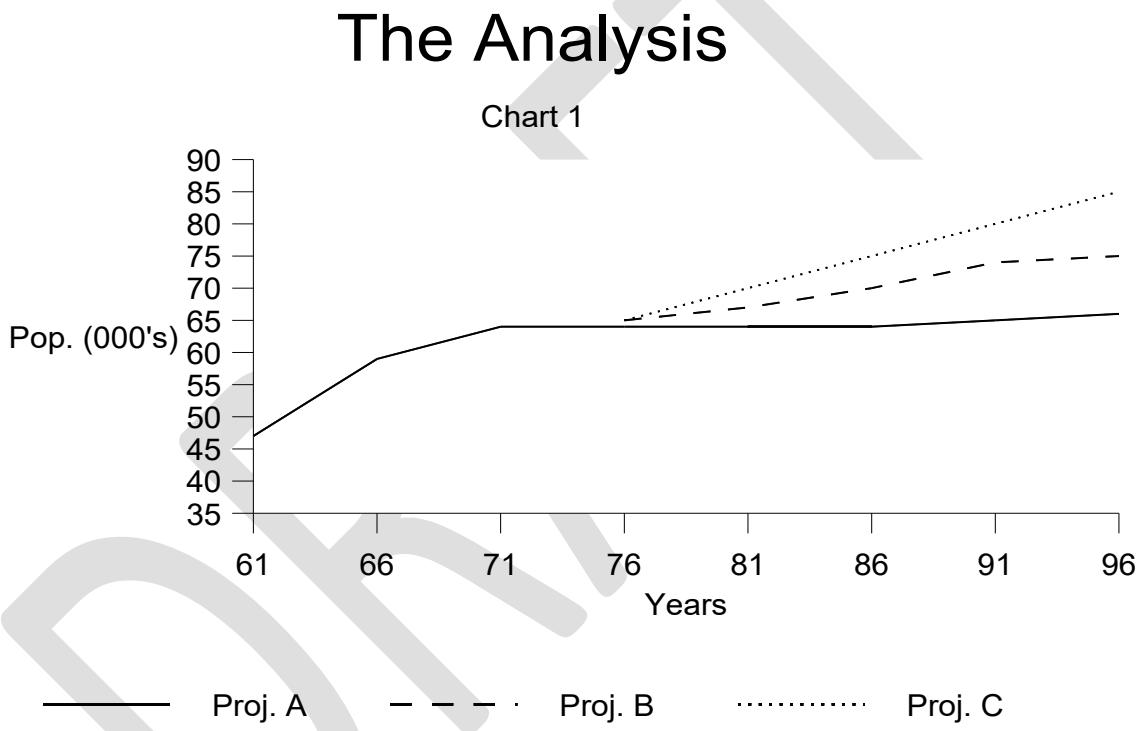
secondary, yet still significant attractor.

Halifax City will continue to experience out migration to other areas although at a much slower rate than in the past with its population stabilizing around the end of the projection period. The population of Dartmouth City will remain relatively constant in total numbers although it is assumed that there will be a gradual, yet marked, rise in the number of single person households within the current boundaries.

The Analysis

Chart 1: Population Projections (1961 – 1996)



Projection A indicates the population projection in graphic form prepared by the Institute of Public Affairs. This projection is based on past trends as they relate to the County of Halifax's population distribution. This indirectly relates to the population distribution Halifax County received within the total county. What this implies is to **substantially** change Dartmouth's projected growth, much would have to change on a provincial and national level. If, for example, our nation's economy was to take a great upswing, the Federal Government began directing proportionally more funds to Nova Scotia, and the Nova Scotia Government, in turn, directed these additional funds to the Halifax-Dartmouth area, our population may very well boom and we may see a growth similar to Projection C. The elements that would allow for this stimulated growth are beyond the scope of the City to control and are somewhat unrealistic in these terms.

An alternative to a stimulated growth or a levelling situation would be Projection B on chart 1. This projection reflects a change basically in the distribution of the population within the County

as a result of providing a wider variety of housing than now exists within Dartmouth. It "may" be possible through policy changes and direct action of Council to redirect some of the growth that is now going to the County. This could be done by opening areas such as Albro Lake or Phases 5 and 6 in Forest Hills to a mixed form of subsidized housing that would attract those going to other sections of the County. Basically, any form of governmentally assisted housing, be it through land assembly, land development or straight subsidizing of rents and mortgages on all forms of housing within Dartmouth will change the distribution and our population will rise and the County's overall population will rise but not to the same degree.

Building Industry

At present, the majority of governmentally subsidized housing has been directed to Sackville and Cole Harbour (Forest Hills) in the form of land assembly and land development for middle to moderately low income families.

The building that has been going on in Dartmouth since 1966 has been geared to the upper- middle and higher income earners looking for single family accommodation or multiple family accommodation for the middle or moderately low income earners. Therefore, what has been happening is that the majority of young families who desire a single family or two family dwelling cannot afford these units in Dartmouth and are going to the County. Dartmouth is also losing those young families as they leave the apartments looking for more private accommodation.

Population Distribution by Age

As a result of these population changes and the continued growth of housing units, Dartmouth now finds itself in a very interesting situation. Our persons per dwelling unit count has dropped from a high 4.2 in 1966 to 3.8 in 1971 and to 3.3 persons per dwelling unit in 1976. What this implies overall is that, in terms of distribution by age, we are becoming heavier in the middle age brackets, 24 – 44 years, (see Charts 2 and 3). Chart 2 shows our population distribution by 5 year age groups for the year 1961. This chart indicates approximately 45% of the total population is under 20 years of age. This type of age distribution tends to put high demands on services such as schools. Dartmouth has been in a real building boom in terms of schools since amalgamation and has just recently begun to slow down. Chart 3 shows the projected trend population distribution for the year 1996. What is happening is that the bulge is moving from the lower end of the graph to the middle creating a difficult form of demand on services. For example, the need for future elementary schools based on population increase no longer exists.

The Extension of Trunk Services

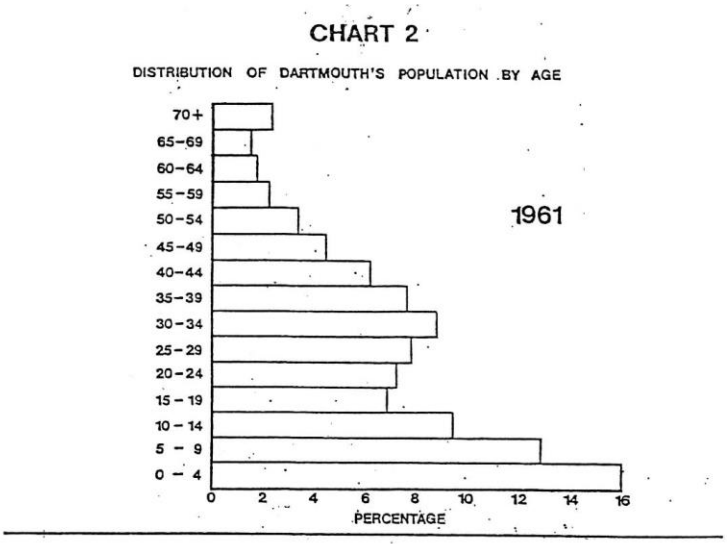
Since being incorporated in 1961, Dartmouth has been continually expanding in terms of serviced areas, major transportation systems, new schools, commercial areas, etc., along with upgrading services in the developed portions of the newly annexed areas. The situation, in terms of serviced land today, is that we presently have approximately one thousand acres of developable land within our development boundary. Developable lands in this context refers to areas that can be serviced by existing trunk lines, but may require extensive servicing on the site. For example, the Albro Lake Lands.

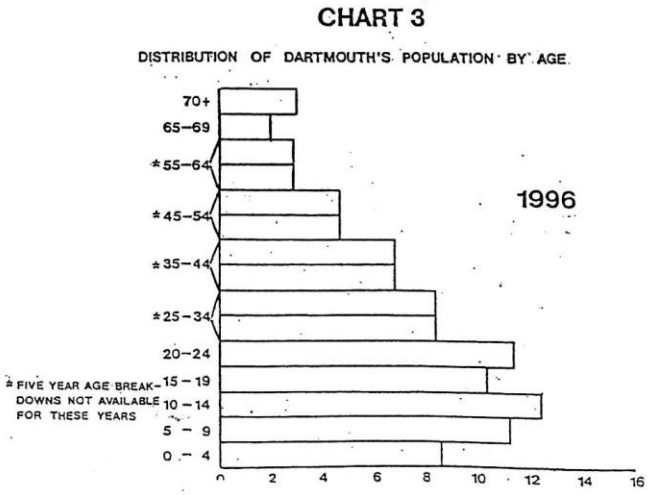
This one thousand acres does not include scattered individually approved lots. This could be

enough serviced land to sustain a population increase of approximately 28,000. Realizing this, it becomes quite obvious that if this present population projection is reasonably correct, we do not have to extend trunk services anywhere for the sole purpose of accommodating growth for at least 20 years. There may, however, be other legitimate reasons for extending services. For example, to alleviate existing pollution problems or to service presently built up areas that are not serviced.

Chart 2: Distribution of Dartmouth's Population by age (1961)

Chart 3: Distribution of Dartmouth's Population by age (1996)





Dartmouth Municipal Planning Strategy

The Alternatives

As a result of reviewing the population projections and the analysis, there appears to be three alternatives:

1. to accept Projection A on Chart 1, continue with a levelling population
2. be optimistic and predict a stimulated growth similar to Projection C on Chart 1
3. establish a planning guideline or framework, in terms of population that would be a moderate increase in the population as indicated by the Projection B on Chart. 1. (75,000 – 1996)

To achieve alternate 1, the City basically does not change from what is happening today. We will continue to attract a very small portion of the market and our population will grow very slightly.

For alternate 2, the City would be required to spend vast sums of money to open up new areas such as Port Wallace, Russell Lake and North Dartmouth area, spend great sums of money in housing programs and encourage greater participation of the upper levels of government and be very optimistic that the general economy of the area will rise. In essence, this alternate is not viable and, in fact, not realistic.

Alternate 3 (moderate increase in population) is the reasonable road to pursue. As mentioned earlier, there is approximately 1,000 acres of developable land that could be built on. The City is looking at ways to revitalize the downtown. We have dropping school populations in various areas of the city. It is good planning and economic sense to efficiently utilize existing services before considering expansion (POLICY P-1).

In the remaining sections of this Plan, the following items are examples of issues dealt with in an effort to make a moderate increase in our population a realistic guideline:

1. stabilize existing housing stock

1(a) encourage the continued use of programs such as Neighbourhood Improvement Programs and Residential Rehabilitation Assistance Programs in older residential areas

1(b) neighbourhood planning should be undertaken in all areas of the City, not just the older areas

2. ***Deleted (RC-Jul 11/00;E-Sep 2/00)***

2(a) request organizations such as the Nova Scotia Housing Commission and C.M.H.C. to get involved with land assembly and development in areas that are presently developable instead of opening up new areas such as Russell Lake for residential development

3. servicing should be extended only to areas that are presently built up and require services or areas having an existing pollution problem such as Port Wallace. The design of such a system must be done with care so that intense development is not encouraged and an overburden is put on the existing road system and existing schools

4. when new housing projects are proposed, the developer should be encouraged or assisted financially to build to serve the middle and moderately-low income earners

Policy P-1 It shall be the intention of City Council to use, as a guideline, Population Projection "B" (moderate increase 75,000 – 1996) in developing and establishing programs throughout the City.

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DIRECTIONS FOR GROWTH

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Direction for Growth

The planning framework, in terms of the population growth, for the present political limits of Dartmouth will range from 67,000 to 75,000 to the year 1996. This growth indicates a moderate increase in the present population (65,000) and will only be a realistic figure if Dartmouth is prepared to be more directly involved with development activity.

Since 1961, Dartmouth has used the development boundary as a tool in controlling where development is to occur. The development boundary to date has prevented intense development in areas which cannot be economically serviced with water, sewer and roads, etc., and has prevented premature development in areas that would tie up large parcels of land suitable for long-term, well planned communities.

The present development boundary reflects natural drainage areas within the City. In doing so, the development boundary then identifies areas in which trunk sewers can be located economically without great expense to the City. The subdivision regulations of the City of Dartmouth only permit the subdivision of one lot per year outside the development boundary. These lots are larger than the normal city lot to accommodate on-site servicing. To date, the development boundary has been very successful in containing development. At present, there is in excess of 1,000 acres of vacant developable land still within the development boundary (See Map 1). Assuming the areas designated for residential uses (See Map 8) were developed at some form of medium density, there would be sufficient land to accommodate between 15,000 and 20,000 people. Also within the development boundary, there are areas within which infilling and some redevelopment could take place to provide additional housing for future population. (Policy G-2).

In reviewing the population projections and the population framework outlined earlier, it becomes very obvious that there is no need to extend the development boundary or extend trunk services to only accommodate future growth for at least 20 years. It is, however, still essential to retain the development boundary but broaden the reasons for its existence to more than just reflecting servicing capacities. (Policy G-1)

There are several areas outside the existing development boundary that must be considered in reviewing directions for growth and the controls that must follow:

(1) Russell Lake Area
(2) Port Wallace Area
(3) Shearwater Airport

(1) Russell Lake Area

The majority of the Russell Lake Area is presently owned by the Nova Scotia Housing Commission who have assembled the land for future residential development. It is quite conceivable that the Housing Commission could put in the required services (water, sewers, streets, etc.) at their expense and open this area for housing without any direct costs to the City. There would, however, be indirect costs that the City would have to bear. These indirect costs range from the provision of new schools to the extension of transit services. In addition, there are other services which are more difficult to calculate actual costs.

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With the present philosophy and use of the development boundary, if the Housing Commission were to pay the initial development costs, it may very likely be approved regardless of its location relative to the development boundary. It is for this sort of situation the concept of the development boundary must be broadened. If any developer was allowed to undertake major developments outside the development boundary, it would delay even further utilization of the undeveloped lands presently within the development boundary; in fact, we may never see the proper utilization of existing services in the older portions of the City. (Policy G-5)

For the development boundary to be more effective in holding future development within the proposed line, the criteria for adjusting the location of the boundary must be broadened beyond just indicating servicing capability. (Policy G-2)

Since 1978 the ownership of lands in the Russell Lake area has changed from the Nova Scotia Housing Commission to a private developer, Portland Estates Limited. Since that time as well the supply of developable land within the development boundary has diminished and it is therefore appropriate that the development boundary in the Russell Lake area should be extended to the City limits. This will ensure a continuing supply of varying development opportunities within the City.

Also since 1978 Dartmouth City Council has determined that it will look at the servicing implications particularly with respect to the installation of trunk sewers after the movement of the municipal development boundary in this area. (As amended by By-law C-494, Dec. 9, 1983)

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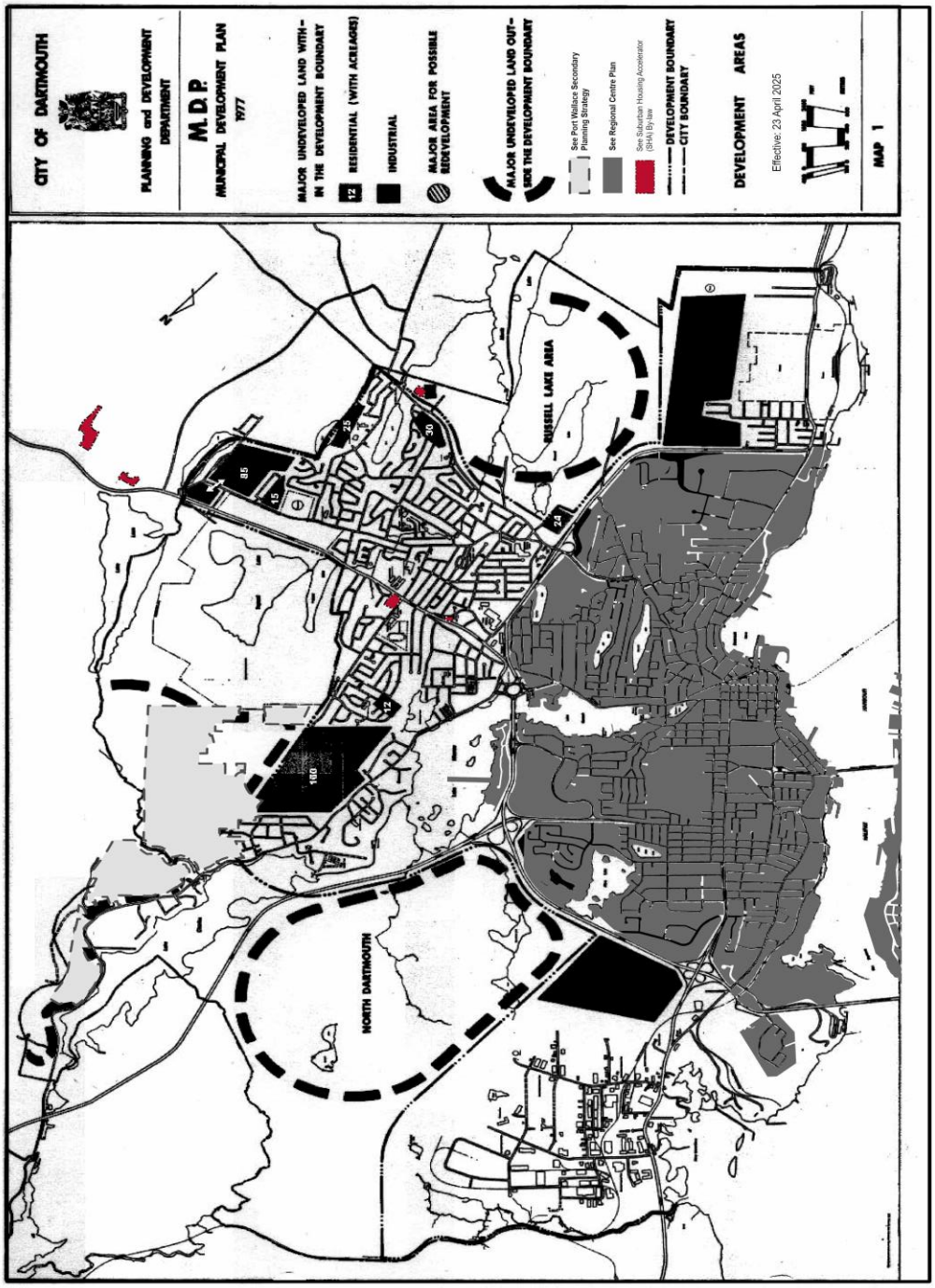
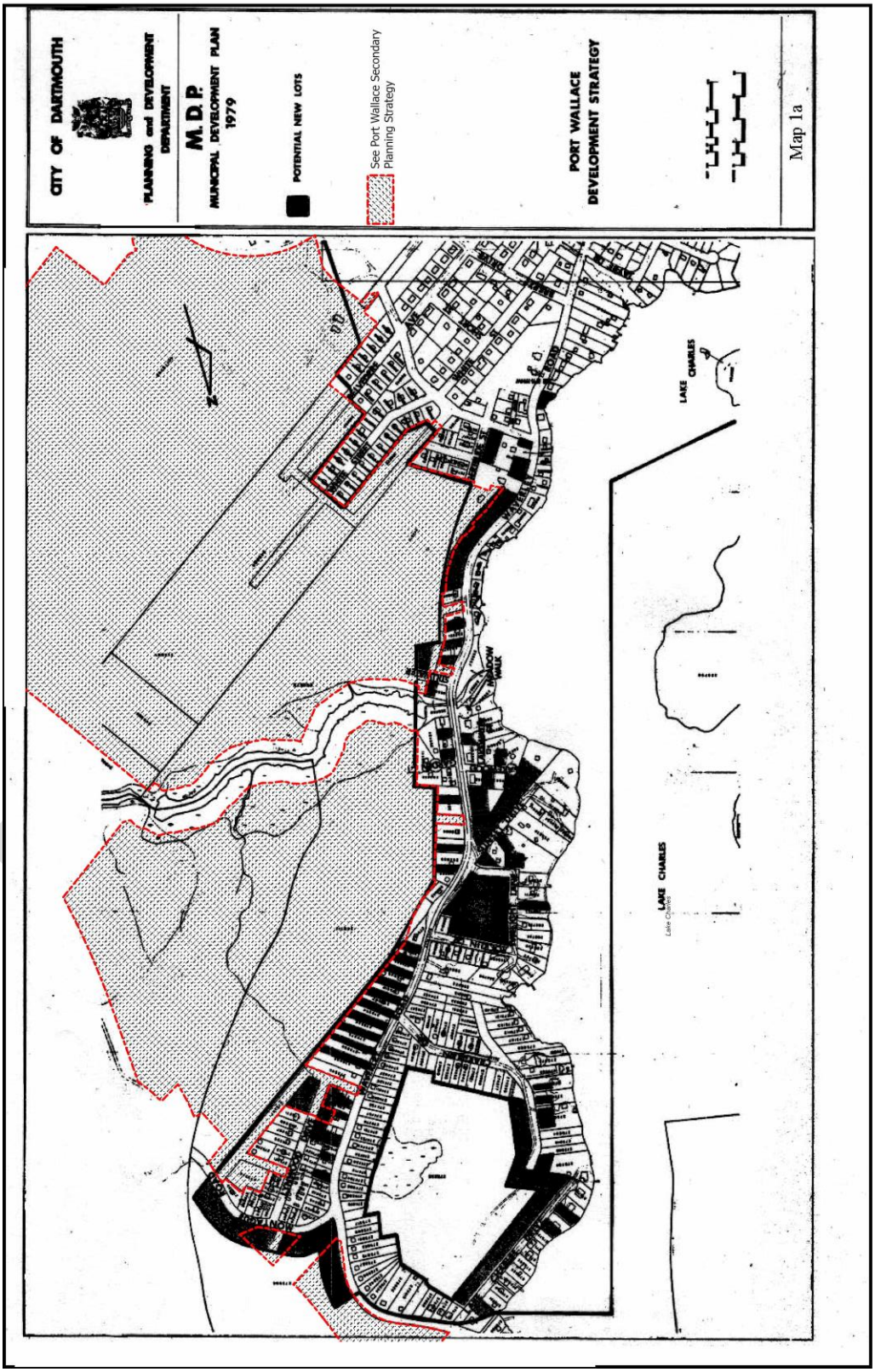
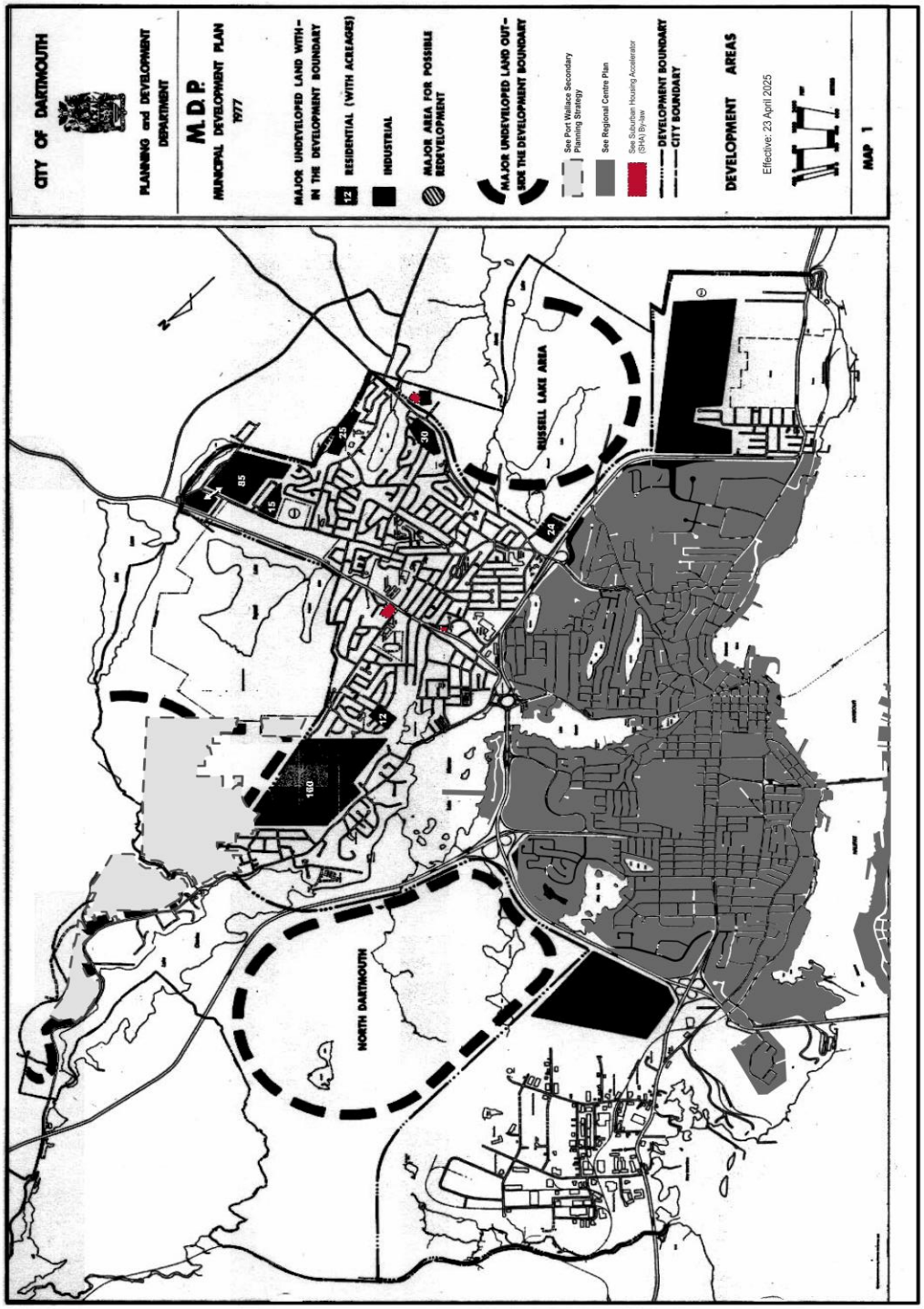
Map 1: Development Areas (Special Area Task Force-Jan 26/23;E-Feb 3/23)(RC-Mar 18/25; EFF Apr 23/25)



Map 1a: Port Wallace Development Strategy (Special Area Task Force-Jan 26/23;E-Feb 3/23)



Map 2: Existing Land Uses (1977) (Special Area Task Force-Jan 26/23;E-Feb 3/23) (RC-Mar 18/25; EFF Apr 23/25)



(2) Port Wallace Area

The Port Wallace area is basically the only area outside the development boundary that has seen substantial growth on wells and septic tanks. This area has been subject to the Department of Health's regulations as well as our own subdivision regulations which require large lots with larger than normal frontage for an urban area. The required lot size or lots on municipal services inside the development boundary is 5,000 square feet with 50 feet of frontage. Without municipal services, it is 20,000 square feet and 150 feet of frontage. The philosophy behind the large frontage is to provide sufficient frontage and area to subdivide and create urban sized lots when servicing eventually reaches the area. There exists a serious pollution problem in this area and Council has recently commissioned a study to determine the servicing needs of the Port Wallace area to alleviate this problem. This study will also include an in depth look at the planning implications of servicing. Ie: potential population, increased demand on services such as schools, roads, etc. We must be concerned that the new trunk sewer does not create a flurry of new development in this area and put such a burden on Waverley Road/Braemar Drive that it will have to be widened or that Michael Wallace School will become further overloaded to the extent that a new school maybe required. The effect of any large scale development in this area is similar to the effect of development in the Russell Lake area, it limits the opportunities to fully utilize the existing services in other sections of the City. In this area the City may still wish to retain the development boundary in its present location until the present study is completed and at that time an adjustment to the boundary and/or policies can be approved to reflect Council's recognition of the study. (Policy G-3)

City Council acting on Policy G-3 has undertaken a study reviewing the implications of providing water and sewer to the Port Wallace area. The results of the study indicated a need to control development in this area within the servicing constraints of the system installed. Therefore, the Municipal Development Plan requires the addition of a Map showing the extension of the development boundary in the Port Wallace area; the revision of Policy G-1 to refer to the new map; and the repeal of Policy G-3 as result of the study referred to therein being completed and acted upon.

It has been determined that there is servicing capacity in the Caledonia Road area to allow access to the present City sewerage system for approximately 155 additional acres. Accordingly, the development boundary is relocated in this area to reflect the additional servicing capacity. (As amended by By-law C-708, Oct. 21, 1994).

(3) Shearwater Airport

The future of the Shearwater Airport, just south of the Dartmouth City limits, has been unknown for sometime and to a certain extent still remains so. Ln terms of the effect on development, there are two basic restrictions that have evolved from the airport:

1. Airport Zoning Restrictions
2. C.M.H.C. Noise Cones

1. The Ministry of Transport Airport Zoning Regulations in effect in Shearwater has the net effect of putting height restrictions on development that occurs within the approaches to the

runways. This by-law is administered by M O.T. and has had some effect in the past on certain forms of development and is likely to continue.

2. The C.M.H.C. Noise Cones are effectively areas within which C.M.H.C. will not make or approve loans for certain forms of development (housing), unless they meet higher than normal building standards. This, however, does not prevent private money lenders from making loans for housing, but it does place a certain degree of restrictions or constraints on the lands affected. It is uncertain how much of a constraint both of the above may be and they are beyond the City's realm of control, but we should however, be aware of these constraints in planning our City.

(4) Repealed (RC-Sep 30/20; E=Dec 5/20)

(5) Summary

1. There are areas within the development boundary that are undeveloped and have a capability of housing some 20,000 people. (See Map 1)
2. Also, within the development boundary, there exists areas which could be redeveloped or infilled to better utilize existing services.
3. Again, within the development boundary and more specifically, within the old town limits, there are decreasing populations and under utilization of public facilities such as schools.
4. The most recent population projections are projecting only a moderate increase in the City's population of between 3,000 to 10,000 people over the next 20 years.
5. There are activities taking place outside the development boundary (Port Wallace servicing and the Nova Scotia Housing Land Assembly) that if not controlled, may lengthen the time dramatically for proper utilization of existing services and force the City into large capital expenses that may be premature.

Policy G-1 ***It shall be the intention of City Council to retain a development boundary as shown on Schedule "B" (Service Requirement Map) of the Regional Subdivision By-Law (RC-Mar 5/19; E-Apr 6/19), and direct future development to areas that are presently serviceable within it. (As amended by By-laws C- 371, May 4, 1979, C-475, Sept. 20, 1983, C-493, Dec. 9, 1983 and C-494, Dec.9, 1993).***

Policy G-2 It shall be the intention of City Council upon reviewing and/or approving any proposal to extend the development boundary to take into consideration (1) Servicing capabilities (2) Does the population or population projection warrant an extension at that time? (3) Will the development have an adverse effect on the utilization of existing infrastructure? (4) Will the development have a detrimental impact on the natural environment or social environment (existing neighbourhoods, etc.)?

Policy G-3 Repealed

Policy G-4 It shall be the intention of City Council to investigate the possibilities and options for redevelopment of areas throughout the City to make better utilization of existing services.

Policy G-5 It shall be the intention of City Council to encourage the Nova Scotia Housing Commission to investigate the opportunities for development within the existing

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development boundary.

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HOUSING

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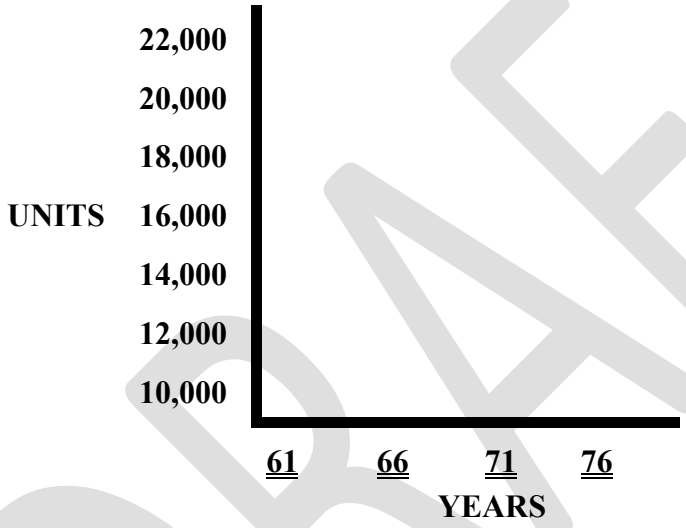
Housing

Housing is the one land use within an urban area that tends to dictate the order of additional forms of development and their relative location (See Map 2). Of course, housing being the item of utmost importance to the citizens of any City, it deserves detailed attention. The number of houses is referred to as dwelling units for reasons of calculation. A dwelling unit implies an area of a building in which one family lives. This unit may range from being a single family home; to one side of a duplex, a basement apartment, mobile home, or one apartment within an apartment building.

The number of dwelling units within Dartmouth has increased at a very steady rate as shown on Chart 4. These figures are from Statistics Canada for the years 1961, 66, 71, and 76.

CHART 4: Number of Dwelling Units (1961-1976)



The number of additional dwelling units required by the City is determined two-fold. One through population projections, outlined in the previous population chapter; and two, by the average number of persons who live in a dwelling unit. Ln the 1971 Municipal Plan Study, it was assumed that one dwelling unit is required for every four persons. This assumption was shown in 1971 to be very close to the real life situation. Now, in 1976, for a variety of reasons (economic, drop in birth rate, social attitude, etc.) the number of persons per dwelling unit has dropped to 3.3 persons per unit[1]. The number of dwelling units required is then transformed to the land area required to construct these new dwelling units upon. This land requirement is based on a density of 8 dwelling units per gross residential acre. Applying the most recent population projection of 75,000 by the year 1996, the City of Dartmouth will require approximately 366 acres of developable residential land to accommodate this projected growth (Policy H-1).

It is essential to have more land available within the development boundary than will actually be required so as to maintain a proper balance between supply and demand. As indicated above, the City will require approximately 366 acres of gross residential land by 1996. This is further increased to approximately 525 acres of total developable land when you add the accessory

[1] Statics Canada: Persons per dwelling Dartmouth 1961 - 4.6; 1966 - 4.2; 1971 -3.8; 1976 - 3.3.

commercial, park, and institutional uses associated with residential development. Therefore, to meet the demand by 1996, the City requires approximately 525 acres of developable land. As indicated in the Halifax-Dartmouth Regional Plan, it is necessary to insure that the development boundary does not cause the cost of land to rise disproportionally and also to allow for a cross section of housing types to be built. To this end, additional acreage of serviced land should be available. At present approximately 60% of the City is within the development boundary (9700 acres). Excluding individual lots and not accounting for any increase in density in presently built up areas, there is in excess of 1000 acres of vacant, developable land presently available. This acreage is sufficient land to more than accommodate the projected growth figures to 1996.

Policy G-1 from the "Directions for Growth" chapter states that development shall be directed to presently serviceable areas within the development boundary. Working within this policy there are two general areas where new residential growth can be located: (1) within existing built up areas via redevelopment and infilling, (2) existing undeveloped sites within the development boundary.

(1) Existing Developed Areas Within the Development Boundary

Policy G-4 again from "Directions for Growth" section states that Council shall investigate the possibilities and options for redevelopment and infilling of areas throughout the City to make better utilization of existing services. Better utilization in this context is meant to refer to maximizing the use of what is already in place. For example, to maximize the use of existing schools before undertaking premature construction of new plants. Another example could be an area which is located such that it can handle additional growth, without tremendous expenditures, as a result of the existing street capacities and/or sewer capacities.

In terms of identifying housing opportunities within presently developed areas and the availability of existing services to handle additional demands, secondary planning on a district level must be undertaken. (Policy H-2)

(2) Undeveloped Sites Existing Within the Development Boundary

There are several large strategically located land holdings inside the development boundary. Given their size, location, and the manner in which they are developed, they will have a significant impact on the total residential environment of the City. These holdings for the most part presently permit only R-1 uses. Due to their location and land value, it is likely that they will be developed to some form of mixed housing.

In cases where the parcel of land is to be developed beyond the R-1 (Single Family) uses they should be developed as a package and done so in "Comprehensive Development Districts"[2]. This concept is very similar to our existing By-law C-188 which allows for planned unit developments to take place on sites 10 acres or greater. ***(Deleted: RC-Jan 12/99;E-Jun 26/99)***

The control of development and in particular residential development is accomplished through zoning and subdivision regulations. Both of these regulations establish minimum standards, which all forms of development, including housing, must be built to. These minimum standards do not provide control over design or the overall quality of life atmosphere created by the development.

[2] Comprehensive Development Districts as outlined in the Halifax-Dartmouth Regional Development Plan.

Dartmouth established a means of positive control over development when it passed By-law C-188. This by-law allows the City to enter into development agreements for proposals that would not normally be permitted under conventional zoning or subdivision regulations. By-law C-188 has the net effect of combining zoning, subdivision, and land use in one package. By-law C-188 established a procedural framework for comprehensive development to take place, but it did not identify in what situations it was to apply and it did not include development standards or criteria to be met by developers.

To overcome these deficiencies, City Council would be required to pursue amendments to its Charter. However, a preferred alternative exists under the Planning Act. Therefore, the policies of this Plan respecting comprehensive development districts will be implemented according to that legislation.

(3) Comprehensive Development District (CDD)

The CDD mechanism permits a land owner and the City to negotiate the development standards for a designated property, allowing for more flexibility than offered by zoning and subdivision regulation. In keeping with the City's concerns regarding the residential development of large vacant parcels inside the development boundary, several properties will be designated as CDDs and others may be considered by Council or owners in the future.

An important objective in providing for CDDs is to create mixed residential developments, with variety in dwelling type, building design and lot characteristics. In most cases, this mix will be achieved within each CDD. However, some districts may be located in the immediate vicinity of alternate housing forms and in these cases, the surrounding neighbourhood will be taken into account in determining an acceptable mix of housing for the property.

(Deleted: RC-Jan 12/99;E-Jun 26/99)

CDDs will be developed according to master plans and implemented by development agreement(s). Policies H-3 through H-3E expand on City Council's intentions in providing for CDDs. (As amended by By-law C-697, June 18, 1993).

(4) Land Assembly

In order to undertake housing projects in areas presently developed, it may become necessary for a certain degree of land assembly to occur. Land assembly has been used by the City very effectively to assemble lands such as the park around Sullivan's Pond and the lands adjacent Lake Charles and MicMac. It is a very effective way to implement policies such as creating park systems. Land assembly can also be used to provide an impetus for housing to take place in areas that are characterized by small lots and many individual landowners. To operate a land assembly program for housing effectively, it would become necessary to establish a revolving fund exclusively for the purpose of directing housing in certain areas of the City. The assembled land could be resold to builders to construct the form of housing deemed necessary by the City. The funds obtained from the resale would be put back into the fund for additional assembly projects. This program would require some group to administer and oversee the program. This could be done by the Housing Advisory Board or the Dartmouth Housing Authority as provided for in

Section 146 of the City Charter. Amendments to the City Charter may be required to facilitate the desired land assembly program and related projects (Policy H-4).

(5) Rehabilitation of Neighbourhoods and Housing

The proper maintenance of the existing housing stock is a vital element in any housing policy. It is important therefore, for the City to determine where the deterioration of the housing stock is occurring or likely to occur and adopt policies to prevent or reverse this process (Policy H-5).

It is not only the condition of the housing units themselves that create the problem. Low quality roads and services, poor subdivision with its creation of unusable, unkept parcels of land, minimal landscaping, the lack of parks and open space, parking facilities and excessive traffic. All these factors contribute to the deterioration of an entire residential environment. Moreover, they are all matters in which the City can take direct action. The City should therefore, select as rehabilitation areas, those neighbourhoods within which a significant number of houses and their surroundings are in poor condition.

The City working in conjunction with the residents of each rehabilitation area should undertake a planning program containing some of the following elements: improvements of streets, storm drainage, sanitary sewer, and water supplies if necessary: changes in the street system to improve circulation or to discourage traffic depending on local traffic problems, replotting of vacant lots and their possible purchase, servicing and resale by the City, provision of local parks and playgrounds, construction of new schools or community buildings, provision of design and construction advice to homeowners, landscaping of publicly-owned lands, provision of sites for public limited dividend or senior citizens housing, provision of home improvement loans for homeowners, provisions of sites for private development, clearance of sub-standard buildings when rehabilitation is not possible, amendments to the zoning by-law to protect existing housing or to encourage new development.

Three elements are essential for the success of any rehabilitation program: (1) continuing city involvement, (2) support from senior levels of government, and (3) support from the residents of the rehabilitation area.

1. The City must be prepared to have an office and staff working full time in a rehabilitation area. Without this the citizen involvement will be minimal and there will be little private rehabilitation.
2. The provincial and federal governments must agree to provide financial assistance if complete rehabilitation programs are to be offered. This would likely include assistance for site acquisition, home improvement loans, and public redevelopment. Without this assistance however, the City could carry out a program of improving services, rearranging the street pattern, replotting vacant lots, and providing small open spaces. These actions, if carried out with the involvement of the residents could help encourage owners to improve their own properties.
3. A rehabilitation program will work only if the residents of the area involved want it to work. They must want to maintain and improve their properties. Without this cooperation, public improvements will be of little consequence. The rehabilitation programs must therefore reflect what the residents consider to be the need for their area rather than what outsiders think would be the best for the area.

At present, the City is actively involved in the Neighbourhood Improvement Program (N.l.P.) in six areas within the City. This program combined with the Federal Residential Rehabilitation Assistance Program (R.R.A.P.) create an almost perfect combination for rehabilitation to take place (Policy H-6).

(6) Shared Housing (RC-Aug 9/22;E-Sep 15/22)

It is recognized that shared housing uses (RC-Aug 9/22;E-Sep 15/22) are a necessary and affordable form of residential accommodation, and that such uses should be permitted in Dartmouth. This type of housing helps to fulfill the City's objective of providing mixed housing stock in sufficient numbers to meet the needs of people in all income groups.

(7) Housing for Senior Citizens and Other Special Populations

Senior citizens are a growing segment of our population. With age comes diminishing mobility, physical and sensory abilities. Accommodations for independent living for seniors and other members of the population, who are limited by physical and sensory abilities, therefore, have special requirements. Seniors need a flexible environment that would enable the person to remain independent as his/her physical conditions change.

Residential requirements for senior citizens are very similar to that of the general population, however, their mobility, physical and sensory abilities decrease with age. Any building that is intended for seniors use should be constructed to either accommodate people with limited physical or sensory abilities or easily converted for this use.

(8) Zone Requirements for 75 and 77 Lakecrest Drive (Deleted: RC-Sep 10/13;E-Nov 30/13)

(9) Zone Requirements – Lancaster Ridge

Reduced lot sizes and other zone requirements affords Council the opportunity to further several public objectives in the M.P.S. These relate to environmental concerns, reduced urban sprawl and increased affordability and housing choice. Changing life cycle, lifestyle requirements and decreasing household size are contributing to an increasing preference for smaller lots with single detached houses. Lots with reduced frontages are appropriate for Chinook and Tutor Courts, given the location and street classification.

Council's consideration of this amendment includes a policy direction which is specific and appropriate to the proposed area in the Lancaster Ridge subdivision. Future applications for this type of amendment will require specific analysis and Council's consideration of a policy change respecting the area applied for. Further, the general intent of the R-1 zone, with respect to minimum lot size and other zone requirements, is maintained. (As amended by By-law C-729, Oct. 25, 1995).

Policy H-1 It shall be the intention of City Council to provide sufficient developable land to accommodate the projected population for 1996.

Policy H-2 It shall be the intention of City Council to undertake secondary planning within the City by establishing planning districts. One of the main elements of these district plans will be to identify potential housing opportunities and strategies to better maximize existing services. Community participation may form an integral part of this process.

Policy H-3 ***It shall be the intention of Council to establish a comprehensive development district (CDD) within the land use by-law. A CDD may be applied to vacant lands which have a minimum area of ten acres and which are located within the development boundary. It is the intention that a CDD shall be primarily a residential development and shall provide a mix of residential uses. Within the CDD, Council may consider permitting any residential use and institutional, commercial and recreational facilities to serve the area.***

Policy H-3(AA) ***Repealed (RC-Oct 11/22;E-Nov 16/22)***

Policy H-3A ***Pursuant to section 56 of the Planning Act, development within a CDD shall be subject to an agreement. Prior to considering any agreement within a CDD, Council shall require a concept plan for the entire land holding. The concept plan shall include the following information, some or all of which may be made part of any agreement as Council deems necessary to fully describe and control the development:***

(a) a map(s) and assessment of the physical nature of the land, including its topography, mature vegetation, natural features restricting development and any significant environmental characteristics;
(b) a transportation plan, including vehicular, pedestrian and public transit systems, and traffic impact analysis sufficient to evaluate the internal and off-site implications of the systems;
(c) the method of providing municipal sewerage, water and storm services to the development;
(d) the general phasing of development;
(e) the distribution and nature of all land uses; and
(f) the total number of dwelling units, the proportion of all units which are proposed to be in apartment buildings and the gross residential density of the whole development and each of its phases.

Policy H-3B ***In addition to the provisions of Policy H-3A, Council shall consider the following prior to approving any agreement within a CDD:***

(a) the adequacy of the mix of residential uses to provide a range of housing options in terms of lot characteristics, building and dwelling type and design;
(b) the general guide that the maximum number of apartment units shall not exceed 40% of the total actual number of units within the CDD. Such figure may be increased to a maximum of 50% provided clear advantages are gained within the CDD by means of increased parkland

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or open space, increased areas of undisturbed terrain and vegetation, decreased amount of impermeable surfaces and/or improved environmental protection or an improved transportation system. (RC-Mar 22/05;E-Apr 23/05)

(c) the location and concentration or dispersal of multi-unit residential buildings with respect to impacts on street networks, abutting uses and the physical environment;

(d) the general guide of a maximum residential density of 8 units per gross acre, excluding acreage devoted to commercial use;

(e) the compatibility of various land uses, within and adjacent to the development, and measures proposed to integrate and buffer uses. Compatibility refers to the type of land use, dwelling (housing) type and size and height of the development. Buffering refers to measures that mitigate impacts on adjacent uses, such as adequate separation distances, retention of existing vegetation and the installation of suitable screening features such as new vegetation, berms and or fencing;

(f) the adequacy of measures to minimize disruption of existing terrain, vegetation, watercourses and other physical features and to mitigate against the potential effects of disruption;

(g) the hours of operation of non-residential uses, including business uses located in dwellings;

h) the safety and efficiency of all transportation systems, including the effects of driveways to and traffic from abutting uses to streets and walkways including the adequacy of pedestrian facilities (sidewalks/walkways);

(i) the general guide that street frontage for single detached development not be less than forty (40) feet and that the total number of single detached lots having street frontage less than the minimum requirement as prescribed by the land use by-law and/or the subdivision by-law (RC-Jan 29/02;E-Mar 2/02) not exceed twenty-five percent of the total number of single detached units within the CDD;

(j) that the size and type of commercial uses be designed to serve the shopping needs of residents within the local area, rather than the community or the region. Commercial uses to be considered are to be compatible with and sympathetic to the character of the surrounding residential community in terms of location, use, scale, design and traffic impacts. Uses to be considered may include, but not limited to, offices, financial institutions, convenience shops, drug stores, personal service outlets (dry cleaning depot, laundry mats, hair salons, tailors and so on), small food stores, gas bars, and restaurants (excluding drive-throughs). Uses not to be considered include, but are not limited to department stores, home improvement centres, drinking establishments, adult entertainment uses and large grocery stores;

(k) Notwithstanding criteria "j", larger commercial development containing a wider range of uses may be considered for lands adjacent Highway 111 at the proposed Woodside interchange;

(l) within the Morris-Russell Lake area, all new development shall adhere

to the Morris Lake Watershed Management policies as contained in Policies ML-1 to ML-23 as applicable;

(m) the impact the proposed development may have on the quality of life of existing neighbourhoods, and notwithstanding criteria (b),(d),(i),and (j), Council may reduce the maximum allowable under each criteria in order to protect the quality of life of residents within existing neighbourhoods;

(n) any and all other matters applicable to the subdivision and servicing of the lands, the provision of parkland and the effects of the development on community services as set out in policy IP- 1I and, for specific uses which are otherwise subject to development agreements, the specific considerations required by the text and policies of this Plan;

(o) Repealed (RC-May 23/24;E-Jun 13/24).

