

Stage 1

Penhorn Mall Future Growth Mode

Design Rationale Supplement



April 9, 2021

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Section 1: Executive Summary / Introduction



Figure 1 – Location Map

This Planning and Urban Design Rationale report has been prepared as a supplement to an application by Clayton Developments Limited and Crombie REIT on October 21, 2020, with supplemental information on October 27, 2020 and December 8, 2020.

The purpose of this application is to enter in to a development agreement with the Halifax Regional Municipality in order to permit the development of the first stage of the Penhorn Mall Future Growth Mode (Figure 1, Location Map). This report covers material previously submitted or discussed with the municipality, but has been reconfigured, supplemented and additional discussion has been provided for convenience.

The Future growth Node is approximately 43 acres in size, and is located in the central Dartmouth area. The site is a partial brownfield site, the location of the former Penhorn Mall. The site now houses the Penhorn Plaza (2009), an established commercial site, with a mix of commercial and office tenants including a Sobeys grocery store, Lawton's corporate offices, Goodlife Fitness and other retail tenants, for a total of 145,027 sq. feet of leasable area. The site is located adjacent Exit 7 of Highway 111 and Portland Street. The site is immediately adjacent the Manor Park Subdivision and Halifax Transit's Penhorn terminal.

Due to the existing Penhorn Plaza and Penhorn Annex, and lease commitments, only 25.2 acres of land is available for redevelopment. The remainder of the site will likely not be available for development for 20 years or more, a timeframe beyond typical planning horizons.

In October 2009, a Community Vision for the Penhorn site was approved in principle by Regional Council as a mixed-use area clustered around the transit terminal on Portland Street. The community vision was integrated into the Regional Centre Secondary Municipal Planning Strategy (SMPS) in 2019, enabling future development of the site through a development agreement process and subject to SMPS policies which generally promote:

1. Site and building design to support a compact, mixed-use neighbourhood
2. Environmental protection and water quality protection
3. A range of parks and open spaces to serve the densely populated community

4. A transportation network that prioritizes walking, the easy use of mobility devices, cycling, and transit.

The proposal includes:

- 45 townhouses;
- 860 multiple unit dwelling units located in 10 buildings;
- Street frontages designed to promote active streets;
- A mixed use design along a pedestrian oriented street;
- A pedestrian oriented transportation network with 3.5 km of sidewalks, paths and multiple use trails as follows:
 - New crusher dust trail = 822m
 - Multi-Use asphalt trail = 954m
 - Public sidewalks = 1043m
 - Private walkways = 776m; and
- An .77 acre urban park with park square, meadow (amphitheater), outdoor sand play and sand volleyball court plus additional parkland enhancements.

In total, the redevelopment will add a combined 905 residential units accommodating approximately 2086 persons in a densely developed urban form with excellent access to transit and new and existing recreational opportunities in the immediate area. The site has immediate access to all the existing commercial services provided at the Penhorn Plaza.

This report concludes that the proposed development is supportive of policy directions articulated in the Regional Municipal Planning Strategy (MPS), Regional Centre Secondary Municipal Planning Strategy (SMPS) and the original Penhorn Vision, all of which the proposed development form.

From a land use planning perspective, the proposal is supportive of the policy directions promoting brownfield redevelopment, urban transit oriented densities and an urban development form with local amenities including public transit. The edge of the site is between 150 to 250 metres of the existing transit terminal. A walk through the site, from front to back is only 550m total, well within walking distance to transit. It is also close to major recreational and commercial amenities and employment areas via transit. In this regard, the residential population to be added through the proposed redevelopment will be able to take advantage of these amenities and opportunities.

From a built form and urban design perspective, the proposal will positively contribute to the evolution of the Penhorn Future Growth Node from an existing commercial area and brownfield to an urban mixed use transit oriented development. The proposed buildings will fit within the existing and planned built form context, which includes low rise uses adjacent Manor Park, mid-rise uses transitioning from the middle of the site and high-rises in the middle and front of the site at Portland Street.