(RC-Oct 11/22;E-Nov 16/22)

Policy H-3BA *For lands located in the Lake Loon Golf Centre CDD, identified as PID 40396152, 00602474, 41053299, 00261933, 00261925, 00261958, 41053281, 40173395, 40285397, and 00261917, bounded on the ~~south~~* ***west*** *by Halifax Regional Water Commission Topsail Lake watershed lands, to the ~~west~~* ***east and north*** *by the Forest Hills Connector* ***and privately held lands, and*** *to the ~~east~~* ***south*** *by Golf View Drive and Main Street (Highway #7) ~~and to the north by privately held lands~~, to support compact, mixed use and transit oriented development that provides adequate buffers from environmentally sensitive features on the site, Council may consider development proposals by development agreement.* ***In considering development agreement proposals, Council shall consider:*** *~~that meet the following requirements:~~*

:

(a) ~~Policies H3A and~~ That Policy H3B shall apply, except ~~for~~ the requirements limiting land use, density, and lot frontage under clauses (b), (d), and (i) ~~of Policy H-3B~~ that shall not apply;

(b) that permitted density on the site shall be determined based on the recommendations of:

(i) a Land Suitability Analysis, including mapping and analysis of the area's ecological features to identify lands that are constrained, partially constrained, or not constrained for development. The analysis shall include consideration of watercourse and wetland habitat, forest habitat, species at risk habitat, landscape and ecological connectivity, surficial and bedrock geology, steep slopes, contaminated sites, and areas of cultural significance,

(ii) a Transportation Impact Assessment, and

(iii) consultation with Halifax Water regarding any setback or buffering requirements for Topsail Lake;

(c) a built form on the site that includes:

(i) a mix of three to eight storey buildings with three-storey streetwalls,

(ii) ground oriented units or commercial uses at the ground level,

(iii) limiting surface parking,

(iv) a maximum building width and maximum building depth of 64 metres, and

(v) tall buildings on the site be located closer to Main Street;

(d) buffering, including setbacks, fencing and landscaping (planting or retention of trees or vegetation), required for the purposes of sedimentation or erosion control to protect the Emergency Water Supply Area;

(e) controlling erosion and sedimentation during the construction of the development; ~~and~~

(f) bonus zoning requirements in accordance with Section 9.7A of the Regional Municipal Planning Strategy and Appendix A of the Dartmouth Land Use By-law.

(g) the general phasing of development; and

(h) Policy IP-1(c).

(RC-May 23/24;E-Jun 13/24)

Policy H-3BB *In considering a development agreement under Policy H-3BA, Council shall consider all of the following:*

(a) addressing the irregular alignment of Golf View Drive and Main Street based on the findings of the Traffic Impact Assessment, which improvements to the intersection may be required to introduce any proposed development to the site and will require the involvement of the Municipality and the Province of Nova Scotia;

(b) the transportation network which prioritizes walking, the easy use of mobility devices, cycling and transit use, and supports connections to the surrounding community; and

(c) any future functional plan approved by Regional Council for the Main Street corridor.

(RC-May 23/24;E-Jun 13/24)

Policy H-3C *For each phase of development in the CDD, detailed site plans shall be submitted.*

In addition to the provisions of any agreement pursuant to Policy H-3B, detailed site plans shall provide the following information:

(a) the design, exterior appearance, signage, elevations and landscaping of multi-unit buildings, institutional buildings and commercial buildings;

(b) the dimensions of all yards and the physical nature of measures to integrate or buffer adjacent uses;

I the details of layout, lighting and landscaping of parking areas for multi-unit residential development, institutional and commercial development;

(d) the provision of useable amenity areas including indoor and outdoor recreational facilities for multi-unit residential developments;

I *a tentative subdivision plan showing all municipal services and proposed building locations;*

(f) *grading plans or other information regarding the method of developing, protecting or restoring significant physical features of the site during construction;*

(g) *a projected time frame for construction;*

(h) *the location, size and number of vehicular access points to all developments;*

(i) *landscaping and maintenance plans for multi-unit residential, commercial and institutional uses;*

(j) *the details of street scape aesthetics (landscaping, street trees, etc.); and*

(k) *any additional information required to be able to assess the proposal in terms of the concept plan and any approved development agreements.*

Policy H-3D ***It shall be the intention of Council that all or part of an agreement made pursuant to policies H-3A, H-3B and H-3C may be discharged upon completion of the development or upon completion of particular phases of the development. Upon discharging part or all of any agreement, Council shall zone the lands to reflect the intent of the agreement or by creating a specific zone for the site.***

Policy H-3E ***It shall be the intention of Council to consider the zoning of lands within the Plan area that meet the criteria for a CDD by amendment to the Land Use By-law. (RC-Jan 12/99;E-Jun 26/99)***

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

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

(a) *the overall density of development shall not exceed 6 units per acre;*

(b) *the general mix of housing units shall, on the completion of development, contain a minimum of 50 percent lots which are sized as standard R-1 (Single Family Residential), R-1M (Single Family Modified Residential), and R-2 (Two Family Residential) lots according to the provisions of the land use by-law. R-1M lots shall not comprise more than 15 percent of the total housing mix and up to 50 percent of lots or dwelling units (if not freehold lots) may contain town house units, according to the provisions of the land use by-law;*

(b) *the minimum lot size for a R-1M lot, as referred to in clause (b) above, shall be 40 feet of frontage and 4000 square feet of lot area;*

(d) *the townhouse units, as referred to in clause (b) above, shall generally be located on the portion of the development parcel adjacent to Woodland Avenue; and there shall be no land use permitted in this*

comprehensive development district other than residential uses, as noted above, and uses accessory thereto, and open space and recreational uses.

(e) there shall be no land use permitted in this comprehensive development 37istrict other than residential uses, as noted above, and uses accessory therto, and open space and recreational uses. (RC-Jan 29/02;E-Mar 2/02)

Lands south-west of the Portland Street and Highway 111 interchange (Hammerling lands)

A Comprehensive Development District (CDD) zone has been applied to a 26 acre parcel of land (formerly known as the Hammerling lands) located south-west of the Portland Street and Highway 111 interchange. In 2000 a development agreement was approved for these lands to ensure sensitive and comprehensive development of commercial land uses proximate to established residential development. Residential development along Green Village Lane including a multiple unit dwelling, two self-storage buildings and a commercial plaza have been completed. However, the remaining commercial land use provided for in the 2000 agreement did not occur as contemplated.

A redevelopment of approximately 8 acres to replace the commercial land uses with medium to high density residential development is in keeping with the Urban Settlement designation under the Regional MPS to provide for a diverse, vibrant and liveable urban environment. This is further envisioned under the Penhorn Mall Visioning exercise supporting the Urban Local Centre principles for medium to high density, walkable, mixed development with effective transit connections. The land use characteristics of an Urban Local Centre are not necessarily supported by plan policies which were developed over 15 years ago and were not responding to the growth trends in the same nature as the Regional Plan does today. This site specific policy enables medium to high density development in a location that is supported by the Regional Plan.

Policy H-3G **It shall be the intention of Council to apply a Comprehensive Development District (CDD) zone to 26 acres of land located at the south-west of the Portland Street and Highway #111 interchange (formerly known as the Hammerling lands) to ensure future development of these lands proceeds in a comprehensive manner. Uses to be considered include commercial, residential, institutional and recreational uses. Housing policies H-3, H-3A, H-3B, and H-3C of this Plan shall not apply to these CDD lands.**

Policy H-3H **It shall be the intention of Council to consider redevelopment of the Hammerling lands for medium and high density mixed use residential commercial development in accordance with the principles of Local Urban Centres envisioned in the Regional Plans. Development within the Hammerling lands CDD shall be subject to a development agreement. Council shall consider the following prior to approving any agreements:**

a) medium and high density mixed use residential development shall be located on the lands in accordance with Map 9aa;

b) the design of buildings and their sites shall acknowledge the pedestrian realm with human scale architectural and landscape architectural detailing to create welcoming, interesting and interactive spaces at street and sidewalk level areas and strong pedestrian connections between buildings and amenity spaces;

c) adequacy of the exterior design, height, bulk and scale of the development with respect to its compatibility with the existing neighbourhood. Buildings shall be designed to reinforce a human scale streetscape. The stepping back of higher buildings away from existing residential areas shall be considered to avoid a massive building appearance;

d) adequacy of controls placed on the proposed development to reduce conflict with any adjacent or nearby land uses by reason of building form, traffic generation and parking; and

e) adequacy of useable amenity space and attractive landscaping such that the needs of existing and future residence are addressed and the development is aesthetically pleasing. *(RC-Dec 15/2014; E-May 9, 2015)*

Policy H-4 It shall be the intention of City Council to establish a revolving fund through the capital budget for the purpose of establishing a land assembly program to promote well-planned mixed housing projects in presently developed areas.

Policy H-5 It shall be the intention of City Council to encourage and undertake actions to assist in the stabilization of the existing housing stock where rehabilitation is feasible.

Policy H-6 It shall be the intention of City Council to participate in programs such as NIP and RRAP with the Federal and Provincial governments to rehabilitate the existing neighbourhoods and encourage the establishment of any other such programs.

Policy H-7 It shall be the intention of City Council to establish an ongoing liaison with the Nova Scotia Housing Commission and the CMHC Regional Office in the form of a committee.

Policy H-8 Deleted (RC-Aug 9/22;E-Sep 15/22)

Policy H-9 Deleted (RC-Aug 9/22;E-Sep 15/22)

Policy H-10 It shall be the intention of City Council to provide alternate development requirements, which include reduced lot sizes, in the R-1 (Single Family Residential) Zone. It is intended that these development requirements in the R-1 Zone be applied to certain lots on Chinook and Tutor Courts in the Lancaster Ridge Subdivision only. Future applications of these development requirements in the R-1 zone would require Council's consideration via an

M.P.S. amendment.

In order to permit the creation of lots with reduced frontage and area in the R-1 (Single Family Residential) Zone, an amendment to the Subdivision Regulations is required. (As amended by By-law C-729, Oct. 25, 1995).

~~***Policy H-11***~~ ***(Deleted: RC-Sep 10/13;E-Nov 30/13)***

~~***Policy H-12***~~ ***(Deleted: RC-Sep 10/13;E-Nov 30/13)***

~~***Policy H-13***~~ ***(Deleted: RC-Sep 10/13;E-Nov 30/13)***

(10) 6 Admiral Street

The owners of the property at 6 Admiral Street in Dartmouth (former Evangel Temple) wish to develop a multiple unit dwelling specifically designed to meet the needs of senior citizens. While it has been demonstrated by the community that there is support for this type of facility in this location, there is a desire to ensure the development is properly integrated within the community, and that its appearance and scale, as well as, the overall development of the site is handled in a manner which is sensitive to the surrounding low density residential environment. It is, therefore, desirable that the development of 6 Admiral Street, for the purposes of a multiple unit dwelling specifically designed for senior citizens and other users of shared housing with special care (RC-Aug 9/22;E-Sep 15/22), be considered by development agreement.

Policy H-14 ***It shall be the intention of Council to consider a shared housing with special care use (RC-Aug 9/22;E-Sep 15/22), at 6 Admiral Street in Dartmouth, according to the development agreement provisions of the Planning Act. In considering such an agreement, Council shall have regard for the following:***

- ***(a) the height, bulk, lot coverage and appearance (exterior design) of the building is compatible with adjacent land uses;***
- ***(b) site design features, including landscaping, amenity areas, parking areas and driveways, are of an adequate size and design to address potential impacts on adjacent land uses and to provide for the needs of the residents of the development;***
- ***© the site is located in reasonable proximity to community facilities, such as recreation areas and transit routes;***
- ***(d) municipal central services are available and capable of supporting the development;***
- ***© appropriate controls are established to address environmental concerns;***
- ***(f) traffic related matters such as traffic generation and circulation, sighting distances, site access and egress and pedestrian safety are addressed;***
- ***(g) general maintenance of the development is addressed; and***
- ***(h) any other matters, including criteria listed in Policy IP-1©, are addressed.***

(RC-Feb 17/98;M-Feb 26/98)

Policy H 15 ***It shall be the intention of Council to require development of lands known as Craigwood Estates (PID # 40380396 & 40740037) by development agreement. The lands shall be developed for single unit residential dwellings on lots with a minimum of 75 feet of frontage and minimum lot area of 7500 square feet. Best management practices shall be used to address environmental concerns relating to storm water discharge to Lake Charles. Council shall have regard for the Land Use By-law amendment criteria as set out in Policy IP-1© in considering any development agreement application. (RC-Jun 22/99;E-Jul 14/99)***

(11) Former Dartmouth YMCA Property – Repealed (RC-Sep 18/19;E-Nov 30/19)

(12) Can-Euro Investments Limited Lands - Horizon Court – Repealed (RC-Sep 18/19;E-Nov 30/19)

(13) MTT Lands - Woodland Avenue (PID No. 40173668) – Repealed (RC-Sep 18/19;E-Nov 30/19)

(14) 250 Victoria Road, 101 Albro Lake Road and 103 Albro Lake Road – Repealed (RC-Sep 18/19;E-Nov 30/19)

(15) Wright's Cove (deleted: RC-May 26/09;E-Jul 25/09)

Policy H-21: **The properties identified by PIN. Numbers 41209131 (Lot W3), 41224148 (Parcel PK-WL1A) and 0099572 (Sheppard's Island) shall be zoned for medium density residential development under the Land Use By-law and permitted subject to approval of a development agreement. The following matters shall be considered in any agreement:**

(a) any development contemplated on Sheppard's Island covers no more than twenty-five percent (25%) of the area of the island and the trees on the remaining area are retained so as to screen development on the island and mainland from harbour related industrial activities in the outer cove;
(b) measures are taken in the building design to mitigate noise;
(c) provision is made for the extension of a future public trail across the lands; and
(d) the criteria of policy IP-5.

(RC-Mar 6/07;E-Mar 31/07)

(16) Morris-Russell Lake Area - (Section Deleted: RC-Mar 22/05;E-Apr 23/05)

(17) Morris-Russell Lake Secondary Planning Strategy (RC-Mar 22/05;E-Apr 23/05)

In 1997, Council retained Griffiths Muecke Associates to conduct a Watershed Management Study for Morris Lake. The purpose of the study was to establish a management framework by

which to guide future development within the Morris Lake Watershed. The study focussed on determining the existing trophic status of Morris Lake as well as establishing criteria to control phosphorous and sediments from entering the lake and watershed. Although the terms of reference for the study focuses on Morris Lake, many of the recommendations refer to Russell Lake as well because water quality in Morris Lake is intimately linked to the nature of development activities in the Russell Lake sub-watershed. Therefore, recommendations should be considered applicable to the extended watershed that includes both lakes.

The study indicates that Morris Lake, while still in a relatively "healthy" condition, is in danger of becoming eutrophic if development in the watershed proceeds in an environmentally insensitive manner. To prevent Morris Lake from becoming eutrophic, the Morris Lake Watershed Management Plan recommended that a Master Plan be prepared for this area to ensure development occurs in an environmentally sensitive and comprehensive manner. The Master Plan was to address the key issues and constraints to future development within the area such as transportation, municipal services, land use, major recreation lands and linkages, potential school locations, environmental constraints and opportunities and so on.

To develop a Master Plan for the Morris-Russell Lake secondary plan area, property owners, local area residents, the Dartmouth Lakes Advisory Board, and the general public worked together and a public participation committee was established to coordinate and develop the Master Plan. This Committee or a Sub-Committee thereof, would also be responsible for the evaluation of the detailed CDD approval process.

To ensure development within the Morris-Russell Lake area occurs in an environmentally sensitive and comprehensively planned manner, the Morris Lake Watershed Management Plan recommendations should be applied to all undeveloped lands within the area. To prevent the area from developing in an ad-hoc, uncoordinated fashion, a comprehensive development district (CDD) zone will be applied to all undeveloped lands within the Morris Lake watershed and to lands abutting the Highway 111 interchange, acquired by Clayton Developments Limited from Irving Oil Limited, where a new interchange is proposed.

ML-1 A Comprehensive Development District (CDD) Zone shall be applied to certain undeveloped lands within the Morris-Russell Lake secondary plan area and to a parcel of land abutting Highway 111, illustrated on Map 9M, to ensure development proceeds in a comprehensive manner and to enable implementation of the Morris Lake Watershed Management policies.

(18) Future Development Within the Morris-Russell Lake Area

Most of the undeveloped parcels of land within the Morris-Russell area could not be immediately developed given existing constraints in various infrastructure systems (transportation system, water distribution system, sanitary sewer system).

Through the Master Development Plan process, existing infrastructure deficiencies were investigated and alternatives proposed. Transportation, environmental protection, land use, and central services (sewer and water) were key issues to be addressed.

Transportation

To address existing and future transportation issues within the Morris-Russell Lake area, the Master Development Plan process first identified the existing transportation issues/concerns and secondly, determined alternatives/solutions to improving the overall transportation network in the Morris-Russell Lake area.

Without improvements to the area transportation network, Portland Street was at or near capacity. To allow for further development around Morris and Russell Lakes either Portland Street needed to be upgraded or modified to handle the additional traffic or alternative routes to the Circumferential Highway were required.

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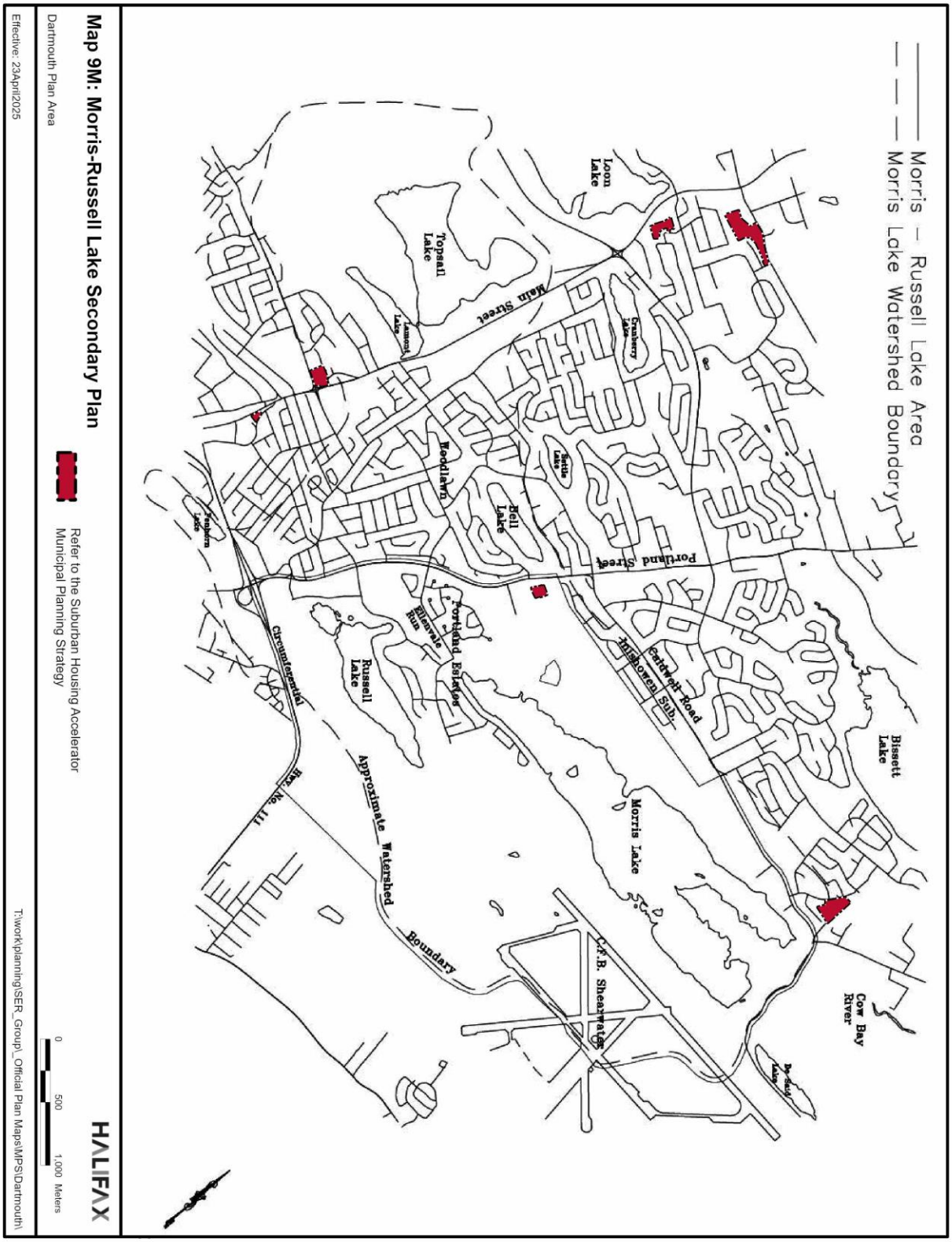
Map 9M: Morris-Russell Lake Secondary Plan
(RC-Mar 18/25; EFF Apr 23/25)



A Traffic Impact Study, conducted by Streetwise Traffic Engineering, for Clayton Developments Limited lands on the east side of Morris Lake concluded that "there are limited opportunities to increase capacity on Portland Street without a major impact on abutting residential and commercial development". Therefore, the long term development of these lands required alternative routes to Highway No. 111. The study recommended that a new interchange on Highway No. 111 (Circumferential) be established which is supported by Dartmouth's Municipal Planning Strategy. Policy T-6 supports the identification and protection of a right-of-way for an interchange off the Circumferential connecting it with the Russell Lake area.

In 2002, the Municipality identified the Highway 111 interchange as the highest priority for transportation infrastructure financing under the Canada-Nova Scotia Infrastructure Program. Funding was subsequently approved and a functional design study for the interchange undertaken[3]. The Province stipulated the interchange location to allow for access to both the Morris-Russell Lake lands and the Woodside Industrial Park via an extension of the Mount Hope Avenue (referenced in this document as "the Caldwell Road Connector").

The study envisioned that, initially, the interchange would provide access from Highway 111 to Woodside Industrial Park and lands between the highway and Russell Lake by an extension of Baker Drive. Over the longer term, the Caldwell Road Connector would be extended eastward over portions of the Department of National Defense Shearwater Base to Caldwell Road, thereby providing an alternative access to Highway 111 for residential subdivisions around Caldwell Road, as well as residents of Eastern Passage.

A diamond interchange was deemed the most economic design for the Municipality but the consultant established estimates of the maximum traffic loading which could be accommodated while maintaining a satisfactory service level. The consultant stated that the number of vehicles using the interchange could be reduced substantially from typical expectations by including transportation demand reduction measures such as mixed land use developments, improved transit services and walking or bicycle trips.

ML-2 ***Except as otherwise permitted by policy ML-17, no development shall be permitted within the Morris-Russell Lake secondary plan area unless a new interchange is constructed on Highway 111 and Baker Drive is connected to the interchange or financing for these projects secured and a time frame for completion established. Over the longer term, the Municipality shall work with property owners to extend the Caldwell Road Connector from the new interchange to Caldwell Road. The locations of the interchange, Baker Drive extension and the Caldwell Road Connector shall be as generally shown on Map 9N: Future Land Use and Transportation Plan.***

ML-3 ***The Municipality shall prepare a public transit routing plan for the secondary plan area which reflects the connection established between Baker Drive and the new interchange. The Municipality may require transit related facilities, such as bus bays and transit shelters, be provided on transit routes as a condition of development***

[3]Atlantic Road & Traffic Management. *Final Report: Highway 111 - Cole Harbour Arterial Access Options Study.* July 2004. Prepared for Halifax Regional Municipality.

approvals. In accordance with the draft regional plan, the transit plan should consider establishing a transit hub in the vicinity of Baker Drive and the connector road proposed between Baker Drive and Portland Estated Boulevard West in consultation with the property owners.

ML-4 ***A series of trails for pedestrians and cyclists shall be established within the secondary plan area which link residents with commercial, employment and other activity centers and to public transit facilities and, where feasible, to regional trail systems which are developed or planned. Without limiting the foregoing, the Municipality shall establish a multi-use trail between the secondary plan area and the Woodside Ferry Terminal.***

During the course of preparing the master plan, concerns were heard from area residents about excessive traffic levels on Portland Street and Caldwell Road, as well as short-cutting on local streets. In response, a road hierarchy and phasing plan has been developed and commitments made to undertake various studies.

ML-5 ***The following road classification shall be applied within the secondary plan area:***

Arterials:	***Caldwell Road Connector (Hwy. 111 interchange to Caldwell Road)***
Major Collectors:	***Baker Drive, Eisener Boulevard, Norman Newman Boulevard, Caldwell Road from Atholea Drive to Caldwell Road Connector***
Minor Collectors:	***Portland Estates Boulevard, Portland Estates Boulevard West, Portland Hills Drive, Caldwell Road from Atholea Drive to Portland Street/Cole Harbour Road and the proposed connector road between Portland Estates Boulevard West and Baker Drive***

ML-6 ***No street connection shall be established between Caldwell Road and the Portland Hills subdivision.***

ML-7 ***Access from Alpine Drive to Portland Street shall be restricted to right-out movement.***

ML-8 ***Upon satisfying the requirements to allow for development stipulated under policy ML-2, development shall be permitted on parcels 1 to 13 (as shown on Map 9N) except that no road connection shall be established with Portland Estates Boulevard West until the Caldwell Road Connector has been constructed to Caldwell Road. No further development shall be permitted within the Morris - Russell Lake Secondary Plan Area until the Caldwell Road Connector has been constructed to Caldwell Road unless a traffic study has been undertaken by a qualified consultant which demonstrates that the level of service on Portland Street and Caldwell Road conforms with the performance criteria established under the Municipality's Guidelines for Preparation of Traffic Impact Studies and the road classification established under policy ML-5.***

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In 2022, during a review of the Regional Municipal Planning Strategy (Regional Plan), the Municipality identified the need for additional housing to support recent population growth. Remaining vacant lands within the Morris-Russell Lake secondary plan area are within the Regional Plan's Urban Settlement designation and within the Urban Service Area where municipal water and wastewater services are available. Therefore, these lands provide an opportunity to accommodate new housing for the region's growing population.

The Integrated Mobility Plan (IMP), adopted by Regional Council in December 2017, provides a region-wide vision for mobility, directing future investment in transportation demand management, transit, active transportation, and the roadway network. The IMP represents a meaningful shift in the Municipality's approach to transportation and focuses on moving people and goods instead of private vehicles. Planning for improved mobility in suburban areas requires that consideration is given to active transportation and access to transit, rather than just movement of vehicles. Neighbourhoods should be designed with walking, bicycling and transit in mind to provide mobility for people of all ages and abilities.

ML-8A Notwithstanding Policy ML-8, Council may consider development on Parcels MLE2 and 18 in accordance with the Future Land Use and Transportation Plan (as shown on Map 9N) by development agreement. In considering any such agreement, in addition to the policies of this plan and the Regional Plan, Council shall consider the following:

a) That the development's transportation network prioritizes walking, the easy use of mobility devices, cycling and transit and where possible strengthens connections to surrounding neighbourhoods; and

b) Requiring off-site improvements that are necessary to support the development or accepting the payment of money in lieu of such improvements, respecting transit service and active transportation connections to nearby transit facilities such as the Portland Hills Terminal and Woodside Ferry Terminal.

(RC-Oct 11/22;E-Nov 16/22)

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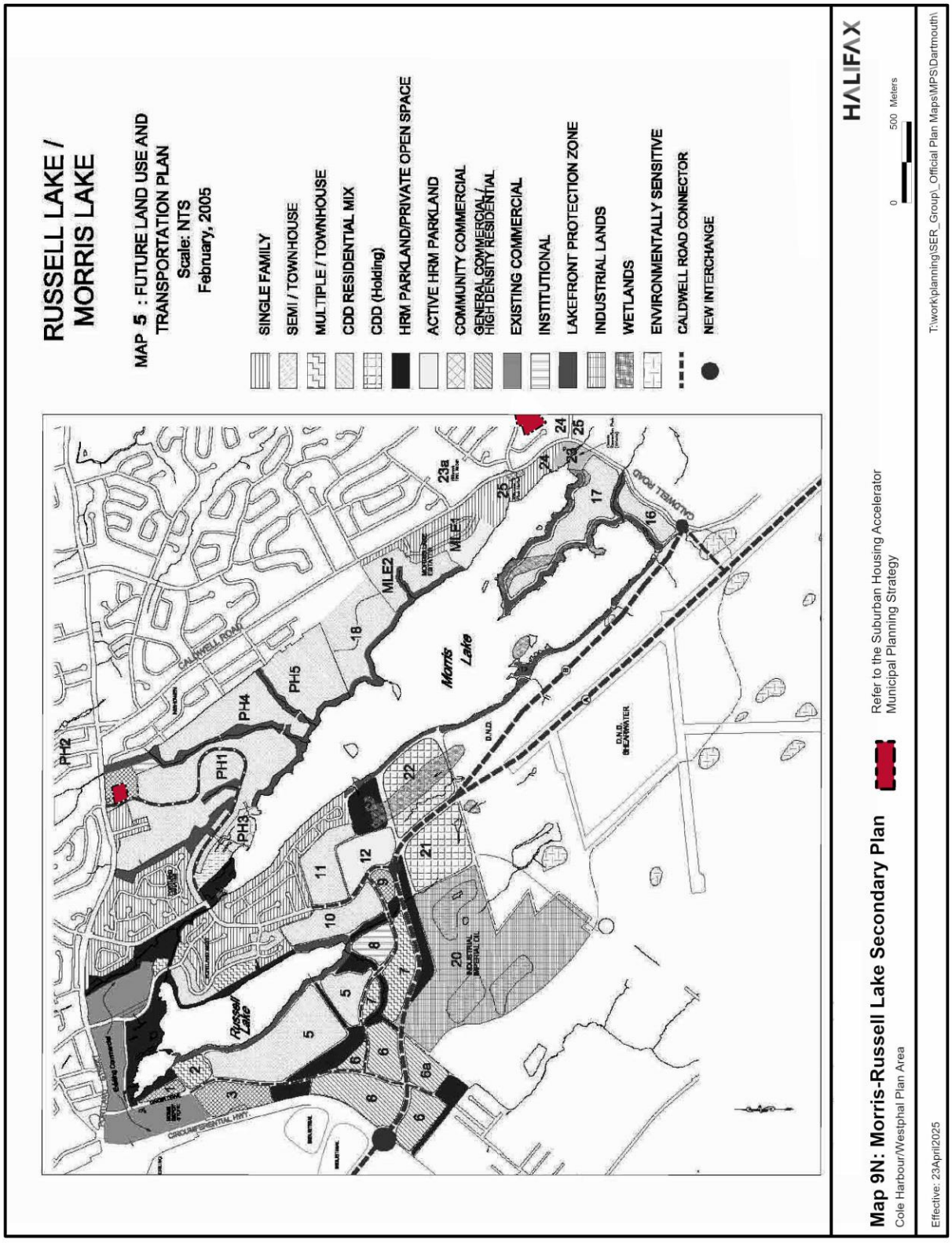
Map 9N: Future Land Use and Transportation Plan(RC-Mar 18/25; EFF Apr 23/25)



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ML-9 ***The Municipality shall undertake studies and implementation plans prior to the completion of the new Highway 111 interchange to address the following matters:***

- ***(a)*** ***Municipal/Provincial initiative to address transportation issues for the Harbour East area;***
- ***(b)*** ***the extent to which shortcutting is taking place on streets north of Portland Street, and where appropriate, implement traffic calming measures to mitigate impacts within the affected neighbourhoods;***
- ***(c)*** ***potential upgrades to Norman Newman Blvd. to accommodate traffic between Baker Drive and the new Hwy. 111 interchange, while keeping in mind the sensitivity of Russell Lake;***
- ***(d)*** ***extending the left hand turning lane from Portland Street onto Eisener Blvd. in order to facilitate additional traffic to Baker Drive via Norman Newman Blvd;***
- ***(e)*** ***preparation of a comprehensive transit plan that capitalizes on the new interchange and park and ride facility at Portland Hills Blvd. and Portland St. and the potential for a new transit hub in the vicinity of Baker Drive and the connector road proposed between Baker Drive and Portland Estates Boulevard.***

The Caldwell Road connector will traverse lands owned by Imperial Oil Limited where various activities associated with the company's refinery operations have taken place over the years and continue at the time of adoption of this secondary planning strategy. The Municipality acknowledges responsibility for ensuring that the road alignment and design does not adversely affect the operations of Imperial Oil.

ML-10 ***The Municipality shall prepare an alignment and design of the Caldwell Road connector in consultation with Imperial Oil Limited. Specific consideration shall be given to:***

- ***(a)*** ***measures needed to prevent unauthorized access to the property from the roadway or adjacent lands while allowing the company access to the water main and pumping station which provide water supply from Morris Lake; and***
- ***(b)*** ***the road alignment in relation to industrial fill and disposal areas on the property.***

<u>Central Services (Sewer & Water)</u>

Many of the undeveloped parcels of land within the Morris-Russell Lake area are situated within a municipal servicing boundary, where development can only occur based upon central sewer and water services. The Morris Lake Watershed Management Study recommends that future development within the Morris-Russell Lake area should not proceed by on-site septic systems due to the potential negative impact such systems can have on the lakes. Thus, all new development within the area should be connected to central services (water & sewer).

ML-11 ***Within the Morris-Russell Lake secondary plan area, it shall be the intention of Council not to consider any new development on lands zoned CDD unless serviced***

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with both central sewer and water services. It shall be the intention of Council to include all undeveloped lands within the Morris-Russell Lake secondary plan area within a municipal development (service) boundary (Schedule "B" – Service Requirement Map of the Regional Subdivision By-law (RC-Mar 5/19; E-Apr 6/19)).

Within the Morris-Russell Lake area, there are constraints in the existing sewer and water infrastructure systems, yet these deficiencies do not affect all of the undeveloped lands in the same manner. The undeveloped lands on the west side of Morris Lake and the lands adjacent to Russell Lake, are situated within the existing Dartmouth Development Boundary. Lands on the east side of Morris Lake have been included within the Dartmouth Plan Area and Development Boundary as development of these lands can proceed by means of gravity flow to the Dartmouth sanitary sewer system.

The Municipality is currently preparing a wastewater management plan for the Eastern Passage Wastewater Treatment Plant Sewershed. Upon completion of this study and upgrades to the treatment plant, the Municipality should undertake a review of the sanitary sewer service boundary established for this sewershed, particularly in the vicinity of Caldwell Road.

In addition, the Water Commission has indicated that water can be provided to the existing serviceable areas at this time, but not to the entire Morris-Russell Lake area due to pressure levels and water line capacities. Thus, development should not proceed until the necessary upgrades are identified and completed.

The Municipality has undertaken an Integrated Servicing Strategy which identified servicing deficiencies, including central water and sewer services. The Strategy has also identified upgrades or modifications needed in the long term to develop the undeveloped lands within the Morris-Russell Lake secondary plan area. Until such new systems, upgrades or modifications are complete (water distribution system and sanitary sewer system) development within the area should be restricted.

ML-12 ***It shall be the intention of Council to restrict development on lands zoned CDD within the Morris - Russell Lake secondary plan area, shown on Map 9M, until all infrastructure deficiencies (i.e. water and sewer) are resolved and development can proceed without exceeding the capacity of municipal infrastructure.***

ML-13 ***The Municipality shall prepare and implement a wastewater management plan for the sewersheds that contain Morris and Russell Lakes. Subject to the availability of funding, the plan shall:***

- ***(a) improve wastewater system operation and management including safety, regulatory compliance, system capacity both existing and future, physical condition, system reliability and optimization;***
- ***(b) address specific issues of wastewater treatment plant capacity both existing and future, wet weather overflows, odour control, inflow/infiltration remediation, back up power systems, optimizing system performance and making maximum use of available capacity;***
- ***(c) include a prioritized list of actions for implementation, having particular regard for health and safety concerns;***

(d) consider the above recommendations within the context of existing standards, procedures, regulations and compliance requirements, projects, initiatives and priorities, including any adopted under a regional plan.

ML-14 Commencing on May 25, 2000, new development which is to be served by the Caldwell Road water distribution system shall be limited to two hundred (200) new building lots until system upgrades to the Innishowen Subdivision have been completed. If upgrades are not completed by May 1, 2005, no further development served by the Caldwell Road water distribution system shall be permitted until the system upgrades have been completed.

ML-15 Upon completion of a wastewater management plan for the Eastern Passage Wastewater Treatment Plant Sewershed and upgrades to the treatment plant, the Municipality shall undertake a review of the sanitary sewer service boundary established for this plant.

Infrastructure Charges

Following provincial adoption of legislation which allows for the impositions of infrastructure charges to recoup the costs of oversized infrastructure, the Municipality adopted a capital cost contribution policy. The policy applies to all new major areas in the Municipality proposed for new development and shall apply to lands within this secondary plan area.

ML-16 The Municipality shall implement infrastructure charges to this secondary plan area under the Subdivision By-law in accordance with the policies for infrastructure charges established under the capital cost contribution subsection of the implementation section of this Municipal Planning Strategy.

Immediate Development Potential

Prior to completing the master planning process, Clayton Developments Limited had existing development rights on approximately 131 acres of its land holding for serviced residential lots. In recognition of these existing rights, the Municipality adopted interim policy provisions and entered into a development agreement with Clayton Developments Limited to permit development over 131 acres. The Municipality will continue to honor this agreement. Any further amendments will be subject to any applicable policies adopted for this secondary plan area as well as the entire community.

ML-17 The Municipality will honour all commitments made under a development agreement for Portland Hills on 131 acres of land adjacent to Portland Street and Innishowen Subdivision. Any further amendments to this agreement shall only be considered where such amendments conform with all applicable provisions adopted under this secondary planing strategy and any general provisions applicable under this municipal planning strategy.

Future Land Uses

ML-18 The Future Land Use and Transportation Plan, presented as Map 9N, shall provide

overall guidance for land use allocation within this secondary plan area and the following guidelines shall be adhered to in any development agreement application:

(a) Parcel 1: This parcel may be developed with an apartment building not exceeding 84 dwelling units or four stories in height and a commercial building not exceeding 14,000 square feet. Commercial occupancies shall be restricted to local commercial uses, as defined by the Land Use By-law, except that drive through restaurants shall not be permitted. The site design shall give consideration to environmental and aesthetic impacts, as well as the safety and efficiency of traffic movements between the site and Baker Drive. Impervious surfaces shall not exceed 40 percent of the lot;

(b) Parcel 2: This property may be developed for both multiple-unit buildings not exceeding six habitable floors above underground parking, townhouses or a combination thereof. Provisions shall be made to ensure adequate landscaping, an architectural design that is visually interesting and compatible with the surrounding natural environment, on-site circulation and private amenity spaces. Most of the land along the shoreline shall be maintained in a natural state in accordance with applicable municipal policies;

(c) Parcel 3: This property may be developed for a variety of higher-density residential developments including but not limited to multiple-unit buildings, shared housing uses (RC-Aug 9/22;E-Sep 15/22), and townhouses. Multiple unit buildings shall adhere to the same height restrictions imposed on Parcel 2;

Commercial uses which serve the broader communities around Morris and Russell Lake shall be permitted. Except for retail food stores, the size of any single commercial use (store or business) shall not exceed 25,000 square feet of floor area. Car dealerships or other outdoor display courts shall not be permitted;

(d) Parcel 4: On the west side of Baker Drive, this parcel serves to convey storm water flows originating from the west side of the Circumferential Highway. The area has been expanded to include additional lands that will be used to control and treat post-development storm water. The area will be conveyed to the Municipality upon completion and acceptance of approved storm water management systems;

(e) Parcel 4A: A small watercourse is found on these lands which conveys storm water from parcel 4 through to a larger brook to the east of the NSPI power line right-of-way. The area has been expanded to provide for active park facilities. The design of the park shall be confirmed by development agreement and shall have frontage on both Baker Drive extension and the minor collector road. This area shall also serve as a separation between the commercial uses within Parcel 6 and the residential uses contained within Parcel 5;

(f) Parcel 5: A mix of single-unit, semi-detached, townhouses, and multiple-unit dwellings will be permitted. Multiple-unit buildings shall be restricted to lands that abut Baker Drive, and the portion of Parcel 5 located east of Morningfield Way and abutting Basswood Run. Any such multiple unit building abutting Baker Drive shall not exceed four floors of habitable space

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above underground parking. Due to areas of steep topography, careful design of the local streets network and land uses is required to minimize terrain disturbance and protect Russell Lake. In order to minimize building footprint and site disturbance, 2 multi-unit buildings may be developed to a maximum height of 6 habitable floors above underground parking on the portion of Parcel 5 located east of Morningfield Way and abutting Basswood Run;

Local commercial uses, as defined by the Land Use By-law, may also be permitted on properties abutting the Baker Drive Extension and the proposed local collector road. Such uses shall be limited to a total of 20,000 sq. ft. of floor area at any one location. Only one such location shall be permitted along Baker Drive and the local collector road. Sites shall be selected which offer strong opportunities for pedestrian access from surrounding residential neighbourhoods; (RC-Dec 7/10;E-Jan 29/11)

(g) Parcel 6: Major commercial and high-density residential developments shall be encouraged over these lands. Consideration shall be given to providing safe and efficient access between developments and the transportation system for private vehicles, public transit, cyclists and pedestrians. Consideration will also be given to architectural design, landscaping measures, signage, lighting and environmental protection measures needed to produce an attractive and safe environment for a mixed use development that might be considered a gateway to the community. Clause (e) of policy ML-24 shall not be applied to this parcel but any federal restrictions or guidelines imposed to protect the Department of National Defence Shearwater Air Base shall be adhered to as this area is within close proximity;

(h) Parcel 6A: Major commercial developments shall be supported over these lands but not residential developments. Consideration shall be given to the same matters identified for commercial developments under clause (g);

(i) Parcel 7: A mixture of residential developments shall be supported provided that higher density development is located adjacent to the Caldwell Road Connector but no driveway access is permitted to this road;

(j) Parcel 8: This parcel is reserved for a school site until the greater of 500 residential units have been constructed along the west side of Russell Lake or once five years have past from the date of approval of this Secondary Planning Strategy by Regional Council. As an alternative to a school site, the parcel may be developed for either medium or high-density residential developments to a density not exceeding 16 units per acre and five habitable floors above underground parking. For the purposes of calculating density, the size of Parcel 8 shall be deemed to include all portions of Parcel 8 to be developed residentially as well as any land that will be transferred to HRM pursuant to Council approving a development agreement. (RC-Dec 7/10;E-Jan 29/11)

(k) Parcel 9: This parcel is reserved for local commercial uses. Driveway access shall only be permitted to the minor collector extending between Baker Drive and Portland Estates Boulevard West. Consideration shall be given to architectural design, landscaping measures, signage and site access so as to achieve an attractive development within a suburban context which can be

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safely accessed by motorists, cyclists and pedestrians;

(l) Parcels 10 and 11: The areas immediately adjacent to the established residential neighbourhoods of Portland Estates shall be limited to single-unit dwellings. Areas closer to the Parcel 9 and Parcel 12 may be considered for a wider variety of residential uses. Steep slopes adjacent to Russell Lake shall not be developed;

(m) Parcel 12: This parcel has a relatively flat terrain with little or no standing timber. Its proximity to the major transportation corridors and residential areas suggests that the parcel would be ideally suited for major recreation uses. Any use of this property, however, may be contingent upon future operational needs of CFB Shearwater;

(n) Parcel 13: Due to the poorly drained soils and proximity to Morris Lake, this area is reserved for passive open-space purposes;

(o) Parcels 18 and MLE-2: These parcels may be developed with a mixture of residential uses. Consideration is to be given to the steep grades over these lands when siting roads and development;

(p) Parcels PH4 and PH5: These parcels may be developed with a mixture of residential uses consistent with the established pattern of development elsewhere throughout the Portland Hills subdivision;

(q) Parcels 20, 21 and 22: These parcels house an oil refinery operation with activities predominantly located on parcel 20. Parcels 21 and 22 remain undeveloped with the exception of a water main and pumping station which draws water from Morris Lake for use in the refinery operations.
With the exception of the proposed Caldwell Road Connector, Parcels 21 and 22 shall be retained as a natural buffer from the refinery operation unless an environmental suitability study is undertaken.

(r) Notwithstanding the provisions of policies ML-18 (f) and ML-18 (j), Council may approve a redistribution of density between multi-unit buildings within the portions of Parcel 5 and Parcel 8 that are located on Basswood Run, provided that the combined number of dwelling units does not exceed the amount permitted pursuant to Policies ML-18 (f) and (j) and the density limitations established pursuant to Policy ML-19 (a). (RC-Dec 7/10;E-Jan 29/11)

<u>Density</u>

ML-19 The allowable density on parcel 1shall conform with the requirements of clause (a) of policy ML-18 and the allowable density on parcel 8 shall conform with the requirements of clause (i) of policy ML-18. The density limitation established under clause (d) of policy H-3B shall be applied to the following aggregated parcels:

(a) parcels 2, 3, 4, 4a, 5, 7 and 8;
(b) parcels 9, 10, 11, 12 and 13;
(c) parcels 20, 21 and 22;
(d) parcels MLE1, MLE2 and 18;
(e) parcels PH4 and PH5.

ML-20 On parcel 6, a maximum population of 4,200 persons equivalent and a maximum of

950 apartment units shall be permitted. For the purpose of determining persons equivalent, a gross density of 40 persons per acre shall be assumed for all commercial developments and 2.25 persons per apartment shall be assumed.

ML-21 ***Incentives may be introduced in support of affordable housing. Without limiting the generality of this statement, bonus densities might be considered for properties on transit routes and near employment centres provided that such incentive is voluntary and does not result in excessive concentration of housing or housing types in any area.***

<u>Parkland and Open Space</u>

In addition to parcels identified for recreational purposes under policy ML-18, lands are to be acquired for trail development, particularly along lake shores and watercourses. Lake shore buffer areas will be sought throughout the secondary plan area with emphasis placed on securing public ownership. The Municipality shall also encourage developers to assist in the development of active recreation parks by undertaking site preparation and installation of recreation equipment. In exchange, the normal land dedication requirements may be reduced.

ML-22 ***The Municipality shall acquire lands for public trails with emphasis on locations adjacent to lakes and watercourses. The following specific criterion shall be applied to any development agreement application:***

- ***(a) no more than 50 percent of the lakeshore within each development agreement application shall be privately owned;***
- ***(b) where private lakefront ownership is proposed, adequate alternative pedestrian links are provided from the publically-owned lake front buffer area through a street or walkway system and back to the lakefront;***
- ***(c) the determination of private versus public lake front ownership shall be negotiated through each development agreement application on a case-by-case basis;***
- ***(d) stormwater treatment facilities may be located on municipal lands but shall not be located on municipal parkland;***
- ***(e) lands which face severe topographical constraints or contain severe environmental characteristics may be considered for public parkland dedication in accordance with municipal parkland guidelines.***

(19) Environmental Protection Mechanisms

As development occurs within the Morris-Russell Lake secondary plan area, all new development must adhere to specific environmental protection measures if both Morris and Russell Lakes are to be protected. The Morris Lake Watershed Management Plan made a number of recommendations on a management framework by which to guide future development within the area. To ensure the recommendations are implemented, all new development must adhere to the following requirements.

<u>Design and Development Controls</u>

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The design adopted for a subdivision fundamentally affects the hydrology of the site and the quality of the stormwater. Good environmental planning integrates site design and stormwater quality management into one process[4]. If environmentally responsible watershed policies are not supported by environmentally responsible design at a subdivision and site level, the whole endeavor may ultimately fail. The Morris Lake Watershed Management Plan recommends that all development adhere to environmental standards designed specifically to protect Morris Lake and its watershed.

ML-23 ***It shall be the intention of Council to encourage all new development within the Morris-Russell Lake secondary plan area to meet certain basic design objectives as follows:***

- ***(a) to reproduce the pre-development hydrological conditions;***
- ***(b) confine development and construction activities to the least critical areas of the site and consider clustered development to minimize land disturbance;***
- ***(c) maintain the overall desired density of development by allocating higher densities to areas most suitable for development;***
- ***(d) minimize changes to the existing topography; and***
- ***(e) preserve and utilize the natural drainage system***

ML-24 ***It shall be the intention of Council to require all new development situated on lands zoned CDD within the Morris-Russell Lake secondary plan area to incorporate specific design standards which maximize the protection of water quality in Morris and Russell Lakes. The following shall be used as guidelines:***

- ***(a) all lands with slopes of 15% or greater should not be developed unless additional environmental control measures are implemented to minimize the amount of erosion generated from the site;***
- ***(b) all wetlands (as defined by the presence of characteristic wetland vegetation) should be excluded from development;***
- ***(c) all shorelines should be protected by a 100 foot buffer zone except that the width of the buffer zone may be decreased to 75 feet if, through detailed study, the topography and vegetation conditions warrant the reduction. Within the buffer zone, no vegetation or soil shall be removed or altered unless under a management plan has been approved to provide for restoration of vegetation, shoreline access paths, view corridors, habitat management, safety and welfare or shoreline recreation where such provisions may be made without adversely affecting the primary purpose of preserving water quality in the lake. Any study or management plan submitted pursuant to this clause shall be prepared by a person qualified to make the required determinations and an approval procedure shall be established under the terms of a development agreement;***
- ***(d) all wetlands and watercourses should be protected with a buffer strip within which no vegetation or soil should be removed or altered unless approved under a management plan approved pursuant to the provisions of clause (c). For wetlands, the buffer strip should be at least 25 feet in width for wetlands***

[4] *Stormwater Management Practices Planning and Design Manual,* Ontario Ministry of Environment and Energy, 1994

less than 0.5 acres in size and 50 feet for wetlands over 0.5 acres. All streams shall have a minimum 50 foot buffer strip on each side;

(e) the amount of impermeable surfaces created should not exceed 25% of the gross area of the proposed development. Minor increases in this figure may be considered provided the amount of proposed undisturbed land substantially exceeds the guideline described in section ML-11(f) and such undisturbed lands are incorporated into the final drainage plan;

(f) a minimum of 25% of the natural vegetation on the site should be retained in an undisturbed state and incorporated into the final drainage plan;

(g) the public, landowners, developers and the Municipality are encouraged to maximize phosphorous reduction to the fullest extent possible through the use of best management practices as recommended by the Morris Lake Stormwater Management Plan (Jacques Whitford, 2004); and

(h) no development shall be permitted on septic systems.

Erosion and sedimentation control is a critical element in good site design. In order to control the adverse effects of sediment (and attached phosphorus), it will be essential to strictly control erosion. This means that development will have to be designed and implemented with erosion minimization as a primary criterion.

ML-25 Within the Morris-Russell Lake secondary plan area, it shall be the intention of Council to require all developers to prepare and receive Municipal approval for an Erosion and Sediment Minimization Plan prior to any clearing or grubbing occurring on a site, and the plan shall contain the following:

(a) how ground disturbance will be restricted to areas where structures, roads etc. will exist when construction is complete;

(b) indicate which vegetation will be protected, marked, and preserved through construction techniques that minimize soil compaction and damage to tree roots;

(c) how the construction project will be phased to minimize the extent and length of soil exposure – this includes phasing by drainage area;

(d) how the opportunity for erosion will be limited through sequencing of construction activities; and

(e) indicate which erosion and sediment controls will be used, where they will be located, the timing of installation (before construction begins), the inclusion of drainage controls up-slope of the construction site; inspection and monitoring, and timing of removal (after the entire site has been stabilized).

<u>Public Awareness and Education Programs</u>

If the recommendations contained within the Morris Lake Watershed Management Study are to be successfully implemented there needs to be active involvement of both individual land owners and the general public. The involvement of the public should not just be limited to the residents of Morris-Russell Lake area but to existing developed areas within the entire Morris Lake Watershed, such as the existing development throughout Woodlawn.

ML-26 It shall be the intention of Council to establish a Public Awareness and Education

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program for the general public which emphasizes the protection of Morris and Russell Lakes. The programs should at least incorporate the following:

(a) information programs for land owners on buffer zone management and the use of fertilizers;
(b) a program for local schools;
(c) application of an Animal Defecation By-law throughout the entire watershed area and actively enforce it;
(d) encourage local property owners to hold "Cleanup" days for litter collection in public areas; and
(e) establish a stormwater wetland as an educational demonstration site on the importance of protecting lakes.

<u>Stormwater Management</u>

As the Morris-Russell Lake area is developed, there will be a need for stormwater to be controlled to remove sediments and phosphorous. The Municipality commissioned a stormwater management plan for Morris and Russell Lakes[5]. The plan contained recommendations regarding structural and non-structural approaches for stormwater management and implementation strategies for both new and existing development.

ML-27 Any development agreement application within the Morris-Russell Lake secondary plan area shall adhere to the recommendations of the Morris Lake Stormwater Management Plan (Jacques Whitford, 2004). All government works within the Morris Lake Watershed shall also adhere to the recommendations of this plan and, where feasible, the plan recommendations shall be applied to existing development within the watershed.

ML-28 Within the Morris Lake Watershed, as illustrated on Map 9M, where applications are received for the expansion of existing or new commercial, institutional and multiple unit residential buildings, or for proposed grade alterations on such properties, it shall be the intention of Council to require the developer, where possible, to prepare and implement stormwater remediation measures to improve water quality entering the Morris Lake system.

ML-29 Where deemed appropriate, the Municipality shall undertake stormwater wetland projects in the waters of Ellenvale Run and at appropriate locations throughout the watershed area. Also, Council shall, through the CDD approval process, negotiate with applicable land owners to establish similar wetland projects at appropriate locations within the watershed.

<u>Monitoring</u>

The eutrophication process is gradual and takes place over many years. Its progress will be seen in the extension of vegetation in shallow areas and the seasonal occurrence of algae. In the Morris Lake Watershed Study, a Phosphorous Loading Model was used to determine the

[5] Jacques Whitford Environmental Ltd. & Associates. *Morris Lake Stormwater Management Plan: Final Report to Halifax Regional Municipality.* March 2004.

relationship of the lake phosphorous inputs to trophic status.

The Model determined that Morris Lake is currently mesotrophic and is within 10 to 15 percent of the eutrophic boundary. Thus, the amount of land developed within the watershed should be controlled to prevent Morris Lake from reaching a borderline eutrophic state. The actual amount of land that can be developed can only be determined by undertaking a well designed lake monitoring program and adopting a preset maximum permissible limit for total phosphorous. If the results indicate that Total Phosphorus continues to increase, the watershed management plan will have to be revised and development controls strengthened.

ML-30 ***A water quality monitoring program shall be undertaken for Morris and Russell Lakes to track the eutrophication process. The program is to be designed and undertaken by qualified persons financed in whole or in part by developers within the secondary plan area. Specifics of the program are to be negotiated under the terms of a development agreement in consultation with the Dartmouth Lakes Advisory Board. The monitoring program shall:***

- ***(a) specify the duration of monitoring for the pre-construction, construction and post-construction phases of development;***
- ***(b) specify the physical and chemical water quality indicators to be measured, the location and frequency of testing and the format of submissions to the Municipality in each phase referenced under clause (a);***
- ***(c) establish eutrophication threshold levels for the lakes which would be used as a basis for reevaluating watershed management controls and future development potential within the area;***
- ***(d) conform with all water quality policies, specifications, protocols and review and approval procedures approved by Regional Council.***

ML-31 ***Pursuant to policy ML-30, in the event the critical water quality threshold levels for Morris or Russell Lakes are reached, it shall be the intention of Council to immediately undertake a review of existing plan policies contained herein and determine an appropriate course of action respecting watershed management and future land use development in the area. Critical water quality thresholds shall be made available to the public.***

ML-32 ***It shall be the intention of Council to undertake a study of habitats and species within the Morris-Russell Lake area.***

<u>Maintaining Water Levels on Morris Lake</u>

The water level of Morris Lake should be maintained at a level sufficient for recreational use and to prevent development of excessive shoreline vegetation. In the near future, two possible events may take place that could negatively impact upon water levels on Morris Lake. The first is the decommissioning of Lamont and Topsail Lakes as a source of water supply and secondly, a change in the amount of water extracted from the lake by Imperial Oil.

Presently, Imperial Oil extracts water from Morris Lake to use in its refinery, in the amount of 3.27 billion liters per year which is 20% of its total surplus of water. In the future, Imperial

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Oil could either increase the amount of water extracted from the lake or the plant could close and no water would be removed. If Imperial Oil removes too much water, this would promote the development of shoreline vegetation which in turn speeds up the eutrophication process in the shallow parts of the lake. If pumping were stopped, the volume of water entering Cow Bay River on an annual basis would increase by 24%. In combination with the additional flow from Lamont and Topsail Lakes, this represents a significant change in hydrology from current conditions and has long term implications for the lake level, at the outlet and Cow Bay River. The impact of these changes are not clearly understood at present. Therefore, a study should be undertaken to determine the types of impacts the above scenarios may have on Morris Lake and Cow Bay River.

ML-33 It shall be the intention of Council, in association with Imperial Oil Limited and the Provincial Department of the Environment, to undertake a study to determine the impacts of potential changes in the volume of water extracted from Morris Lake (increase or cessation) by Imperial Oil Limited on lake water quality and the impact on the hydrology of the lake and its inflow and outflow systems.

ML-34 It shall be the intention of Council to monitor the water level of Morris Lake to maintain it at a level sufficient for recreational use and to prevent further eutrophication of the lake.

ML-35 It shall be the intention of Council to retain all lands in the sub-watershed of Lamont and Topsail Lakes as a conservation area in perpetuity.

Portland Street / Portland Hills Drive Mixed Use Node (RC-Mar 21/17;E-Jun 3/17)

Development of a mixed use commercial residential development with direct accessibility to Portland Street is considered desirable to provide strategic local convenience commercial services while establishing a commercial presence at a growing diversified commercial node. Development of the lands, identified as PID #00230821 & 41044793, is supported by the Regional MPS which designates the site as an Urban Local Growth Centre. In addition to a medium scale multiple unit dwelling, Council may consider small scale commercial/office development fronting Portland Street and Portland Hills drive within the Residential Designation of the Morris Russel Lake Secondary Planning Strategy by development agreement.

ML-36 In addition to a medium scale multiple unit residential dwelling, small scale commercial/office development fronting Portland Street and Portland Hills Drive are considered desirable at the southwest corner of Portland Street and Portland Hills Drive (PID #00230821 & 41044793), a key corner site within the within Residential Designation of the Morris Russel Lake Secondary Planning Strategy. Any such development shall be considered by way of development agreement. In considering any such agreement, Council shall have regard to the following:

(a) That commercial/office buildings are oriented to the street and transit services, and primary entrances are oriented to the sidewalk and primary pedestrian ways;

(b) That commercial buildings not exceed a height of three storeys;
(c) That residential buildings not exceed a height of five storeys;
(d) That adequate recreation and amenity space is provided on the site and within the residential building;
(e) That pedestrian street level activity is encouraged in proximity to the street through the incorporation of commercial ground floor uses that relate to the street and public realm;
(f) That residential buildings include underground parking and that the parking podium/building basement is constructed substantially below grade or adequately blended into the site;
(g) That the development is integrated with and complementary to the surrounding built form, land uses, and abutting residentially-zoned areas through conformance with the site development and architectural standards of the C-2 (General Business) zone of the Dartmouth Land Use By-law;
(h) That mature tree stands and other natural site features are preserved where possible;
(i) That traffic related matters such as traffic generation and circulation, sighting distances, site access and egress and pedestrian safety are addressed;
(j) That vehicular access to Portland Street from the Lands shall not be permitted;
(k) That lighting shall be designed to provide security, safety, and visual appeal for both pedestrians and vehicles while ensuring minimal impact on adjacent properties; and
(l) Provisions of Policy IP-1 (c).

(20) Housing Accelerator Fund (RC-May 23/24;E-Jun 13/24)

In response to rapid population growth, housing shortage and declining affordability, the Municipality has prioritized removing barriers to housing within the Urban Service Boundary.

To support the goal of creating new opportunities for housing, the Municipality shall allow at least 4 dwelling units on all residentially zoned properties in the Urban Service Area as set under the Regional Subdivision By-law to foster development of missing middle housing forms.

Policy H-22 **At least 4 dwelling units per lot shall be permitted in all residential zones within the Urban Service Area as defined in Schedule B of the Regional Subdivision By-law.**

In addition to low density multiple unit dwellings, medium density multiple unit dwellings like apartment buildings will be enabled in the R-3 and R-4 Zones of the Dartmouth Planning Area as-of-right. To make the apartment building development feasible, zone requirements shall be adjusted to increase the maximum lot coverage and repeal the minimum unit size requirements which do not support the current demand for smaller unit sizes.

To ensure that multiple unit dwelling developments support diverse households and housing options, the Land Use By-law shall require the development to provide a range of unit sizes.

Policy H-23 **The Land Use By-law shall require new, expanded, or converted multiple unit dwellings to provide a range of unit sizes to accommodate a variety of household sizes, including a minimum proportion of two-bedroom units in the R-3 and R-4 zones.**

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PINECREST - HIGHFIELD PARK SECONDARY PLANNING STRATEGY (Repealed: RC – Oct 26/21; E – Nov 27/21)

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PORT WALLACE SECONDARY PLANNING STRATEGY (Special Area Task Force-Jan 26/23;E-Feb 3/23)

The Regional Plan identifies the Port Wallace community as an area for new urban (water and sewer) growth. In 2022, the Port Wallace Secondary Planning Strategy (PWSPS) was approved by the Minister of Municipal Affairs and Housing pursuant to the Housing in the Halifax Regional Municipality Act. The PWSPS enables the development of a new mixed-use community following a process that involved extensive public engagement and detailed study, including the Shubenacadie Lakes Subwatershed Study (AECOM: April 2013), Land Suitability Analysis (WSP: February 2016), the Port Wallace Master Plan Infrastructure Study (CBCL: January 2018); and Traffic Impact Study (WSP: 2022). The PWSPS's development was informed by multiple public engagement initiatives and guided by a public participation committee.

The PWSPS establishes a land use policy framework that is intended to support the development of a complete community consisting of primarily residential land uses with supporting commercial and institutional uses. The PWSPS also protects sensitive environmental features, supports transit use, and ensures new development is integrated with the established surrounding community. Upon completion, the PWSPS Area is planned to contain up to 4,900 residential units, which represents a population of approximately 11,000 people.

1. OBJECTIVES

The PWSPS is intended to support the development of a new complete community that:

- **provides a variety of housing types and supporting institutional and commercial uses that serve the needs of the community;**
- **includes a central collector road to facilitate transit and connections to the surrounding transportation network;**
- **provides transportation options for pedestrians, cyclists, and transit users to support active transportation and transit options;**
- **contains a mixed-use area along the central collector road with human scale building designs that support pedestrian movements and access;**
- **adds public parkland to the existing parkland network to support accessible recreation and leisure opportunities for new and existing residents;**
- **ensures new development is integrated with the surrounding community; and**
- **identifies and protects significant environmental features, including wetlands, steep slopes, and watercourses.**

2. LAND USE CONCEPT

PW-1
The PWSPS objectives and policies shall apply to all lands shown on Map PW-1.

PW-2
The Land Use Concept Map (Map PW-2) shall provide overall guidance for land use within

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the PWSPS Area. The Land Use Concept Map identifies the following:

(a) Port Wallace Low Density Residential - applied to areas where only low-density housing forms are permitted;

(b) Port Wallace Higher-Order Residential - applied to lands along or near the central collector road where multi-unit residential housing forms are supported and served by transit and active transportation routes;

(c) Port Wallace Centre - applied to the central region of the PWSPS Area where multi-unit residential uses and a range of commercial uses are supported; and

(d) Port Wallace Environmental Open Space - applied to the lands surrounding Barry's Run and Mitchell Brook, large wetlands, and areas with steep slope that are to be primarily preserved as open space.

PW-3

Institutional, Park and Community Facilities land uses are suitable in all areas identified on Map PW-2, with the exception of the Port Wallace Environmental Open Space Area.

3. COMPREHENSIVE DEVELOPMENT DISTRICT

Development within the PWSPS Area is enabled through the application of a comprehensive development district zone and associated development agreement. Policies of the PWSPS require the preparation of a development agreement to control phasing and the location and design of roads and parks. This development agreement will also control land uses and built form by referencing zones established in a land use by-law as established under Policy PW-7. Once all terms and conditions of the development agreement are complete, Council may discharge the development agreement and make the necessary amendments to the applicable planning strategy and land use by-law to apply appropriate designations, zones, and built form controls.

PW-4

The Land Use By-law shall establish and apply the PW-CDD (Port Wallace Comprehensive Development District) Zone to the PWSPS Area to permit new developments only by development agreement, in accordance with Policy PW-5. In this zone, only existing uses shall be permitted without entering into a development agreement.

PW-5

In considering a development agreement for lands zoned PW-CDD, Council shall consider the following:

(a) the proposal meets the policies and objectives of the PWSPS, and is reasonably consistent with any other relevant policies contained within the Regional Municipal Planning Strategy;

(b) the built form and land use requirements are implemented through references to the applicable land use by-law and are generally consistent with the locations shown on Map PW-2;

(c) the general rezoning and development agreement criteria outlined in Policy IP-1(c) of the Dartmouth Municipal Planning Strategy.

PW-6

Upon the completion of subdivision and other terms of the development agreement enabled under Policy PW-5, Council may discharge the development agreement and amend the

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PWSPS and the applicable land use by-law to continue to regulate land use and built-form in the PWSPS Area over the long-term. These amendments are intended to apply land use designations, density controls, zoning, and built form controls that are consistent with the approved development agreement.

4. LAND USE BY-LAW

The PWSPS establishes a land use by-law to provide for effective land use administration during development and upon completion of development when the development agreement may be discharged. The zones contained within the land use by-law will be applied through reference in the development agreement enabled under Policy PW-5. These zones are intended to be applied to the zoning map upon the completion of the development and discharge of the development agreement.

In addition to the PW-CDD Zone established under Policy PW-4, the Land Use By-law establishes the following six zones:

- **the PW-LDR (Port Wallace Low Density Residential) Zone to support the development of a variety of low-density dwellings on individual lots;**
- **the PW-CH (Port Wallace Cluster Housing) Zone to allow multiple low-density dwellings on a single lot, which may be applied to selected areas to help reduce environmental impacts and provide additional low-density housing choices;**
- **the PW-HR (Port Wallace Higher-Order Residential) Zone to support the development of low-rise to tall mid-rise residential buildings with limited commercial opportunities;**
- **the PW-CEN (Port Wallace Centre) Zone to support a wide range of residential and commercial uses with low-rise, mid-rise, tall mid-rise, and high-rise buildings;**
- **the PW-PCF (Park and Community Facility) Zone to support park, recreation and institutional uses; and**
- **the PW-CON (Port Wallace Conservation) Zone to protect sensitive environmental areas, such as wetlands and steep slopes.**

The Land Use By-law will also establish built form controls that encourage a compact and pedestrian oriented design that promotes a wide range of mobility choices, access to parkland and other open spaces, and fosters the efficient use of municipal infrastructure. This built form framework supports human-scaled development with buildings that face public streets and provide transition between larger scale buildings and low-density areas and public parks.

PW-7
Concurrent with the adoption of this Plan, land use by-law provisions are adopted for the lands shown on Map PW-1 containing zones and other land use controls that manage land use and development of the lands.

PW-8
The Land Use By-law shall establish the PW-LDR (Port Wallace Low Density Residential) Zone to support the development of low-density dwellings on individual lots. The PW-LDR Zone shall permit single unit dwellings, semi-detached dwellings, townhouses, three-unit

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dwellings, four-unit dwellings and accessory uses.

PW-9
The Land Use By-law shall establish the PW-CH (Port Wallace Cluster Housing) Zone to support the development of low-density dwellings located on a single lot. The PW-CH Zone shall:

(a) permit a maximum of 48 dwelling units on a single lot, consisting of single unit dwellings, semi-detached dwellings, townhouses, or a combination there of;
(b) allow the development of shared facilities and infrastructure, such as, but not limited to, a common shared driveway, storage, utility and amenity space;
(c) provide adequate buffering to adjacent properties and require sufficient green space, landscaping, and amenity space.

PW-10
The Land Use By-law shall establish the PW-HR (Port Wallace Higher-Order Residential) Zone to support a range of low-density and multi-unit residential uses. The PW-HR Zone shall:

(a) allow low-density dwellings, multiple unit dwellings and shared housing uses;
(b) support the development of mid-rise, tall mid-rise, and high-rise buildings up to a maximum height of 50 metres; and
(c) allow a limited range of local commercial and institutional uses.

PW-11
The Land Use By-law shall establish the PW-CEN (Port Wallace Centre) Zone to support a mix of residential and commercial development. The PW-CEN Zone shall:

(a) support a mixed-use environment, including multiple unit dwellings and shared housing uses;
(b) support the development of mid-rise buildings, tall mid-rise buildings, and high-rise buildings up to a maximum height of 50 metres; and
(c) allow a range of commercial and institutional uses that serve the community, such as offices, restaurants, retail, community facility uses, and personal service uses.

PW-12
The Land Use By-law shall establish the PW-PCF (Port Wallace Park and Community Facility) Zone to allow a variety of institutional and recreation uses.

PW-13
The Land Use By-law shall establish the PW-CON (Port Wallace Conservation) Zone to protect wetlands, steep slopes and other hazardous lands from development. The PW-CON Zone shall limit development to open space and conservation uses, utility infrastructure, and transportation crossings.

PW-14
The Land Use By-law shall establish site design requirements that support human-scaled and pedestrian-oriented environments by establishing controls concerning:

(a) the minimum separation distances for buildings located on the same lot;

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(b) the minimum front yard setback requirements that support pedestrian traffic, access and landscaping;
(c) the minimum side and rear yard setback requirements that transition from higher density zones to lower density zones and public parkland;
(d) the minimum setbacks, maximum lot coverage, minimum lot area, and minimum lot frontage requirements that support a compact development form with sufficient open space and landscaping, and support site accessibility for people of all ages and abilities;
(e) outdoor lighting and signage to mitigate impacts on residential areas;
(f) landscaping and buffering requirements to support transitions between land uses, built forms, parking areas and outdoor storage areas;
(g) the location, number and configuration of parking spaces, off-street loading, landscaping, accesses, and pedestrian pathways; and
(h) setback requirements for accessory structures.

PW-15
The Land Use By-law shall establish building design requirements that support human-scale design and pedestrian-oriented streetscapes by establishing controls concerning:
(a) the maximum building dimensions for low-rise, mid-rise and tall mid-rise buildings;
(b) maximum building height;
(c) the maximum floorplate and maximum dimensions for the tower portion of high-rise buildings above the streetwall that do not exceed a floor area of 1,100 square metres per storey;
(d) streetwalls, including minimum streetwall stepbacks for mid-rise buildings and high-rise buildings to mitigate impacts of wind and shadow on streets and public parks;
(e) standards for streetwall articulation, pedestrian entrances, ground floor transparency, site accessibility and weather protection;
(f) the siting and screening of rooftop features;
(g) building accessibility for people of all ages and abilities; and
(h) massing requirements for accessory structures.

PW-16
Utility uses and park uses shall be permitted in all PWSPS Area zones.

5. PARKLAND

As the PWSPS Area is planned to accommodate a significant population, the establishment of new public parkland is essential to ensure a wide range of recreational opportunities are provided that foster healthy lifestyles. A development of this scale requires the provision of parkland ranging from neighbourhood parks, distributed throughout the area, to large, centralized community parks that will also serve as vibrant public spaces. These parks act as community gathering spaces where residents can gather and commemorate important events. Lands reserved for park purposes must be suitable to adapt to the long-term needs of area residents.

PW-17
Municipal parkland dedication shall be provided within the PWSPS Area in the general locations shown on Map PW-2, subject to the Regional Subdivision By-law. The specific type

and function of the proposed public parks shall be consistent with the following park descriptions:

(a) Park P1: a neighbourhood park that is primarily intended to serve residents of Port Wallace North as identified on Map PW-1;

(b) Park P2 (Wilcot Lane Park): an existing neighbourhood park that is developed with playground equipment but that is not currently in municipal ownership. Through the subdivision process this park will be transferred to the Municipality to ensure the continued maintenance and operation of the park;

(c) Park P3: a large community park located in Port Wallace Central as identified on Map PW-1 north of Barry's Run capable of accommodating a sports field and supporting uses such as a parking lot and/or fieldhouse;

(d) Park P4: a linear neighbourhood park designed to contain a trail;

(e) Park P5: A community park located prominently within Port Wallace Central that contains a range of active and passive recreation uses. Park P5 is intended to accommodate a number of park features such as: sports courts, play structures, unstructured soft-scaped areas, and hard-scaped areas conducive to civic gatherings;

(f) Park P6: land abutting existing undeveloped parkland intended for community park purposes.

PW-18

The development agreement enabled under Policy PW-5 shall provide the ability for parkland to be conveyed to the Municipality as developed parks to ensure the recreational needs of new and existing residents can be met during the early phases of the development.

6. TRANSPORTATION

Ensuring active transportation and travel by transit are viable transportation options for future residents is an essential component of this plan. The new road network will be designed to facilitate walking/rolling and bicycling via both mode-specific infrastructure, such as sidewalks and bike lanes, as well as a road network that allows efficient and comfortable connections both within the area and to the surrounding community. Provision of a central collector road to act as the primary transportation connection within the community serving Port Wallace Central will enable efficient transit service as well as routing for goods movement that will be less impactful to the overall area.

PW-19

A central collector road shall be constructed from Avenue du Portage to Waverley Road in the general location shown on Map PW-2. The phasing of development shall ensure that this road, or portions of it, can support transit service in early phases of development.

PW-20

Active transportation infrastructure shall be constructed along the length of the central collector road as illustrated on Map PW-2, as well as other collector roads located within the development.

PW-21

Additional active transportation infrastructure comprising a series of walkways and trails for pedestrians and cyclists shall be established within the PWSPS Area that link residents

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to commercial areas, public transit facilities, parks, and community facilities. Connections shall include:

(a) walkways between local roads as needed to establish a general pedestrian grid where local roads are unable to provide connections due to environmental constraints; and

(b) trails located on public lands that facilitate access to parkland and direct routes for pedestrians.

PW-22
The development agreement enabled under Policy PW-5 may provide opportunities for future connections to Highway 107.

PW-23
The Municipality shall encourage the Province of Nova Scotia to include active transportation facilities within all new transportation infrastructure in the area to facilitate pedestrian and cycling transportation options.

7. INFRASTRUCTURE CHARGES AND PHASING

To support the development of the PWSPS Area, several offsite upgrades to transportation infrastructure will be required and jointly paid for by the developers and the Municipality through the use of infrastructure charges. Many of the upgrades are planned to take place in early phases of the development, with some required before later phases of the development can proceed.

Highway 107 between Montague Road and Akerley Boulevard is currently at or near capacity. While some amount of development can safely proceed, the full build out of the PWSPS Area will not be enabled until commitments are made by the Province of Nova Scotia to upgrade Highway 107 to prevent further capacity issues and negative impacts on the Waverly Road and the local road network.

PW-24
No development shall be permitted until the Municipality has approved infrastructure charges for transportation infrastructure, and the Nova Scotia Utility and Review Board have approved infrastructure charges for central water and sewer infrastructure.

PW-25
The development agreement enabled under Policy PW-5 shall be limited to the phase(s) that can be accommodated utilizing existing sewer service capacity until increased wastewater capacity is provided to the area through the completion of a new connection to the North Dartmouth Trunk Sewer.

PW-26
The development agreement enabled under Policy PW-5 shall limit development to the phase(s) that accommodate approximately 1,000 dwelling units until upgrades to Highway 107 have been confirmed by the Province of Nova Scotia.

PW-27
The development agreement enabled under Policy PW-5 shall limit the total number of

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dwelling units to approximately 3,800 units until a new access to Highway 107 is provided.

8. ENVIRONMENTAL PROTECTION

Environmental protection measures are an integral component of the PWSPS. The Shubenacadie Lakes Subwatershed Study (AECOM: April 2013), and the Land Suitability Analysis (WSP: February 2016), were prepared to guide the design of new development and protect water quality from degradation, and to identify, map and assess natural environmental features, cultural landscape features and engineered structures that are critical to maintaining natural ecological functions. These studies, including analysis commissioned by the Province of Nova Scotia as part of the planned closure and remediation of the former Montague Gold Mines Site, guide the environmental management framework for future development within the area.

The PWSPS Area contains several environmental features such as watercourses, wetlands, and forested areas that can be affected by development. A high level of care needs to be taken to preserve sensitive features and minimize the impact of development on the environment, including Barry's Run, Mitchell's Brook, and Lake Charles.

Stormwater management controls are essential to protect the local watercourses and wetlands from negative impacts that can result from the development of the surrounding lands. The Regional Subdivision By-law provides for the implementation of stormwater management measures at the initial stages of land development in the serviced areas of the Municipality. The implementation of stormwater management controls is important to minimizing the impact of development on Barry's Run, Mitchell's Brook, and Lake Charles.

PW-28
Prior to any development within the PWSPS Area, a master storm water management plan shall be prepared and submitted by the developers and accepted by the Municipality. The storm water management plan shall:

(a) identify significant constraints and sensitivities with regard to flood potential and environmental features, and provide appropriate protection measures;
(b) provide estimates of pre-development and post-development flow rates (where post-development flow rate means the expected flow rates upon full build out of an area as permitted by the development agreement) at critical locations within watercourses such as at culverts and other road crossings and at downstream developments;
(c) include advanced stormwater treatment, including best management practices and low impact development techniques;
(d) outline the type and location of storm water management facilities and the approach to protecting receiving waters from contamination, excessive flow rates and loss of aquatic habitat and to protect the quantity and quality of flows;
(e) identify interim stormwater management practices to manage quality and quantity of runoff between phases. These may include temporary holding facilities. Erosion and sediment control plans for individual phases will match the master stormwater management plan.
(f) conform with the recommendations of the Shubenacadie Lakes Subwatershed Study (AECOM: April 2013) unless alternative solutions are accepted by the Municipality;

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and conform with Provincial requirements, including but not limited to, the consideration for stormwater discharge from the development and potential impacts on Barry's Run.

PW-29
In addition to the 20-metre watercourse buffer established by the Regional Municipal Planning Strategy, the PW-CON Zone shall be applied to lands surrounding Barry's Run and Mitchell's Brook to further protect the chemical, physical and biological functions of marine and freshwater resources.

PW-30
Tree retention, landscaping and tree planting requirements shall be incorporated into the regulations for the PWSPS Area.

9. HERITAGE PROTECTION

In addition to environmental protection, the Land Suitability Analysis (WSP: February 2016) identified cultural assets within the PWSPS Area likely to become registered archaeological sites. While archaeological sites fall within the jurisdiction of the Province of Nova Scotia, the Municipality has an interest in protecting archaeological resources.

PW-31
The development agreement enabled under Policy PW-5 shall include provisions for the appropriate archaeological consideration of the sites identified by the Land Suitability Analysis (WSP: February 2016), prior to any site disturbance of the lands. (Special Area Task Force-Jan 26/23;E-Feb 3/23)

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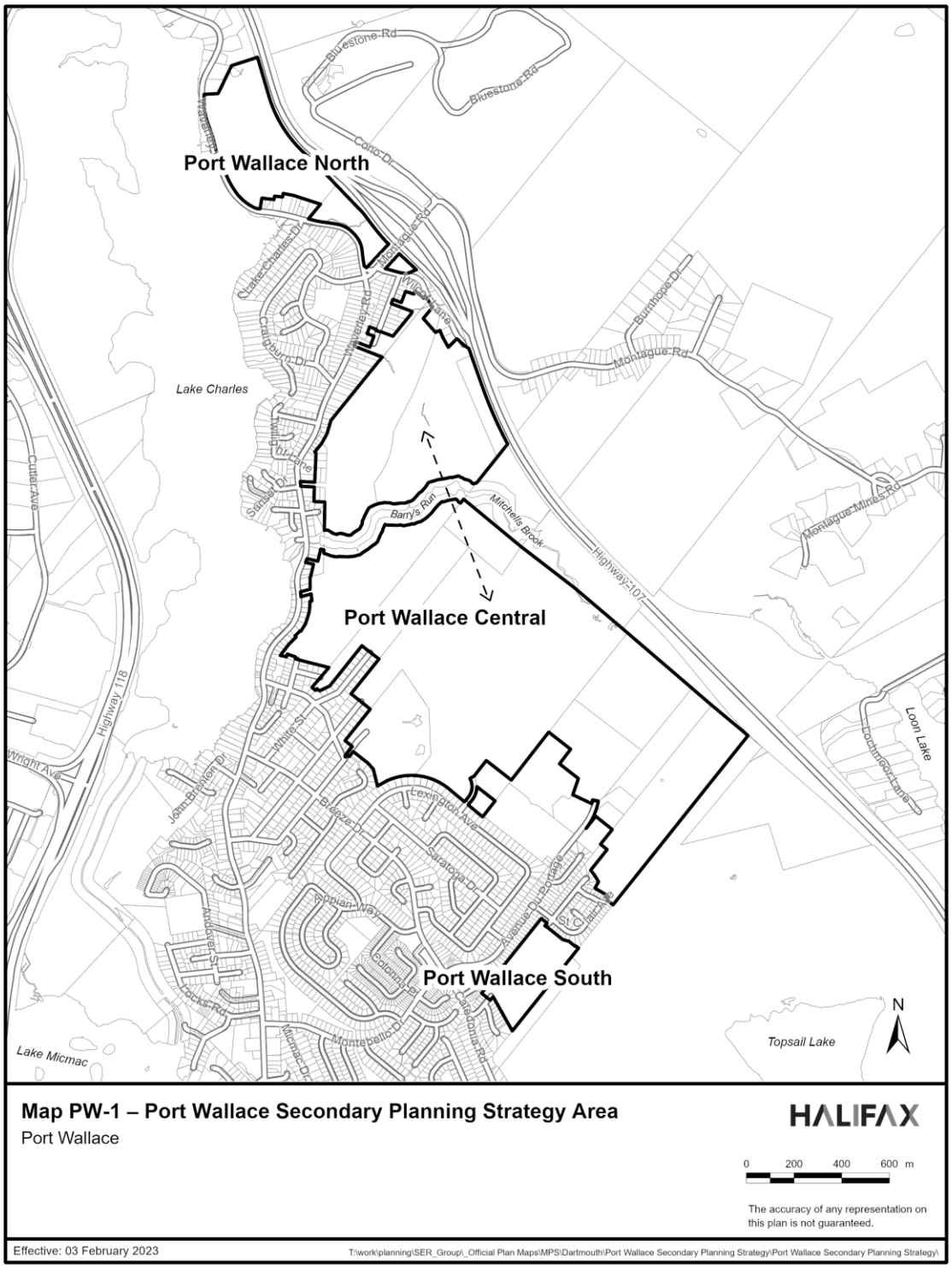
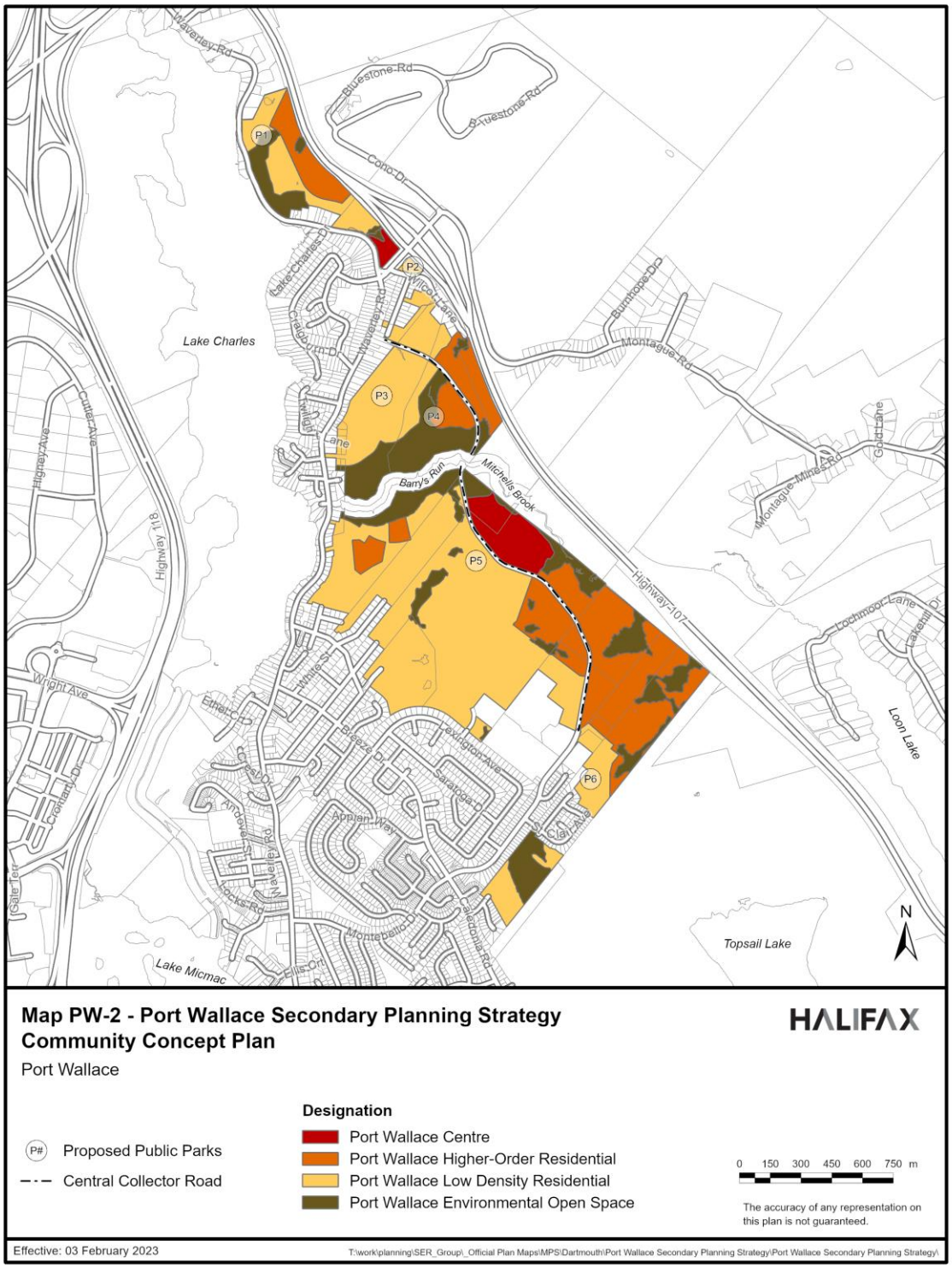
Map PW-1: Port Wallace Secondary Planning Strategy Area (Special Area Task Force-Jan 26/23;E-Feb 3/23)



Map PW-2: Port Wallace Secondary Planning Strategy Community Concept Plan (Special Area Task Force-Jan 26/23;E-Feb 3/23)



COMMERCIAL

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COMMERCIAL

Since Dartmouth's incorporation in 1961, there has been considerable growth in all facets of the commercial land use categories. This section of the plan deals with four major areas of commercial land use:

(1) Retail Facilities
(2) Office Facilities
(3) Storage and Warehouse Facilities
(4) Massage Parlours

(1) Retail Facilities:

(a) **Retail Trade:** In 1971 it was estimated that there was approximately 725,000 square feet of retail floor area in Dartmouth. Since 197l Dartmouth's retail floor area has increased to 1,613,000 square feet 1, an increase of 120 % in six years. The bulk of this increase has taken place through the construction of several major shopping centres (MicMac, Penhorn, and Woodlawn) along with extensions to several of the existing centres. In fact, approximately one million square feet of retail floor area is located within shopping centres.

(b) **Service Commercial:** In 1971 it was estimated that there was approximately 265,000 square feet of service commercial floor area in Dartmouth. Our most recent survey[6] (Jan./77) indicates approximately 660,000 square feet, an increase of approximately 250%. Service commercial uses normally occur along major roadways and usually on roads leading into the City (No. 7, Portland St., Windmill Rd, etc.).

In 1971 it was estimated that the City of Dartmouth would require approximately 650,000 square feet of additional retail floor area (retail trade and service commercial) by the year 1991. This figure derived in 1971 was based on a projected accelerated population growth. Since then the floor area has increased by approximately 1,250,000 square feet without any substantial change in the population.

One could assume that at present there is sufficient square footage to properly serve the residents of Dartmouth. There is a problem in attempting to determine who these retail areas are actually serving. Obviously, regional shopping centres like K-Mart and MicMac Mall draw people from as far away as Truro, Bridgewater, and Sheet Harbour. Therefore, the question of the amount of floor area to serve Dartmouth alone becomes very difficult to determine and almost meaningless in a regional context. In recent studies from the Department of Development[7], it has been clearly pointed out that the Halifax, Dartmouth, and Bedford-Sackville region is overbuilt in terms of major retail floor area. The report points out high vacancy rates and suggests that the region does not have sufficient population to support them all. What becomes evident in reviewing this situation is that Council must become

6 Land Use Survey, January 1977--Planning & Development Dept., City of Dartmouth.
7 Survey & Inventory of Commercial Space--Halifax Metropolitan Area, Dept. of Development, Province of Nova Scotia, (March 76 & May 77).

concerned with the overall impact that additional major retail developments (10,000 square feet or more) may have upon the city and the entire region. To this end, it will be necessary for Council to review detail market analysis data to determine the economic impact on the City, in conjunction with the normal land use and social impacts that are normally brought before Council at the time of a rezoning proposal (Policy C-1).

(c) **Neighbourhood Convenience Store:** This form of commercial establishment consists of outlets such as, but not necessarily limited to, grocery stores, drug stores, barber shops, TV repair shops, etc. These uses form a very significant part of any neighbourhood way of life. To date there are approximately 50 of these sorts of facilities within Dartmouth totalling approximately 25,000 square feet in floor area. There is no set criteria for the number or amount of these stores, however, their numbers are usually kept down due to the limited area they serve. There are several concerns related to these uses (location, siting) that criteria should be established for reviewing any proposal of such a use.

To enable neighbourhood convenience outlets to operate in residential areas, they should be reviewed individually on their own merits and handled through the contract zoning provisions of Section 33 (2) (b), 34 (1) of the Planning Act[8].

33(2)(b) Where the municipal development plan so provides, provide that the council may by resolution approve any specific development requested which would not otherwise be permitted by the by-law, but no approval shall be given inconsistent with the municipal development plan.

34(1) Approval by the council pursuant to clause (b) or (c) of subsection (2) of Section 33 shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into an agreement with the council containing such terms and conditions as the council may direct.

This process will allow for the use to occur when and where Council sees fit after the appropriate public hearings have occurred without providing a wide open zone within which a wide range of commercial uses may occur (Policy C-2).

(d) **Service Stations:** To date there are approximately 35 service stations within the City of Dartmouth. They are mainly located on the arterial road system. To date any application for new service stations has required approval by City Council under a special by-law adopted under the provisions of Section 150 Of the City Charter. This procedure has worked well in controlling these uses and should continue (Policy C-3).

(e) ***Repealed (RC-Sep 18/19;E-Nov 30/19)***

(f) ***Regional Retail Facilities - Lands on Baker Drive: Lands in the vicinity of Highway No. 111 and Portland Street have developed as a major commercial shopping area, serving the community and the region. Additional regional retail development on Baker Drive will enhance this area as a major commercial destination point. However, in order to address potential impacts of such***

[8] The Planning Act, Chapter 16, Statutes of N.S. 1969.

development, particularly with respect to traffic generation and environmental protection of Russell Lake, any proposed development of the site shall be considered by development agreement (Policy C-28). (RC-May 11/99;E-Jun 19/99)

(2) Office Facilities:

The office function falls within three basic categories: general offices, local offices, and industrial offices.

(a) **General Offices** - include offices of large organizations such as the City, Provincial, and Federal departments and headquarters of regional offices of large firms and should be located in the C.B.D. of the City.