The proposed design includes appropriate setbacks and landscaping to create appropriate transitions. In terms of design, the buildings have been appropriately massed and detailed design will further enhance the relationships between existing and new buildings through appropriate architectural techniques. The development agreement process will require that detailed building designs be through the Site Plan Approval Process which will ensure a high quality design.

It is our opinion that the proposed development represents good planning and urban design, and the objectives and goals of the Secondary Municipal Planning strategy and Land Use By-law. Accordingly, the application should receive a positive recommendation for approval.



Original Signed

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Section 2: Site Analysis

2.1 Subject Site

The site is located at Exit 7 of Highway 111 and Portland Street in central Dartmouth, Halifax Regional Municipality. The general site area is generally referred to as “Penhorn Mall” based on its former use. This site has an area of 17.40 ha (43 acres), however only 10.20 ha 25.2 acres are the main subject to this application. The overall site has approximately and a frontage of 300 metres of frontage along Portland Street, of which approximately 200 m is subject to this application. Of the 200 m, much of the frontage has extreme grade differences between the site and Portland Street, making much off it challenging from an access or site development perspective. Additional road frontage is located along Highway 111, however this frontage is not useable due to Control of Access restrictions regulated by Nova Scotia Transportation and Infrastructure Renewal.

The subject lands are vacant and formerly the site of Penhorn Mall which was previously demolished. The site is adjacent to the Penhorn Plaza (2009) which houses a mix of office, retail and service uses. The site is also proximate to the Halifax Transit Penhorn terminal a local transit hub.

The subject site plus the adjacent Penhorn Plaza make up the Penhorn Future Growth Node.

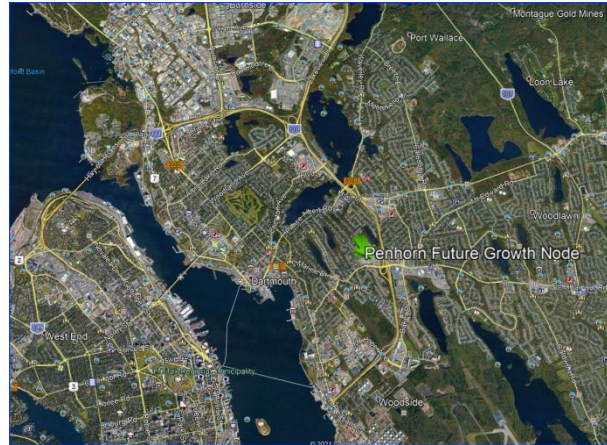


Figure 1 Regional Location

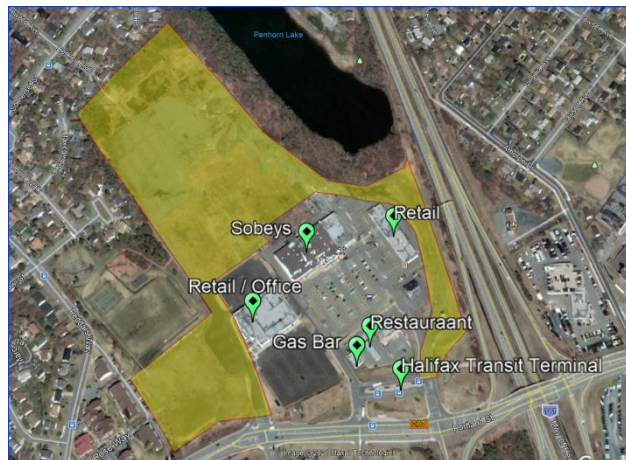


Figure 2 Existing Uses Penhorn Plaza

2.2 Surroundings

The site is located in Central Dartmouth, an area generally bounded to the east by Highway 111, a four lane limited access arterial highway, to the south by Portland Street, a four lane arterial street, and to the west and north by Manor Park residential neighbourhood. The site is also adjacent the Penhorn Lake Park, a 3.77 ha (9.14 acre) park with public beach in the east and Brownlow Park, a 2.5 ha (6.18 acre) soccer field and park.

Opposite the site on the south side of Portland Street is Green Village Lane, a mix of commercial and residential land uses, and residential streets with single unit dwellings (Chestnut Lane, Macrae Avenue and Summit Heights Road). Opposite the site and across Highway 111 is the Woodlawn area, primarily a single unit dwelling residential area and Woodlawn Plaza, a development with 158,000 sq. ft. of commercial space. Several large car dealerships are located to the southeast of Highway 111 and Portland Street.

The existing adjacent subdivision of Manor Park is low density in nature, two small condominium buildings (14 and 22 units) and approximately 13 single unit dwellings share rear property lines with the subject site.

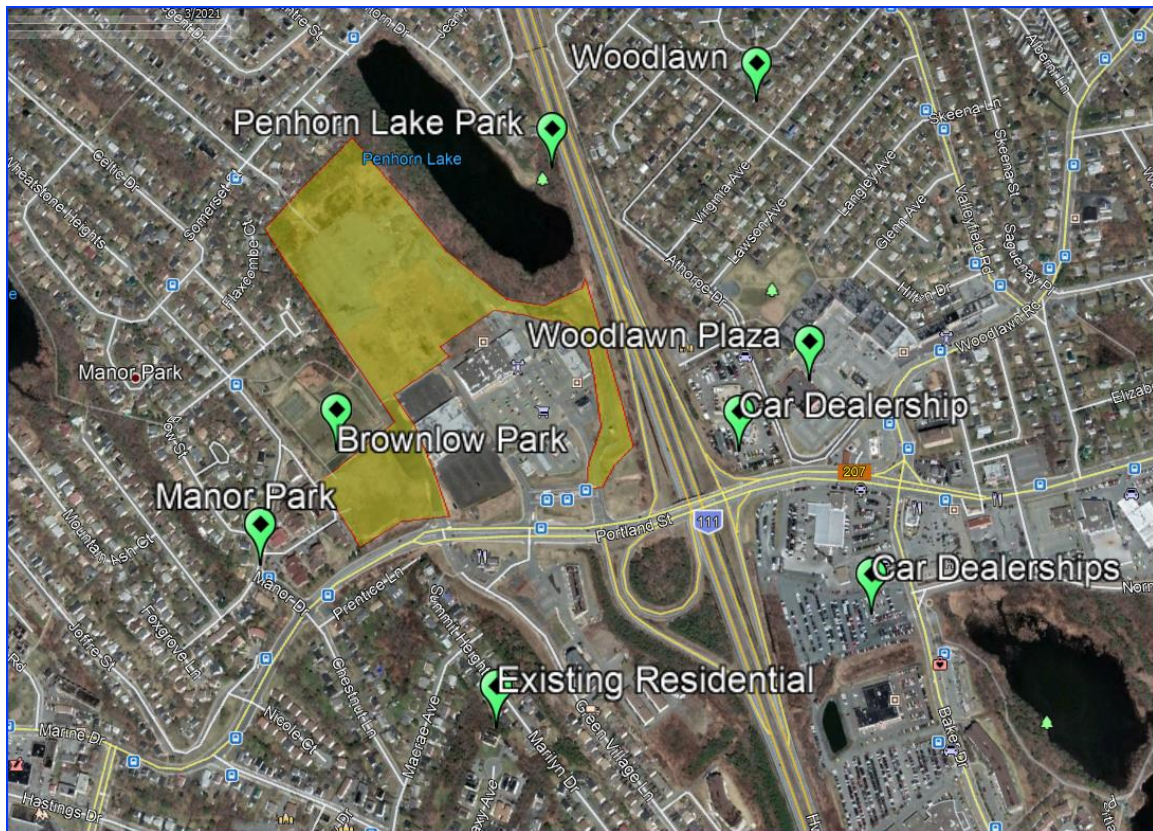


Figure 3 Surrounding Land Uses

2.3 Immediate Surroundings

The immediate surroundings include the following (pictures below):

- To the north and west, residential single unit dwellings of Manor Park on Bow Street, Flaxcomb Court, Berkley Brae and Lashburn Place. These homes are generally partially screened from the site by existing vegetation and in some instances fencing.
- Several small scale, three storey condominium buildings are located at Rose Way.
- Brownlow and Penhorn Lake Parks are also immediately adjacent.