(b) **Local Offices** - include the offices of professional people providing personal services, such as doctors, real estate firms, banks, and decentralized departments of the City designed to serve the needs of the people at the neighbourhood level.

(c) **Industrial Offices** - are those attached to factories or warehouses and are required for the operation of these companies.

(d) **General Office** - The general office function for Dartmouth alone is difficult to analyse since we form part of the total Halifax/Dartmouth region. ln 1971, it was estimated that there was approximately 323,000 square feet of office space. In a recent survey[9] (Jan./77) this figure was increased to approximately 423,000 square feet. A recent study produced by the Provincial Development[10] on general office space recently outlined the status of the general function in the region. The essence of the report indicated there is an abundance of office space in the region highlighted by a present 17.2% vacancy rate (1977) which will climb to 29% when present office projects are complete and on the market.

Given the above situation, the construction of new office facilities may be slower than anticipated in 1971. Associated with this is a traditional situation which has seen the Dartmouth core area being excluded as a location of provincial and federal office function. This trend is changing slowly and in recent years, we have seen the location in Dartmouth of some offices by the Provincial Government (The Nova Scotia Housing Commission). (Policy C-4).

It must be recognized that many of the employees in the governmental sector live in and around the Dartmouth area. Also, access to the Dartmouth core from the Bedford/Sackville area has improved dramatically and is as accessible, if not more so, than the City of Halifax.

The Regional Plan has stated clearly that the C.B.D. of Dartmouth must be strengthened and encourages the expansion of office facilities into this area with excellent interconnections between various modes of transit. The core area can accept a significant increase in the office function. Office function in this respect refers to the people within an office, not the physical structure of a building.

The City must seek additional office functions to be carried out in the C.B.D. to a point where self-sustaining growth can be achieved along with additional housing opportunities creating spin-offs

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9 Land Use Survey, January 1977, Planning & Development Dept., City of Dartmouth.

10 Survey and Inventory of Commercial Space-- Halifax Metropolitan Area, Department of Development, Province of Nova Scotia, (March 76 and May 77).

which will assist to revitalize the retail and service commercial component (Policy C-5).

In developing a program to achieve the ends, the City must be careful not to over- build, but rather create an environment which has priority for pedestrian movement and circulation, respects the traditional pattern and fabric of the core, and is of a scale which maximizes public infrastructure (Policy C-6).

(a) **Local Office -** Local offices should be located in close proximity to the people they will be providing the service for. Due to their location, the scale of the local office function should complement the neighbourhood being served. However, they should be located in commercially zoned areas (Policy C-7).

(b) **Industrial Office** - Industrial offices must be located alongside the plant they serve, since they are essential to the operation of those plants. Therefore, the office function becomes an important element within designated industrial areas. The concern is that only the industrial office function be allowed in industrial areas and not general offices (Policy C-8).

(c) ***Medical Clinics - Council recognizes that medical clinics can be compatible with residential land uses. However, each development should be judged on its own merits. Therefore, notwithstanding Table 4 of the M.P.S. Council may by resolution enter into a development agreement for the development of new medical clinics of not more than 2 storeys in height or the conversion of existing buildings of not more than 3 storeys in height to medical clinics in areas with a Residential land use designation (Policy C-12).***

A medical clinic means any building, structure or premises in which out patient medical services are provided.

When evaluating a proposal under Policy C-12 Council should have regard for, but should not be limited to, the following matters:

(a) ***Those elements listed in Section IP-1(c) of chapter 10 of the M.P.S.;***

(b) ***The impact of the proposed development on:***

- ***(i)*** ***The existing residential uses in the area with particular regard to the use and size of the structure that is proposed, buffering, landscaping, hours of operation for the proposed use, the adequate provision of parking and other similar features of the use and structure.***
- ***(ii)*** ***Pedestrian and motor traffic circulation with particular regard to ingress and egress from the site, traffic flows and parking areas.***

(c) ***The submission of a site plan showing the location of the structure on the lot, parking areas and building plans showing the nature and design of the proposed structure (Policy C-13).***

Furthermore, the development agreements may contain such terms and conditions that Council feels necessary to ensure that the development is consistent with the policies of this Plan. To this end, the agreement should include, but shall not be limited to, some or all of the following:

- ***(i)*** ***The specific use and size of the structure if a new or an expansion of an existing structure is proposed.***
- ***(ii)*** ***The compatibility of the structure in terms of design and appearance with***

adjacent residential uses.

(iii) Provisions for adequate buffering to screen the development from adjacent uses.

(iv) Any matters which may be addressed in a Land Use By-law, ie. yard requirements, parking requirements, lot coverage, etc.

(v) The hours of operation.

(vi) The provision of services and utilities.

(vii) Time limits for the construction and completion of construction.

(viii) Any other similar matter which Council feels is necessary to ensure the general compatibility of the use and structure with adjacent residential areas.

(Policy C-14). (As amended by By-law C-507, Apr. 9, 1984).

(d) Repealed (RC-Sep 30/20; E-Dec 5/20)

(3) Storage and Warehouse Facilities - This category includes warehousing, moving and storage facilities, storage associated with construction, and other similar uses. There are presently two major concentrations of these uses: the North and South Dartmouth Industrial areas. There are a few scattered facilities elsewhere.

These uses usually require large amounts of storage space and considerable room for truck movement and parking. Due to the demands for space and the associated truck traffic, these uses should only be allowed in industrial areas or a general commercial area away from residential areas (Policy C-9).

(4) Adult Cabarets and Massage Parlours - ***Adult entertainment uses such as Massage Parlours and Adult Cabarets have received considerable attention in the Dartmouth area. Due to the nature of these commercial enterprises and the effects that these establishments could have on adjacent commercial operations and residential neighbourhoods, these uses require specific guidelines for their proper site function and location. (RC-Jan 31/06;E-Mar 16/06)***

(5) Technological Change - In addition to the traditional business sectors, technological change will result in future opportunities which have land use implications. Growth in the communications sector is evident in the 1990's. By and large, communications installations can be accommodated in the City's industrial areas. However, there is a height of land at Mount Edward Road, which is the site of the City's water reservoir and which, due to its topography, is a potential location for communications facilities, notably, the tower required for transmission. (As amended by By-law C-709, Oct. 4, 1994).

Policy C-1 It shall be the intention of City Council to review detail market data before approving a rezoning for commercial developments over 10,000 square feet in size.

Policy C-2 It shall be the intention of City Council to deal with neighbourhood convenience outlets through the contract zoning provisions of the Planning Act - Section 33 (2) (b).

Policy C-3 It shall be the intention of City Council to continue to require all permits for service stations to be approved by Council under Section 150 of the City Charter.

Policy C-4 It shall be the intention of City Council to encourage the establishment of expanded general policy functions in its C.B.D. in accordance with the stated objectives of the Regional Development Plan and shall request the cooperation of the Provincial and Federal Governments in achieving same.

Policy C-5 ***Deleted (RC-Jul 11/00;E-Sep 2/00)***

Policy C-6 It shall be the intention of City Council to support the revitalization of its core area by denying the placing of the general office functions outside of the **Regional Centre, as identified in the Regional Plan, except that limited general office space shall be permitted in the Main Street Designation (RC-Sep 10/13;E-Nov 30/13)**.

Policy C-7 It shall be the intention of City Council to allow the local office function to occur within commercially zoned areas and at a scale which is consistent with the neighbourhood being served.

Policy C-8 It shall be the intention of City Council to continue to allow the industrial office function in zoned industrial areas.

Policy C-9 **Except in the Main Street Designation, it (RC-Sep 10/13;E-Nov 30/13)** shall be the intention of City Council to permit warehousing and distribution centres in industrial areas, major commercial areas and areas that may be determined to be suitable through a zoning amendment or contract zoning review process following the guidelines on page 61 and 62 of this plan.

(***i)*** ***Notwithstanding Policy C-9, Council may consider a warehousing and distribution use at 3 Bruce Street by development agreement provided controls are placed in the agreement which serve to ensure adequate lot maintenance standards and protect nearby residential properties. (RC-Nov 15/05;E-Nov 24/05)***

Policy C-10 It shall be the intention of Council to permit Adult Cabarets and Massage Parlours in areas designated Commercial on the Generalized Future Land Use Map (Map 10 (RC-Mar 5/19;E-Apr 6/19)) through development agreement in accordance with Policies IP-12 and IP-13. (As amended by RC-Jan 31/06;E-Mar 16/06)

Policy C-11 Deleted (RC-Jan 31/06;E-Mar 16/06)

Policy C-12 Notwithstanding Table 4 in Chapter 10 of the M.P.S., it shall be the intention of City Council to permit, through the development agreement provisions, the development of new medical clinics of not more than 2 storeys in height and the conversion of existing buildings of not more than 3 storeys in height to medical clinics in areas with a Residential land use designation.

Policy C-13 In evaluating a proposal for a development under Policy C-12, Council shall have regard for, but shall not be limited to, the following matters:

(1) Those elements listed in Section IP-1(c) of Chapter 10 of the M.P.S.

(2) The impact of the proposed development on:

(i) the existing residential uses in the area with particular regard to the use and the size of the structure that is proposed, buffering, landscaping, hours of operation for the proposed use, the adequate provision of parking and other similar features of the use and structure.

(ii) pedestrian and motor traffic circulation with particular regard to ingress and egress from the site, traffic flows and parking areas.

(3) The submission of a site plan showing the location of the structure on the lot, parking areas and building plans showing the nature and design of the proposed structure.

Policy C-14 *It shall be the intention of Council that the agreement made pursuant to Section 55 of the Planning Act may contain such terms and conditions that it feels necessary to ensure that the development is consistent with the policies of this Plan. To this end, the agreement may include, but is not limited to some or all of the following:*

(i) the specific use and size of the structure if a new or an expansion of an existing structure is proposed.

(ii) the compatibility of the structure in terms of design and appearance with adjacent residential uses.

(iii) provisions for adequate buffering to screen the development from adjacent uses.

(iv) any matters which may be addressed in a land use by-law, ie. yard requirements, parking requirements, lot coverage, etc.

(v) the hours of operation.

(vi) the provision of services and utilities.

(vii) the limits for the construction and completion of construction.

(viii) any other similar matter which Council feels is necessary to ensure the general compatibility of the use and structure with adjacent residential areas. (As amended by By-law C-507, Apr. 9, 1984).

Policy C-15 *Repealed (RC-Sep 30/20; E-Dec 5/20)*

Policy C-16 *Repealed (RC-Sep 30/20; E-Dec 5/20)*

Policy C-16A *Notwithstanding policies C-6 and C-15 of the Municipal Planning Strategy, it shall be the intention of Council to permit a single office and/ or commercial building, to a maximum height of five storeys, and up to 7,432m^2 (80,000 ft^2) of gross floor area, on a portion of PID # 41244179 near the northeast corner of Commodore Drive and Countryview Drive.* **(RC-Jun 24/08;E-Aug 9/08)**

Policy C-17 *It shall be the intention of City Council to establish a Schedule in the Land Use By-law, which identifies the site of the City's water reservoir at Mount Edward Road and to permit this property to be considered for the installation of*

communications facilities, subject to the Land Use By-law and to the provisions of leases or agreements as City Council requires to adequately control the development and operation of these installations. (As amended by By-law C-709, Dec. 9,1994).

Policy C-18 Repealed (RC-Sep 18/19;E-Nov 30/19)

Policy C-19 Repealed (RC-Sep 18/19;E-Nov 30/19)

(As amended by By-law C-724, Aug.4, 1995).

Policy C-20* (1) *Repealed (RC-Sep 18/19;E-Nov 30/19

Policy C-20 (2) Repealed (RC-Sep 18/19;E-Nov 30/19)

Policy C-20 (3) Repealed (RC-Sep 18/19;E-Nov 30/19)

(6) Portland Valley/Portland Street

The sites of the former Penhorn Park and Woodlawn Schools, and salt depot site at 611 Portland Street, are no longer in use and may present an opportunity for commercial redevelopment. However, both sites do have some constraints for redevelopment. Redevelopment should therefore only occur in a manner which is sensitive to these constraints. Therefore redevelopment of these sites, either now or in the future, must be of a nature which does not exacerbate existing traffic related issues, addresses environmental issues, and addresses compatibility issues associated with commercial development in close proximity to existing residential areas.

To ensure the redevelopment of the above noted sites occurs in a manner sensitive to the issues of traffic, environment and adjacent residential development, redevelopment shall only be permitted through a development agreement process. Any development agreement to consider future commercial development shall restrict a proposed use to one defined as a low traffic generating use unless it can be demonstrated through a traffic impact analysis that a higher volume traffic generating commercial use can be satisfactorily accommodated on the road network serving the proposed development. As a guideline, a low traffic generating commercial use is defined as a commercial use which adds generally not more than 100 peak-hour, peak-direction vehicle trips to the transportation system.

Policy C-21 It shall be the intention of Council to consider the redevelopment of parcels described as 611 Portland Street (PID #73247) (RC – Oct 26/21; E – Nov 27/21) only by development agreement. In considering the approval of such agreements, Council shall have regard to the following:

(a) the adequacy of measures to be taken to integrate and buffer the commercial use relative to surrounding land uses. (Integration shall include the height, bulk and scale of the proposed use relative to the overall site and surrounding neighbourhood. Buffering shall refer to measures taken to mitigate impact on adjacent uses, such as separation

distances, retention of existing vegetation, and the installation of suitable screening features such as new vegetation, berming and/or fencing;

(b) the proposed use is defined, from a traffic engineering perspective, as a low traffic generating use unless it can be demonstrated through a traffic impact analysis that a higher volume traffic generating commercial use can be satisfactorily accommodated on the road network serving the proposed development;

(c) any proposed access/egress to/from 611 Portland Street, directly to/from Portland Street, is restricted to "right-in" and/or "right-out" turning movements only;

(d) Repealed (RC – Oct 26/21; E – Nov 27/21)

(e) the adequacy of environmental protection measures and erosion and sedimentation control mechanisms including the implementation of an effective storm water management plan; and

(f) any and all other applicable matters as set out in Policy IP-1(c).

Policy C-22 For the purposes of evaluating a development enabled under Policy C-21, a detailed site plan shall be submitted providing the following information:

(a) the design, exterior appearance, signage, elevations and landscaping of the proposed building(s);

(b) the dimensions of all yards and the physical nature of all measures to integrate and buffer relative to adjacent uses;

(c) the details of site layout, parking, landscaping and lighting;

(d) a servicing plan showing all municipal services and location of building(s);

(e) an environmental protection plan;

(f) a grading plan or other information regarding the method of developing, protecting or restoring significant physical features of the site during construction;

(g) the location, size and number of vehicular access points;

(h) landscaping and maintenance plans;

(i) the details of street scape features (landscaping, street trees, etc.); and

(j) any additional information required to assess the proposal.

Preamble for the "Hammering Lands" and Policies C-23-27 Deleted (RC-Dec 15/2014; E-May 9, 2015)

Policy C-28 It shall be the intention of Council to consider, by development agreement, commercial development, including regional retail facilities, on those lands known as Civic Number 560 Portland Street (Baker Drive Extension) [PID #40131419] and Civic Number 590 Portland Street (Baker Drive Extension) [PID #40685653] and shown on Map 9q. In considering the approval of such agreements, Council shall have regard to the following:

(i) the impacts of the development on the surrounding road network and the effectiveness of any proposed improvements to the road network to

maintain or achieve a satisfactorily level of traffic flow and circulation. Such improvements shall be the responsibility of the developer unless otherwise approved by Council.

(ii) the impacts of the development on the natural environment, particularly Russell Lake, and the effectiveness of any proposed stormwater management system and erosion and sediment control program. In this regard, the developer shall be responsible for the design and construction of an adequate detention pond/wetland stormwater management system and a monitoring program for Russell Lake to determine the effectiveness of the system. Notwithstanding the environmental protection measures contained in Policy ML-11 (e) and (f) of this Plan, any developments on the property shall adequately address all applicable criteria as contained in Policies ML-10, ML-11 and ML-12.

(iii) the adequacy of buffering and separation distances from abutting properties that are developed or may be developed for residential purposes.

(iv) the adequacy of site landscaping, including parking areas, to enhance the attractiveness of the development.

(iv) the adequacy of the architectural design of any building, including but not limited to exterior materials, colour, elevation detailing, in order to enhance the visual appearance of the project.

(v) the adequacy of controls concerning any proposed outdoor storage or display, loading/unloading facilities, solid waste facilities, lot and building lighting and signage.

(vi) the maintenance of the buildings and property, including matters related to environmental protection and stormwater management system.

(vii) hours of operation.

(viii) any and all other matters applicable to the development of the lands as set out in Policy IP-1 (c) of this Plan.

(RC-May 11/99;E-Jun 19/99)

(7) Signage

Policy C-29 *In order to promote safety for the motoring public and to encourage the visual attractiveness of commercial streetscapes within the community, it shall be the intention of Council to regulate the nature, size, height, location and illumination of commercial advertising signage. This shall be accomplished by establishing regulations within the Land Use By-law and Signage By-law (S-800), as appropriate. (RC-May 11/99;E-Jun 26/99)*

Policy C-30 *Deleted (RC-Jul 11/00;E-Sep 2/00)*

(8) ***32 Primrose Street – Repealed (RC-Sep 18/19;E-Nov 30/19)***

(9) Waverley Road Designation

The lands located on Waverley Road from Red Bridge Pond to Montebello Drive have developed such that residential, commercial and industrial uses of varying intensities are mixed in close proximity. In 2008, a planning study was conducted along this stretch of

Waverley Road, with the intent to create a mixed use community that meets the needs of residents, while allowing existing businesses to continue growing in a manner that limits conflicts. To meet these goals, a new land use designation will be created: 'Waverley Road'. The Waverley Road designation includes three sub-designations and new zones, to encourage growth that is more community focussed, and to permit certain land uses only by site plan approval or development agreement.

Policy C-32 **It shall be the intention of Council to establish the Waverley Road designation, as shown on Map 9u. The vision for the Waverley Road designation is to encourage a mixed use community which has a range of commercial uses, while addressing land use compatibility issues by limiting the types of land uses permitted and by establishing land use controls. Due to the commercial concentration in the designation, within residential areas, expanded home occupations can be considered through site plan approval regulations in the land use by-law. Further, the designation will recognize existing land uses.**

Within the Waverley Road designation, specific land use changes or controls are required for three distinct areas due to the types and location of uses. To achieve the intent of the designation, separate sub-designations shall be established for the three distinct areas, which are:

- **Residential lands on the east side of Waverley Road;**
- **Lands around Montebello Drive on the east side of Waverley Road; and**
- **Lands near Red Bridge Pond, as well as lands on the west side of Waverley Road.**

<u>WR Low Density Residential Sub-designation</u>

In 2008, the lands on the east side of Waverley Road were mainly used for residential purposes, and the community wanted this pattern to continue. In addition to maintaining the low density residential character of this area, there is support for consideration of auxiliary dwelling units through amendments to the land use by-law. Further, expanded home occupations shall be permitted subject to site plan approval regulations within the land use by-law. As this sub-designation has been applied to a residential enclave surrounded by commercial uses, neighbourhood commercial uses may also be considered, but only by development agreement to minimize land use conflicts.

Policy C-33 **Within the Waverley Road designation, it shall be the intention of Council to establish the WR Low Density Residential sub-designation, as shown on Map 9u of this Plan. The intent of this sub-designation is to recognize and support the area's low density residential character as well as its central location within the commercially-oriented Waverley Road designation.**

Auxiliary Dwelling Unit (R-1A) Zone

Policy C-34 **Within the WR Low Density Residential sub-designation, it shall be the intention of Council to establish an auxiliary dwelling unit (R-1A) zone which permits auxiliary dwelling units, as well as uses permitted in the single family dwelling (R-1) zone and accessory uses. In addition, the auxiliary dwelling**

unit (R-1A) zone will provide for the use of dwellings for day care facilities and home occupations, as well as expanded home occupations by site plan approval. In considering amendments to the land use by-law to apply the auxiliary dwelling unit (R-1A) zone, Council shall have regard for the following:

(a) adequacy of the exterior design, height, bulk and scale of the development with respect to its compatibility with the existing neighbourhood; and
(b) the provisions of Policy IP-1(c).

Development agreements: Neighbourhood commercial uses

Commercial uses are the predominant use in the Waverley Road designation; however, residential uses are currently more common within the WR Low Density Residential sub-designation. Therefore, the impacts of proposed neighbourhood commercial uses on residential neighbours need to be given special attention. Therefore, neighbourhood commercial uses shall mean uses permitted in the C-1A zone and such uses shall only be considered by development agreement.

Policy C-35 Within the WR Low Density Residential sub-designation, Council shall consider neighbourhood commercial uses by development agreement in accordance with the provisions of the *Halifax Regional Municipality Charter*. In considering such an agreement, Council shall have regard for the following:

(a) adequacy of the exterior design, height, bulk and scale of the development with respect to its compatibility with the existing neighbourhood;
(b) number, location and layout of parking and loading areas;
(c) landscaping, screening and buffering, especially to reduce impacts on residential land uses;
(d) hours of operation; and
(e) the provisions of Policy IP-1(c).

WR Neighbourhood Sub-designation

In 2008, the lands around Montebello Drive on the east side of Waverley Road were used for a mix of neighbourhood commercial and residential uses. In the future, the mix of uses in this area may change to a more commercial focus, with the development of small scale commercial uses and dwelling units in conjunction with commercial uses. In residential areas, expanded home occupations will be permitted subject to site plan approval regulations within the land use by-law.

Policy C-36 Within the Waverley Road designation, it shall be the intention of Council to establish the WR Neighbourhood sub-designation, as shown on Map 9u of this Plan. The intent of this sub-designation is to encourage neighbourhood commercial uses and lower density residential uses.

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Neighbourhood Commercial (C-1A) Zone

Policy C-37 **Within the WR Neighbourhood sub-designation, it shall be the intention of Council to establish a neighbourhood commercial (C-1A) zone which permits existing residential uses, single unit dwellings, two unit dwellings, townhouses, food and grocery stores, restaurants (excluding drive-through restaurants), personal service shops, veterinary clinics without outdoor runs, and small scale offices, retail stores, fitness centres and health clinics. The land use by-law shall limit the heights of buildings and lot coverage, and shall limit the floor area used for certain commercial purposes. No outdoor storage shall be permitted within the zone, and outdoor display shall be restricted to the temporary or seasonal display of plant materials or perishable goods normally associated with retail uses permitted in the zone. In considering amendments to the land use by-law, Council shall have regard for the following:**

(a) adequacy of the exterior design, height, bulk and scale of the development with respect to its compatibility with the existing neighbourhood; and
(b) the provisions of Policy IP-1(c).

Auxiliary Dwelling Unit (R-1A) Zone

Policy C-38 **Within the WR Neighbourhood sub-designation, it shall be the intention of Council to enable the auxiliary dwelling unit (R-1A) zone, and to consider amendments to the land use by-law using the provisions of Policy C-34.**

WR Mixed Use Sub-designation

In 2008, the lands near Red Bridge Pond, as well as lands on the west side of Waverley Road, were used for a variety of commercial and industrial uses. Industrial uses are no longer considered appropriate within this area. In recognition of this area's capacity to sustain a higher intensity mix of uses than in the other Waverley Road sub-designations, permitted development includes institutional uses, multiple unit dwellings, existing municipally owned fleet services, and a wide variety of commercial uses. However, certain commercial uses may be prohibited due to their potential impact on residential uses in the area.

Between 2008 and 2020, two new commercial buildings were constructed on lands within the WR Mixed Use sub-designation, but no multiple unit dwellings were built. Recognizing that multiple unit dwellings may contribute to a walkable community and allow residents to find alternative housing within their neighbourhood, the lands at the southeast corner of Waverley Road and Montebello Drive were re-designated to the WR Mixed Use sub designation to enable consideration of a multiple unit dwelling in accordance with Policy C-41. (RC-Sep 22/20; E-Nov 7/20)

Policy C-39 **Within the Waverley Road designation, it shall be the intention of Council to establish the WR Mixed Use sub-designation, as shown on Map 9u of this Plan. The intent of this sub-designation is to encourage and support a variety of commercial uses, as well as institutional and residential uses.**

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Mixed Use Commercial (C-1B) Zone

Policy C-40 **Within the WR Mixed Use sub-designation, it shall be the intention of Council to establish a mixed use commercial (C-1B) zone which permits single unit dwellings, two unit dwellings, townhouses, institutional uses, local and neighbourhood commercial uses, and general commercial uses excluding drive-through restaurants, adult entertainment uses, cabarets, amusement arcades, pawn shops, recycling depots and vehicle service uses. However, existing municipally owned fleet services at 196 Waverley Road will be permitted by site plan approval. The land use by-law shall limit the heights of buildings and lot coverage. In considering amendments to the land use by-law, Council shall have regard for the following:**

(a) adequacy of the exterior design, height, bulk and scale of the development with respect to its compatibility with the existing neighbourhood;
(b) the provisions of Policy IP-1(c).

Development agreements: Multiple unit dwellings / Shared Housing Uses (RC-Aug 9/22;E-Sep 15/22)

Multiple unit dwellings were recognized during the Waverley Road study as a land use which could contribute to the desired walkable, mixed use community; however, concern was expressed about the impact such uses may have on the existing neighbourhoods. Therefore, multiple unit dwellings shall only be permitted by development agreement to ensure compatibility with the existing neighbourhoods.

Also, residents recognized the need for shared housing uses (RC-Aug 9/22;E-Sep 15/22) in the community and identified this sub-designation as an appropriate location. Controls on design and reduced impacts on residential neighbours are desired, therefore applications for larger scale shared housing uses (RC-Aug 9/22;E-Sep 15/22) should only be considered through the development agreement process.

Policy C-41 **Within the WR Mixed Use sub-designation, Council shall consider multiple unit dwellings and shared housing at a larger scale than would be permitted in the underlying zone (RC-Aug 9/22;E-Sep 15/22) by development agreement in accordance with the provisions of the *Halifax Regional Municipality Charter*. In considering such an agreement, Council shall have regard for the provisions of Policy IP-5, and should use the land use density standards of the R-3 zone as a guide.**

Development agreements: Self storage facilities

Self storage facilities are generally low impact uses, with few visits generated by their users. However, issues may arise when they are located near residential areas, due to issues with regards to lighting, appearance and hours of operation. Self storage facilities should only be considered by development agreement, in order to limit nuisances and impacts on

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residential neighbours.

Policy C-42 **Within the WR Mixed Use sub-designation, Council shall consider self storage facilities by development agreement in accordance with the provisions of the *Halifax Regional Municipality Charter*. In considering such an agreement, Council shall have regard for the following:**

- **(a) adequacy of the exterior design, height, bulk and scale of the development with respect to its compatibility with the existing neighbourhood;**
- **(b) controls are placed on the development to reduce conflict with adjacent or nearby land uses;**
- **(c) number, location and layout of parking and loading areas;**
- **(d) lighting design to reduce impacts on adjacent properties;**
- **(e) landscaping, screening and buffering, especially to reduce impacts on residential land uses;**
- **(f) visual impacts from Waverley Road should be minimized, through the use of landscaping, buffering, screening and significant setbacks from Waverley Road for any buildings or fences;**
- **(g) hours of operation; and**
- **(h) the provisions of Policy IP-1(c).**

Legal non-conforming uses

With the adoption of the Waverley Road designation, certain uses will become legal non-conforming uses as a result of amendments to the land use by-law. To support the affected businesses, the municipal planning documents allow for consideration of a development agreement to provide more flexibility for future expansion or change of use than a non-conforming use would normally receive under the provisions of the *Halifax Regional Municipality Charter*.

Policy C-43 **Within the WR Mixed Use sub-designation, Council shall consider permitting a legal non-conforming use – as identified in the land use by-law – to be changed to another less intensive non-conforming use, or permit the structure in which such a use is located to be altered or expanded by development agreement in accordance with the provisions of the *Halifax Regional Municipality Charter*. In considering such an agreement, Council shall have regard for the following:**

- **(a) controls are placed on the development to reduce conflict with and impacts on adjacent land uses;**
- **(b) when adjacent to residential uses, existing conditions resulting in noise, dust, vibration, odour, and emissions must be mitigated;**
- **(c) adequacy of the exterior design, height, bulk and scale of the development with respect to its compatibility with the existing neighbourhood;**
- **(d) facilities for parking, loading, vehicular access, outdoor display and outdoor storage shall be designed to avoid any adverse effects on**

adjacent properties and to mitigate existing problems, through attention to factors including but not limited to:

(i) layout and number of parking spaces and loading areas;

(ii) location on the site;

(iii) surface treatment and storm drainage; and

(iv) access from the street.

(e) landscaping, screening and buffering, especially to reduce impacts on adjacent residential uses;

(f) controls on signage;

(g) hours of operation; and

(h) the criteria listed in Policy IP-1(c).

In order to allow for re-use of the existing buildings in the WR Mixed Use sub-designation, it shall be the intention of Council to consider extending the period of inactivity permitted for a non-conforming use, while still working towards the long-term transition of the area to a mixed use commercial and residential node.

Policy C-44 Within the WR Mixed Use sub-designation, on lands occupied by legal non-conforming uses – as identified in the land use by-law – it shall be the intention of Council to consider permitting the recommencement of a legal non-conforming use of land after it is discontinued for a continuous period longer than six months.

(RC-Sep 8/09;E-Nov 14/09)

(10) Main Street Designation (RC-Sep 23/13;E-Nov 30/13)

In the *Regional Municipal Planning Strategy* adopted by Regional Council in June 2006, the area focused on Main Street, Lakecrest Drive and Tacoma Drive, between Highway 111 and Caledonia Road, is identified as a growth centre. This area has been characterized by contrasts:

- **The area is strategically located just outside the Regional Centre, adjacent to an interchange with the Circumferential Highway, and is served by several bus routes. Yet the area is neither a traditional downtown, nor a suburban retail park.**
- **Businesses have good visibility from a major arterial road, yet this same road makes customer access difficult and cuts the community in half, especially for pedestrians.**
- **The landscape has been developed around the desire for surface parking, yet the parking lots are awkward and disconnected.**

In 2008, a *Main Street Planning Vision and Streetscape Concept* (Ekistics Planning & Design, 2007) was approved by Halifax Regional Council. The vision was based on input by local community members and businesses with the aid of consultants and municipal staff. There is much potential for incremental re-investment to create a well-defined, compact and vibrant town centre, while minimizing impacts on the surrounding established low-density residential neighbourhoods.

The resulting consensus is expressed in the following vision statement:

The Main Street area between Highway 111 and Caledonia Road will focus on a well-defined, dense, mixed use town centre with great pedestrian spaces and landscaping, goods and services, and buildings that invite residents to walk or bicycle to obtain daily needs and, in so doing, informally interact with their neighbours.

This plan is intended to implement the above vision in relation to development regulations, by fostering a town centre as a focal point for residential and commercial investment in pedestrian oriented buildings and spaces close to public transit, while recognizing the need for automobile access. Development is to be guided by criteria which are easily interpreted by both residents and investors. The aim is to attract re-investment, minimize uncertainties and financial risk, and address land use compatibility and design issues.

There are three key objectives to this Designation:

- **Foster incremental development of a mixed-use town centre;**
- **Focus housing close to shops, services, employment and transit; and**
- **Encourage walkable streetscapes.**

Insofar as they affect land development, these objectives are mainly implemented through the Land Use By-Law, by regulating the siting, orientation, height, configuration and external appearance of structures and setting out conditions to be met by development. There are also development agreement options for specific locations.

Important considerations include human scale, pedestrian access, aesthetics and the potential for buildings to shape public spaces such as streets, plazas and parks. Automobile access and parking is accommodated in such a way as to minimize risks and inconveniences to pedestrians, cyclists and transit users while ensuring that the buildings and their inter-relationships are the dominant elements of the streetscape.

These objectives form the basis of the "Main Street" Designation, which contains supporting policies and sub-designations.

Policy C-45 **Council shall establish the Main Street Designation, as shown on Map 9y. The intent for the Main Street Designation is:**

(a) **to become a clearly defined, dense, mixed use town centre with pedestrian spaces, a range of housing choices, conveniently located goods and services, and buildings and uses that invite residents to walk or bicycle to obtain daily needs and, in so doing, informally interact with their neighbours;**

(b) **to focus higher density housing within a short walk of shops, services, employment and public transit, and minimize impacts on established low-density residential neighbourhoods to the north and south of the Main Street Designation;**

(c) **to encourage buildings which evoke streetscapes and townscapes ranging from traditional to modern;**

(d) **to ensure visibility between building interiors and the street while addressing privacy issues for residents;**

(e) to provide direction, predictability and scope for private sector re-investment in accordance with the vision;
(f) to continue to consider the needs of local businesses, the potential for incremental investment, and the viability of potential redevelopment opportunities; and
(g) to maximize synergy and minimize conflicts between residential and commercial uses.

Policy C-46 Council shall implement Policy C-45 through Land Use By-Law provisions that include regulating the siting, orientation, height, configuration and external appearance of structures, including but not limited to stepbacks, streetwalls, facades, roofs and architectural features, and setting out conditions to be met by development.

Sub-Designations

Within the Main Street Designation, specific land use changes or controls are required for three distinct areas due to the types and location of uses. To achieve the intent of the designation, separate sub-designations are established for the three distinct areas, which are:

- **Town Centre Sub-Designation;**
- **Town Residential Sub-Designation; and**
- **Neighbourhood Edge Sub-Designation.**

These Sub-Designations are shown on Map 9y - Generalized Future Land Use for the Main Street Designation.

Town Centre Sub-Designation

This area represents the heart of the Main Street Designation, where both pedestrians and motorists have access to goods and services that meet their daily needs. The intent of the sub-designation is for businesses to re-invest and properties to redevelop, with parking simplified and consolidated behind buildings. Streetfronts should welcome pedestrians and enable motorists to park just once and do several errands within a short walk of their car. Small offices, apartments, condominiums, and townhouses bring residents and workers within a few steps of shops and services (RC-May 23/24;E-Jun 13/24). Office floors can be strategically located to provide a buffer between ground-floor retail and upper-floor residences, which can also be buffered from traffic noise and emissions by step-backs that serve as decks and balconies.

The Town Centre Sub-Designation is guided by several objectives:

- **encourage sidewalk-oriented retail;**
- **enable offices or residences in the immediate area of shops and services (RC-May 23/24;E-Jun 13/24);**
- **orient and shape buildings to frame the street; and**
- **encourage interesting roofscapes and facades.**

Policy C-47 **Council shall establish the Town Centre Sub-Designation within the Main Street Designation as shown on Map 9y - Generalized Future Land Use, to:**

- **(a) encourage a mutually supportive combination of sidewalk-oriented retail, offices, and residences (RC-May 23/24;E-Jun 13/24);**
- **(b) orient and shape buildings to frame the street;**
- **(c) provide a human scale for shopping, employment, recreation and living, including space in front for patios, walkways, canopies, awnings, landscaping and other pedestrian supportive features;**
- **(d) optimize floor space to ensure economic viability;**
- **(e) minimize impact on nearby residential neighbourhoods;**
- **(f) encourage variety in roofscapes and facades;**
- **(g) accommodate a range of styles while encouraging alternatives to conventional suburban design proportions;**
- **(h) provide flexibility in the types of offices allowed, while limiting the scale of office space to help safeguard office demand in the Regional Centre; and**
- **(i) locate parking at the rear of buildings or below grade, with limited sideyard parking.**

C-2 General Commercial Zone

Policy C-48 **Within the Town Centre Sub-Designation, Council shall retain the General Commercial (C-2) Zone while introducing special provisions to:**

- **(a) enable apartments and ground oriented residential units (RC-May 23/24;E-Jun 13/24);**
- **(b) provide for sidewalk-oriented retail;**
- **(c) require rear-yard, subgrade or limited sideyard parking;**
- **(d) limit streetwall and building heights; and**
- **(e) encourage facades and rooflines that evoke an urban or town centre streetscape.**

Policy C-49 **Notwithstanding any other policy in the Municipal Planning Strategy, Council shall, through the Land Use By-Law, limit the scale of general offices within the Town Centre Sub-Designation of the Main Street Designation.**

Policy C-50 **(Repealed: RC-May 23/24;E-Jun 13/24)**

This Plan recognizes the importance of 219 Main Street, Dartmouth (PID 40612228 and 40612236) as located at a strategic intersection for the surrounding area. This node site will be a valued hub for the community as well as a gateway for visitors and residents entering and exiting the urban area to and from the Eastern Shore. The site will also provide a connection between important adjacent community facilities and institutions such as the Nova Scotia Community College – Akerley Campus, Caledonia Junior High School, Beazley Fields, East Dartmouth Community Centre, and the surrounding neighbourhoods. Development on this site will help to spur investment in the transit services and infrastructure that are needed for Main Street and the surrounding community to continue

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to grow. Accordingly, a development agreement may be considered for this site.

Policy C-50A **Council may consider development on the site identified as 219 Main Street, Dartmouth (PID 40612228 and 40612236) by development agreement, subject to the following requirements:**

- **(a)** **the development shall include a range of housing options which transition in height and density from an apex at the corner of Main Street and Caledonia Road down to the abutting properties on the west and north lot lines;**
- **(b)** **development of the site is limited to a maximum Floor Area Ratio of 6.5;**
- **(c)** ***repealed*;**
- **(d)** **tower portions of the development may be located only above four-storey podiums alongside Caledonia Road and Main Street;**
- **(e)** **tower portions of the development are separated by at least 25 metres;**
- **(f)** **establishing maximum floor area and maximum dimensions for the tower portion of high-rise buildings above the streetwall that do not exceed a building depth or building width of 35 metres, or an average floor area of 900 square metres per storey;**
- **(g)** **that the proposal manages on-site stormwater, using a low impact design approach where possible, and manages the quality of runoff through filtration;**
- **(h)** **a landscaped buffer shall be provided along the western lot line and any portions of the property that abut a property designated Residential;**
- **(i)** **a minimum of 25% of the amenity space required by the underlying zoning is provided outdoors, such as a landscaped plaza that is accessible from a streetline;**
- **(j)** **pedestrian access to and through the site is provided from Main Street, Caledonia Road, and Beazley Fields;**
- **(k)** **a minimum of 25% of the units shall contain 2 or more bedrooms;**
- **(l)** **incentive or bonus zoning is provided in accordance with Appendix A of the Land Use By-law;**
- **(m)** **retail uses are primarily located on the ground floor of the development to enhance the pedestrian environment and maximize street-level activity;**
- **(n)** **grade-oriented retail units are required along any public street;**
- **(o)** **non-residential uses that front onto a public street or courtyard shall have frontage with individual, functional entrance doors, awnings, and display windows oriented to public sidewalks and pedestrian walkways;**
- **(p)** **all parking spaces for residential tenants are provided below-grade, no surface parking spaces for clients or employees are located between a street façade and a sidewalk, and any surface parking in rear yards, side yards or courtyards is buffered from walkways and buildings by landscaping;**
- **(q)** **the development meets all applicable underlying Land Use By-law**

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requirements for the zone and uses, unless otherwise supported by this policy; and

(r) the general development agreement criteria set out in Policy IP-1(c) of this Plan.

(RC-May 23/24;E-Jun 13/24)

While the vision calls for pedestrian oriented streetscapes framed by buildings with parking moved to the rear or below grade, exceptions are enabled for two large district shopping centres. These properties will have the option of negotiating a development agreement for large front yard setbacks for parking, with conditions requiring enhanced pedestrian links, landscaping, architectural reference points and a façade oriented to the public sidewalk. The as-of-right ability to redevelop into a town-centre format without front yard or side yard parking lots will also be available.

Policy C-51 On the areas of land indicated on Map 9z, Council shall consider front yard setbacks exceeding the maximum set forth in the Land Use By-Law for new buildings, or for expansions to existing buildings where the combined gross floor area of all expansions is greater than 697 square metres (7500 square feet), only according to the development agreement provisions of the *HRM Charter*. In considering such development agreements, Council shall have regard to the following, referring to Figure 1 for illustrative purposes only:

(a) all surface parking visible from the street shall be bordered by raised peripheral walkways paved with visually contrasting material, connecting all buildings with each other and the public sidewalk;

(b) all surface parking lots shall incorporate islands and buffers which are landscaped with ground-cover plants and trees suited to the local climate;

(c) at least one main building on each lot shall have a facade located parallel and adjacent to the public street and public sidewalk, with no parking or driveway between the sidewalk and the facade, and shall incorporate display windows and a door, both oriented to the sidewalk;

(d) all building facades shall have:

(i) awnings, canopies or colonnades providing shelter for pedestrians from the weather;

(ii) display windows with non-reflective glazing; and

(iii) architectural features highlighting doorways and locations where the sidewalk joins the peripheral walkways;

(e) building walls and roofs facing an adjacent Residential Zone shall be finished with the same siding and roof cladding as predominate on the facade;

(f) no parking or loading facilities shall be located within 14 metres (45 feet) of Valleyfield Road;

(g) all buildings with a façade located within 14 metres (45 feet) of Valleyfield Road shall be in the form of townhouse style residential development;

(h) the portion of the Lot identified as Parcel PID Number 41126988 which is zoned R-1 at the time of adoption of this Policy, being located at the

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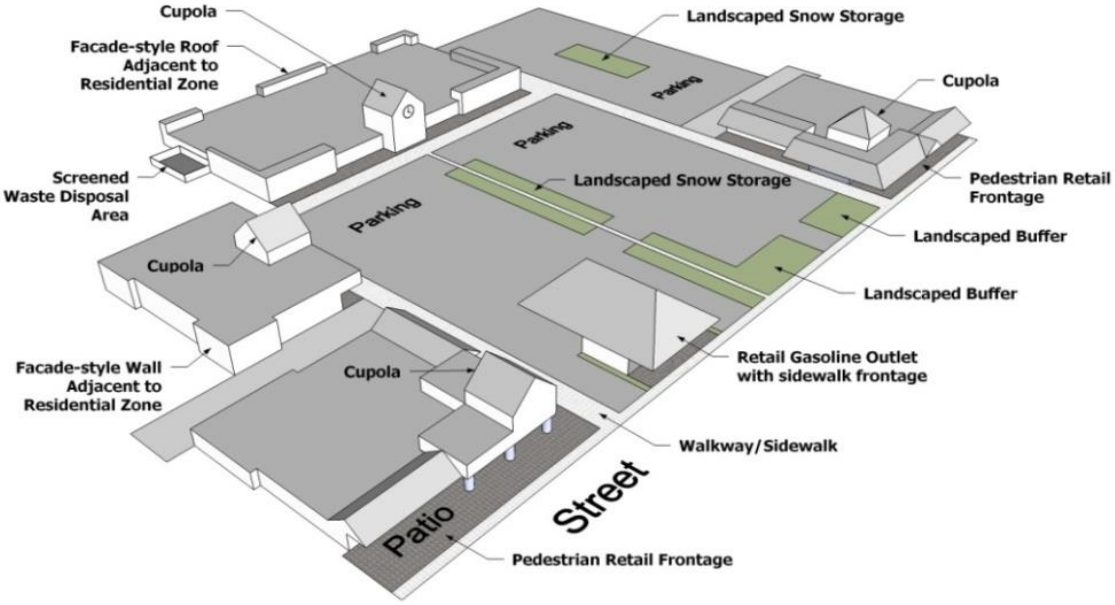
northwest corner of Oakwood Avenue and Valleyfield Road, shall retain its R-1 zoning; and

(h) the provisions of Policy IP-1(c).

Figure 1: Example of a plaza integrated with street and sidewalks



Town Residential Sub-Designation

At a regional level, interest in condominiums, apartments and townhouses is growing as populations age and households consider downsizing. Many lots on the edge of the Main Street commercial area are strategically located to serve these emerging markets. Attractively designed mid-rise residential buildings can provide a buffer between a vibrant town centre and the established low-density residential neighbourhoods to the north and south. New residents will strengthen the market for pedestrian-supportive local businesses in the town centre, and can benefit from direct bus service to major employment centres and universities.

The Town Residential Sub-Designation is guided by these objectives:

- **Provide a transition between low-density residential neighbourhoods and mixed use redevelopment in the town centre; and**
- **Increase potential walk-in retail customers for the town centre by attracting new residents to live nearby.**

Policy C-52 **Council shall establish the Town Residential Sub-Designation as shown on Map 9y - Generalized Future Land Use, to buffer low-density neighbourhoods from the Town Centre Sub-designation while adding new residents. Buildings shall be in the form of houses, townhouses or apartment buildings not exceeding six storeys, supplemented by lofts and penthouses, with roofs and street walls that are compatible with adjacent residential neighbourhoods.**

Properties shall be landscaped and shall include outdoor amenity space for residents.

R-3 – Multiple Family Residential (Medium Density) Zone

Policy C-53 **Within the Town Residential Sub-Designation, Council shall apply the Multiple Family Residential (Medium Density) (R-3) Zone to properties already characterized by such uses, and to other locations with potential for providing a buffer or transition between residential and mixed uses, as shown on Map 9y, except that the portion of the Lot identified as Parcel PID Number 41126988 which is zoned R-1 at the time of adoption of this Policy, being located at the northwest corner of Oakwood Avenue and Valleyfield Road, shall retain its R-1 zoning. Council shall add special provisions to the R-3 Zone applicable within the Town Residential Sub-Designation of the Main Street Designation, to:**

(a) allow daycare uses;
(b) require rear-yard, subgrade or sideyard driveway parking;
(c) limit streetwall and building heights;
(d) encourage facades and rooflines that evoke a town centre streetscape; and
(e) encourage building forms and architectural features at a human scale.

Neighbourhood Edge Sub-Designation

The north side of Lakecrest Avenue is fronted mainly by houses, and forms an edge for residential neighbourhoods. There is an opportunity to provide an orderly transition between the medium density development envisaged for the south side of this street, and established low-density residential neighbourhoods to the north. This can be done by allowing auxiliary apartments abutting existing low-density neighbourhoods, and by continuing to allow two-unit dwellings where these are already permitted.

Another neighourhood edge is located along the south side of Tacoma Drive and both sides of Main Street in the vicinity of Stevens Road and Helene Avenue eastward to Caledonia Road and Woodlawn Road. Proximity to the Community College, high traffic exposure on Main Street, and conversion of some houses for institutional purposes suggest that a wider range of uses or moderate residential density would be appropriate along this edge. The area could support a growing interest in live-work studio lifestyles, creative occupations oriented to personal services, tourism and the arts, accessory retail, auxiliary dwelling units, townhouse style dwellings and offices. Buildings containing these uses should be limited to a low-rise house form of development which would be visually compatible with abutting neighbourhoods.