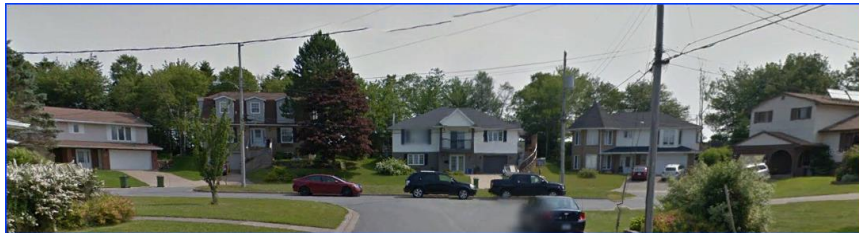


Figure 4 Bow Street



Figure 5 Flaxcomb Court



Figure 6 Berkley Brae



Figure 7 Lashburn Place



Figure 8 Rose Way Condominiums



Figure 9 Brownlow Park



Figure 10 Penhorn Lake Park

2.4 Topography and Natural Features

The Penhorn Future Growth node is site that has seen extensive alteration over time. The creation of a pad and parking areas for the former Penhorn Mall required significant imported fill and has altered the topography of the site from its original form. The site is generally flat with changes of grade around the edges. The site slopes down from the centre towards Highway 111 and the eastern section of the Portland Street frontage. The site slopes up to Portland Street on the western section of Portland Street frontage. The site slopes down toward Brownlow Park and Penhorn Park.

2.5 Transportation Facilities

Road Network

The site fronts on Portland Street, one of the main arterial roads in Dartmouth. Portland Street connects the Cole Harbour area and the inner core of Dartmouth to downtown Dartmouth and via Alderney Drive and Wyse Road to the MacDonald Bridge and Halifax. Portland Street is identified as a Transit Priority Corridor in the Integrated Mobility Plan (IMP). Transit Priority Corridors are streets that have been strategically chosen to include measures to improve the efficiency of buses along the entire corridor.

Portland Street is connected to Highway 111, one of Nova Scotia's busiest expressways via Exit 7, a partial clover leaf/diamond interchange.

The site has no external street connections to other public streets.

Access to the site is via three existing driveways on Portland Street, the east and west driveways via signalized intersections and the centre driveway through an unsignalized intersection.

Active Transportation Network

The local area does not contain any complete AT network. There are sporadic trails, walkways and paths which serve local purposes but do not generally connect to provide a complete network.

Sidewalks

Sidewalks are present on Portland Street on both sides of the street, but are limited on the Highway 111 overpass to the north side of the structure. Sidewalks are present on a limited number of residential streets in Manor Park and other adjacent residential areas, but are not present on the majority of the residential streets.

Within the Penhorn Plaza site, there are a series of private sidewalks that provide a limited circulation network for the commercial businesses.



Figure 11 Local AT Infrastructure

With respect to the bicycle network, Figure 12, which originates in the IMP, identifies near term goals for multi-use pathways. A project to connect Penhorn Lake Park to the Penhorn Bus Terminal is shown and is within the subject site. Further, this connection is also considered a priority connection under the IMP. To date, Phase 1 of the multi-use pathway has been completed. Phase 1 includes a multi-use path from the Crombie property line to Penhorn Drive. Phase 2, over the subject lands, will connect the multi-use pathway to the Penhorn Transit Terminal.



Figure 12 Proposed All Ages & Abilities Bicycle Network (2022) Integrated Mobility Plan

Transit Network

The future growth node is immediately adjacent the Penhorn transit terminal. Penhorn Terminal is served by eight transit routes.

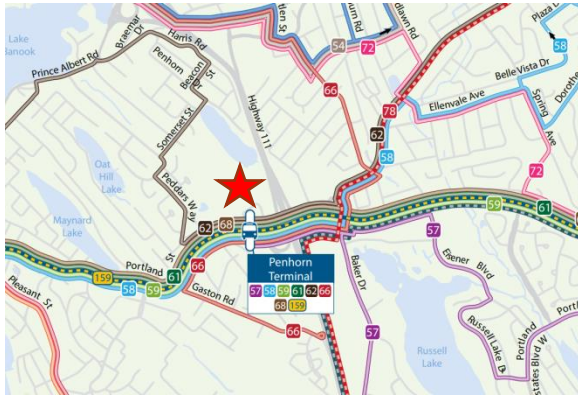


Figure 13 Transit Network Map

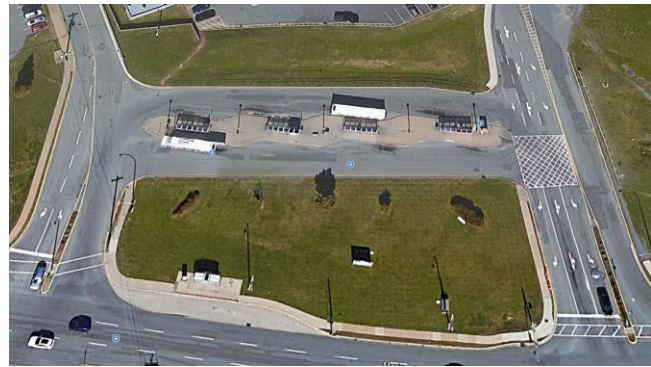


Figure 14 Penhorn Transit Terminal Aerial Photo

The subject site is well-served with public transit as Halifax Transit's routes 57, 58, 59, 61, 62, 66, 68 and 159. Routes 57 through 68 provide all day service and route 159 provides peak hour express service. Peak service to the Bridge Terminal and Downtown Halifax is frequent during peak hours. These routes serve the following destinations:

Route	Route Name	Inbound Destination	Outbound Destination
57	Russell Lake	Woodside Ferry Terminal	Portland hills terminal
58	Woodlawn	Bridge Terminal	Woodlawn
59	Colby	Bell Road	Colby Village
61	Auburn-North Preston	Scotia Square	North Preston
62	Wildwood	Bridge terminal	Cole Harbour
66	Penhorn	Gaston road	Highfield Termnal
68	Cherry Brook	Bell Road	Cherry Brook/Lake Loon
159	Portland Hills (Metrolink)	Scotia Square	Portland Hills Terminal

Based on the number of routes and the frequency along the Portland Street, peak hour service is as frequent as 5 minutes to and from Downtown. Off-peak frequency along Portland Street is also frequent. Frequency to other destinations varies depending on the destination. Express Metrolink service is available during and between peak hours to Halifax.

Stage 1 of the Penhorn Future Growth Node is separated from the transit terminal by the existing Penhorn Plaza. Walking distances to the Penhorn Transit Terminal are between 150 m and 550 m or approximately 2-8 minutes typical walking time, depending on their location on the site.

2.6 Community Facilities

The site is adjacent two significant pieces of parkland which will partially serve the needs of the proposed future growth node. Penhorn Lake Park and Brownlow Park serve different needs. Penhorn Park is more of a natural park with swimming area and beach while Brownlow Park is more of an active Park with tennis and basketball courts, a playground and soccer field. There is an informal path from Penhorn Beach to the edge of the subject lands. Details of each park are below:

Park	Area	Facilities
Penhorn Lake Park	3.77 ha (9.14 acre)	Beach Trails Seating Picnic Tables On-street parking
Brownlow Park	2.5 ha (6.18 acre)	Soccer Field Hard Surface Tennis Court x1 Hard Surface Tennis Court /Pickelball Court x1 Basketball Court Swings Play Structures Seating Mobile Programming (Occasionally) On-street parking

The Woodlawn branch of the Halifax Public Libraries is located approximately 1.5 kilometres away.

2.7 Planning Context

The site is located within the Regional Municipal Planning Strategy and within the Centre Plan SMPS. The Regional Plan identifies the Penhorn Area as part of the Urban Settlement Designation and a Regional Local Growth Centre.

The Urban Settlement Designation encompasses those areas where the Municipality has enabled serviced development or where undeveloped lands are to be considered for serviced development over the life of the Plan.

In October 2009, following a significant community consultation process, a Community Vision for the Penhorn site was approved in principle by Regional Council. The vision desired a mixed-use area including pedestrian and transit-oriented spaces and corridors, and a range of medium to high density housing choices clustered around the Penhorn transit terminal on Portland Street..