The Neighbourhood Edge Sub-Designation is guided by these objectives:

- **Provide a transition between high-traffic areas and established residential**

neighbourhoods;

- **Provide opportunities for low-intensity crafts, personal services, auxiliary dwelling units, accessory retail and general offices, while limiting total floor area;**
- **Encourage renovation or expansion of existing houses, or low-rise redevelopment resembling houses;**
- **Allow small institutional uses; and**
- **Allow townhouse-style dwelling units without subdivision, subject to driveway restrictions on Main Street.**

Policy C-54 **Council shall establish the Neighbourhood Edge Sub-Designation as shown on Map 9Y - Generalized Future Land Use, to encourage a compatible and orderly transition between high-traffic areas and established residential neighbourhoods, and offer opportunities for single family houses, auxiliary dwelling units, townhouse-style residential blocks, low-intensity arts and crafts, personal services, accessory retail, offices, and small institutional uses, provided that development shall be in a low-rise house form.**

NLW – Neighbourhood Live-Work Zone

In the Neighbourhood Edge Sub-Designation, a Neighbourhood Live-Work (NLW) zone at the eastern end of Main Street and Tacoma Drive will allow uses such as consultant and professional offices, studios, spas and small craftshops with minor accessory retail, with or without a residential unit. The aim is to accommodate small-scale entrepreneurship that does not generate large traffic volumes, require new driveways onto Main Street, or involve large amounts of off-street parking. Single-unit houses, auxiliary dwelling units, and low-rise institutional uses shall also be permitted.

Policy C-55 **Within the Neighbourhood Edge Sub-Designation, Council shall establish and apply a Neighbourhood Live-Work (NLW) Zone at the eastern end of Main Street and Tacoma Drive within the Neighbourhood Edge Sub-Designation, to enable:**

(a) **Craftshops, spas, studios and offices, with or without accessory retail and with or without a dwelling unit, provided that driveways on Main Street shall be limited, and provided that all buildings shall resemble houses in appearance, and subject to limitations on total floor area;**

(b) **Single family dwelling (R-1) zone and accessory uses (RC-May 23/24;E-Jun 13/24);**

(c) **Institutional uses, provided that driveways on Main Street shall be limited, and provided that all buildings shall resemble houses in appearance; and**

(d) **Townhouse style residential blocks where each unit has access to an internal private driveway which services the development.**

R-1A - Auxiliary Dwelling Unit Zone and R-2 – Two Family Residential Zone

The Auxiliary Dwelling Unit (R-1A) and Two Family Residential (R-2) zones can also provide appropriate transitions between established low-density residential neighbourhoods

and higher densities or activity levels envisaged for the Town Residential and Town Centre Sub-Designations. Accordingly, provision is made to enable the Auxiliary Dwelling Unit (R-1A) Zone and retain the Two Family Residential (R-2) Zone within the Neighbourhood Edge Sub-Designation.

Policy C-56 **Notwithstanding Policies C-34 and C-38, Council shall apply the Auxiliary Dwelling Unit Zone to selected lots within the Neighbourhood Edge Sub-Designation, as shown on Map 9y.**

Policy C-57 **Council shall retain the Two Family Residential Zone for selected lots within the Neighbourhood Edge Sub-Designation, as shown on Map 9y.**

Non-Conforming Structures and Structures Containing a Non-Conforming Use

Section 257 of the HRM Charter allows Council, through the Land Use By-law, to relax the restrictions on legal non-conforming structures and legal non-conforming uses within a structure. Any such relaxations will not apply to Adult Entertainment Uses as defined in the Land Use By-Law.

The following objectives underlie the provisions for non-conforming structures and uses:

- **Enable building additions for permitted uses;**
- **Allow existing uses to continue to operate in the original structure;**
- **Foster incremental change toward realization of the vision for the area; and**
- **Enable businesses that have already invested in a building to remain and adjust to the new vision as business opportunities arise.**

Policy C-58 **Within the Main Street Designation, the restrictions contained in the HRM Charter respecting legal non-conforming structures and legal non-conforming uses in a structure, shall be relaxed to allow the non-conforming structure to be extended, enlarged or altered, subject to the provisions of the Land Use By-law, and provided that no adult entertainment uses exist on the property.**

Sites Adjacent to the Main Street Designation

Policy IP-1(b) enables an area immediately adjacent a given generalized land use designation to be considered for a zoning amendment to a use permitted within the adjacent designation without requiring a plan amendment, provided that the policies of this plan are not violated. Given the need to protect established residential neighbourhoods to the north and south of the Main Street Designation, this flexibility could lead to unintended impacts. To avoid encroaching on these neighbourhoods, Policy IP-1(b) shall not enable the rezoning of properties outside the Main Street Designation to uses permitted within that designation.

Policy C-59 **Notwithstanding Policy IP-1(b), a site adjacent to the Main Street Designation shall not be considered for a zoning amendment to a use permitted within the Main Street Designation.**

Within the Main Street Designation, opportunities may arise to redevelop properties which

abut one another but fall under different Sub-Designations and zones. It should be possible to consider such cases without requiring a plan amendment, by enabling amendments to the land use by-law within one sub-designation to provide for the development of uses which are permitted in the abutting property zoning and sub-designation. Nevertheless, to safeguard established low-density residential neighbourhoods, this option should not enable any amendments that would increase the intensity of use for any property within the Neighbourhood Edge Sub-designation.

Policy C-60 **Council may, within the Main Street Designation, consider the development of similar uses on properties which abut one another, through amendments to the Land Use By-law within any sub-designation except the Neighbourhood Edge Sub-designation, to provide for the development of uses which are permitted by the zone on the abutting property within the abutting sub-designation as shown on Map 9y (Main Street Generalized Future Land Use Map).**

Access, Parking and Pedestrians

Driveways and parking are recurring issues in and around the Main Street Designation. Surface parking lots are awkwardly configured, with parking both at the front and rear of many properties, with a narrow driveway connecting the front and back. The result is a commercial area permeated by cars and dominated by asphalt. Some motorists choose to park on nearby streets, particularly Lakecrest Drive, where safety concerns have been raised for pedestrians trying to cross that street from nearby apartments.

Part of the solution will be to consolidate parking wherever possible behind buildings, with clearly marked driveway access and convenient pedestrian routes between parking lots, businesses and residences. The idea is to enable motorists to park once rather than multiple times, and to reach several businesses within a short walk. This arrangement will also benefit transit users and local residents. Moreover, as mixed-use redevelopment accommodates more residents within the Main Street Designation, a larger proportion of customers and employees will be able to reach their destinations on foot.

The *Regional Parking Strategy Functional Plan* (IBI Group, 2008) has recommended that required amounts of parking in HRM be modified to reflect locations within Regional Plan Growth Centres, such as the Main Street Designation. Accordingly, this plan seeks to optimize minimum parking requirements to reflect the vision for the area.

Background research (*Transportation Study – Main Street Area, Dartmouth, NS* (Genivar, 2011)) has examined several opportunities for maintaining motor vehicle capacity through the area while reducing neighbourhood shortcutting, optimizing pedestrian routes and improving bicycle access. The recommendations of that research study, together with innovative approaches to commercial thoroughfare access, should be borne in mind at such a time as roadway construction may be planned for the area in the future.

The following objectives concern the transportation and parking aspects of the Main Street Designation:

- **consolidate parking;**
- **reduce impervious surfaces;**
- **rationalize driveway access;**
- **facilitate safe and convenient pedestrian and bicycle access;**
- **encourage transit supportive layout, land uses and building designs; and**
- **reduce neighbourhood shortcutting.**

Policy C-61 **Council shall, through the Land Use By-Law within the Main Street Designation, regulate the amount, location and design of on-site parking to reflect all the objectives, the local context and the intended market for development, with particular attention to safe and convenient pedestrian access, public transit availability, special needs groups, housing affordability, green space and stormwater management.**

Policy C-62 **Council shall, when planning and budgeting for transportation infrastructure improvements within the Main Street Designation, consider the recommendations of the Transportation Study – Main Street Area, Dartmouth, NS (Genivar, 2011) together with innovative best practices in commercial thoroughfare design and transit oriented development.**

(11) Kuhn Road Designation (RC-Oct 6/15;E-Dec 5/15)

Located on the north side of Main Street opposite the Nova Scotia Community College Akerley Campus, and extending parallel to Caledonia Road along the eastern edge of the St. Thomas More Church property, two blocks of land require special policies and regulations.

The privately-owned South Block, bounded by Kuhn Road and Main Street, currently lacks piped sanitary sewers but has potential for small businesses in addition to low-density housing. Halifax Water does not plan to extend sewerage to this area. For this reason, residential densities must be restricted until such a time as piped sewer services may be installed. Visibility from Main Street and shared rear access via Kuhn Road support potential for small businesses, provided that they do not generate large volumes of wastewater, nor negatively affect abutting residents, traffic safety or the nearby wetland.

A landlocked portion of the North Block may have potential for multiple-unit housing if both sewer and driveway access easements could be negotiated. Development agreements are already required for any new multi-unit dwellings in this area, and such agreements need to ensure adequate servicing, vehicular access and sensitive siting, design and landscaping for any new housing on this site.
The Kuhn Road Designation addresses the following objectives:

- **Enable properties with no sanitary sewer access, to support low-impact businesses on the block between Kuhn Road and Main Street**
- **Guide development agreements for multiple-unit dwellings to ensure adequate servicing, vehicular access and sensitive siting, design and landscaping**

Policy C-63 Council shall establish the Kuhn Road Designation, as shown on Map 9za. The intent for the Kuhn Road Designation is to:

(a) **enable properties with no sanitary sewer access, to support low-impact businesses on the block between Kuhn Road and Main Street; and**

(b) **guide development agreements for multiple-unit dwellings to ensure adequate servicing, vehicular access and sensitive siting, design and landscaping.**

Policy C-64 **Council may regulate the appearance of structures within the Kuhn Road Designation as shown on Map 9za, through Land Use By-Law provisions that include regulating the siting, orientation, height, configuration and external appearance of structures, including facades, roofs and architectural features, and setting out conditions to be met by development.**

Policy C-65 **Notwithstanding any other policy in the Dartmouth Municipal Planning Strategy, within the Kuhn Road Designation, Council may, within the South Block (properties located between Kuhn Road and Main Street) as shown on Map 9za, allow low-impact cultural uses or indoor enterprises within the Multiple Family Residential (R-3) Zone, subject to limits on building size, the appearance of structures and the size or purpose of any retail component.**

Policy C-66 **When considering development agreements for multiple-unit residential dwellings within the Kuhn Road Designation as shown on Map 9za, Council shall have regard for the following:**

- **(a)** **that building footprints, siting, massing, orientation and form strive to:**
  - **(i)** **Retain continuous natural open space;**
  - **(ii)** **Minimize removal of mature trees;**
  - **(iii)** **Protect the Kuhn Road wetlands;**
  - **(iv)** **Respect the prominence of the St. Thomas More Church spire as seen from Caledonia Road;**
  - **(v)** **Incorporate architectural interest, by such means as:**
    - **i.** **Pitched roofs;**
    - **ii.** **Gables or dormers;**
    - **iii.** **Façade offsets, recesses or protrusions;**
    - **iv.** **Vertical or square window openings;**
    - **v.** **Decorative moldings for doorways, windows and outside corners; and**
    - **vi.** **Exterior cladding with the appearance of horizontal wood siding, brick or stone**
  - **(vi)** **Include evergreens and flowering shrubs as landscaping features;**
  - **(vii)** **Achieve a walkable, human scale considering such aspects as safety, weather, shade and outdoor social space;**
  - **(viii)** **Minimize shadows, illumination, noise and privacy impacts on adjacent dwellings; and**
  - **(ix)** **Conceal parking lots, loading and storage areas from the public roadway and adjacent dwellings;**
- **(b)** **building heights, architectural elements and landscaping promote visual integration:**

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(i) between buildings on the site,
(ii) between buildings and open spaces on the site, and
(iii) between the site as a whole and adjacent sites, with particular attention to the relationship between new buildings and the existing gables and spire at St. Thomas More Church;

(c) walkways provide safe and continuous pedestrian connections between each main building entrance and a paved walkway, sidewalk or multi-use trail;

(d) the proposed development can be safely accessed by motor vehicles and emergency equipment, including details of any easements or rights-of way required for that purpose;

(e) the proposed development can be adequately serviced with piped sewer and water connections, including details of any easements required for that purpose;

(f) erosion and sediment control plans and stormwater management plans have been prepared by a qualified professional; and

(g) the contract zoning provisions of Policy IP-1(c).

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Industrial

Industrial development in Dartmouth has been very active since the City incorporated in 1961 and has continued to expand such that Dartmouth has become the major industrial centre of the province.

Generally, industry in Dartmouth is located in three areas: North Dartmouth, South Dartmouth and the harbour shoreline between Dartmouth Cove and Tufts Cove.

Industry is generally classified as heavy or light. Heavy industry is that which, because of noise, smoke, dust or fumes can be obnoxious to its neighbours. If at all possible, heavy industry should not be located near residential uses. There is, however, one feature which makes most industries a nuisance to residential areas - traffic. Many firms generate heavy truck traffic while others require rail access to successfully operate. Industries should therefore be located so as to minimize the impact of traffic on residential areas (Policy M-1, M-2).

(1) Future Industrial Expansion

It is not possible to project the precise number of industrial jobs that will be created in Dartmouth over the next ten or twenty years. The industrial growth of the metro area will depend to a great extent on the success of the “growth centre" policy of the Department of Regional Economic Expansion and the implementation of the industrial policies contained within the Halifax-Dartmouth Regional Development Plan.

Industrial growth will continue to occur as the port develops. Distribution and transportation services will continue to require suitably-located serviced sites.

Expansion can also be expected in marine-oriented services and shoreline areas such as Navy Island which can provide a deep water interface with the shoreline. This option should be protected.

The following amounts of land are presently used for industrial purposes or are available for industrial expansion:

	Presently In Use	**Immediate Expansion**	**Future Expansion**
North Dartmouth	600 A	200 A	1,000 A
South Dartmouth	325 A	100 A	700 A
Harbour	100 A	80 A	180 A
Total	1,025 A	380 A	1,880 A

While Dartmouth cannot control the growth or the location of industry within the metro area, it can encourage new firms to locate here. In addition, the City can take steps to insure that new industry is located where it will cause the least disturbance to residential areas (Policy M-1).

Within this general framework, more detailed policy recommendations are made for Dartmouth's three main industrial areas.

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(2) *Repealed (RC-Sep 30/20; E-Dec 5/20)*

(3) South Dartmouth

Most of the industrial land in South Dartmouth is used by Imperial Oil or held by it for expansion. This expansion will take place as the demand warrants.

The provincially-owned industrial park contains 40 developed acres and 265 acres of undeveloped land. Since this industrial park is owned and serviced by the province, the City can exert limited control only over its development. It is recommended, however, that these guidelines be followed:

1. The industrial park should be used for non-obnoxious industries only, since it is adjacent to the Nova Scotia Hospital, the Dartmouth General Hospital and extensive residential development to the north and (potentially) to the east.
2. The park should not be given rail access. The site is too steep for rail lines to be provided economically. Also, providing access would require the installation of a line across Pleasant Street, a heavily-travelled arterial highway (Policy M-4).

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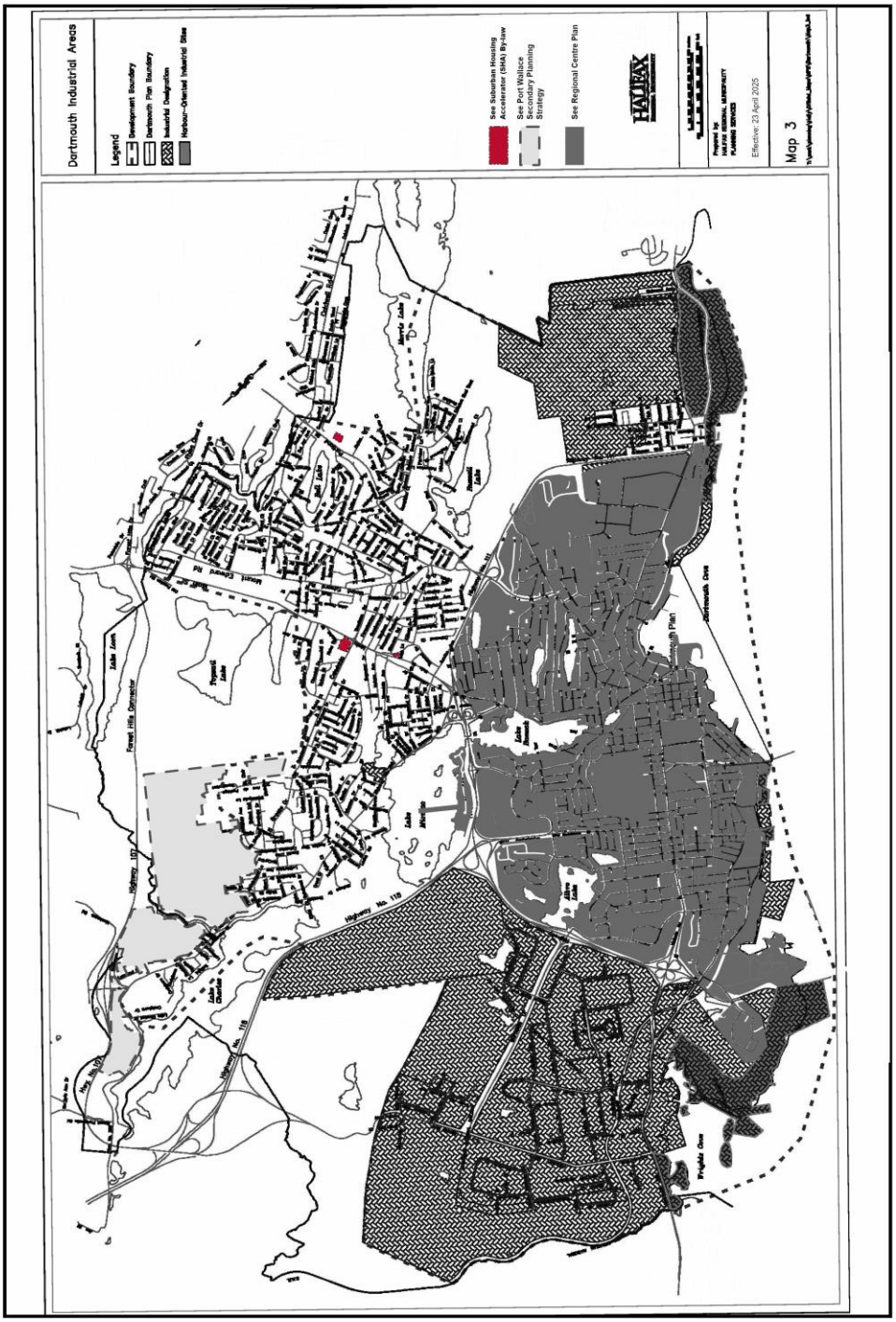
Map 3: Industrial (Special Area Task Force-Jan 26/23;E-Feb 3/23) (RC-Mar 18/25; EFF Apr 23/25)



(4) Long Term Expansion

Because of the unpredictability of industrial land requirements, it is important that the City's interest should extend beyond immediate and short term considerations.

In the South Dartmouth area, expansion possibilities exist to the east of the land currently owned by Imperial Oil Limited. This area is bounded on the south by CFB Shearwater and on the north by lands currently held by the Nova Scotia Housing Commission (See Map 3).

The expansion of light selective industry in this area must be carefully planned and traffic generated from the area must have direct connection to the Circumferential Highway and not be permitted to indiscriminately pass through future residential areas.

This area is suitable for possible industrial expansion due to CFB Shearwater and the Federal Airport Zoning Regulations which discourage residential development adjacent to the airport and Central Mortgage & Housing Regulations which also discourage residential development in the "noise corridors" associated with the landing and take off of aircraft.

(5) Wright's Cove Secondary Planning Strategy

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

The study area, illustrated on Schedule Map 11, encompassed a variety of uses including marine-dependent uses such as an ocean research institute, a gypsum loading facility, boat repair and restoration businesses, a yacht club, as well as numerous industrial, commercial, institutional and limited residential uses. A substantial portion of the study area was either undeveloped or had potential for redevelopment given the frontage on Halifax Harbour, close proximity to the Capital District and Burnside Business Park, and the proximity to regional road, rail, and transit systems.

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

The primary study findings are summarized as follows:

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

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

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

Policy WC-1: The Wright's Cove Future Land Use Plan, presented as Schedule Map 11, shall form the framework for land use allocation within the Wright's Cove Secondary Plan Area.

The District Centre Sub-Designation:

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

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

Policy WC-2: The District Centre Sub-designation, as shown on Map 11, is intended to support development characteristic of an Urban Local Centre as intended by the Regional Planning Strategy. Lands sun-designated District Centre shall be zoned CDD (Comprehensive Development District) under the Land Use By-law. Any development agreement application shall adhere to the requirements of Policy (RC-Oct 11/22;E-Nov 16/22) H-3C of this planning strategy. On the Shannon Park lands, consideration is also to be given to the future impact of sea-level rise on development.

Commercial Sub-Designations:

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

Lands between the inner-cove shoreline and highway commercial uses are not suitable for many highway commercial uses but offer opportunities for businesses that can take

advantage of the harbour views or utilize the more shallow waters of the cove. Residential developments may also be integrated within this area, provided that controls are established to protect the interests of commercial uses and existing residential uses, as well as the new occupants.

Policy WC-3: **The Highway Commercial Sub-designation, as shown on Map 11, is intended to support highway related commercial development on lands bordering Windmill Road. Permitted uses shall include retail and wholesale, restaurants, institutional, offices and existing industrial in conformity with the I-2 zone standards of the Land Use By-law. Amendments to the Land Use By-law may be made to permit uses which are similar to those identified under this policy except that no new residential or industrial uses shall be permitted within this sub-designation. By-law amendments may also be made to revise development standards or approval requirements.**

Policy WC-4: **Within the Harbour-Related Commercial/Residential Sub-designation as shown on Map 11, existing business will be permitted to expand in accordance with the I-2 (General Industrial) Zone provisions of the Land Use By-law. Harbour-related commercial uses, institutional uses, offices, hotels, townhouses, apartment buildings, restaurants and public and private recreation uses may be considered within this sub-designation subject to approval of a development agreement. The following matters shall be considered in any agreement:**

(a) **no residential development may be located within 300 feet of the Windmill Road right-of-way except that minor variances to this setback may be considered provided that the development viability of the commercial area is not compromised and effective screening, such as fencing or landscaping, is included to serve as a buffer between the commercial and residential developments;**

(b) **no building shall exceed 16 storeys in height;**

(c) **notwithstanding (b) above, no building shall exceed six (6) storeys in height where the building is proposed to be located on a property abutting, or adjacent to, a property containing a single-unit dwelling in existence at the time of application for a development agreement;**

(d) **measures are taken in the building design of residential, institutional or office uses to mitigate noise;**

(e) **where applicable, provision is made for the construction of a publicly accessible waterfront trail across the lands;**

(f) **all development on the lands shall incorporate provisions that mitigate potential damages from coastal flooding and storm-surge events;**

(g) **that a survey be completed by a qualified person, verifying that there is no evidence of unexploded ordnance on and adjacent the subject site, particularly if water-lot infill is being proposed;**

(h) **any development contemplated on Sheppard's Island cover no**

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more than twenty-five percent (25%) of the area of the island, and the trees on the remaining seventy-five percent (75%) area are retained in order to screen development on the island and mainland from harbour-related industrial activities in the outer cove; and

(i) the criteria of policy IP-1(c) and IP-5 for any apartment building development.

Harbour-Industrial Uses:

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

Policy WC-5: The Harbour-Industrial Sub-designation, as shown on Mpa 11, is intended to support development that is harbour-dependent and industrial in nature. Lands within this sub-designation shall be zoned I-3 (Harbour-Oriented Industrial). Amendments to the Land Use By-law may be made to revise development standards or approval requirements, but no uses shall be permitted that are not supportive of harbour-dependent industrial uses.

Existing Residential Uses:

Residential developments serviced with piped water and septic fields have been established along Green Bank Court and Cove Lane prior to the adoption of this secondary planning strategy. These developments will be accommodated but, due to their proximity to harbour-related industrial lands, **no lands will be considered for rezoning to R-1, however all existing R-1 lots may be developed in accordance with the provisions of the R-1 zone, and this may include the consolidation of existing R-1 zone lots.** ***(RC-Apr9/24;E-May 6/24)*** Provisions will also be made to accommodate existing residential lots along Basinview Drive and any redevelopment of these lots will be subject to the policy provisions for the Harbour-Related Commercial Residential Sub-designation.

Policy WC-6: The Limited-Use Sub-Designation, as shown on Map 11 is applied to existing residential lots within the Secondary Plan Area and is intended to allow for the replacement of, or additions to, existing homes **as well as new single family homes on existing R-1 zoned properties.** ***(RC-Apr9/24;E-May 6/24)*** Under the Land Use By-law, lands within this sub-designation shall be zoned R-1 Zone (Single Family Residential).

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

Open Spaces:

An Open Space Sub-designation, as shown on Map 11, has been applied to a saltwater marsh

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

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

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

Policy WC-7: **The Open Space Sub-Designation, as shown on Map 11, is applied to a saltwater marsh and connecting streams, wetlands, riparian lands within the Secondary Plan area, as well as the islands within Wright's Cove. The sub-designation is intended to provide environmental protection and retention of tree cover as a visual buffer. Lands within this sub-designation shall be zoned C (Conservation) under the Land Use By-law. Provision shall be made in the conservation zone to allow for access to the abutting lands zoned I-3 (Harbour-Oriented Industrial).**

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

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

Ocean Infill

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

The Municipality will encourage senior levels of government to only consider harbour infilling of the inner cove for the purpose of marine related purposes, such as wharfs or marinas, or to provide public recreational areas or public access to the waterfront. In

addition, any ocean infill that would adversely impact the saltwater marsh adjacent to the inner cove should be discouraged.

Policy WC-9: **In the event that approvals have been granted to infill any water lots within the Wright's Cove Secondary Plan Area, the future land use policies established under Map 11, and zoning regulations established under the Land Use By-law to the abutting lands, shall be applied to the water lot that has been in filled, and any development may be permitted in accordance with the applicable policies and zoning regulations. The Land Use By-law shall be amended to reflect this intent.**

(6) Scrap Yards

It should be recognized that scrap yards, junkyards and salvage yards play a key role in terms of the recycling process, removal of abandoned automobiles and providing materials for the motor vehicle parts and the steel industry.

It should also be recognized that in dealing with scrap yards, junkyards and salvage yards, there is an issue of compatibility with other industrial uses. Problems of visual unsightliness, noise, traffic and burning are required to be addressed in order for scrap yards, junkyards and salvage yards to co-exist with adjacent properties. Also, the storage and processing of certain materials may cause detrimental effects to the environment. These problems can be addressed by providing a special zone for scrap yards, junkyards and salvage yards that are properly fenced and landscaped. The existing scrap yards, junkyards and salvage yards will be made non-conforming uses. (As amended by By-law C-561, Mar.19, 1986).

Policy M-1 It shall be the intention of City Council to permit new industrial development only in the North Dartmouth/South Dartmouth industrial areas and to a limited extent on the waterfront between ***Macdonald Bridge (RC-Oct 2/01;E-Oct 31/01)*** and Tufts Cove.

Policy M-1a ***Industrial zones shall be established in the Land Use By-law to implement the policies of this chapter, and these zones may include various requirements for permitted uses, and standards for site development. (RC-Oct 2/01;E-Oct 31/01)***

Policy M-2 It shall be the intention of City Council to locate new industry and relocate existing industry within planned and serviced areas zoned for industrial purposes.

Policy M-3 It shall be the intention of City Council to endeavour to service sufficient industrial land to provide an ongoing surplus of readily-available industrial sites.

Policy M-4 It shall be the intention of City Council to oppose the placing of obnoxious industries in the South Dartmouth Industrial Park and shall discourage the provision of rail facilities to the park.

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Policy M-5 It shall be the intention of City Council to protect the potential of the Navy Island area by:

(a) continued dialogue with senior levels of government to workout a program for the cleaning up of the harbour bottom, and
(b) continue its program of selected property acquisition in those areas where it is felt necessary for the protection of the development potential of the Navy Island area.

Policy M-6 It shall be the intention of City Council to protect the areas shown on Map 3 as harbour oriented uses for future industrial uses related to the harbour.

Policy M-7 ***It shall be the intention of City Council to permit scrap yards, junkyards and salvage yards in areas designated for industrial uses on the generalized land use map and to require that scrap yards, junkyards and salvage yards be screened by fencing or landscaping or a combination of both to reduce the adverse effects on abutting property, subject to the following:***

(a) no scrap yard, junkyard or salvage yard shall be permitted which is adjacent to or within a 500 foot radius of:
(i) community facilities;
(ii) any existing or designated residential area.
(b) no scrap yard, junkyard or salvage yard shall be permitted where it would not be possible to screen those uses from abutting properties. (As amended by By-law C-561, Mar.19, 1986).

(7) Existing Housing in Industrial Areas

There are instances where homes exist on lands designated for industrial use. Generally such uses should be made non-conforming to provide for their phasing out in favour of the designated use. There are several dwellings located within various I-2 and I-3 zoned areas. (DELETION - RC-Apr 6/04;E-May 22/04) These will be permitted as existing uses within the zone, with the ability to renovate, expand, repair and replace existing dwellings, and operate home businesses. However, no further subdivision shall be permitted, and the Municipality should not provide additional services to these homes. Further, existing vacant lots may not be developed for residential purposes.

Policy M-8 ***Existing residential uses within industrial zones shall be recognized as existing uses. Subdivisions for new residential uses, additional dwelling units or dwellings on vacant shall not be permitted. (RC-Oct 2/01;E-Oct 31/01)***

(deleted Policy M-9 RC-May 26/09;E-Jun 25/09)

(8) Adult Cabarets and Massage Parlours

Adult Cabarets and Massage Parlours - Adult entertainment uses such as Massage Parlours and Adult Cabarets have received considerable attention in the Dartmouth area. Due to the nature of these commercial enterprises and the effects that these establishments could have on

adjacent commercial operations and residential neighbourhoods, these uses require specific guidelines for their proper site function and location.

Policy M-10 ***It shall be the intention of Council to permit Adult Cabarets and Massage Parlours in areas designated Industrial on the Generalized Future Land Use Map (Map 8a and 9) through development agreement in accordance with Policies IP-12 and IP-13 (RC-Jan 31/06;E-Mar 16/06)***

(9) Burnside Comprehensive Development District (RC-Jun 25/14;E-Oct 18/14)

Business park development in Dartmouth affords opportunities for select residential development as well as commercial and industrial. Medium to high-density residential land uses can complement a business park by allowing easy access to employment for residents and reducing commuting costs to the individual and the Municipality as a whole. However, it is important that the location of residential uses be carefully considered in the context of the overall business park development plan to reduce and mitigate potential land use conflicts related to noise, odour, safety, traffic and related issues.

One area where a mix of medium to high density residential land uses might be considered complementary is in the area north and east of the Burnside Business Park and the City of Lakes Business Park, as specifically identified on Map 12 as the Burnside Comprehensive Development District Sub-designation. In this area a mix of multiple unit dwellings and townhouses may be integrated with commercial and office uses to provide for a vibrant and accessible urban transit village. Limitations on the extent of residential development shall be established to ensure that it does not become the predominant land use in this area. In an effort to achieve compatibility and integration with surrounding and future potential commercial development, and to allow for innovation and flexibility in design, these uses and any commercial retail and office uses may be considered by rezoning to a comprehensive development district.

Policy BC-13 **HRM shall establish a Burnside Comprehensive Development District Sub-designation, as shown on Map 12, and shall establish a Burnside Comprehensive Development District (BCDD) Zone within the Land Use By-law.**

Policy BC-14 **Within the Burnside Comprehensive Development District Sub-designation, HRM may consider rezoning lands to the Burnside Comprehensive Development District (BCDD) Zone.**

Policy BC-15 **The Burnside Comprehensive Development District (BCDD) Zone shall permit a mix of multiple unit dwellings, townhouses, commercial, office, institutional and recreation uses subject to the provisions of a development agreement. Prior to considering any development agreement within the BCDD Zone, HRM shall require a concept plan for the entire area. The concept plan shall include the following information, some or all of which may be made part of any agreement as HRM deems necessary to fully describe and control the development:**

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(a) **a map(s) and assessment of the physical nature of the land, including its topography, and any significant vegetation, natural features and environmental characteristics that would shape and enhance the development;**

(b) **a transportation plan, including vehicular, pedestrian and public transit systems, and traffic impact analysis sufficient to evaluate the internal and off-site implications of the systems;**

(c) **the method of providing municipal wastewater and water distribution services to the development;**

(d) **the general phasing of development;**

(e) **the distribution and nature of all land uses;**

(f) **the total number and type of dwelling units, and the gross residential density proposed in the whole development and each of the phases.**

Policy BC-16 **Notwithstanding the CDD policies within the Residential Section, further to the provisions of Policy BC-15, in considering approval of a development agreement within the Burnside Comprehensive Development District (BCDD) Zone, HRM shall consider the following:**

(a) **the mix of residential uses, which shall consist of multiple unit dwellings and townhouses with a variation in architectural design;**

(b) **the density of townhouse and multiple unit development, which shall not exceed 89 and 124 units per net hectare, respectively;**

(c) **that the residential component of the development is adequately separated and buffered from any existing or future potential heavy industrial use to mitigate land use conflicts;**

(d) **the architecture of mixed commercial, residential, institutional use buildings which should be clearly articulated as having a building base, building middle and building top through the use of cornice lines, changes of materials, window proportions, etc.;**

(e) **the measures to integrate commercial, residential, institutional and recreation uses within and among buildings to alleviate potential impacts among uses;**

(f) **the land uses, which shall be well integrated through a system of pedestrian walkways, trails, footpaths, parks and natural areas;**

(g) **that the residential component is within a convenient walking distance of transit, services and amenities;**

(h) **that the development is designed to foster a sense of place and public safety and to limit opportunities for crime;**

(i) **human scaled elements, which shall be incorporated in the first three stories of the mid to high-rise buildings to enhance the pedestrian environment;**

(j) **that the upper stories of mid to high rise buildings are designed to promote visual interest and variety in the skyline;**

(k) **the hours of operation of any non-residential uses, including business uses located in residential buildings;**

(l) **the safety and efficiency of all transportation systems, including the**

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effects of driveways to and traffic from abutting uses and its effects on pedestrian walkway systems; and

(m) any other matter relating to the impact of the development upon surrounding uses or upon the general community, as contained in Policy IP-1(c).

Lands to the east of Frenchman Lake

The boundary of City of Lakes Business Park adopted by the City of Dartmouth in 1984 included lands to the edge of the City of Dartmouth's Development Boundary. Lands on the east side of Frenchman Lake are within the boundary of the City of Lakes Business Park, as identified on Map 10 of the Regional Municipal Planning Strategy. These lands are a portion of a large parcel of land (PID 41215476) that extends eastward to the rear of properties on Lamont Terrace, in the Dartmouth Crossing development. Due to their private ownership, these lands will not be developed as part of the Municipality's Business Parks program; however, it is appropriate to allow these lands to keep their long-standing development rights until an alternative policy is adopted.

Policy BC-17 For the portion of PID 41215476 within the boundary of City of Lakes Business Park (as identified on Map 10 of the Regional Municipal Planning Strategy):

(a) The 1-2 (General Industrial) Zone shall apply;

(b) Notwithstanding any other policy of this Plan, office buildings shall be permitted to a maximum height of five storeys; and

(c) Clauses (a) and (b) shall apply until such time that an amendment to this Plan is adopted for PID 41215476. (RC-Sep 30/20; E-Dec 5/20)

(10) Burnside Industrial Park and City of Lakes Business Park

The Burnside Industrial Park was assembled by the former City of Dartmouth beginning in the early 1960s. Following amalgamation, the Municipality has continued to develop serviced industrial land in this area, and together with City of Lakes Business Park, it has grown to approximately 3,400 acres (1376 hectares). As the largest industrial park north of Boston and east of Montreal, Burnside is a major employment centre in HRM and has an estimated 30,000 employees.

Burnside is well suited for industrial uses, given its separation from residential neighbourhoods, and direct links to 100-series highways and the railway. The area has attracted a mix of light and heavy industrial uses, commercial and support uses, and is the preferred industrial location for many national and international firms. Early phases of Burnside, east of Windmill Road and west of Burnside Drive, include both small and large lots that provide opportunities for a range of industrial operations. There are few sidewalks in this older portion of Burnside, but there are areas of high-quality landscaping including many street trees. Later phases of Burnside have been developed with generally larger lots, and a higher standard of infrastructure, including sidewalks and bicycle lanes on major

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streets. Lands located next to the Highway 118 interchange have been branded as the Atlantic Gateway Logistics Park and developed with lot sizes and transportation infrastructure to attract transloading, distribution, and warehousing operations.
In 1984, the City of Dartmouth approved the creation of the City of Lakes Business Park, situated on lands east of Burnside Drive near the interchange at Highway 111. The City of Lakes Business Park was and continues to be envisioned as a high profile, prestigious office and business campus. The business park is largely built out, including several low-rise and mid-rise office buildings in addition to some convenience retail, personal services, warehousing and distribution uses. The Dartmouth Harbour East Recreation Campus on Commodore Drive is a major public recreation facility that attracts participants from across the region to its all-weather fields and four-pad arena. A multi-use trail and overpass connects the area directly to the Highfield Park neighbourhood on the opposite side of the Highway 111.

The industrial lands within Burnside Industrial Park and City of Lakes Business Park are highly valuable to the Municipality's economy. A key objective of both the Regional Municipal Planning Strategy and Halifax's Economic Growth Plan is to ensure there is a sufficient supply of industrial lands to provide economic development opportunities. In support of this objective, the Business Parks Functional Plan (2008) undertook a strategic review of the Municipality's role in business park development and a rationalization of uses and development standards. The Business Parks Functional Plan recommended that the Land Use By-Law should differentiate the permitted uses in Burnside Industrial Park and City of Lakes Business Park through zoning.

Objectives

For lands within Burnside Industrial Park and City of Lakes Business Park (as shown on Map 13), this Plan intends to:

- **protect and support efficient use of industrial lands;**
- **recognize and support Burnside Industrial Park and City of Lakes Business Park as important employment lands in the Municipality;**
- **recognize industry needs for specific locations and site design, such as access to rail and highways;**
- **strategically direct a range of uses to support transit, shops and services for workers and customers;**
- **mitigate potential conflict between intensive industrial uses and less intensive uses; and**
- **accommodate quality suburban office development in City of Lakes Business Park, while limiting new office space in Burnside Industrial Park.**

Burnside General Industrial Sub-Designation

As redevelopment in Burnside occurs, it is crucial that the Municipality continues to protect these valuable industrial lands for industrial uses. As land prices increase, industrial lands can face pressure to convert to non-industrial uses, such as large-format retail, office and residential developments. The policies of this Plan are intended to protect and promote Burnside Industrial Park as a priority area for industrial uses.

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Policy B-1 **The Burnside General Industrial Sub-Designation, shown on Map 13, shall be applied to lands within the Burnside Industrial Park with the primary intent of protecting industrial lands for industrial uses.**

Burnside General Industrial Zone

The Burnside General Industrial (BGI) Zone is intended to apply to the majority of the Burnside Industrial Park to support both light and heavy industrial uses, and commercial and support uses that are compatible with an industrial environment.

Policy B-2 **Within the Burnside General Industrial Sub-Designation, the Burnside General Industrial (BGI) Zone shall be established within the Land Use By-law to accommodate a wide range of industrial uses in Burnside Industrial Park. The BGI Zone shall:**

- **(a) permit both light industrial and heavy industrial uses;**
- **(b) require heavy industrial uses to be located on large lots, set back and buffered from less intensive uses and 100-series highways;**
- **(c) permit commercial uses that support industrial uses and are compatible with an industrial setting;**
- **(d) limit office uses to those that support industrial uses;**
- **(e) limit the size of general retail uses, except for retail uses that support industrial uses;**
- **(f) not permit residential uses, except for caretaker units that are essential to 24-hour industrial operations;**
- **(g) permit salvage yards consistent with Policy M-7 of this Plan; and**
- **(h) permit C&D transfer stations and processing facilities consistent with Policy SW-7 A of this Plan.**

Policy B-3 **To support flexible site and building designs that are accessible to all users and maintain high-quality industrial lands over the long term, the BGI Zone shall include regulations respecting:**

- **(a) signage, landscaping, walks, fences, lighting and screening of waste materials;**
- **(b) outdoor storage and outdoor display of goods and materials; and**
- **(c) the requirement for landscaped buffers adjacent to 100-series highways.**

Policy B-4 **The BGI Zone may be applied to any lands within the Burnside General Industrial Sub-Designation, as shown on Map 13.**
In considering amendments to the Land Use By-Law to apply or adjust the boundaries of the BGI Zone, Council shall be satisfied that the proposal is reasonably consistent with the following criteria:

- **(a) the proposed rezoning achieves the objectives and policies of this Section (10) and is consistent with any other applicable policies**

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established by this Plan and the Regional Municipal Planning Strategy; and

(b) the general rezoning criteria outlined in Policy IP-1(c) of this Plan.

Commercial – Industrial Zone

The Commercial-industrial Zone is intended to accommodate light industrial uses and a range of commercial uses that support industries, workers and customers. Primarily applied to major streets (identified on Map 13), the Commercial-Industrial Zone will direct commercial uses to key transportation routes to support transit use, active transportation and provide visibility for businesses. The Cl Zone may also be applied to buffer more intensive industrial uses in the Burnside General Industrial Zone from major streets and from zones that support less intensive uses.

Policy B-6 **Within the Burnside General Industrial Sub-Designation, the Commercial-Industrial {Cl) Zone shall be established within the Land Use By-Law to accommodate light industrial uses and a range of commercial uses that support industries, workers and customers in Burnside Industrial Park. The Cl Zone shall:**

(a) permit a range of commercial and industrial uses, as well as services for workers and customers;
(b) permit recreation uses that are compatible with an industrial setting;
(c) limit office uses to those that support industrial uses;
(d) limit the size of general retail uses, except for retail uses that support industrial uses; and
(e) not permit residential uses, except for caretaker units that are essential to 24-hour industrial operations.

Policy B-7 **To support flexible, varied and quality site and building designs that are accessible to all users and maintain high-quality industrial lands over the long term, the Cl Zone shall include the following:**

(a) regulation respecting the external appearance of structures by prohibiting the use of low-quality building materials;
(b) regulation respecting signage, landscaping, walks, lighting and screening of waste materials;
(c) regulation respecting outdoor storage and outdoor display of goods and materials;
(d) requirements for barrier-free walkways from the public street to accessible entrances; and
(e) requirements for landscaped buffers adjacent to 100-series highways.

Policy B-8 **The Cl Zone may be applied to lands:**

(a) with lot frontage on major streets identified on Map 13; or
(b) that act as a buffer between the Burnside General Industrial Zone and zones that support less intensive uses;

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(c) within future phases of Burnside Industrial Park if transit service is provided

Policy B-9 In considering amendments to the Land Use By-Law to apply or adjust the boundaries of the Cl Zone, Council shall be satisfied that the proposal is reasonably consistent with the following criteria:

(a) the proposed rezoning achieves the objectives and policies of this Section (10) and is consistent with any other applicable policies established by this Plan and the Regional Municipal Planning Strategy;
(b) where the proposed rezoning would remove lands from the BGI Zone, there is a demonstrated need for additional commercial land uses that cannot be accommodated in established commercially zoned areas of the Municipality;
(c) the lands are within 500 metres of a transit stop; and
(d) the general rezoning criteria outlined in Policy IP-1(c) of this Plan.

Business Park Sub-Designation

The Business Park Sub-Designation is intended to support the continued use of City of Lakes Business Park for suburban office space for businesses that neither desire nor require a location within the Regional Centre, in a manner that is compatible with nearby industrial development. In addition to the developed areas of City of Lakes Business Park, this sub-designation will recognize limited opportunities for new office development.

Policy B-10 The Business Park Sub-Designation, shown on the Generalized Future Land Use Map (Map 10), shall be applied to lands within City of Lakes Business Park and to limited areas where existing or new office development contributes to the City of Lakes office cluster.

Business Park Zone

The Business Park Zone is primarily intended to permit suburban office development. While light industrial uses will also be permitted, heavy industrial uses and outdoor operations will not be permitted to ensure that uses in the zone are compatible with a high-quality business park environment.

Policy B-12 Within the Business Park Sub-Designation, the Business Park (BP) Zone shall be established in the Land Use By-Law and applied to lands that are intended to support high-quality suburban office space that complements the industrial uses in the Burnside Industrial Park. The BP Zone shall:

(a) notwithstanding any other policy of this Plan, permit general office uses;
(b) permit a mix of office, commercial and light industrial uses, together with services for workers and customers;
(c) limit the size of general retail uses, except for retail uses that support

industrial uses; and

(d) not permit residential uses, except for caretaker units that are essential to 24-hour industrial operations.

Policy B-13 The BP Zone shall encourage high-quality architecture and barrier-free site design by:

(a) permitting buildings to a maximum height of five storeys;
(b) regulating the external appearance of structures by requiring high quality exterior building materials;
(c) regulating landscaping, walks, lighting and screening of waste materials;
(d) prohibiting outdoor storage and outdoor display of goods and materials; and
(e) requiring barrier-free walkways from the public street to accessible entrances.

Municipal Parks

There are currently three municipally-owned parks in Burnside Industrial Park and City of Lakes Business Park, including:

- **Dartmouth Harbour East Recreation Campus (which include the four-pad arena, all-weather sports fields, and Spectacle Lake trails);**
- **Don Bayer Park; and**
- **Frenchman Lake Park.**

These parks provide access to green space for area workers and draw people from around the region for high quality recreational opportunities. To encourage the continued use of these lands for open space and community recreation purposes, it is appropriate to zone these municipal parks consistent with their existing use.

Policy B-14 The Park (P) Zone may be applied to municipally-owned parks and recreation areas within the Burnside General Industrial Sub-Designation and the Business Park Sub-Designation.

Existing Uses

Until 2020, lands in Burnside Industrial Park and City of Lakes Business Park were regulated by the General Industrial (1-2) Zone. The 1-2 Zone permitted all commercial and industrial uses including office and retail uses. As a result, some businesses which have invested significantly in their present operations may not meet the requirements of the BP Zone, Cl Zone and BGI Zone.

While the policies of this Plan prioritize protecting industrial lands for industrial uses, it is anticipated that this will be achieved through incremental change. Allowing established businesses to remain and adapt their operations will avoid unintended impacts on existing development.

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Policy B-15 **The Land Use By-Law shall permit all uses within the BP Zone, the Cl Zone, and the BGI Zone that were lawfully permitted on September 5th, 2020 to continue to be permitted as existing uses. The Land Use By-Law shall establish provisions to permit existing uses to continue to operate and make needed alterations to buildings and structures.**

(RC-Sep 30/20; E-Dec5/20)

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TRANSPORTATION

TRANSPORTATION

The transportation network to be dealt with includes:

1. Road Network
2. Mass Transit (bus and ferry)
3. Pedestrian Movements
4. Bicycle Networks

(1) Road Network: The 1965 Official Town Plan (O.T.P.) and the 1971 Draft Plan established a four category road classification system consisting of:

(a) **Expressways** are limited access and controlled high speed highways designed to serve as major conveyors in the City's vehicular transportation system. Access will be limited to specific points and final development will be as divided highways with access by properly constructed grade separated interchanges.

(b) **Arterials** are also major conveyors in the City's vehicular transportation system and access will be limited to specific points or areas, but may be at grade. Where possible, these will be divided highways.

(c) **Collector Roads** are intermediate conveyors designed to collect traffic from a neighbourhood and direct traffic to the arterials and expressways.

(d) **Local Streets** are minor conveyors in the neighbourhood designed to serve local needs and to direct vehicles to the collector streets. (Policy T-1)

This Municipal Development Plan (M.D.P.) only deals in detail with expressways and arterials. The Collector and Local Streets are subjects of a more detailed planning process and will be covered in the secondary planning process by districts.

The policies established in 1965 and further refined in 1971 have been adhered to, resulting in the present system. As is true for any system, periodic changes, continual upgrading and refinement of the system becomes necessary.

(a) **Expressways:** The expressway system outlined in the 1965 O.T.P. has been largely completed. The system has been built with sufficient rights-of-way to allow future expansion to meet the likely traffic demands outlined in the Halifax-Dartmouth Regional Plan. There are however, certain elements of the expressway system that still require attention.

(i) **Burnside Expressway** - The Burnside Expressway is planned to provide a direct connection between the Circumferential Highway, Narrows Bridge and the Bedford/ Sackville community as well as providing a direct link between the industrial park and the Circumferential Highway.

Due to the extensive traffic generated by the industrial park and the congestion along Windmill Road, the general alignment has been determined, connecting Akerley Boulevard to the Circumferential Highway. This connection would form the first phase of the total Burnside Expressway. The location of the general alignment and its point of intersection with the Circumferential Highway has been approved by the Department of Highways and agreed upon by the City of Dartmouth and Commodore Commercial Estates. The alignment and intersection

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point have also been identified in the Halifax-Dartmouth Regional Development Plan (Map 111, Appendix D) (Policy T-2).

(ii) **Circumferential Highway Interchanges** - MicMac Rotary Increasing traffic volumes along Main Street (No. 7 Highway) and the MicMac Rotary have made it necessary to consider major modifications to this system. Functional design studies have been completed outlining various alternatives of modifications to the rotary. As yet, (March, 1978), no decision has been made on which alternative to select (Policy T-3).

It must be understood that any modification to the rotary will have some degree of detrimental effects on the lakes. The concern is that the design and construction of any modifications to the rotary must reflect the sensitivity of the lakes and precautions must be taken to minimize any detrimental effects (Policy T-4).

(iii) **Pleasant Street Interchange** - The area adjacent Pleasant Street and Circumferential Highway has been designated in the Halifax-Dartmouth Regional Development Plan as an area for a possible second ferry connection between Dartmouth and Halifax. With the increasing emphasis on mass transit as a more efficient way of transporting people, the ferry link in the south end may become feasible. In a recent study, "Dartmouth Ferry Study - 1976"[11] the proposed link to the South Woodside area was reviewed and found to be uneconomical at this time. However, trial runs could be established and the possibility still exists for a ferry landing in this area in the future. If ferry service is established here, additional lands for docks and associated parking will be required along with additional ramps and access points from the interchange area (Policy T-5).

(iv) **South Woodside Industrial Park Connector** - The development of the provincially owned industrial park in South Woodside and the future residential development of the Russell Lake area will necessitate the construction of a new interchange on the Circumferential Highway between Portland and Pleasant Streets. An interchange has been approved, in principle, for this location by the Department of Highways and has been identified in the Halifax-Dartmouth Regional Development Plan. The actual timing for this interchange is not yet determined but the right-of-way required should be determined and steps taken to protect it through restricting development permits and requesting the province to acquire the right-of-way.

The arterial road system on either side of the Circumferential Highway must be designed to direct traffic to this interchange point (Policy T-6).

(v) **Highway 107 Bypass** - Various studies to examine the feasibility of a bypass highway connecting the No.7 Highway and Highway 118, bypassing Main Street and the MicMac Rotary have been undertaken. They have outlined two main corridors identified in the Halifax-Dartmouth Regional Development Plan. At present, an environmental assessment and impact study commissioned by the provincial Department of Environment for the City of Dartmouth is in its final draft stages and should be made public in the near future. The Environmental Assessment and Impact Study evaluated a number of alternatives in terms of the overall impact (physical, biological, social, etc.) that these alignments may have on that area (Policy T-7).

(b) **Arterials:** The arterial system in Dartmouth was outlined in the 1965 plan and the 1971 draft as being the area where most of the road transportation deficiencies occurred. Since

[11] Dartmouth Ferry Study; Development Planning Associates Limited, October, 1976.

1971, many changes have taken place in the arterial road system.

(i) **Main Street (No.7 Highway)** - Main Street is the major entrance way into the City from the eastern shore. This highway carried high volumes of traffic at peak hours and is further congested by the strip of commercial development along it.

To assist in alleviating the congestion on Main Street, it has been widened to four lanes from Raymoor to the City Limits connecting to an existing four lane system from the City Limits to Lake Echo. The section of Main Street from Raymoor to the MicMac Rotary has been the subject of a functional design study to define the required improvements and its future right-of-way requirements. Various designs have been completed and a decision is pending on which alternative to select.

The widening of Main Street to four lanes will not in itself alleviate all the congestion problems that now exist. A concentrated effort must be made in negotiating driveway consolidations, common parking areas, etc., to allow Main Street to function as an effective arterial (Policy T-8)

(ii) **Caledonia Road** - Due to the increasing expansion of the residential component in the eastern quadrant of Dartmouth and their relationships to the major highway system, new links must be created between Main Street and the Waverley Road. Caledonia Road was designated an arterial highway in the 1965 O.T.P and the 1971 Draft Plan.

It was also stated that it should be completed through to Waverley Road via Breeze Drive. The need for extending Caledonia Road still exists but not to the status of an arterial. Caledonia Road would become a major collector, hence the detail location and design would be carried out in a more detailed or secondary planning exercise (Policy T-9).

(iii) **Braemar Drive from Red Bridge Pond to Rotary** - This section of Braemar Drive is quite narrow and has the effect of bottle-necking the volumes of traffic that use Waverley Road and should be upgraded. This section of the road is located adjacent Lake MicMac which provides for a very scenic drive as well as posing a degree of concern for any upgrading that may take place. An additional complication here is the need for an improved pedestrian system through this section. In summary, with proper design and care for the lake, the opportunity exists in upgrading Braemar Drive to improve the land/water interface along this strip and create a safe pedestrian travel way, all in one package (Policy T-10).

(iv) **Pleasant Street** - In a recent traffic analysis study,[12] it was noted that Pleasant Street south of the Circumferential Highway is a narrow, poorly-aligned road carrying heavy traffic to and from Shearwater and the Eastern Passage area. The recommendations of the traffic analysis study indicated that this section of Pleasant Street should be realigned to four lanes from the Circumferential Highway to the City Limits.

This recommendation of four lanes is a reflection of the traffic volumes presently using Pleasant Street and those projected. The projected volumes that would warrant the widening to four lanes are based on the assumptions in the Halifax-Dartmouth Regional Development Plan that the Eastern Passage area will continue to receive growth and is designed as a first priority area for "Urban Mix Residential" development and that McNab's Island will be developed as a Regional Park. In summary, the proposed development which may occur outside Dartmouth's political boundary will warrant a four-lane situation on Pleasant Street. In this

[12] Pleasant Street Traffic Study, Planning & Development, City of Dartmouth, April 1975

situation, where improvements are necessitated by growth, encouraged by Regional Policies outside the limits of Dartmouth, the County and/or Province must reach agreement with the City on the total reconstruction of Pleasant Street prior to improvements being undertaken to insure that the work is coordinated and continuous. Without such agreements, the City may be forced into premature heavy municipal expenditures for land and roadway improvements well beyond its financial capability.

Pleasant Street north of the Circumferential Highway up to the newly-constructed Dartmouth Hospital should be widened within its existing right-of-way and traffic directed to the Circumferential Highway. The remainder of Pleasant Street, north of the hospital, should remain at its present status (Policy T-11, T-12).

(v) **Portland Street** - Portland Street has recently been widened to four lanes from Joffre Street to the city limits including an improved interchange at the intersection of Portland Street and the Circumferential Highway. With limited and controlled access points, this street will act as a very efficient arterial. Portland Street, from Joffre Street to the harbour, should only receive minor improvements within its existing right-of-way.

(2) Mass Transit

(a) **Busses** - The bus system in Dartmouth has just recently (February, 1978) become publicly owned and operated. The acquisition of the bus system by the City is the first major step towards an integrated regional system.

The short-term objectives of the City related to the bus system are threefold:

(i) The first is to see, if through an improved public awareness program (route maps, schedules, etc.), that rider ship of the system will increase.

(ii) Secondly, with minor route changes, can the system become efficient in terms of time, reliability and costs.

(iii) Thirdly, through the acquisition and operation of its own bus system, Dartmouth will be able to access more accurately the real needs of the citizens and the best form of transit to fulfil those needs.

The long term goal is to cooperate and work toward an integrated Regional Transit System (Policy T-13).

(b) **Ferries** - The ferry link between Dartmouth and Halifax is an integral part of the overall transportation system for the metropolitan area. As a result of a recent ferry study, "Dartmouth Ferry Study,"[13] a new and improved ferry system has been recommended and tenders have been let for two new ferries. Tender documents are being proposed for two new docks and terminals. It is anticipated that, by late 1978, the new ferry system and docking facilities should be in operation. A significant element in the design of the ferry terminal operation is to insure proper linkage with the bus system to increase the efficiency of both operations.

(3) Pedestrian Movements - In the design, construction and operation of any form of transportation mode, be it highways, busses, ferries or whatever, consideration must be given to pedestrian movements. The safe and efficient movements of pedestrians must become an integral part of any design or construction of any element in the transportation system (Policy T-14). The

[13] Dartmouth Ferry Study, Development Planning Associates Limited, October, 1976.

question of the safety and mobility of pedestrians in the City's overall transportation system must be looked at in detail to determine the needs of pedestrians within the City (Policy T-15 and T-16).

(4) Bicycle Networks - In view of the increasing popularity and use of the bicycle as a means of commuting and recreation, consideration should be given to developing and implementing a network of bikeways. This network may be made up of a combination of exclusive bicycle routes and routes shared with other vehicles but where bicycles are given preferential use [POLICY T-13)(a)].

(5) Summary

The attached plan (Map 4) indicates the major transportation network for the City of Dartmouth (Policy T-15).

Policy T-1 It shall be the intention of City Council to continue to use the road classification system approved in the 1965 Official Town Plan (O.T.P.) and as incorporated in Map 4 of this plan, in the ongoing development of a transportation system in the City of Dartmouth.

Policy T-2 It shall be the intention of City Council to immediately request the Provincial Department of Highways to undertake the construction of the first phase of the Burnside Expressway connecting Akerley Boulevard to the Circumferential Highway.

Policy T-3 It shall be the intention of City Council to request the Provincial Department of Highways to finalize a decision on the design studies of the rotary and undertake the required modifications.

Policy T-4 It shall be the intention of City Council to insure there is a minimum disruption to the adjoining lakes during construction of the rotary improvements.

Policy T-5 It shall be the intention of City Council to further investigate the possibility of a second ferry crossing in the South Woodside area and attempt to outline the future land requirements and restrict development in this area.

Policy T-6 It shall be the intention of City Council to identify and protect the right-of-way for an interchange off the Circumferential connecting it to the South Woodside Industrial Park and the Russell Lake area.

Policy T-7 It shall be the intention of City Council to protect the two main corridors of the proposed 107 Bypass Highway (identified in the Halifax-Dartmouth Regional Development Plan) by refusing development permits until the present environmental study has been completed and released and a decision has been made jointly by the City of Dartmouth and the Provincial Department of Highways.

Policy T-8 It shall be the Intention of City Council to review the alternatives on the Main

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Street improvements, select one, acquire the necessary right-of-way and implement them.

Policy T-9 It shall be the intention of City Council to extend Caledonia Road from Main Street through to Waverley Road and that it be constructed to the status of a major collector.

Policy T-10 It shall be the intention of City Council to undertake a design study to widen Braemar Drive and take into consideration the associated concerns of pedestrian movements and the protection of the lake.

Policy T-11 It shall be the intention of City Council in undertaking the design study of Pleasant Street south of the Circumferential Highway to the city limits to request appropriate cost-sharing with the Department of Highways.

Policy T-12 It shall be the intention of City Council to widen Pleasant Street north of the Circumferential Highway to Dartmouth General Hospital within its existing right-of-way for the purpose of directing traffic to the Circumferential Highway.

Policy T-13 It shall be the intention of City Council to participate in a regional transportation system to serve the metropolitan area.

Policy T-13(a) It shall be the intention of City Council to evaluate the potential for bike- ways in the City and where feasible, incorporate them as an element of the overall transportation system.

Policy T-14 It shall be the intention of City Council to include in any transportation study that pedestrian movements and bikeways be well planned and clearly defined to provide for the safe and efficient movement of pedestrians. The construction of pedestrian facilities and bikeways shall be included in all contracts.

Policy T-15 It shall be the intention of City Council to use Map 4 (Major Highway Network) as being the proposed highway transportation network for the City of Dartmouth.

Policy T-16 It shall be the intention of City Council to undertake a detailed study of pedestrian movements and needs within the City and incorporate it as an element of the overall transportation system.

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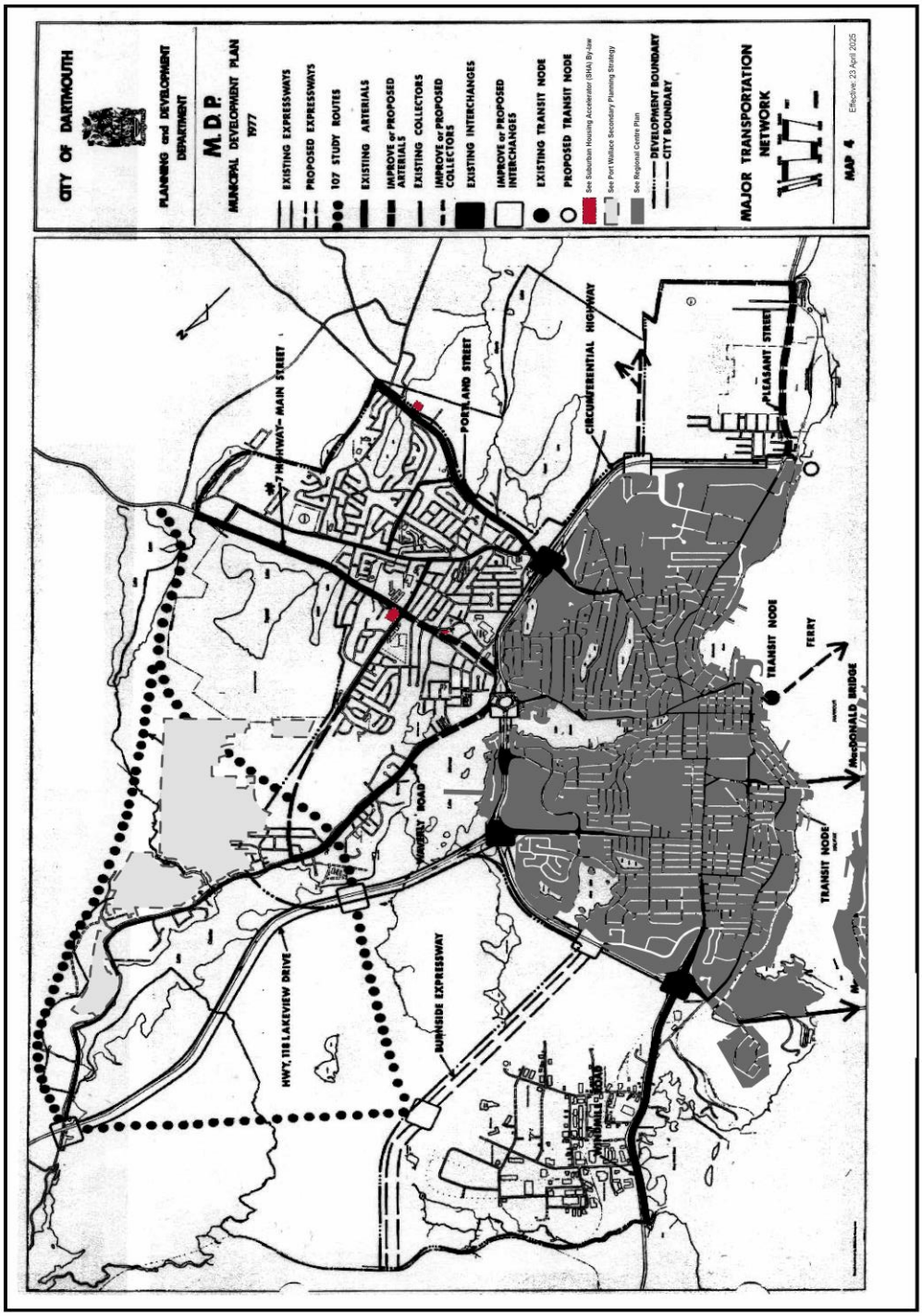
Map 4: Major Transportation Network (Special Area Task Force-Jan 26/23;E-Feb 3/23) (RC-Mar 18/25; EFF Apr 23/25)



Open Space Recreation & Environment

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Open Space Recreation and Environment

Open space, recreational activities, and programs are essential to citizens of an urban area. They provide both visual relief in a busy urban atmosphere as well as providing options for leisure time activities. The City of Dartmouth, being aware of the importance of open space and recreation, on August 1, 1978 approved the "Recreation Master Plan for the City of Dartmouth".[14]

The overall goal to be attained through implementing of the "Recreation Master Plan" is:

> "To make available opportunities for the development of the physical and mental well being of all segments of the population of the City of Dartmouth during their leisure time through the provision and development of open space, the construction of facilities, and the provision of leadership."
>
> This overall goal has been further elaborated on by the development of the following objectives:
>
> 1. To ACQUIRE OPEN SPACE for recreational, conservational, historical, and aesthetic purposes.
> 2. To DEVELOP OPEN SPACE for recreational use on a neighbourhood, district, and Citywide level.
> 3. To CONSTRUCT RECREATION FACILITIES with a diversity of opportunities on a neighbourhood, district, and City-wide level.
> 4. To PROVIDE RECREATIONAL LEADERSHIP at the neighbourhood, district, and Citywide level, both directly to the public and indirectly through private voluntary organizations.

The Recreation Master Plan contains detailed analysis of most facets of open space and recreation within Dartmouth. The main emphasis can be summarized under five headings:

(1) Recreation System
(2) Community Use of Schools
(3) Community Open Space Guidelines
(4) Lake and Stream Protection
(5) Regulation of Lake and Park Use

(1) Recreation System

The Recreation System provides a framework through which the Recreation Master Plan can be implemented by applying guidelines and polices to individual elements of the system. It also provides definitions for each of the elements, including service radius and possible contents. There are seven major elements in the system with appropriate policies for each.

(a) VEST POCKET PARKS AND BOULEVARDS
These small parcels of parkland serve primarily an aesthetic purpose, generally suitable for more passive activity such as walking, sitting, and often plant observation is provided

[14] Dartmouth Recreation Master Plan: Parks and Recreation Department, City of Dartmouth, 1978

(Policy R- 1 and R-2).

(b) NEIGHBOURHOOD RECREATION AREAS
Parklands which are designed to service an area within one-half mile catering to all ages. These parks are normally located adjacent schools and include landscaped areas, benches, grassy play areas, play equipment, and possible hard surfaced areas such as tennis courts (Policy R-3 and R-4).

(c) DISTRICT RECREATION AREAS
Areas serving an area of up to two miles in radius and designed for all age groups. Elements of district recreation areas may include athletic fields, parks, beaches, and arenas. District areas are normally located adjacent secondary schools. Map 5A identifies the recreation districts (Policy R-4 and R-5).

(d) CITY RECREATION AREAS
Recreation areas are designed to serve the entire city and all age groups. These areas should be large enough to include sufficiently specialized and large scale facilities to attract users from a wide area. City recreation areas are normally associated with areas that contain special or unique features of the City (Map 5A) (Policy R-6, R-7 and R-8).

(e) LINKAGES
Linkages provide connections between elements of the recreation system including pathways, bikeways, and trails, etc. (Policy R-9 and R-10).

(f) REGIONAL PARKS
A regional park is one which provides recreational facilities or open space for the metro area as a whole. Regional Parks must be large and provide facilities for a wide variety of activities and passive leisure time pursuits and normally have characteristics (physical, historical, etc.) which are unique to the region (Policy R-11).

(g) PRIVATE RECREATION FACILITIES
Recreation facilities provided by non-profit recreational agencies and private clubs serve an important function in meeting the recreational needs of the citizens (boat clubs, curling, tennis, YM-YWCA, etc. (Policy R-12 and R-13).

(h) ***Repealed (RC – Oct 26/21; E – Nov 27/21)***

(2) Community Use of Schools

The emphasis here is that school buildings and grounds have the potential to meet much more than the educational needs of the community's young people and should be utilized to meet the needs of the individual neighbourhood or district within which the school is located. This dual use of the facilities by definition requires ongoing cooperation and coordination between school and recreation authorities to eliminate duplications and more efficiently utilize all facilities (Policy R-14).

(3) Community Open Space Guidelines

Community open space guidelines provide an alternative to the open space standards which are commonly used in recreation planning. The community open space guideline for Dartmouth takes into account the existing level of provision of recreation land and facilities, the demand for recreation areas expressed by Dartmouthians, and the unique physical characteristics of the City itself.

The guidelines are expressed as a range for neighbourhoods and districts to allow for flexibility in

planning at those levels. Since citizens in different areas of the City have different recreational needs and interests, flexible guidelines which allow for those differences are needed. Table III provides a summary of the proposed Community Open Space Guidelines.

Table III: COMMUNITY OPEN SPACE GUIDELINES

SERVICE AREA	GUIDELINE (A/1000 pop.)
NEIGHBOURHOOD	2.3 to 6.1
DISTRICT	4.3 to 7.4
CITY	4.9

The land provided under these guidelines must be accessible to the public and be either developed or potentially developable for recreational use. The size and dimensions of lands acquired must be consistent with their intended use as recreation areas (Policy R-15, R-16, R-17).

(4) Lake and Stream Protection

The policies established in the "Lake Study"[15] (1974) to acquire the in key property adjacent lakes and streams has been sound and should continue. To assist in the prioritization of properties for acquisition, those areas inside the development boundary should be acquired first (Policy E-1). The exceptions to this would be a portion of the Russell Lake Lands which are very close to the development boundary and the lands along Lake Charles, some of which fall outside of the boundary but are part of the proposed regional park.

In conjunction with an active acquisition program for lake shore properties, the numerous swamps and marshes throughout the City perform important functions in the protection of the overall water system and should be protected in such a way as to prohibit infilling and building within these areas (See Map 5B) (Policy E-2).

[15] Lake Study - Planning & Development Dept, City of Dartmouth, 1974

Map Key (5b): Lake and Stream Protection Lands

1.	Lands around Sullivan's Pond	3.3 acres
2.	Regional Park Lands	65.7 acres canal lands 57.7 acres Lake Charles 38.4 acres Lake Micmac 6.3 acres Islands
3.	Red Bridge Pond Lands	16.5 acres
4.	Cranberry Lake Lands	2.1 acres
5.	Settle Lake Lands	6.3 acres
6.	Russell Lake Lands *	14.3 acres
7.	Albro and Martin Lake Lands	50.0 acrea
8.	Black Lake Lands	3.1 acres
9.	Wright's Brook Lands	105.7 acres
10.	Brook by Power Commission Lines	8.3 acres
11.	Settle Brook Lands	12.3 acres
12.	Bell to Morris Lake Streams *	3.0 acres
13.	Russell and Morris Lake Streams *	12.0 acres
14.	Russell Lake Stream	3.0 acres
15.	North Woodside Stream	3.4 acres
16.	South Woodside Stream	4.5 acres

* Lands outside development boundary
N.B. Acreages are approximate

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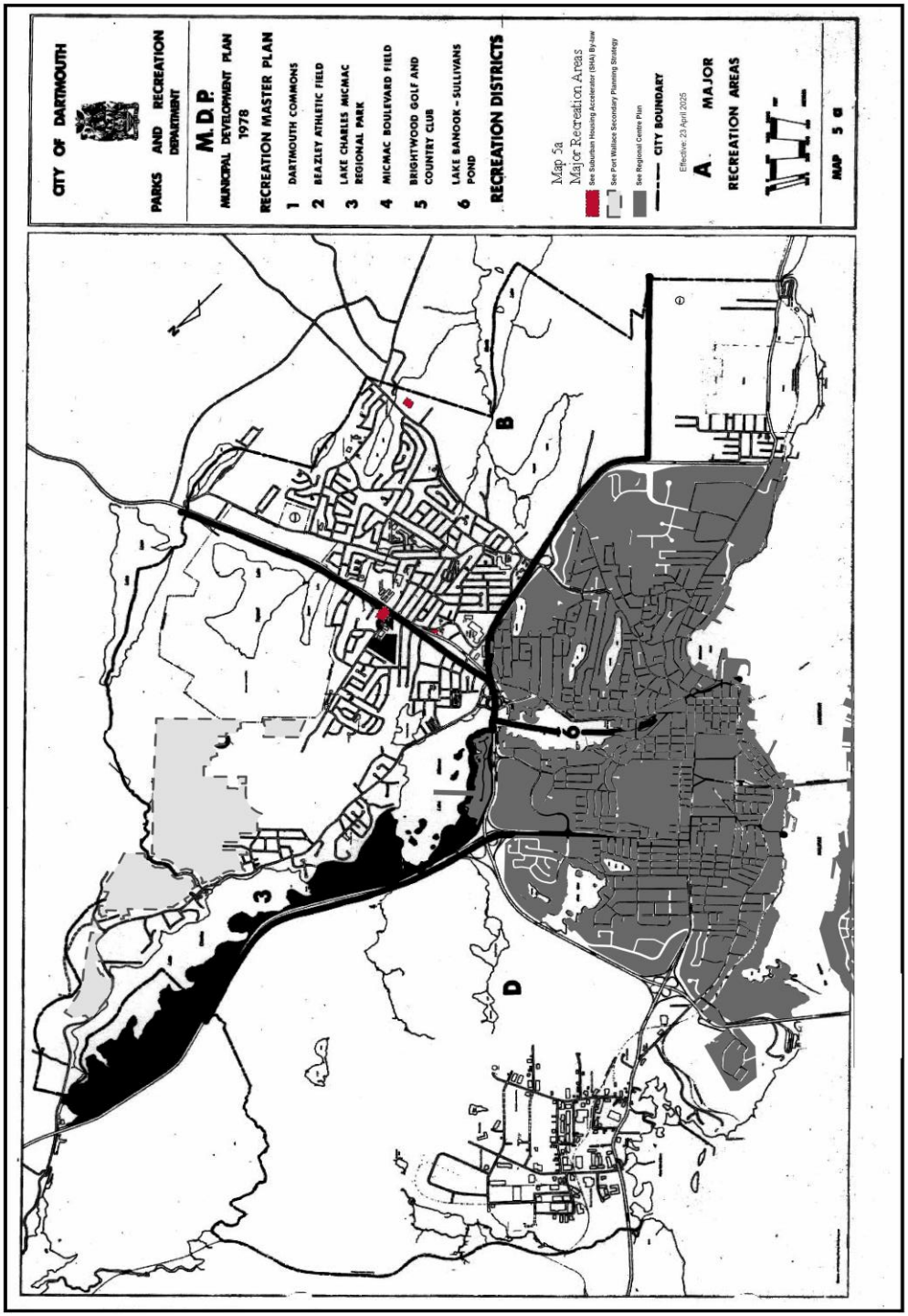
Map 5a: Major Recreation Areas (Special Area Task Force-Jan 26/23;E-Feb 3/23) (RC-Mar 18/25; EFF Apr 23/25)



(5) Regulations of Lake and Park Use

In recent years the demands placed on many of our lakes and park lands is creating various forms of conflict among users. For example, swimmers vs water skiers, cross-country skiers vs snowmobiles. Due to increasing numbers, these conflicts will continue and may lead to the segregation and further regulation of the City's lakes and park lands (Policy R-18).

Policy R-1 It shall be the intention of City Council to continue to encourage the planning and development of vest pocket parks in older areas of the City.

Policy R-2 It shall be the intention of City Council to endorse the planting of street trees, landscaping of boulevards, and improvement to the visual approaches of the City.

Policy R-3 It shall be the intention of City Council to endorse the development and redevelopment of neighbourhood recreation areas which provide recreation opportunities for all members of the family in each neighbourhood.

Policy R-4 It shall be the intention of City Council to locate neighbourhood and district recreation areas in close proximity to school sites, where possible, so both the schools and citizens may achieve maximum usage of both facilities.

Policy R-5 It shall be the intention of City Council to develop district recreation areas, which provide recreation opportunities for a wide segment of the population, in each district.

Policy R-6 It shall be the intention of City Council to protect and develop the City-owned lands along Lake Charles, and MicMac as strong city wide recreation areas **(RC – Oct 26/21; E – Nov 27/21).**

Policy R-7 It shall be the intention of City Council to encourage the development of City recreation areas for use by all segments of the City's population.

Policy R-8 It shall be the intention of City Council to acquire the lands necessary for the provision of neighbourhood, district, and City recreation areas.

Policy R-9 It shall be the intention of City Council to encourage the development of a system of linkages (ie. paths, trails, etc.) between the major elements of the recreation system.

Policy R-10 It shall be the intention of City Council to explore with the Nova Scotia Power Corporation, ways to landscape their rights-of-way and make them more available for recreational purposes.

Policy R-11 It shall be the intention of City Council to acquire the lands necessary for, and to develop, a regional park in the Lake Charles/Lake Micmac area.

Policy R-12 It shall be the intention of City Council to encourage the operation of private recreational clubs and non-profit recreational agencies within the City of

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Dartmouth.

Policy R-13 It shall be the intention of City Council to encourage the operation of voluntary recreational organizations within the City of Dartmouth, and to provide financial, administrative, or technical support.

Policy R-14 It shall be the intention of City Council to utilize school buildings and grounds in ways that are appropriate to meeting the recreational, health and social, as well as educational needs of the community.

Policy R-15 It shall be the intention of City Council to use as a guideline for the provision of neighbourhood recreation space, between 2.3 and 6.1 acres of accessible, developed or potentially developable land per 1000 population within the neighbourhood, and shall attempt to achieve that level and encourage the participation of citizens in the development of these areas.

Policy R-16 It shall be the intention of City Council to use as a guideline for the provision of district recreation space, 4.3 to 7.4 acres of accessible, developed or potentially developable land per 1000 population within the district and shall attempt to achieve that level.

Policy R-17 It shall be the intention of City Council to use a guideline for the provision of City recreation space, 4.9 acres of accessible developed or potentially developable land per 1000 population within the City, and will attempt to achieve that level.

Policy R-18 It shall be the intention of City Council to investigate the matters of (1) segregation of recreation activities on the City's lakes and (2) regulation of motorized recreation vehicles within the City. It shall also be the intention of Council to promote safe use of the lakes and open spaces by setting restrictions based on the above mentioned investigations.

Policy R-19 Repealed (RC – Oct 26/21; E – Nov 27/21)

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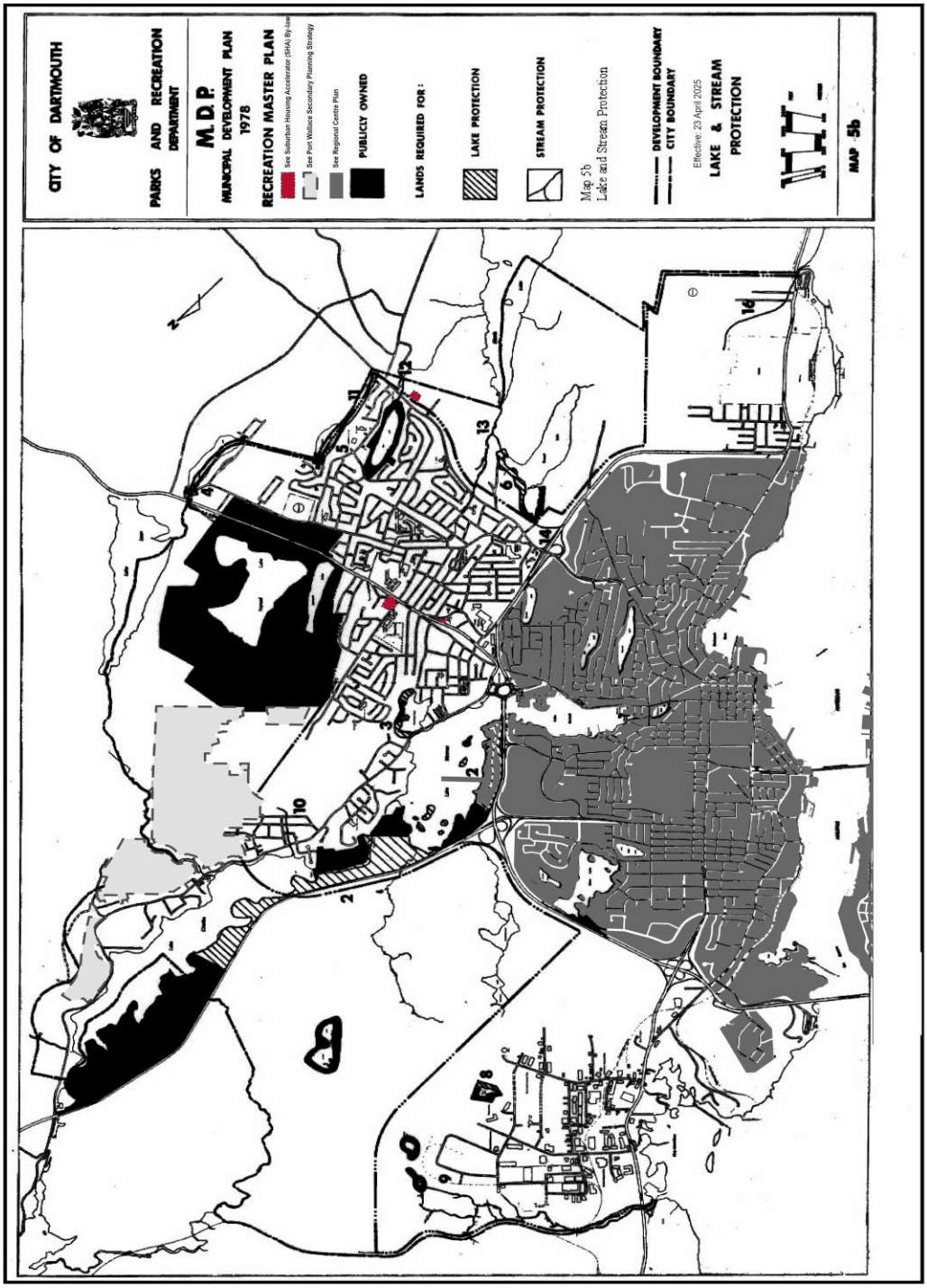
Map 5b: Lake and Stream Protection (Special Area Task Force-Jan 26/23;E-Feb 3/23) (RC-Mar 18/25; EFF Apr 23/25)



ENVIRONMENTAL CONCERNS

Environmental concerns in this section of the Municipal Development Plan is not meant to be all encompassing. The majority of environmental concerns, both physical and social, are dealt with in various other sections of this plan and shall not be repeated.

The forms of pollution normally associated with environmental concerns (air and noise pollution, etc.) fall under the jurisdiction of the Provincial or Federal governments. To this end, the City of Dartmouth may wish from time to time to make comments or presentations to these levels of government. There are however, four major areas that due to the individual significance, will be dealt with: (1) Lake and Lake Shore Protection, (2) Conservation of environmentally sensitive areas, physically unique areas, and major drainage systems, (3) View planes, and (4) Urban form.

(1) Lake and Lake Shore Protection

In June 1974 a report entitled "The Lake Study" was presented to City Council and subsequently approved (July, 1974). In general, the report dealt with the significance of the lake system to Dartmouth in terms of its recreational potential, community identity, and the opportunity to create a unique urban character for the City of Dartmouth. In dealing with these generalities, the report more specifically dealt with the effect traditional development had and will continue to have on the lake shores and eventually on the quality of water in the lakes as well as the recreational potential of the lake and the lakeshores. The analysis that was undertaken used a matrix approach to determine the susceptibility to erosion of the lake shores and consequently the effect that erosion will have on the lakes. Upon completion of the analysis, each lake was reviewed in detail and the areas to be protected were identified. After a review of the possible methods of protection, outright acquisition was determined as the most appropriate method of protection combined with providing a degree of recreational opportunities.

The study in its recommendations proposed a five year capital budget to acquire the lands necessary for this protection. Since 1974, several parcels of land have been acquired through a combination of acquisition, land swapping, and subdivision regulations. There is however, still significant parcels of land adjacent the lakes to be protected (See Map 6). It is therefore necessary for Council to restate its intention to protect the lakes and continue to acquire the additional lands.

Since 1974, the subdivision agreements for lands adjacent the lakes have included a lake protection package to assist in the protection of the quality of the lakes through preventive construction techniques (Policy E-1).

(2) Conservation of the Environmentally Sensitive Areas, Physically Unique Areas, and Major Drainage Systems

In the supplementary recommendations of the Lake Study, a strong emphasis was put on the protection of major brooks, streams, marshes, and swamp lands. These areas were indicated as requiring further study. Since that time, there has been a lot of concern from both City Council and city staff on the effect development is having on these areas, and in particular, the extensive flooding and accompanying damage that may result.

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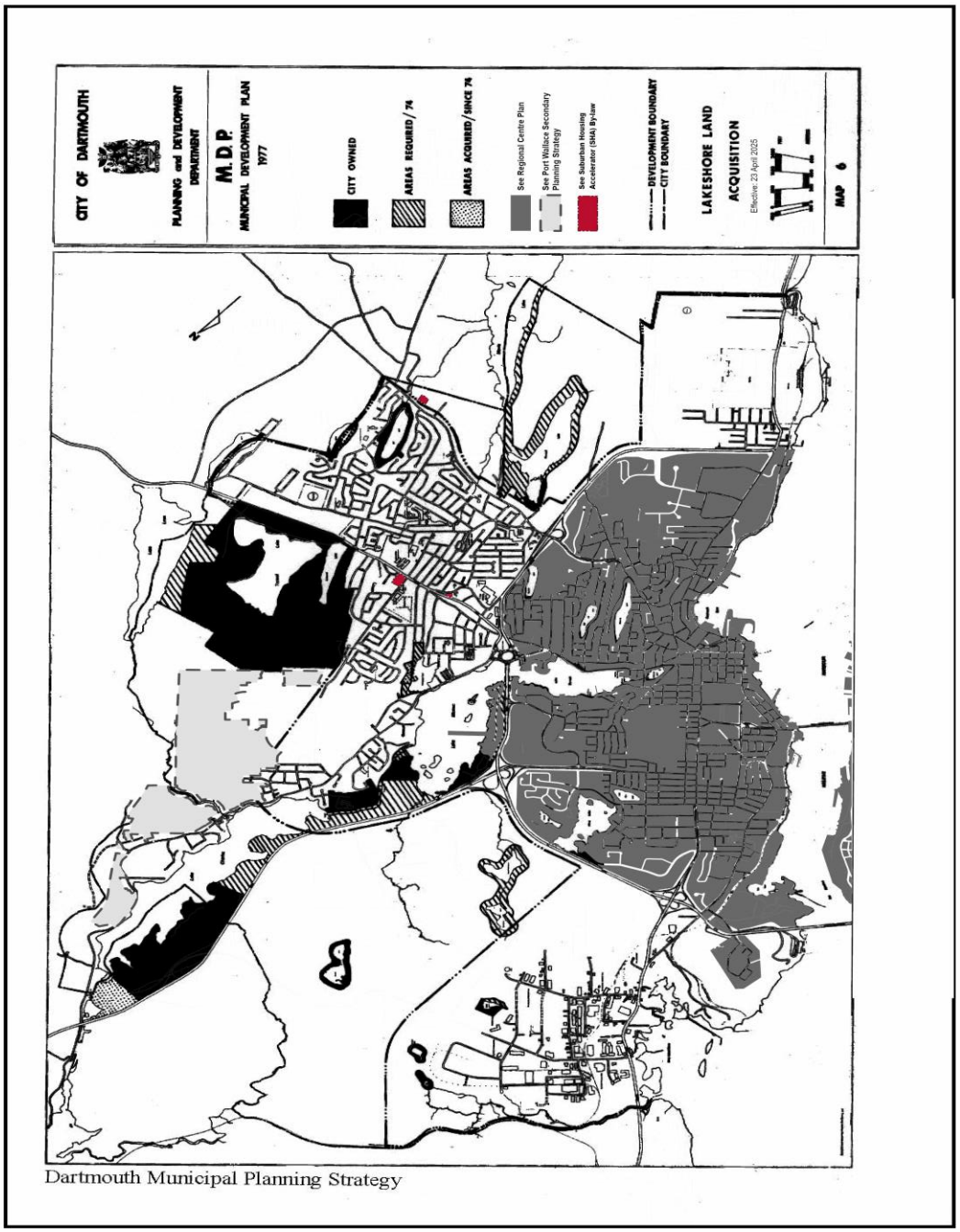
Map 6: Lakeshore Land Acquisition (Special Area Task Force-Jan 26/23;E-Feb 3/23) (RC-Mar 18/25; EFF Apr 23/25)



At the present time, city staff is reviewing one of these major swamps in detail (Kuhn Drive Swamp) to assess the impact of allowing development in this area. In addition to this, the Engineering Department is reviewing all major drainage and flooding problems that presently exist within the City of Dartmouth. Also, the Dartmouth Lakes Advisory Board has pointed out on numerous occasions the tremendous environmental value of swamps as retention areas and as integral elements of the overall drainage network of the City. At the March 7, 1978 meeting of City Council, a report from the Lakes Advisory Board requesting Council to adopt the necessary legislation to prevent in filling of "sensitive areas" was adopted. The report is now before the City Solicitor to draft this legislation. This legislation will work hand in hand with any other protective measurers.

Several methods of protection have been identified in the past (acquisition, subdivision regulations, setback requirements, etc.). The most recent method to date is through zoning that will "conserve" these unique and sensitive areas such as swamps, waterways, etc. A form of this conservation zoning has been identified in the Halifax-Dartmouth Regional Development Plan (Policy E-2).

(3) Views - Deleted **(RC – Oct 26/21; E – Nov 27/21)**

(4) Urban Form

In recent reports and discussions with City Council, the type of "living environment" being created in Dartmouth at all scales ranging from individual buildings to neighbourhoods to a city wide environment has been a concern with both Council and staff.

This is an area that traditionally has been very difficult to control or develop through normal regulations (zoning and subdivision, etc.). It is also the sort of issue that must gradually evolve within a process and not jumped into with both feet. Through programs such as N.I.P., small areas of the City are able in a variety of means to create the type and "form" of neighbourhood they desire working within the scope of the program. In new subdivisions, it becomes very important to be "aware" of the types of living environment that may or may not evolve as a result of the subdivision design and the components of that subdivision.

The problem of livability becomes even more difficult when reviewing applications or proposals for multiple family developments where the net effect is to create a neighbourhood in one building on one lot.

Dartmouth is in the very early stages of this evolution toward urban design and form. We are becoming more aware of the interrelationships between various uses and the importance of designing to human scales at all levels of development, etc. In time, this awareness and concern may evolve into things such as architectural review boards, etc.

In the early stages of this process, beautification of properties and buildings plays a very significant role in creating this "awareness" and will assist in developing more “interesting" and "livable" areas within the City. Through co-operation with groups such as the Chamber of Commerce and Horticultural Society, etc., the City could establish an award system for the beautification or restoration of various forms of land uses and buildings throughout the City (Policy E-5).

In conjunction with this, the City should investigate reviewing its tree planting program to the extent of developing some form of urban forestry program. This program would deal with the replacement of trees which have been removed for what ever reason as well as a regular planting program (Policy E-6).

Policy E-1 It shall be the intention of City Council to provide funds through the capital budget to acquire lands for the purpose of lake protection and the provision of recreational lands adjacent to the lakes.

Policy E-2 It shall be the intention of City Council to investigate environmentally sensitive areas, physically unique areas and major drainage systems, identify the areas to be protected and zone them "C" Conservation.

Policy E-3 Repealed

Policy E-4 Repealed

Policy E-5 It shall be the intention of City Council to establish an award system for the beautification of various forms of land uses within the City of Dartmouth.

Policy E-6 It shall be the intention of City Council to investigate the possibility of establishing an urban forestry program and an urban garden program.

Policy Ea-1 ***Deleted (RC-Jul 11/00;E-Sep 2/00)***

Policy Ea-2 ***Deleted (RC-Jul 11/00;E-Sep 2/00)***

Policy Ea-3 **Repealed (RC – Oct 26/21; E – Nov 27/21)**

Policy Ea-3a Repealed (RC – Oct 26/21; E – Nov 27/21)

Policy E-7 It shall be the intention of Council to require buildings to be setback from watercourses. It shall further be the intention of Council to require the provision of natural buffers within this setback to protect water quality, reduce the impacts of erosion and sedimentation, reduce the risk of contamination, and to protect shoreline habitat. (RC-Oct 2/01;E-Oct 31/01)

Policy E-8 It shall be the intention of Council to protect water quality and areas of natural habitat, by establishing in the Land Use By-law appropriate measures to mitigate the potential impacts of runoff and contaminants from commercial and industrial sites. (RC-Oct 2/01;E-Oct 31/01)

Immediately north of Kuhn Road, municipally owned properties include wetlands which function as a retention area for controlling runoff to the Morris-Russell Lake natural drainage system. To reflect this role while recognizing the limited sanitary sewer servicing in this area, the municipal lots closest to the wetlands should be retained for conservation purposes. (RC-Oct 6/15;E-Dec 5/15)

Policy E-9 Council shall retain and designate as Parks & Open Space, municipally owned

lots as shown on Map 9za - "Kuhn Road Designation and Kuhn Road Conservation Lands", and shall apply the C (Conservation) Zone to these lots, to protect the Kuhn Road wetlands. (RC-Oct 6/15;E-Dec 5/15)

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DOWNTOWN – PLEASE REFER TO DOWNTOWN DARTMOUTH SECONDARY PLANNING STRATEGY

Deleted: RC-Jul 11/00;E-Sep 2/00
Repealed - Policies DA-1...DA-22
Deleted - RC – Oct 26/21; E – Nov 27/21

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CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT STRATEGY

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Construction and Demolition Waste Management Strategy (RC-Sep 10/02;E-Nov 9/02)

The key objective of Halifax Regional Municipality's (HRM) Integrated Waste/Resource Management Strategy (IWMS) is to minimize the amount of material going to a municipal landfill. The IWMS comprises a number of components which must be implemented together in order to achieve its objectives.