This community vision was integrated into the Regional Centre Secondary Municipal Planning Strategy (SMPS) in 2019, enabling future development at the site through a development agreement process. Development agreement applications are to be reviewed, assessed, and approved in accordance with Future Growth Node Policies 3.35 and 3.32. In general, these policies require:

1. Site and building design to support a compact, mixed-use neighbourhood
2. Environmental protection and water quality protection
3. A range of parks and open spaces to serve the densely populated community
4. A transportation network that prioritizes walking, the easy use of mobility devices, cycling, and transit.

Section 3: Design Opportunities and Constraints

Regulatory Constraints

The Penhorn Vision and the resulting Regional Centre SMPS policies have laid out policies which regulate a variety of items; they include direction on the following matters:

- Building form;
- Location of building form;
- Land use mix;
- External transportation connections;
- Internal active transportation routes

General compliances with these policies is required and variations from policies are limited.

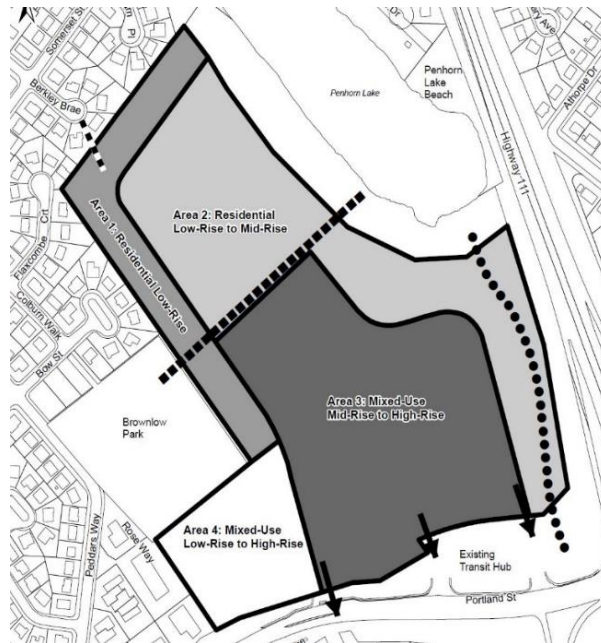


Figure 15 Map 12 - Regional Centre Penhorn Future Growth Node

Existing Development Constraints

Much discussion has taken place about opportunities for the Penhorn Mall redevelopment focused on the idea that Penhorn Mall is a brownfield site. Brownfields are sites which have contained industrial or commercial uses, which have been abandoned, or are underused and in decline. Brownfields are sometimes characterized by derelict buildings, contamination resulting from previous industrial uses, or undesirable activity occurring on or near the sites.

Commercial Plaza - While a portion of the Penhorn site can be considered a brownfield (the former Penhorn Mall site), a portion of the site (Penhorn Plaza), is an active commercial site redeveloped in 2009. The site has 145,027 sq. feet of leasable commercial and office space. The site currently has 13 tenants and 788 parking spaces. Some of the tenants have long term leases (20-25 years). The Penhorn Plaza is anticipated to be an active land use for 20 plus years, the commercial development acts as a limiting factor to complete redevelopment of the entire Penhorn Future Growth Node until such a time that the redevelopment of the Penhorn Plaza can take place. Adaptions and flexibility to effectively implement the vision in Stage 1 will be required to ensure the vision can be implemented in way that is economic and practical in the near term and long term.

It is noted that the redevelopment horizon for Stage 2, the Penhorn Plaza lands may be beyond typical planning horizons (20 + years) and it is unclear when Stage 2 will be realized. Commitments /negotiations for the entirety of Stage 2 are not practical because such commitments would be premature guesses as to what is appropriate and buildable in future years. Given this,

commitments on Stage 2 should be limited to those crucial to making the vision happen in Stage 1 or crucial street/AT connections through Stage 2. In addition, it is noted that commitments in Stage 2 need to accommodate the existing commercial plaza and remain flexible enough that future consideration can be made when redeveloping Stage 2.