Of the various components, construction and demolition (C&D) waste is a key component. Construction and demolition materials means materials which are normally used in the construction of buildings, structures, roadways, walls and landscaping features, and includes, but is not limited to, soil, asphalt, brick, concrete, ceramics, porcelain, window glass, mortar, drywall, plaster, cellulose, fiberglass fibres, lumber, wood, asphalt shingles and metals. The combination of strong economic growth and corresponding growth in waste generation has resulted in increased financial pressure on the Municipality. In the interests of the greater public, it is essential that all aspects of the integrated waste management system, especially opportunities to maximize diversion, operate effectively. The IWMS recognizes that, while a significant proportion of C&D waste should be reused or recycled, it is necessary for some of this material to be buried.

On January, 1998 Regional Council approved the following objectives in support of implementing an HRM-wide C&D Waste Management Strategy:

(i) maximize diversion from landfill through recycling of construction and demolition debris in keeping with the Halifax Regional Municipality Solid Waste Resources Strategy;
(ii) increase economic activity and value added processing through recovery of construction and demolition debris;
(iii) provide an opportunity to properly dispose of construction and demolition debris that cannot be recycled; and
(iv) minimize environmental, land use and nuisance impacts from the operation of construction and demolition debris transfer, processing and disposal operations.

The C&D Strategy is in keeping with the overall objectives of the IWMS. Its implementation requires that municipal planning documents recognize the unique land use requirements of the C&D industry and that a specific Licensing By-law is required to address operational issues. The intent is to provide a comprehensive regulatory framework that is applied fairly and consistently throughout HRM.

HRM discourages processing and disposal of some C&D waste at its landfill. Inert C&D material does not need to be disposed of at the regional landfill site. Generators or haulers of these materials are generally discouraged from utilizing municipal facilities due to comparatively high tipping fees which encourage the use of private recycling or disposal facilities. Hazardous C&D waste materials are not accepted at the landfill or at private recycling or disposal facilities and must be disposed of as set out in provincial legislation.

The following municipal planning policies are intended to support and/or implement key components of HRM's C&D Strategy.

SW-1 **It shall be the intention of Council to initiate an education and public awareness program for builders, home renovators and developers describing best practices for maximizing the amount of C&D materials recycled, reused and/or diverted from municipal landfill.**

SW-2 **It shall be the intent of Council to review its construction and procurement practices to ensure that C&D debris materials resulting from municipal construction projects are diverted to appropriate reuse and recycling facilities.**

SW-3 **Further to Policy SW-2, Council shall encourage provincial and federal agencies working within HRM to also review their construction and procurement practices to support recycling / reuse of C&D materials.**

The C&D industry comprises three types of operations which must be accommodated through land use regulations: C&D transfer stations; C&D processing operations; and C&D disposal operations. These facilities can operate independent of each other or jointly on the same or separate properties.

Operational and compatibility considerations related to C&D facilities require they not be located within residential, community facility, or environmentally sensitive designated areas. To minimize compatibility concerns, the Land Use By-law will permit C&D facilities only in areas designated industrial, where the density of residential development, types of uses permitted, and potential for land use conflicts is minimized. Further, as the potential impact of C&D operations on adjacent lands depends, to a degree, on the type of C&D operation, the Land Use By-law provisions will recognize individual characteristics of the three forms of C&D operations.

SW-4 **It shall be the intention of Council to provide a consistent approach to permitting C&D operations throughout HRM. Further, the Land Use By-law shall clearly define each type of operation and implement measures to minimize the impact of C&D operations on surrounding land uses and watercourses.**

SW-5 **It shall be the intention of Council to prohibit C&D operations from establishing in areas designated residential, community facility, or environmentally sensitive.**

Operational aspects of the C&D industry can be classified into two categories: operations where materials are transferred and/or processed; and operations which dispose of materials.

(1) Transfer Stations and Processing Facilities

Municipal planning documents adopted or amended prior to 2002 did not recognize C&D transfer stations and processing facilities as unique forms of land use. Instead, land use regulations generally provided for these uses under regulations which apply to other uses such as salvage yards and "industrial" or "processing" operations. This resulted in inconsistency and the creation of an uneven "playing field" for contractors and C&D operators. Additionally, standards were inappropriate in addressing unique siting, land use

and other aspects of the C&D industry. In order to ensure consistency, new C&D transfer and processing operations will be considered by rezoning. This will minimize the impact of such facilities on adjacent land uses and ensure that public consultation forms part of the process for considering new operations. Further, the site plan approval process will be used for all C&D operations to address compatibility issues on a site specific basis.

SW-6 **A CD-1 (C&D Transfer Stations) Zone shall be established in the land use by-law. The zone shall permit only C&D transfer stations and shall establish controls on setbacks from adjacent uses, buffering and screening, landscaping, access, and outdoor storage in order to minimize impacts on adjacent uses. Amendments to the schedules of the land use by-law to permit new C&D operations will only be considered where such operations are within the Industrial Designation and pursuant to the following criteria:**

- **(a)** **safe access to and from the site of the proposed operation shall be obtained from the abutting street or highway and the development shall not cause traffic circulation problems or traffic hazards due to the nature or level of traffic created;**
- **(b)** **no operation shall have direct access to a local road, as determined by the Municipality's Traffic and Transportation Services Division and any access road for such operations shall not be provided through lands zoned for residential or community use;**
- **(c)** **sites shall allow for the reasonable separation of the proposed operation from surrounding residential development;**
- **(d)** **consideration shall be given to the extent and location of open storage with respect to abutting properties;**
- **(e)** **scale and appearance of the proposed operation will not detract from or adversely affect surrounding developments;**
- **(f)** **the proposed site layout, including but not limited to landscaping, buildings or structures, access and egress, parking areas, signage, and outdoor storage or display areas, shall be appropriate having regard to the other provisions of this Policy;**
- **(g)** **adequate buffering and screening measures, including the use of berms, opaque fencing, and vegetation, shall be provided as a means to reduce any visual and/or noise intrusion to surrounding residential development;**
- **(h)** **applicant shall provide a report that addresses the effectiveness of environmental measures used to protect the natural environment (ie watercourse, groundwater, etc.);**
- **(i)** **no portion of the operation shall be located within a floodplain (1:100 year event);**
- **(j)** **consideration shall be given to the adequacy of onsite or central services; and**
- **(k)** **provisions of Policy IP-1(c).**

SW-7 **A CD-2 (C&D Recycling Operations) Zone shall be established in the land use by-law. The zone shall permit C&D recycling operations and CD-1 Zone uses, excluding disposal, and shall establish controls on setbacks from adjacent uses, provide buffering and screening, landscaping measures, regulate access and**

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outdoor storage in order to minimize impact on adjacent uses. Amendments to the schedules of the land use by-law to permit new CD-2 Zone uses shall only be considered where such operations are within the Industrial Designation, and pursuant to criteria of Policy SW-6.

In 2020, amendments to this Plan and the Land Use By-Law introduced new policy and zoning for Burnside Industrial Park. Through this process, it was determined that Burnside Industrial Park may be an appropriate place for C&D Transfer Stations and Processing Facilities given the industrial focus of land use policies and zoning of the area.

SW-7A Notwithstanding policies SW-6 and SW-7, C&D transfer stations and C&D recycling operations shall be permitted in the Burnside General Industrial (BGI) Zone. C&D operations in the BGI Zone shall be required to meet the lot size and setback requirements for heavy industrial uses in the BGI Zone, as well as the requirements of the CD-1 and CD-2 Zones. (RC-Sep 30/20; E-Dec 5/20)

(2) C&D Disposal Facilities

In the past, construction and demolition materials were disposed of either through use as general fill material at private sites or through disposal at the regional landfill facility. Respectively, these practices have come under criticism due to concerns about potential environmental impacts associated with disposal at unregulated private facilities and the financial burden associated with disposing of significant amounts of C&D waste at a municipal landfill site which was not designed to accommodate this material.

Past disposal practices have prevented significant amounts of C&D materials from being either reused or recycled and a lack of permitted locations for C&D waste disposal has contributed to illegal dumping on private and Crown land. Historically, there have been no approved locations in HRM where construction and demolition waste can be both conveniently and safely landfilled despite the existence of Provincial regulations which provide sufficient environmental protection.

Under Provincial regulations, businesses which dispose of C&D materials are classified into two categories:

(a) Facilities which dispose of only inert C&D materials for which Ministerial approval and a permit from the Department of the Environment are not required. Inert materials are defined as "rock (excluding sulphide bearing rock), aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials, trees, brush, limbs, stumps, root balls, organic mat, milled wood that is free of adhesives, coatings or preservatives.

(b) Facilities which dispose of all types of C&D materials (inert and non-inert) for which Ministerial approval is required. These operations require a permit from the Department of the Environment and Labour in accordance with Provincial "Construction and Demolition Debris Disposal Site Guidelines", to address the design and operational requirements.

Any C&D disposal operation is required to comply with the provisions of HRM's C&D

Licensing By-law. The By-law prohibits disposal of materials which can be recycled or reused and will significantly minimize the number of such disposal operations. Neither the C&D License By-law nor provincial regulations prohibit the use of inert materials as fill on individual properties. Consequently, the regulation of C&D disposal facilities through municipal planning documents should focus on land use compatibility issues and locational criteria.

Under the Municipal Government Act, municipalities can regulate where disposal operations are permitted. To address land use compatibility issues, a C&D disposal zone shall be established in the Land Use By-law and disposal sites shall only be considered through the rezoning and site plan approval process.

SW-8 A CD-3 (C&D Disposal) Zone shall be established in the land use by-law. The zone shall permit C&D disposal operations, CD-2 zone uses and establish controls relative to setbacks from adjacent uses, buffering and screening, landscaping, access, and outdoor storage in order to minimize impact on adjacent uses. Amendments to the schedules of the land use by-law to permit new C&D disposal operations shall be considered where such operations are within the Industrial Designation and pursuant to the following criteria:

(a) the applicant shall provide the level of information for a complete C&D disposal operation required by the N.S. Department of the Environment and Labour for approval; and
(b) those criteria outlined in Policy SW-6.

(3) Site Plan Approval

In order to minimize associated land use concerns all C&D operations shall proceed through the Site Plan Approval process.

SW-9 Further to Policies SW-6, SW-7, and SW-8, C&D operations shall be regulated under a Site Plan Approval Process in order to minimize land use impacts. Siting standards shall be set out in the Land Use By-law to address such items as, but not limited to, screening, access, outdoor storage, maintenance, stormwater management, lighting, signage, and landscaping measures.

(4) Existing C&D Operations

There are a number of existing C&D operations (transfer stations and processing operations) throughout HRM. To recognize these existing operations, applicable zoning shall be applied to reflect the use conducted on these properties in conjunction with the adoption of the amendments.

SW-10 It shall be the intention of Council to recognize existing C&D operations by applying the applicable zone to reflect their existing use.

SW-11 Further to Policy SW-10, any expansion of an existing C&D operation (ie. addition to an existing building, a new building, or a new/change of use) shall be subject to

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the site plan approval process.

(5) Community Liaison Committee (CLC)

A concern of most communities, relative to C&D disposal operations, is not knowing whether or not the community and environment are being protected. To address these concerns, the N.S. Department of the Environment and Labour has the option to require a Community Liaison Committee in association with disposal operations. HRM supports the establishment of a CLC for C&D disposal operations and wishes to be involved with the committee to provide information on municipal approvals, requirements, and enforcement issues.

SW-12 Council shall recommend to the N.S. Department of the Environment and Labour that a Community Liaison Committee be established for all C&D disposal operations within HRM.

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IMPLEMENTATION

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Table 4: Generalized Land Use Matrix

Table 4

Reserve	Urban Core	Institutional	Park & Open Space	Industrial	Commercial	Residential	″ General Land Use Classification Land Use ↓
●					●	●	Single
					●	●	Duplex
					●	●	Low Density Multiple
					●	●	Medium Density Multiple
					●	●	High Density Multiple
						●	Mobile Homes
				●	●	●	Neighbourhood Con. Stores
●					●	●	Home Occupations
				●	●		Retail Trade
				●	●		Service Commercial
				●	●		Regional Commercial
				●	●		Local Office
							General Office
			●	●	●		Tourist Commercial
				●	●		Warehousing/Distribution
				●			Light Industrial
				●			Harbour Oriented Industrial
				●			General Industrial
●		●	●	●	●	●	Local Parks/Rec. Facilities
		●	●	●	●	●	District Parks/Rec. Facilities
		●	●	●	●	●	City Parks/Rec. Facilities
●		●	●	●			Regional Parks & Facilities
●			●				Watershed
●		●	●	●	●	●	Environmental Protection Area
●		●	●	●	●	●	Local Institutional
●		●	●	●	●	●	City/Regional Institutional
●		●	●	●	●	●	Utilities

Deleted-RC-Jul 11/00;E-Sep 2/00

(As amended, By-law C-475, Sept 20/83)

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Table 4a: Generalized Land Use Matrix – Waverley Road Designation (RC-Sep 8/09;E-Nov 14/09)

Table 4a: Generalized Land Use Matrix – Waverley Road Designation			
WR Mixed Use Sub-designation	**WR Neighbourhood Sub-designation**	**WR Low Density Residential Sub-designation**	**<<< Sub-designation** *Land Use*
●	●	●	Single Unit Dwelling
●	●	●	Auxiliary Dwelling Unit
●	●	●	Two Unit Dwelling
●	●		Townhouse
●	●	●	Multiple Unit Dwelling
			Mobile Homes
●	●	●	Neighbourhood Conv. Stores
●	●	●	Home Occupations
●	●		Retail Trade
●	●		Service Commercial
			Regional Commercial
●	●		Local Office
●	●		General Office
●	●		Tourist Commercial
			Warehousing / Distribution
			Light Industrial
			Harbour Oriented Industrial
			General Industrial
●	●	●	Local Parks / Rec. Facilities
●	●	●	District Parks / Rec. Facilities
●	●	●	City Parks / Rec. Facilities
●	●	●	Regional Parks & Facilities
			Watershed
●	●	●	Environmental Protection Area
●	●	●	Local Institutional
●	●	●	City / Regional Institutional
●	●	●	Utilities

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Table 4b: Generalized Land Use Matrix – Main Street Designation (RC-Sep 10/13; E-Nov 30/13)

Town Centre Sub-Designation	Town Residential Sub-Designation	Neighbourhood Edge Sub-Designation	<<<Sub-Designation *Land Use*
	•	•	Single Unit Dwelling
	•	•	Auxiliary Dwelling Unit
	•	•	Two Unit Dwelling
	•		Townhouse
•	•	•	Multiple Unit Dwelling
			Mobile Homes
•			Neighbourhood Conv. Stores
•	•	•	Home Occupations
•		*	Retail Trade
•		+	Service Commercial
•			Regional Commercial
•		•	Local Office
•		•	General Office
•		*	Tourist Commercial
			Warehousing/Distribution
			Light Industrial
			Harbour Oriented Industrial
			General Industrial
•	•	•	Local Park/Rec. Facilities
•	•	•	District Parks/Rec. Facilities
•	•	•	City Parks/Rec. Facilities
•	•	•	Regional Parks & Facilities
			Watershed
			Environmental Protection Area
•	•	•	Local Institutional
•	•	•	City/Regional Institutional
•			Utilities

* Only retail accessory to a craftshop, day spa, studio or office, in NLW Zone only.
\+ Spa only, in NLW Zone only.

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Implementation

Policy IP-1

(a) The Municipal Development Plan for the City of Dartmouth is the prime policy document providing an ongoing framework by which the future growth of the City shall be encouraged, controlled, and coordinated. The policies of this plan will be implemented by a variety of means, but generally through action of City Council as provided by Provincial Legislation and the City Charter.

In addition to employing specific implementation measures, it shall be the intention of City Council to carry on an ongoing planning program through the Committee-of-the-Whole system of Council, the Planning Department, and to encourage the general public and organizations to comment on and participate in planning matters in the City. Particular attention is being given to the downtown/waterfront development, environmental matters, protection of the City's lakes, community and neighbourhood planning programs, by-law amendments and other issues which Council deems suitable.

(b) Generalized Land Use

The generalized land use categories for the City shall include: (1) Residential, (2) Commercial, (3) Industrial, (4) Park and Open Space, (5) Institutional, **(6) Waverley Road, (7) Wright's Cove, (8) Main Street, (9) Kuhn Road, and (10) Reserve. Map 10 (Generalized Future Land Use) shows the distribution of the generalised land use designation within the plan area**. (***Added-RC-Mar 5/19;E-Apr 6/19). (As amended by By-law C-475, Sept. 20, 1983).***

Tables 4, 4a and 4b identify (RC-Sep 10/13;E-Nov 30/13), in matrix form, the permitted uses under each **generalized land use** category. The uses permitted in the Zoning By-law shall be consistent with uses permitted under each category as shown **in matrix form on Tables 4, 4a and 4b (RC-Sep 10/13;E-Nov 30/13)**.

Zoning amendments may be considered for any permitted use within each generalized land use category without a plan amendment provided that they do not conflict with the policies of this plan.

An area immediately adjacent a given generalized land use designation maybe considered for a zoning amendment to a use permitted within the adjacent designation without requiring a plan amendment, provided that the policies of this plan are not violated.

(c) Zoning By-law

The Zoning By-law is the principal mechanism by which land use policies shall be implemented. lt shall set out zones, permitted uses and development standards which shall reflect the policies of the Municipal Development Plan as per Section 33 (3) of the Planning Act. **The zoning by-law may use site plan approval as a mechanism to regulate various uses. (RC-Sep 8/09;E-Nov 14/09)**

It shall recognize that certain areas are premature for specific zoning classifications by

reason of lack of services, public facilities or other constraints. Council shall use the H-zone (Holding Zone). ***In the H Zone the permitted types of uses shall be limited in accordance with the Reserve classification in Table 4 (As amended by By-law C-475, Sept. 20, 1983).*** In this manner, Council can maintain a comparatively high degree of control, and major development proposals contemplated for such areas shall be processed as zoning amendments.

In considering zoning amendments and contract zoning, Council shall have regard to the following:

(1) that the proposal is in conformance with the policies and intent of the Municipal Development Plan
(2) that the proposal is compatible ~~and consistent~~ with adjacent uses and the existing development form in the area in terms of the use, bulk, and scale of the proposal
(3) provisions for buffering, landscaping, screening, and access control to reduce potential incompatibilities with adjacent land uses and traffic arteries
(4) that the proposal is not premature or inappropriate by reason of:
    (i) the financial capability of the City is to absorb any costs relating to the development
    (ii) the adequacy of sewer and water services and public utilities
    (iii) the adequacy and proximity of schools, recreation and other public facilities
    (iv) the adequacy of transportation networks in adjacent to or leading to the development
    (v) existing or potential dangers for the contamination of water bodies or courses or the creation of erosion or sedimentation of such areas
    (vi) preventing public access to the shorelines or the waterfront
    (vii) the presence of natural, historical features, buildings or sites
    (viii) create a scattered development pattern requiring extensions to truck facilities and public services while other such facilities remain under utilized
    (ix) the detrimental economic or social effect that it may have on other areas of the City.
(5) that the proposal is not an obnoxious use
(6) that controls by way of agreements or other legal devices are placed on proposed developments to ensure compliance with approved plans and coordination between adjacent or near by land uses and public facilities. Such controls may relate to, but are not limited to, the following:
    (i) type of use, density, and phasing
    (ii) emissions including air, water, noise
    (iii) traffic generation, access to and egress from the site, and parking
    (iv) open storage and landscaping
    (v) provisions for pedestrian movement and safety
    (vi) management of open space, parks, walkways
    (vii) drainage both natural and sub-surface and soil-stability
    (viii) performance bonds.
(7) suitability of the proposed site in terms of steepness of slope, soil conditions, rock outcroppings, location of watercourses, marshes, swamps, bogs, areas subject to flooding, proximity to major highways, ramps, railroads, or other nuisance factors
(8) that in addition to the public hearing requirements as set out in the Planning Act and City by-laws, all applications for amendments may be aired to the public via the “voluntary" public hearing process established by City Council for the purposes of information

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exchange between the applicant and residents. This voluntary meeting allows the residents to clearly understand the proposal previous to the formal public hearing before City Council

(9) that in addition to the foregoing, all zoning amendments are prepared in sufficient detail to provide:

(i) Council with a clear indication of the nature of proposed development, and

(ii) permit staff to assess and determine the impact such development would have on the land and the surrounding community

(10) ***Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the "Infrastructure Charges" Policies of this MPS. (RC-Jul 2/02;E-Aug 17/02)***

(d) Subdivision Regulations

It shall be the intention of City Council to:

(1) continue to enforce the presently prescribed subdivision

(2) undertake a review of the regulations for the purpose of updating standards and bringing the regulations in line with the policies of this Municipal Development Plan

(e) Comprehensive Development Districts

It shall be the intention of City Council to permit or require the designation of comprehensive development districts according to Policies H-3, H-3A, H-3B and H-3C. (As amended by By-law C-697, June 18, 1993).

(f) Other Development Controls

It shall be the intention of City Council to continue to provide control over development using its current by-laws and regulations as may be amended from time to time which shall include, but not necessarily limited to:

(i) Building By-law
(ii) Mobile Home By-law
(iii) Unsightly Premises By-law
(iv) Nuisance By-law
(v) Minimum Standards and Maintenance By-law
(vi) Sign By-law

(g) Development Officer

It shall be the intention of City Council to:

(1) continue the administration of the appropriate Development Control Regulations and By-laws through the Development Officer as designated under the provisions of the Dartmouth City Charter

(2) appoint the Development Officer in accordance with Section 43 (l) of the Planning Act and such officer shall administer the Zoning By-law and all subdivision controls and shall grant development permits

(h) Effects of Adoption

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The adoption of this plan shall not commit Council to undertake any to the projects contained herein, but shall prevent Council from undertaking any development, within the scope of the Plan, in a manner which is inconsistent or at variance with the Plan.

The Council shall insure that copies of the approved Plan are made available to the public.

(i) Municipal Development Plan Amendments

The procedure for amending the Municipal Development Plan is the same as the procedure for adopting a Municipal Development Plan. Council must pass a by-law by majority vote after holding a public hearing duly advertised (Section 15 (1) Planning Act) and considering any written and verbal objections to the amendment. The amendment is then subject to approval of the Minister of Municipal Affairs (Section 16 & 18 Planning Act).

Planning amendments are required when:

(1) a major policy intent is changed
(2) where a detailed planning study has resulted In a zoning amendment that will violate the generalized land use plan
(3) where detailed studies have been carried out as a refinement to the Municipal Development Plan and it is the desire of City Council to incorporate such studies into the Plan.

(j) Plan Amendments Not Required

An amendment to the Plan shall not be required where:

(1) rezonings which fall within the list of permitted uses within the generalized land use categories as shown on Table 4 and Map 8
(2) rezonings on/or adjacent the generalized land use boundaries as shown on Map 8 where the effect of the rezoning is to provide more detailed boundary definitions between differing generalized land use categories
(3) updating the Development Control By-laws that do not conflict with the intent of the policies of the Plan.

(k) Plan Review

In accordance with Section 20 of the Planning Act, this Plan may be reviewed when either the Minister of Municipal Affairs or Council deems it necessary, but in any case, be reviewed not later than five (5) years from its coming into force or from the last review.

(l) Capital Program

In addition to guiding and giving order to private development within the City, Council may undertake programs of its own to encourage development in certain areas, improve, enhance, or provide for a greater range of social, recreational, cultural, educational facilities and activities.

In order to achieve these fundamental goals for the total community, it shall be the intention of Council to incorporate the policies and programs of this Plan into the Capital budget to the greatest extent possible with a goal of eventual full integration of planning and capital programming.

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(m) Development Agreements

1. Day Nurseries

Day Nurseries are a necessary aspect of any community. They have been permitted, as of right, in Commercial, Industrial and Institutional Zones. Permitting day nurseries (other than home occupations) in areas designated Residential (Deleted-RC-Jul 11/00,E-Sep 2/00) on the Generalized land Use (G.L.U.) Map will make them accessible and convenient; at the same time it is necessary to reduce the impact of such development on residential and urban core areas, and to ensure their proper integration and compatibility with those areas. Day nurseries should be permitted in residential and urban core areas by Development Agreement, therefore, the merits of each proposed development can be considered individually, as they relate to the policies contained in this Municipal Planning Strategy.

Policy IP-2 ***It shall be the intention of City Council to consider permitting the development of day nurseries (other than as home occupations) in areas designated Residential (outlined on Map 10) by development Agreement.***

It shall be the intention of City Council to allow only non-illuminated fascia signs on lands used for day nurseries.

It shall be the intention of City Council to require a site plan showing the proposed development including the location of buffers (fencing, hedges, screening) and the building.

In considering approval of such Development Agreements, Council shall consider the following matters:

- ***(a) compatibility of external appearance and scale of buildings with existing residential development;***
- ***(b) hours of operation;***
- ***(c) the criteria set out in Policy IP-1(c);***
- ***(d) parking; and***
- ***(e) buffers in the form of fences, screening and landscaping.***

(n) Residential Development of Existing Undersized Lots, Including Lots with Insufficient Frontage

The minimum lot size in the Land Use By-law for R-1 and R-2 development in the City is 5000 square feet with a minimum of 50 foot frontage. Throughout the City there are many existing undersized lots which were created before there were minimum lot size restrictions. The owners are entitled to develop these lots, provided they meet: Land Use By-law requirements regarding lot coverage; sideyards and setbacks. However, conventionally designed housing is difficult to place on those lots because of their size, and the most satisfactory development could be achieved by allowing some flexibility in the Land Use By-law and Subdivision By-law requirements. This flexibility should be permitted by use of Development Agreements under certain conditions.

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Policy IP-3 ***Where there is an R-1 or R-2 zoned lot in an area designated Residential on Map 10, and which lot has insufficient area, frontage or both and which abuts a vacant R-1 or R-2 zoned lot which has insufficient area, frontage or both, it shall be the intention of City Council to consider the resubdivision, but not the consolidation of, two lots, by Development Agreement.***

It shall be the intention of City Council that Development Agreements shall be considered only where the two lots being resubdivided and developed are both vacant or where one has an existing residential use on the date this amendment takes effect.

It shall be the intention of City Council that:

(a) where the existing zoning on the land is R-1, only one dwelling unit may be proposed for each lot, or where the existing zoning on the land is R-2, then single detached, semi-detached or duplex dwellings may be proposed for each lot;
(b) that parking requirements of the Land Use By-law shall be complied with; and
(c) the resubdivision shall not reduce the size of the lot by more than 25%.

It shall also be the intention of City Council to require a site plan showing the proposed development, including the location of buffers and buildings.

In considering the approval of such Agreements, Council shall consider the following:

(i) compatibility of external appearance and scale of buildings in terms of height, length and width, with existing residential development;
(ii) the criteria set out in Policy IP-1(c) herein.

Policy IP-4 ***It shall also be the intention of City Council to permit the development of a semi-detached or duplex dwelling or a basement apartment added to a single family dwelling so that each building contains only two families on an R-2 lot (existing at the time of the adoption of this amendment) where such a lot does not have sufficient area, frontage or both only by Development Agreement.***

It shall also be the intention of City Council to require a site plan showing the proposed development, including the location of buffers and buildings.

In considering the approval of such Agreements, Council shall consider the following:

(i) compatibility of external appearance and scale of buildings (in terms of height, length and width) with existing residential development;
(ii) the criteria set out in Policy IP-1(c) herein.

(As amended by By-law C-617, Aug.21, 1987)

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(o) Apartment Building Development

Careful consideration should be given to the construction of apartment buildings throughout the City. Recently, concerns have been expressed about the exterior design, density, concentration, site treatment, massing and traffic issues as they relate to apartment development. These issues could be addressed by the Development Agreement process and would also permit public involvement in the evaluation of the proposed development.

Policy IP-5 ***It shall be the intention of City Council to consider (RC-May 23/24;E-Jun 13/24) Development Agreements for apartment building development in R-3, R-4, C-2, C-3, MF-1 and GC Zones or shared housing uses at a larger scale than permitted in the underlying zone in R-3, R-4, C-2, MF-1 and GC Zones (RC-Aug 9/22;E-Sep 15/22). Council shall require a site plan, building elevations and perspective drawings for the apartment development indicating such things as the size of the building(s), access & egress to the site, landscaping, amenity space, parking and location of site features such as refuse containers and fuel storage tanks for the building.***

In considering the approval of such Agreements, Council shall consider the following criteria:

- ***(a) adequacy of the exterior design, height, bulk and scale of the new apartment development with respect to its compatibility with the existing neighbourhood;***
- ***(b) adequacy of controls placed on the proposed development to reduce conflict with any adjacent or nearby land uses by reason of:***
  - ***(i) the height, size, bulk, density, lot coverage, lot size and lot frontage of any proposed building;***
  - ***(ii) traffic generation, access to and egress from the site; and***
  - ***(iii) parking;***
- ***(c) adequacy or proximity of schools, recreation areas and other community facilities;***
- ***(d) adequacy of transportation networks in, adjacent to, and leading to the development;***
- ***(e) adequacy of useable amenity space and attractive landscaping such that the needs of a variety of household types are addressed and the development is aesthetically pleasing;***
- ***(f) that mature trees and other natural site features are preserved where possible;***
- ***(g) adequacy of buffering from abutting land uses;***
- ***(h) the impacts of altering land levels as it relates to drainage, aesthetics and soil stability and slope treatment; and***
- ***(i) the Land Use By-law amendment criteria as set out in Policy IP-1(c).***

(<u>As amended by By-law C-692, Dec. 4, 1991</u>)

Policy IP-5A Notwithstanding Policy IP-5, within the Main Street Designation, Council shall permit apartment buildings through the Land Use By-Law. (RC-Sep

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10/13;E-Nov 30/13)

(p) 303 Main Street

The property at 303 Main Street is designated Residential on the Generalized Land Use Map and contains a structure accommodating two non-conforming commercial uses. These uses have existed on the property for many years. In 1994, a review of this situation and the potential for the replacement of the existing structure with a new commercial/residential structure concludes that the redevelopment would improve the appearance and operation, and be acceptable in terms of land use in the vicinity. In order to ensure that Council maintains sufficient land use and site planning controls on such a redevelopment, it should be considered by development agreement.

Future changes in the type of commercial use permitted on the property should be restricted to uses that would exert no serious negative effects on surrounding properties or the transportation network.

Policy IP-6 ***Notwithstanding that structures containing non-conforming commercial uses are not permitted to be redeveloped on lands designated Residential, it shall be the intention of City Council to consider, by development agreement, on lands identified as civic number 303 Main Street, the replacement of a structure containing non-conforming commercial uses with a new structure to contain:***

- ***(a) on the ground floor, a restaurant which may not sell, or be licensed to sell alcoholic beverages and a tile and terrazzo business, or either such uses; or residential uses; and***
- ***(b) on the second floor, residential uses.***

Policy IP-7 ***Notwithstanding Part (a) of Policy IP-6, the development agreement for the property may permit other retail, office or service commercial uses on the ground floor of the structure, in place of either or both of the commercial uses listed in Policy IP-6 (a), provided the following conditions are met:***

- ***(a) no late-night hours of operation are permitted;***
- ***(b) no automotive sales, rental, service or repair are permitted;***
- ***(c) no use that sells alcoholic beverages, adult entertainment uses, amusement centres, video outlets or restaurants having drive-through facilities are permitted;***
- ***(d) no industrial uses are permitted except for the existing processing operation specifically associated with the existing tile and terrazzo business; and***
- ***(e) no outdoor storage or display is permitted, except for items such as fuel storage tanks, electrical transformers and refuse containers.***

Policy IP-8 ***Pursuant to Policies IP-6 and IP-7, Council shall consider the following prior to approving any development agreement on the property:***

- ***(a) the type and nature of any proposed commercial use, in terms of its compatibility with the surrounding residential neighbourhood and its***

effects on the transportation network;

(b) the compatibility of the building's size, height, and external design with that of adjacent buildings;

(c) the adequacy of buffering, screening and landscaping;

(d) the adequacy of the amount and location of parking, access, the amount of traffic generation and the impact on the adjacent street network;

(e) the adequacy of municipal services;

(f) the adequacy of controls regulating such items as signage, hours of operation, landscaping and environmental protection;

(g) any other matters, including criteria listed in Policy IP-1(c) that concern potential impacts that the proposed development may have on the surrounding area.

(As amended by By-law C-712, Dec.2, 1994)

(q) Lake Banook Canoe Course Repealed (RC – Oct 26/21; E – Nov 27/21)

(r) Adult Cabarets and Massage Parlours

Adult Cabarets and Massage Parlours require specific measures to reduce impacts to neighbouring properties. Adequate buffering must be provided to ensure privacy to more sensitive uses. Land use regulation requirements regarding lot size, lot coverage, sideyards and setbacks are required to meet regulations set out in the underlying zone within which the use is proposed. Further, in order to ensure that Council has appropriate control over site planning for this form of development, Adult Cabarets and Massage Parlours shall only be considered by development agreement.

***Policy IP-9* - Repealed (RC – Oct 26/21; E – Nov 27/21)**

***Policy IP-10* - Repealed (RC – Oct 26/21; E – Nov 27/21)**

***Policy IP-11* - Repealed (RC – Oct 26/21; E – Nov 27/21)**

Policy IP-12 ***Land use regulations requirements regarding lot size, lot coverage, sideyards and setbacks are required to meet regulations set out in the underlying zone within which the use is proposed and subject to a development agreement in accordance in accordance with Policy IP-13.***

Policy IP-13 ***Pursuant to Policy IP-12, the Council shall consider the following prior to approving any development agreement for an Adult Cabaret or a Massage Parlour on the property:***

(a) the type and nature of any proposed commercial use, in terms of its compatibility and effect to the surrounding residential neighbourhood and its effects on the transportation network;

(b) the type and nature of any proposed commercial use in terms of its compatibility and effect to the surrounding commercial area in which it is intended to be located;

(c) without restricting the generality of the foregoing this use shall not be permitted within proximity to any residential use or any school, library, park, playground or other recreational facility, or place of worship, public

and semi-public gathering place, or daycare centre or early childhood intervention facility;

(d) the compatibility of the building's size, height, and external design with that of adjacent buildings;

(e) the adequacy of buffering, screening and landscaping;

(f) the adequacy of controls regulating such items as hours of operation;

(g) no outdoor storage or display is permitted, except for items such as fuel storage tanks, electrical transformers and refuse containers;

(h) adequate site maintenance;

(i) not more than one Adult Cabaret shall be permitted in one building;

(j) not more than one Massage Parlour shall be permitted in one building;

(k) Signage, for the purpose of advertising for a Adult Cabaret or a Massage Parlour use shall be limited to one sign, and shall only bear the name of the Adult Cabaret or Massage Parlour. All other controls shall be in accordance with the provisions of the development agreement;

(l) the adequacy of the amount and location of parking, access, the amount of traffic generation and the impact on the adjacent street network;

(m) the adequacy of municipal services; and,

(n) any other matters, including criteria listed in Policy IP-1(c) that concern potential impacts that the proposed development may have on the surrounding area.

(RC-Jan 31/06;E-Mar 16/06)

(s) Temporary Signage

In recent years, HRM has received a number of complaints regarding signage throughout the region, especially along major transportation routes. Most of the concerns raised with signage deal with the location, number, and maintenance of mobile signs, sandwich boards, posters, inflatable signs, planter box type signs, and banners (known as Temporary Signs). To address the lack of adequate sign provisions and effective enforcement tools for temporary signage, HRM established a license by-law under the Municipal Government (HRM By-law S-800). Therefore, any reference or provision relating to temporary signs within the land use by-law is superceded by the provisions of By-law S-800.

Policy IP-14 The land use by-law shall contain sign provisions for those signs not regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs). (RC-Sep 26/06;E-Nov 18/06)

Registered Heritage Properties (RC-Nov 21/08;E-Jan 10/09)

Council should encourage the reuse, restoration and retention of heritage properties. One method to encourage this is through the relaxation of zoning requirements, including the consideration of uses other than those which are permitted by the land use by-law, for registered heritage properties. To reduce the potential for conflict between these properties and the surrounding area, the development agreement process is the recommended method to consider these expanded uses. Any additions or alterations to the building should be consistent with the policies that address heritage properties as contained in the Regional Municipal Planning Strategy.

IP-15 **Council shall consider uses other than those which are permitted by the land use by-law for registered heritage properties, in accordance with Policy CH-7A of the Halifax Regional Municipal Planning Strategy. (RC-Oct 11/22;Nov 16/22)**

IP-16 **Where there is enabling policy to consider the development, by development agreement, of multiple unit dwellings or the expansion of existing multiple unit dwellings, such policy may be used to consider the development of shared housing uses at a larger scale than what is permitted by the Land Use By-law. (RC-Aug 9/22;E-Sep 15/22)**

(t) Infrastructure Charges (RC-Jul 2/02;E-Aug 17/02)

Halifax Regional Municipality has experienced sustained residential and commercial growth throughout the past several decades. The provision of new street and underground servicing systems to accommodate new developments is generally the responsibility of individual developers as condition of development approval and municipal take over of such servicing systems. In many cases, however, these servicing systems are sized and constructed to accommodate only the immediate area in which new development occurs. This leads to problems when the cumulative effect of individual developments either impact on, or are impacted by, the capability of overall community and regional infrastructure to accommodate growth.

Costs associated with ensuring that the size and extent of infrastructure required to accommodate new growth and its impacts on existing communities have been assumed largely by public sector funding. Traditional sources of public funding for municipal infrastructure have been reduced and new infrastructure will need to be funded without public financing available in the past. This presents a significant challenge to the Municipality in terms of balancing the economic benefits of new growth with the need to ensure that the infrastructure required to support growth is provided in a timely and cost-effective manner.

Council is concerned that many of the trunk infrastructure systems in the Municipality are nearing their design capacities and recognizes that new servicing systems are required to meet the needs of the community. An Integrated Servicing Study recently prepared for the Municipality identified substantial new infrastructure required in order to accommodate future development.

The Municipality has adopted a Multi-Year Financial Strategy with respect to its debt load and financial position. The Municipality is not in a financial position to absorb the capital costs associated with upgrading and extending the infrastructure necessary to facilitate future development, nor is it prepared to burden existing taxpayers with additional capital costs associated with new development.

In order to help facilitate continued growth without imposing an excessive financial burden on the existing taxpayers of the Municipality, it is Council's intention to recover infrastructure-related costs associated with new growth in the form of Infrastructure Charges in accordance with the provisions of the Municipal Government Act (MGA). Recovery of Infrastructure Charges will enable the Municipality to allocate the capital

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costs associated with new infrastructure to developers and subdividers deriving servicing benefits from the new infrastructure.

In keeping with the MGA, Infrastructure Charges for:

(a) new or expanded water systems;
(b) new or expanded waste water facilities;
(c) new or expanded storm water systems;
(d) new or expanded streets;
(e) upgrading intersections, new traffic signs and signals, and new transit bus bays,

may be imposed in the Subdivision By-law to recover all, or part, of the capital costs incurred, or anticipated to be incurred, by the Municipality by reason of the subdivision and future development of land as well as to recover costs associated with land, planning, studies related to the Master Plan, engineering, surveying and legal costs incurred with respect to any of them.

The Subdivision By-law shall set out the infrastructure charge areas in which Infrastructure Charges are to be levied, the purposes for which Infrastructure Charges are to be levied and the amount of, or method of calculating, each infrastructure charge.

The Municipality will initiate Master Plan studies where necessary in order to determine appropriate charge areas and the costs associated with oversized and new infrastructure. The cost of any such studies will be included as part of the infrastructure charge to be recovered under the Subdivision By-law.

Where the costs of providing infrastructure to accommodate development activity in specific geographic locations may place excessive financial burden on the Municipality, it may be necessary to restrict development pending completion of Master Plan studies and establishing of charge areas. In such instances provision will be made for application by Council of a holding zone to such areas. Additionally, where proposed development agreements would result in a subdivision requiring new infrastructure, approval of such proposals will be subject to Infrastructure Charges. The methodology for determining charge areas will be generally outlined in a Capital Cost Contribution Policy adopted by Council.

<u>Objectives</u>

The following statements generally define the objectives Council wishes to achieve through the imposition of Infrastructure Charges within the Municipality:

(a) to provide a leadership role in facilitating future growth in the Municipality;
(b) to recover an infrastructure charge where the subdivision or development presents a requirement for new infrastructure;
(c) to ensure that the costs of new infrastructure are properly allocated to subdividers and other stakeholders deriving benefit from the infrastructure;
(d) to limit the Municipality's financial contribution having regard to other budgetary commitments and constraints;

(e) to provide greater certainty to subdividers and other stakeholders with respect to the costs of development in the Municipality;
(f) to maintain a consistent approach to recovery of Infrastructure Charges across the Municipality;
(g) to ensure that recovery of Infrastructure Charges is compatible with good land use planning in the Municipality.

<u>Policy Statements</u>

The following policy statements identify the intentions of Council in adopting municipal planning policy with respect to Infrastructure Charges. These policies will be implemented through provisions established in the Subdivision and Land Use By-laws and by administrative practices and procedures.

Policy IC-1 ***Where capital costs have been or are anticipated by reason of the subdivision or future development of land, the Subdivision By-law shall be amended from time to time to identify specific charge areas and related Infrastructure Charges applicable in the Municipality. In amending the Subdivision By-law to establish a charge area, Council shall consider:***

(a) The adequacy of existing infrastructure;
(b) Transportation requirements, including existing streets;
(c) Drainage patterns and drainage requirements;
(d) Water service requirements, including existing and proposed water service districts;
(e) Storm and sanitary sewer system requirements, including the extension of existing systems and servicing boundaries;
(f) Land use and existing and future development;
(g) Financial impacts on the Municipality;
(h) Soil conditions and topography; and
(i) Any other matter of relevant planning concern.

Policy IC-2 ***Infrastructure Charges within a charge area shall be in an amount determined by Council, as set out in the Subdivision By-law.***

Policy IC-3 ***Infrastructure Charges imposed pursuant to the Subdivision By-law may be set at different levels related to the proposed land use, zoning, density, traffic generation, lot size and number of lots in a subdivision and the anticipated servicing requirements for each infrastructure charge area.***

Policy IC-4 ***The Subdivision By-law shall establish conditions for Subdivision Approval with respect to the payment of Infrastructure Charges including provisions for any agreements with the Municipality as a condition of Subdivision Approval.***

Policy IC-5 ***An Infrastructure Charge Holding Zone shall be established in the Land Use By-law. The Holding Zone may be applied by Council to lands within any designation on the Generalized Future Land Use Map where, in respect of development, Council has determined that: the cost of providing municipal wastewater***

facilities, stormwater systems or water systems would be prohibitive; or the cost of maintaining municipal streets would be prohibitive.

Development permitted within an Infrastructure Charge Holding Zone shall be restricted to single unit dwellings except in conformity with a development agreement approved by Council in accordance with the MGA.

Policy IC-6 ***Where an area is zoned as an Infrastructure Charge Holding Zone area, the municipality shall, within one year of the effective date of the zone, commence the procedure to amend the Subdivision By-law to include a provision for the payment of Infrastructure Charges, prior to permitting development or the designation(s) and zone(s) in effect immediately prior to the Pending Infrastructure Charges Area zone comes into effect.***

Policy IC-7 ***Council shall be guided by the Municipality's Multi-Year Financial Strategy and capital budget process in determining the extent and timing of municipal contributions toward new infrastructure.***

Policy IC-8 ***An infrastructure charge may only be used for the purpose for which it is collected.***

(RC-Jul 2/02;E-Aug 17/02)

(u) Interim Growth Management (Deleted: RC-Jun 27/06;E-Aug 26/06)

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    Rotary Park; - 1976
    Tufts Cove; - 1977
    South Woodside - 1977
15. **Lake Charles/MicMac Regional Park Study**. City of Dartmouth; - 1977

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MAP 2A: Repealed (RC-Sep 30/20; E- Dec 5/20)

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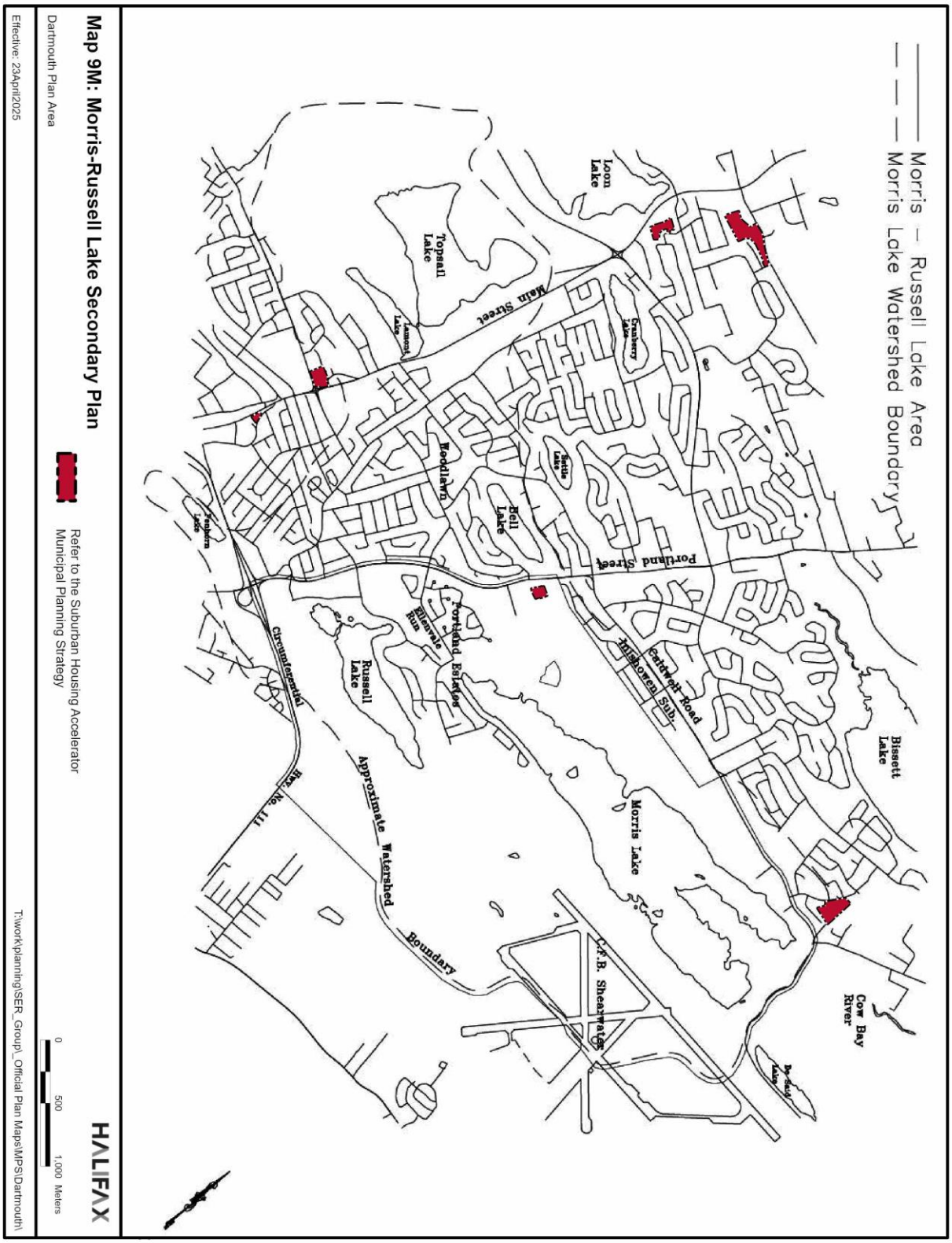
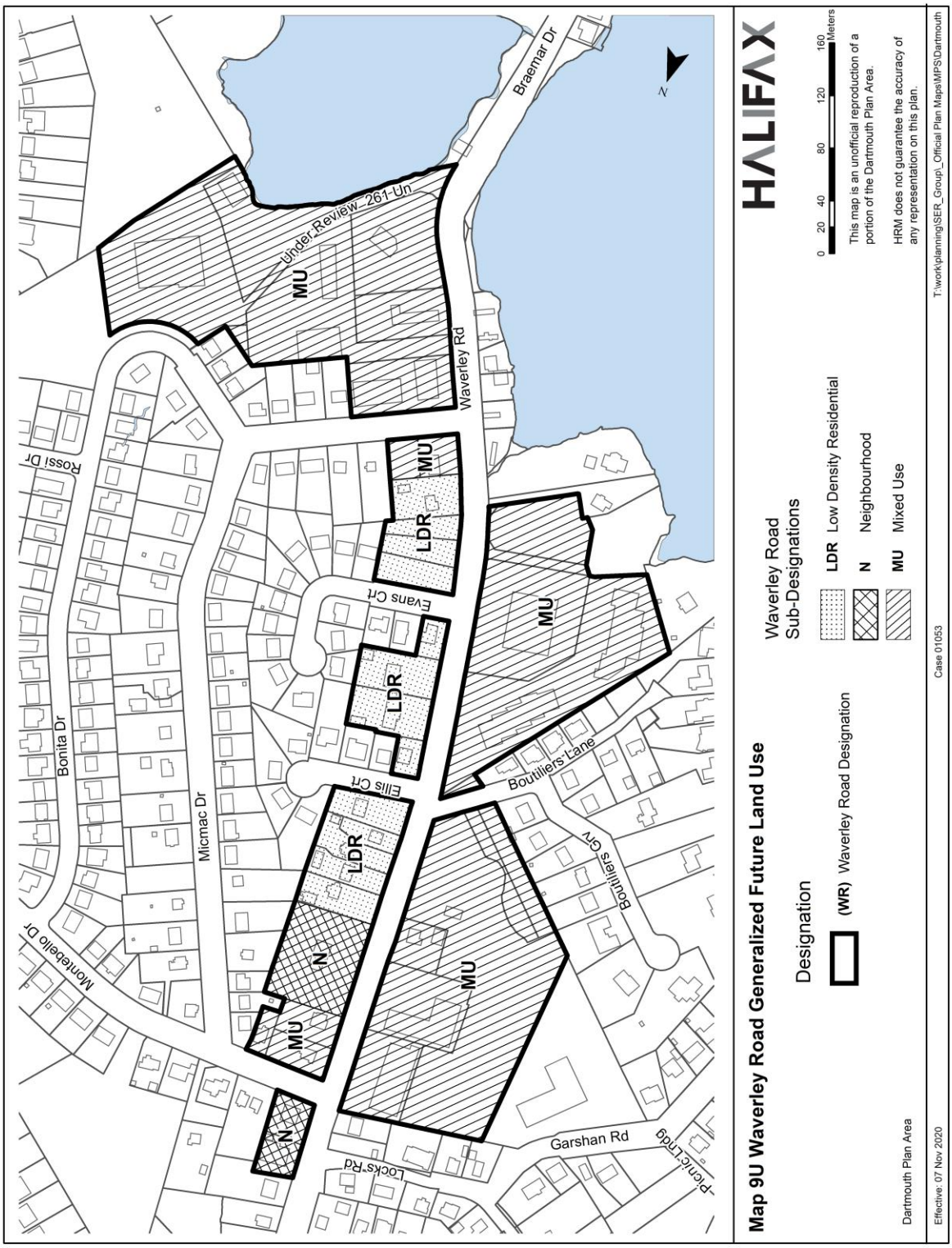
MAP 9I: COMMERCIAL – Deleted (RC-Sep 18/19;E-Nov 30/19)

MAP 9M: HOUSING(RC-Mar 18/25; EFF Apr 23/25)

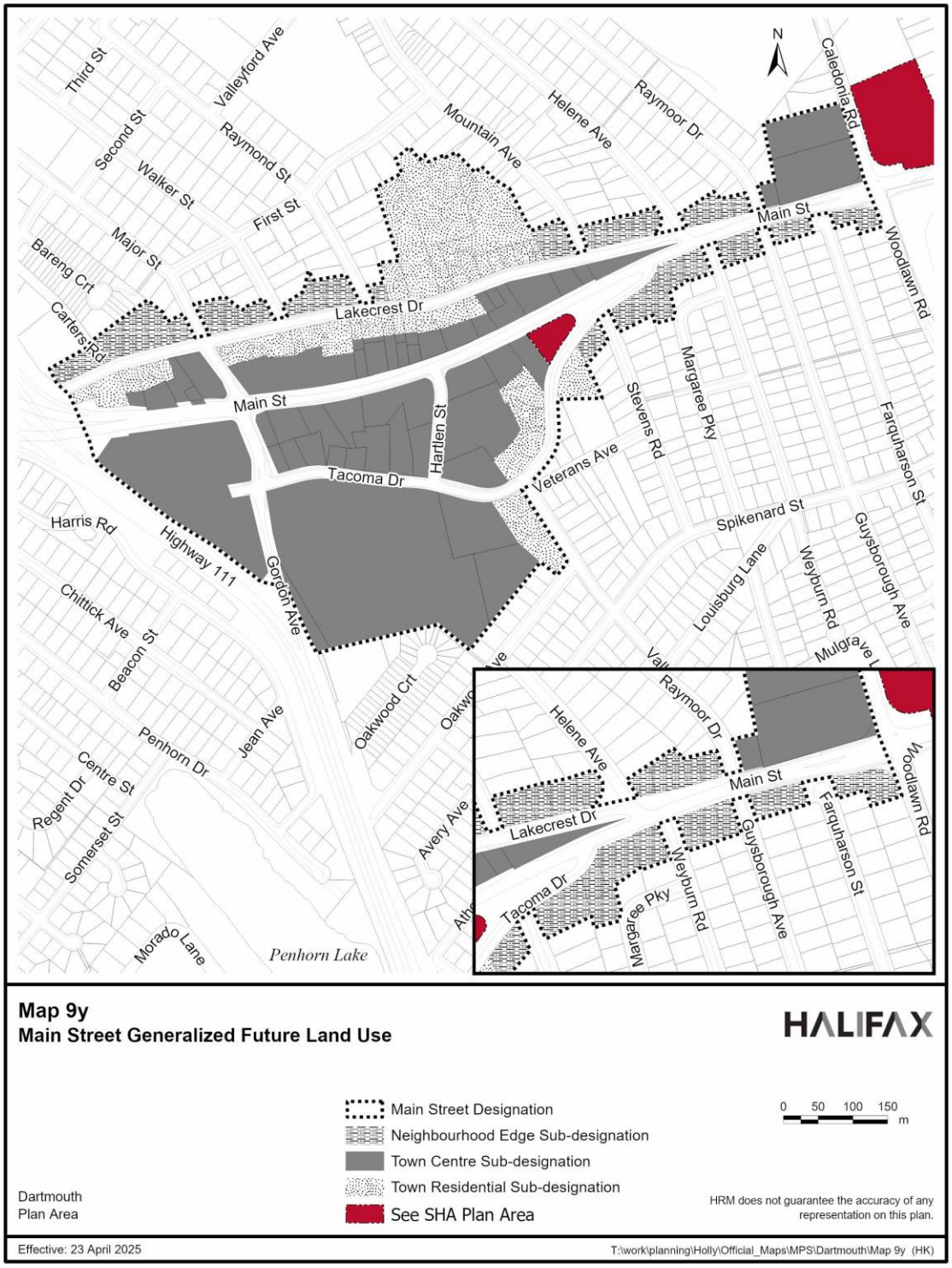


MAP 9s: HEIGHT RESTRICTIONS Repealed (RC – Oct 26/21; E – Nov 27/21)

MAP 9U: WAVERLEY ROAD GENERALIZED FUTURE LAND USE (RC-SEP 8/09;E-NOV 14/09)



MAP 9y: MAIN STREET GENERALIZED FUTURE LAND USE (RC-SEP 10/13;E-NOV 30/13) (RC-Mar 18/25; EFF Apr 23/25)



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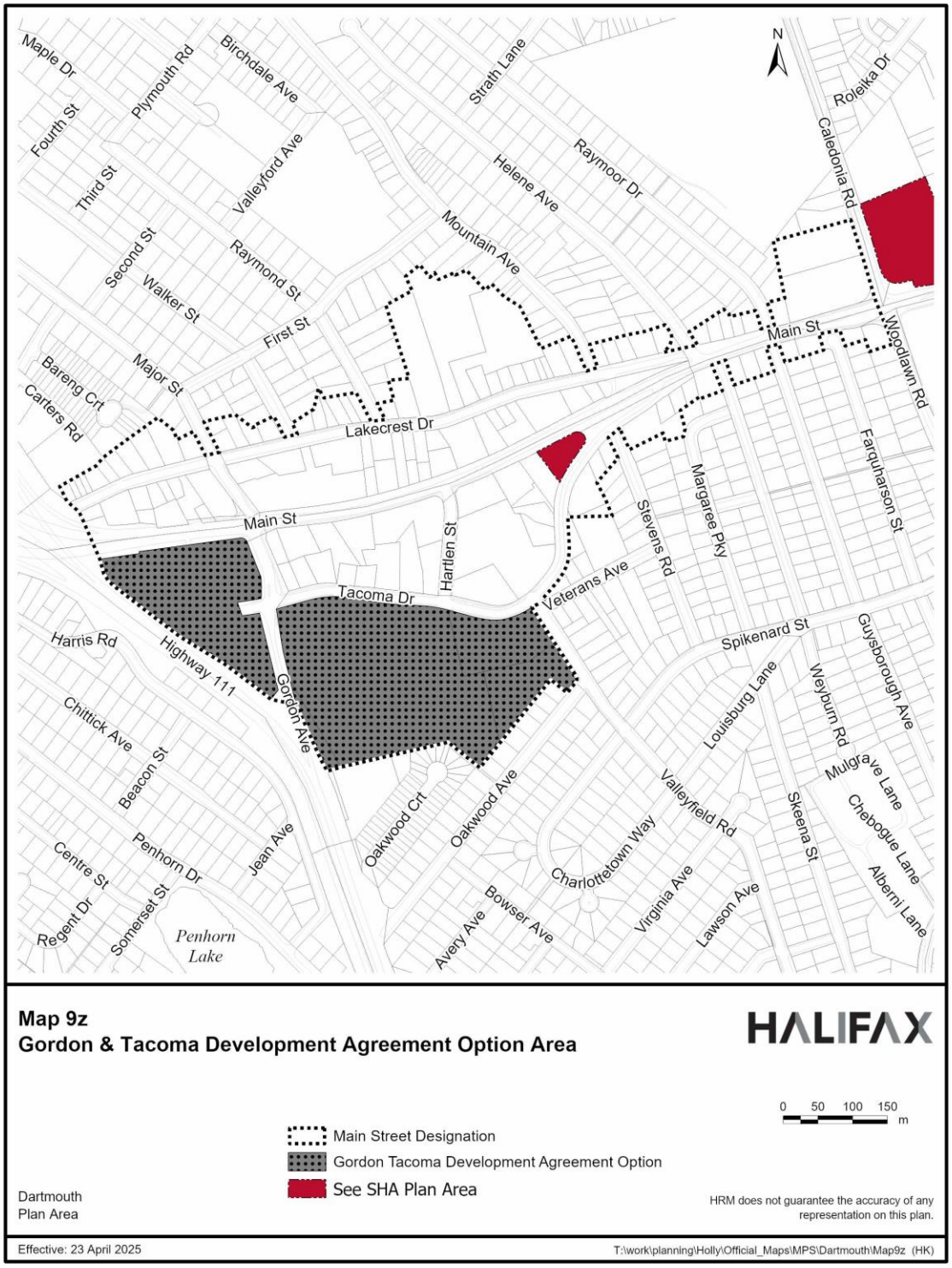
MAP 9z: GORDON & TACOMA DEVELOPMENT AGREEMENT OPTION AREA (RC-SEP 10/13;E-NOV 30/13) (RC-Mar 18/25; EFF Apr 23/25)



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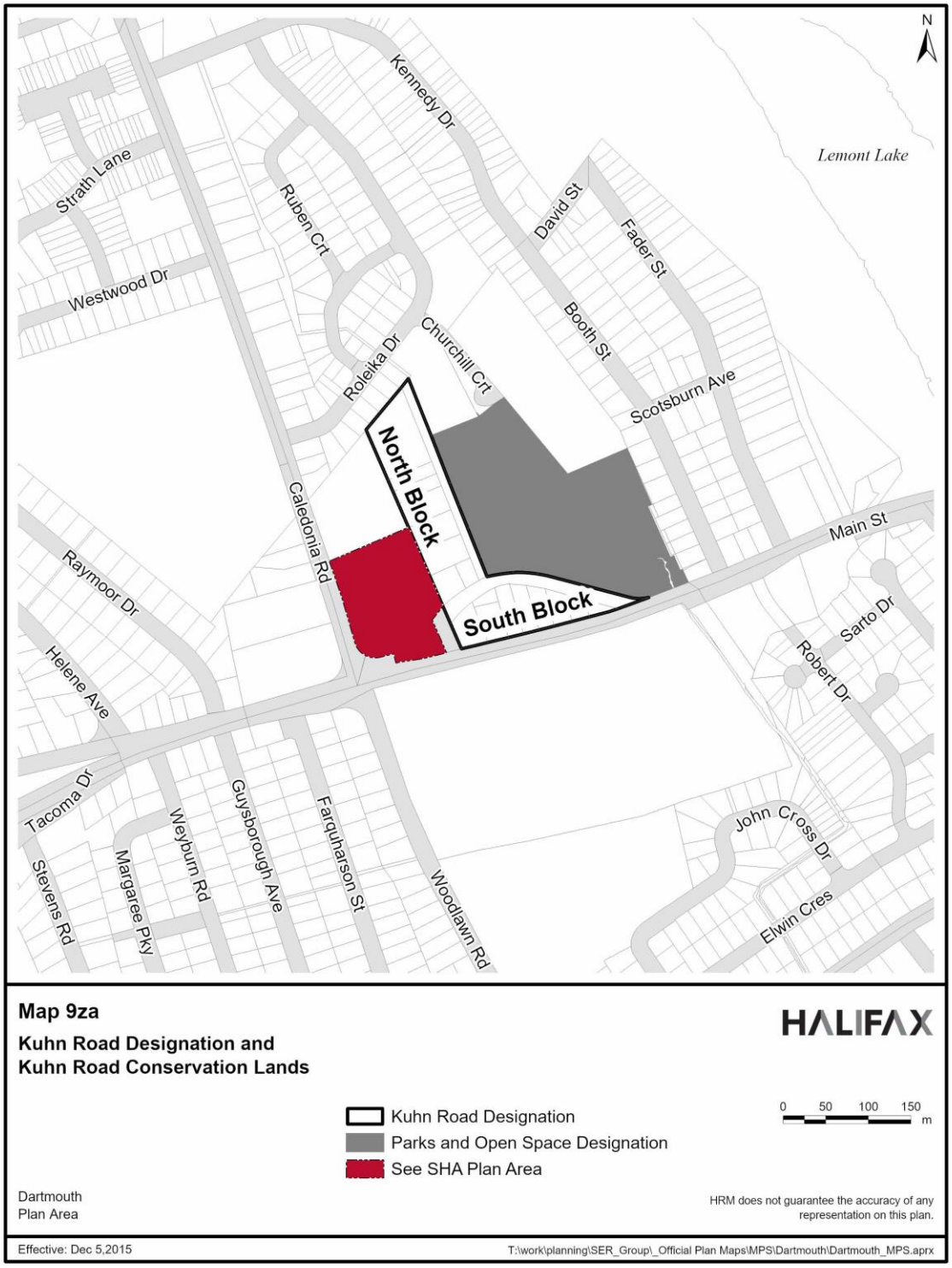
MAP 9za: KUHN ROAD DESIGNATION AND KUHN ROAD CONSERVATION LANDS (RC-OCT 6/15;E-DEC 5/15) (RC-Mar 18/25; EFF Apr 23/25)



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MAP 9aa: GREEN VILLAGE LANE DARTMOUTH (RC-MARCH 10/15; E-MAY 9/15) - Repealed (RC – Oct 26/21; E – Nov 27/21)

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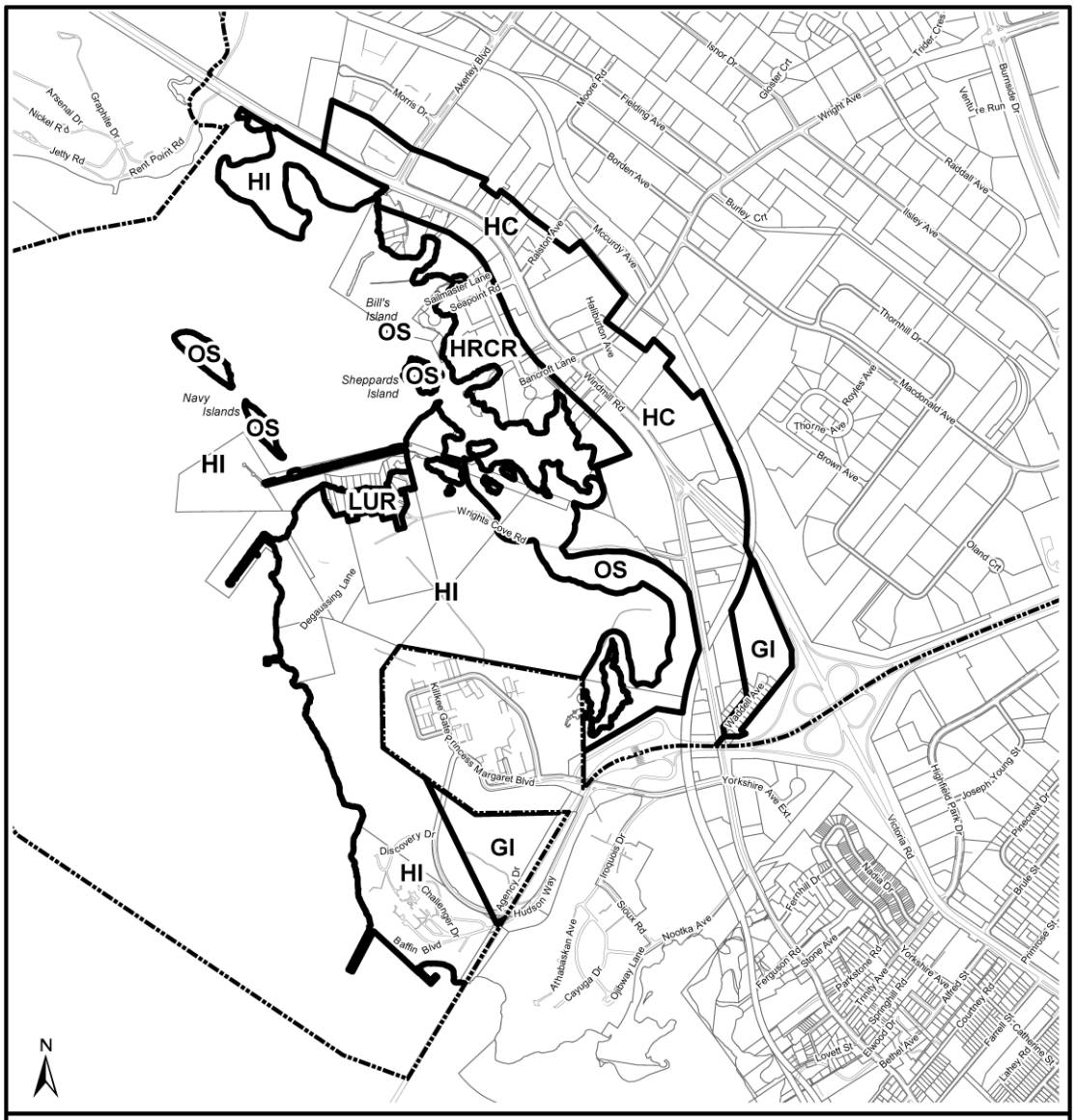
MAP 11: WRIGHT'S COVE SECONDARY PLANNING STRATEGY (RC-Sep 30/20; E-Dec 5/20) (RC-Oct 26/21;E-Nov 27/21)



Map 11 - Wright's Cove Secondary Planning Strategy

HALIFAX

Sub-Designations

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

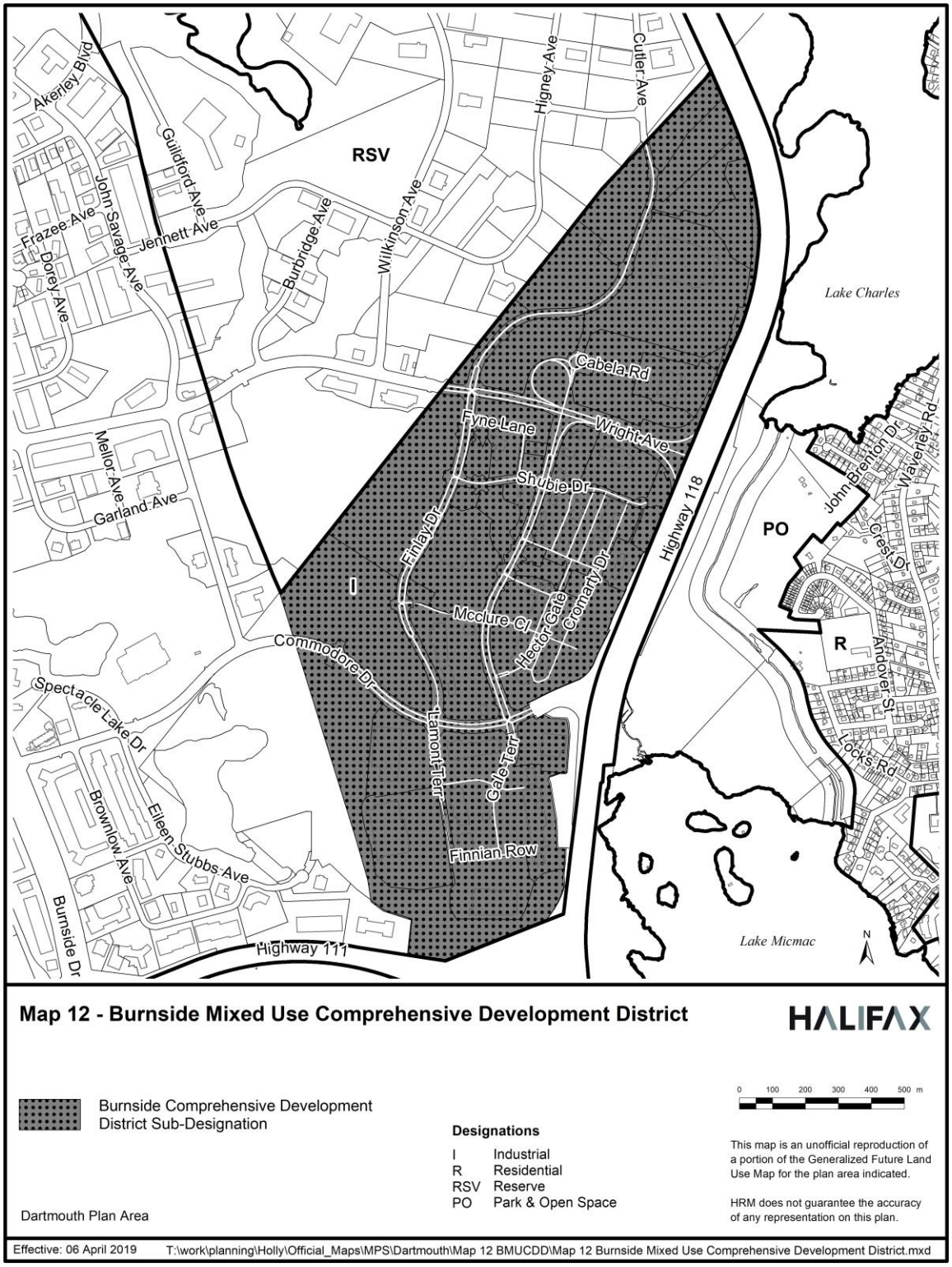
Dartmouth and Regional Centre Plan Areas

200 0 200 400 m

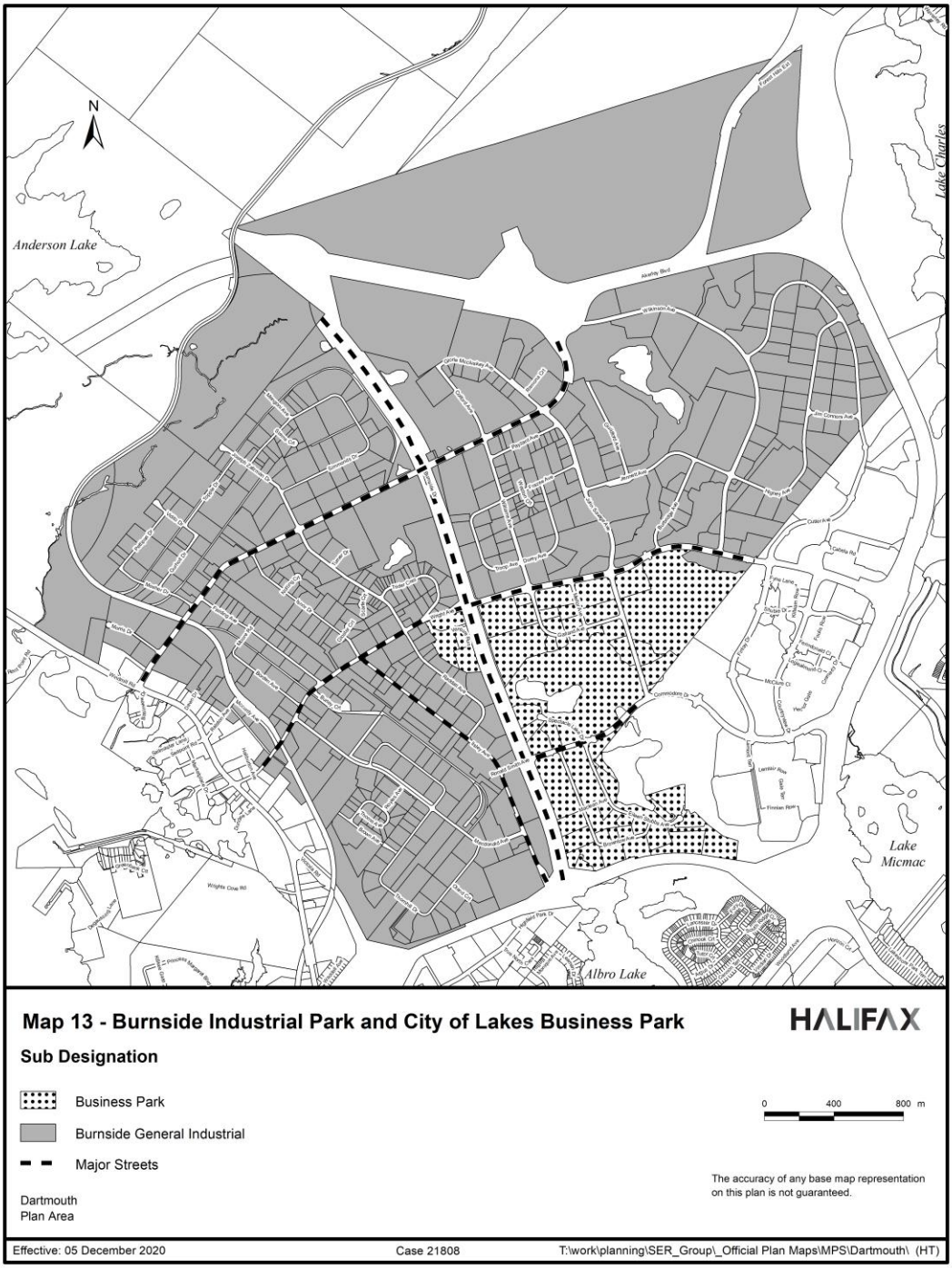
HRM does not guarantee the accuracy of any representation on this plan.

Effective Date: 27 November 2021 Case 21808 T:\work\planning\SER_Group_Official Plan Maps\MPS\Dartmouth\ (HK)

MAP 12: BURNSIDE MIXED USE COMPREHENSIVE DEVELOPMENT DISTRICT



Map 13 Burnside Industrial Park and City of Lakes Business Park (RC-Sep 30/20; E-Dec 5/20)



MUNICIPAL PLANNING STRATEGY
By-law C-356 - Effective: September 15, 1978
AMENDMENTS

No.	Section	Nature of Amendment	Effective Date	By-law No.	File No.
1	Directions for Growth	Extension of development boundary - Port Wallace	May 4/79	C-371	File: 7.60.10.01
2	Open Space/ Recreation	Synopsis - Recreation Master Plan	Aug 6/79	C-378	File: 7.60.10.03
3	Commercial	Regulation of massage parlours	July 24/80	C-382	File: 7.60.10.04
4	Open space/ environment	Protection of Views	Nov 2/79	C-391	File: 7.60.10.06
5	Downtown	Synopsis - Dartmouth Development & Revitalization Study	Nov 2/79	C-391	File: 7.60.10.02
6	Directions for Growth	Extension of development boundary - North Dartmouth ***Maps 9c & 1c/9b***	Sept 20/83	C-475	File: 7.60.10.07
7	Directions for Growth	Extension of development boundary - North Dartmouth ***Maps 9d & 1d***	Dec 9/83	C-493	File: 7.60.10.11
8	Directions for Growth	Extension of development boundary - South Dartmouth ***Maps 1d, 1e, 9d & 9e***	Dec 9/83	C-494	File: 7.60.10.11
9	Implementation	Amendment to land use designation ***Map 9g***	Apr 9/84	C-504	File: 7.60.10.12
10	Commercial	Development Agreements - medical centres	Apr 9/84	C-507	File: 7.60.10.13
11	Implementation	Amendment to land use designation ***Map 9h***	July 6/84	C-511	File: 7.60.10.14
12	Downtown ***Repealed***	Development Agreement - senior citizens residential downtown ***Map 8b***	Nov 30/84	C-522	File: 7.60.10.17
13	Industrial	Metal salvage yards	Mar 19/86	C-561	File: 7.60.10.20
14	Implementation	Day nurseries and undersize lots	Aug 21/87	C-617	File: 7.60.10.21
15	Implementation	Amendment/land use designation ***Map 9i***	Feb 9/88	C-633	File: 7.60.10.23
16	Housing	Lodging houses	Feb 2/89	C-658	File: 7.60.10.29
17	Commercial	Height restrictions office buildings - City of Lakes Business Parks ***Map 2A***	Oct 30/90	C-686	File: 7.60.10.30
18	Implementation	Development agreement - apartment buildings	Dec 4/91	C-692	File: 7.60.10.33
19	Schedule A	Pinecrest Highfield Park Secondary Planning Strategy	Dec 6/91	C-693	File: 7.60.10.32
20	Housing	Comprehensive development districts True North Crescent	June 18/93	C-697	File: 7.60.10.35
21	Schedule A	True North Crescent	Aug 17/93	C-700	File: 7.60.10.38

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22	Directions for Growth	Extension of development boundary - Caledonia Road ***Maps 1g & 9J***	Oct 21/94	C-708	File: F-57
23	Commercial	Communication facilities - water reservoir	Dec 9/94	C-709	File: G-69
24	Implementation	Development agreement - 303 Main Street	Dec 2/94	C-712	File: F-49
25	Downtown	Development agreement - 36 Wentworth Street	Mar 21/95	C-715	File: A-65
26	Open Space/ Recreation	Dartmouth common - transit term.	June 9/95	C-721	
27	Commercial	Development agreement - lands north of MicMac Mall ***Map 9i***	Aug 4/95	C-724	
28	Housing	Small lot/Lancaster	Oct 25/95	C-729	
29	Housing	Development agreement - 75-77 Lakecrest Drive	Mar 26/96	C-741	
30	Housing	Development Agreement - 6 Admiral Street	Feb 26/98		PA-DAR-07-97
31	Commercial	Development Agreement - 240 Victoria Road - 102 Albro Lake Road	Mar 19/98		PA-DAR-05-97
32	Commercial	Regional Retail Facilities - Lands on Baker Drive (Home Depot) ***Map 9q***	June 19/99		Case # 00111
33	Commercial	Signage - Billboards	June 26/99		Case # 00127
34	Housing	Future Development in the Morris-Russell Lake Areas ***Maps 9N, 9M & 9O***	June 26/99		PA-DAR/CHW-03-97
35	Commercial	Portland Valley/Portland Street ***Map 9p***	June 26/99		Case # 00096
36	Housing	Craigwood Estates ***Maps 1H & 9P***	Aug 14/99		PA-DAR-06-96
37	Downtown	Secondary Planning Stategy for Downtown Dartmouth	Sept2/00		Case # 00095
38	Industrial Environment	Wright's Cove	Oct31/01		Case # 00179
39	Residential	Woodland Avenue East Planning Process and Traffic Study ***Map 9r***	Mar2/02		Case # 00243
40	Implementation	Infrastructure Charges	Aug 17/02		Project #00423
41	New Section - 9A	Construction and Demolition Waste Management Strategy	Nov 9/02		Project #00082
42	IGM-1 to IGM-18	Interim Growth Management (Project No. 000664)	Apr 22/04		Project #00664
43	Industrial	Existing Housing in Industrial Areas (Wrights Cove)	May 22/04		Project #00415
44	Implementation	Lake Banook Canoe Course ***Map 9s***	April 23/05		Case # 00698
45	Housing	Morris-Russell Lake Secondary Planning Strategy	April 23/05		Case # 00586
46	Housing	250 Victoria Road, 101 Albro Lake Road and 103 Albro Lake Road	August 12/05		Case # 00749
47	Commercial	3 Bruce Street ***Policy C-9(i)***	November 24/06		Case # 00635

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48	Commercial & Industrial	Adult Entertainment ***Ch 5 (4), Policy C-10, deleting Policy C-11*** ***Ch 6 Adult Cabarets and Massage Parlours, Policy M-10,*** ***Ch 11 (5), Policy IP-12 &*** ***Policy IP-13***	C - March 16, 2006		Case # 00851
49	Interim Growth	Regional Plan Amendments ***Deleting IGM Policy IGM-1 through to IGM-9, Preamble*** ***& Map 9***	RC - August 26, 2006		Regional Plan
50	Add Policy IP-14: Temporary Signage	Sign By-law	RC - September 26, 2006		Project # 00327
51	Wright's Cove	Immed., following Housing Sec., Policy H-20, add Pol., H-21. Add Map 9t	RC - March 6, 2007		Case # 00864
52	Primrose Street	Insert Policy C-31 in Commercial Section and Insert Policy 2.1.3a in the Pinecrest/Highfield Park Neighbourhood Planning Secondary Strategy	RC - April 10, 2007		Case # 00817
53	Environmental Concerns	Brightwood and Dartmouth Common Viewplanes	RC- July 8, 2008, E - July 26, 2008		Case # 00798
54	Commercial	Add Policy 16A	RC - June 24, 2008 E - August 9, 2008		Case # 01079
55	Implementation	Add Registered Heritage Properties Policy IP-15	RC - Nov 21, 2008 E - Jan 10, 2009		Case #01006
56	Wrights Cove	deleted subsection entitled "Wrights Cove" following policy H-20 under Chapter 2: Housing Replaced sub-section in Chapter 6 entitled "Harbour Oriented Industrial areas" removed the land designations illustrated on schedule WC-1 of the Wrights Cove Secondary Planning Strategy from Map 3 Deleted text following the end of policy M-8 (deleting M-9 as well) added Map 9V (schedule WC1)	RC - May 26, 2009 E- July 25, 2009		Project # 01031
57	249/251 Windmill Rd	MPS Amendment - Attachment A	RC - June 30/09 E - Aug 15/09		Case #01230

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58	Waverley Road	Added new subsection in Chapter 5: Waverley Road Designation; Added Table 4a: Generalized Land Use Matrix - Waverley Road Designation; Added Map 9u: Waverley Road Generalized Future Land Use.	RC - September 8, 2009 E - November 14, 2009		Case #01053
59	Burnside Business Park	Added Map 9X - - Page 177	RC - Jan 19, 2010 E- May 8, 2010		Case # 01287
60	Dartmouth Common	The existing Chapter 8, Sub-section 1 h) was deleted and replaced Existing Policy R-19 was deleted and replaced Schedule "M", shall be deleted and replaced with a new Schedule M	RC - June 8, 2010 E - August 7, 2010		Case # 01361
61	Russell Lake West	Amend Policy ML-18(f) and (j) and add Policy ML-18(r).	RC – December 7, 2010 E-January 29, 2011		Case No. 15787
62	Dartmouth View Planes	Deleted Map 7A (View Planes)	RC-July 23, 2013 E- Oct 5, 2013		Case No. 01367
63	Dartmouth Main Street Plan Review	Deleted Chapter 4, Section 8; Deleted Policies H-11, H-12 and H-13; Amended Policies C-6 and C-9; Inserted Main Street Designation; Inserted Policy IP-5A; Inserted Table 4b – Generalized Land Use Matrix; Amended Policy IP-1(b); Inserted Maps 9y and 9z.	RC-September 10, 2013 E-November 30, 2013		Project No. 01286
64	RP+5	**Repeal/Readopt** Chapter 6(9), Map 9Y.	RC-June 25, 2014 E-October 18, 2014		
65	RC	**Deleted** Chapter 5, preamble for the "Hammering Lands" and policies C-23 to C-27; **Added** Map 9aa, Added in Chapter 4 preamble and Policy H-3G and H-3H	RC-March 10, 2015 E-May 9, 2015		Case No. 18255
66		**Add** in Chapter 5 - Kuhn Road Designation, Policy E-9, and Map 9za.	RC - October 6, 2015 E – December 5, 2015		Kuhn Road Area
67		**Add** Policy ML-36 to the Residential Designation within the Morris-Russel Lake Secondary Planning Strategy.	RC-March 21, 2017; E-June 3, 2017		Case 19626
68	RC	**Policy C-20** regarding 240 Victoria Road, Dartmouth was amended	RC Feb 27, 2018; E-May 12, 2018		Case 20436

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69	RC	**Delete:** Maps 9c, 1c/9b, 1d, 9e, 1e, 9e, 1d, 9g, 9h, 8b, 9I, 2A, 1G, 9j, 9q, 9M, 9N, 9O, 9p, 1H, 9 (r), 9s, 9t, 9U, 9V, 9W, 9X, 9Y, 9y, 9z, 9aa from Table of Contents **Amend**: Item 2 & 4 of Chapter 3; Policy G-1of Chapter3; Policy ML-11 of Chapter 4; Policy C-10, C-54, C-60 of Chapter 5; Item 5 of Chapter 6, Policy WC-1, WC-2, WC-3, WC-4, WC-5, WC-6, WC-7, WC-9; Item 9 of Chapter 6; Policy BC-13, BC-14; Chapter 11 Clause (b) (c) of Policy IP-1, Policy IP-2 , IP-3 **Repeal** Maps: 1c; 1d (x2), 1e, 1G, 1H, 8b, 9,9b, 9c, 9d, 9e (x2), 9g, 9h, 9l, 9j, 9N, 9O, 9P, 9p, 9q, 9(r), 9t, 9V, 9W, 9X, 9Y; **Added**: Maps 10, 11, 12	RC Mar 5/19; E- Apr 6/19)		Case 21955
70		**Amend** – Introduction Section, Map 9aa, 9s, aa; **Repeal** – Section 11 (Former Dartmouth YMCA Property) / Policy H-16, Section 12 (Can-Euro Investments Limited Lands – Horizon Court) / Policy H-17, Section 13 (MTT Lands – Woodland Avenue) / Policy H-18, Section 14 (250 Victoria Road, 101 and 103 Albro Lake Road) / Policy H-19 and H-20, Policies 2.1.3a, 2.1.8, 6.0 under Pinecrest – Highfield Park SPS, Section 1, subsection 1(e), Policy C-18, C-19, C-20(1), C-20(2), C-20(3), C-31 under Commercial, Map 9I.	RC – September 18, 2019 E – November 30, 2019		Regional Centre Plan – Pkg A
71		**Add:** paragraph just before Policy C-39 **Amend:** Map 10 – GFLUM **Amend:** Map 9U	RC – Sep 22/20; E-Nov 7/20		Case 20756
72	Burnside Industrial Park and City of Lakes Business Park, Burnside	**Delete:** (4) North Dartmouth under Directions for Growth; (2) North Dartmouth Industrial Complex under Industrial in the Table of Contents. **Add:** (10) Burnside Industrial Park and City of Lakes Business Park under Industrial; Map 13 in Table of Contents; In Chapter titles" Industrial" A new section titled "Lands to the east of Frenchman Lake; Policy BC-17; a new section titles (10) Burnside Industrial Park and City of Lakes Business Park & Policy B-1 to B15; In chapter titled " Construction and Demolition Waste Management Strategy" SW-7A; Map 13 **Delete**: words (4) North Dartmouth Area in Chapter "Directions for Growth; **Repeal:** Section (4) North Dartmouth Section; Clause (2)(d) City of Lakes Business Park; Policy C-15; Policy C-16; In Chapter titles Industrial – Item (2) North Dartmouth Indusial Complex; Map 2A **Amend: Map 10; Map 11**	RC – Sep 30/20; E – Dec5/20		Case 21808

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73	Centre Plan Amendments	**Amended:** • All Maps and schedules excluding those mentioned in in Sections – 4,6,7,16 and 17. • ***Deleted**: "DOWNTOWN – PLEASE… STRATEGY"AFTER Policy E-9.* • **Table of Contents** o ***Deleted**: "Pinecrest Highfield Park…"* o ***Deleted**: "Downtown please refer to Downtown Dartmouth…"* o ***Deleted**: Map 9s* o ***Deleted**: 9aa* • Introduction o ***Deleted**: "Centres, Corridors…and Downtowns"* o ***Added**: "Regional centre…area"* • **Section (6): Portland Valley/Street** o ***Deleted**:"102 Penhorn Drive (PID #226183)"* • **Section (5) *Regulations….Park Use"*** o ***Deleted:** Dartmouth Crossing* o ***Added: "and"*** • **Section (5) *Regulations….Park Use"*** **Repealed entirely.** • **Pinecrest – Highfield Park…Strategy** o *Section 1.0 to 8.0* o *Map 1:" ...Study Area."* o *Map 2:"Secondary..Strategy"* o *Map 3: (Neighbourhood)..Strategy"* • **Section 6: Portland Valley/Street** o Policy C-21 (d) • **Section 1: Recreation System** o Clause 1(h) • **Open Space…*Environment*** o *Section (3) Views* • ***Section 4: Urban Form; Environmental Concerns*** o *Policy Ea-3* o *Policy Ea-3a*	RC–October 26, 2021	E–November 27, 2021	Regional Centre Plan – Pkg B
74	HRM Conrad Quarry Lands	**Amended** - Map 10 of the Dartmouth GFLUM to remove lands from Schedules 2 and 3 and adding them to PD 14 & 17 GFLUM	RC – February 15, 2022	E – April 09, 2022	Case 22670
75	Shared Housing	**Amended** Housing, Lodging Houses – Subsection (6), (10) – Policy H-14, Future Development Within the Morris-Russell Lake Area – Policy ML-18; Commercial, Waverley Road Designation – Policy C-41; Implementation – Policy IP-5 **Deleted** Housing – Policy H-8, H-9 **Added** Implementation – Policy IP-16	RC-August 9, 2022	E - September 15, 2022	Case RP16-16

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76	Regional Plan – Phase 3	**Amended** Map 10, GFLUM – redesignate lands from RSV to CDD (Schedule B-1), redesignate lands from RSV to I (Schedule B-2); Policy H-3B, H-3F, H-3G; Policy WC-2; Policy IP-15 **Repealed** Policy H-3(AA **Added** Section 18, Future Development Within the Morris-Russell Lake Area – Pre-amble and Policy ML-8A	RC – October 11, 2022	E – November 16, 2022	Case 22257
77	Case Special Plan Area – Port Wallace Case 22384	**Add:** Port Wallace Secondary Planning Strategy; Map PW-1 and PW-2; **Amend** Map 10 – GFLUM - adding and designating lands Port Wallace SPS and Park and Open Space and re-designating lands to Port Wallace SPS	Special Area Task Force – January 26, 2023	E – February 3, 2023	Case 22384
78	RC	**Adding and deleting words form:** Policy WC-6	RC – April 9, 2024	E – May 6, 2024	PLANAPP 2023-00474
79		**Amended** Part 7, Section 10; Policy C-47, C-48, C-55; Table 4a, 4b; Policy IP-5 **Added** Part 4, Section 9, Policy H-3BA; Section 20, Policy H-22, H-23; Part 7, Section 10, Policy C-50A; **Repealed** Policy H-3B(o);Policy C-50	RC – May 23, 2024	E – June 13, 2024	MINORRE V 2023-01065 (Housing Accelerator Fund (HAF))
80	RC	**Added:** Paragraph added in Introduction **Amended:** Maps 1, 2, 9M, 9N, 3, 4, 5A, 5B, 6, 9M, 9Y, 9Z, 9ZA, & 10	RC – March 18, 2025	E – April 23, 2025	MINORRE V-2024-01198

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