Design for Stage 1 is proposed to be established in the development agreement and will set the stage for future development on the adjacent Penhorn Plaza site (Stage 2). A limited level of detail is proposed to be included with regards to stage 2 at this time, including multi-use trails, sidewalk and temporary, permanent road connections and transit amenity space. Detailed matters for Stage 2 should be left to future negotiations. As the current policy for the site is fairly prescriptive, resolution of all matters do not have to be resolved with Stage 1 and will have to comply with policy when negotiated in the future.

Existing Infrastructure - Existing infrastructure, sewer, water, stormwater, electrical and gas utilities are all present and in many cases actively used on the Future Growth node site. Some of this infrastructure will be removed as part of redevelopment, but much of it will need to remain to service the existing Penhorn Plaza. Some existing infrastructure on the site is located in specific areas to meet existing engineering requirements or are necessitated by the physical constraints of the site and relocation may not be possible.

Based on the above:

1. The Penhorn Future Growth node will have to be redeveloped using a staged approach to long term planning;
2. Existing infrastructure needs to remain to service the existing Penhorn Plaza;
3. Existing infrastructure will influence choices in site design;
4. Variations to technical requirements and practices may be appropriate to accommodate existing and proposed uses;
5. Flexibility and adaptations will be required in Stage 1 to effectively implement the vision in the near and long term.
6. Care needs to be taken to not adversely impact the existing Penhorn Plaza.
7. Limited commitments should be made on Stage 2 of the Future Growth Node and commitments should only be made when crucial to the execution of Stage 1;
8. Commitments in Stage 2 need to be flexible to accommodate changes needed beyond the near term.

Development Opportunities

Transit Oriented Development Opportunity

Policy for Penhorn enables the creation of a dense cluster of buildings in a variety of forms. This enables design opportunities to create interesting building forms and site design relationships which create urban, pedestrian friendly designs, with densities that are supportive of the adjacent transit service and which will set the stage for future stages of the Penhorn Future Growth Node.

Surrounding Parkland Opportunities

Brownlow Park and Penhorn Lake Park provide adjacent recreation opportunities for future and existing residents of the area. By connecting the two pieces of parkland through a series of trails

and parks, there is the opportunity to create an integrated network of park facilities which will enhance the community.

Pedestrian Oriented Design Opportunities

Opportunities exist to connect the surrounding residential development with the proposed development. With regulatory requirements for the site that require the use of modern pedestrian oriented design techniques, an integrated design will lead to a pedestrian friendly design which creates a walkable transit oriented community.

Section 4: Design Objectives

Centre Plan Design Principles

The Regional Centre SMPS and Regional Centre Land Use By-law identify a series of design objectives for developments in the Centre Plan area. These objectives cover three key areas:

- **Site Planning and Design Principles**
 - The proposed development organizes building massing, open spaces, and uses to create and emphasize active streetwalls and prominent sites
 - The proposed development retains and introduces connections that support a pedestrian-friendly mobility network
 - The proposed development retains and introduces open spaces that support the existing network of open spaces
 - The proposed development locates buildings and open spaces to optimize pedestrian comfort, related to weather, on abutting and adjacent to the development
 - The proposed development locates and scales utilities, services, and parking to mitigate negative impacts on the public realm and neighbouring properties
- **Open Space Design;**
 - Open spaces in the proposed development are designed to reflect existing neighbourhood aesthetic themes and enhance the public realm
 - Open spaces in the proposed development are designed to be accessible to all
 - Open spaces in the proposed development are designed to optimize pedestrian comfort and interaction
 - Open spaces in the proposed development are designed to incorporate sustainable landscape practices
 - Open spaces in the proposed development are designed with durable, high quality materials
- **Building Design**
 - Buildings are designed with clearly established streetwalls containing distinct, narrow sections that reflect neighbourhood character and fine-grained lot fabric
 - Streetwalls are designed with a high level of transparency, and a variety of coordinated human-scaled elements that reflect existing neighbourhood aesthetic themes
 - Streetwalls are designed with frequent and clearly distinguished entrances
 - Buildings are designed to be accessible to all
 - Buildings are designed with durable, high quality materials
 - Buildings are designed to emphasize prominent sites and provide visual quality from all vantage points
 - The top of the building is distinguished from other parts of the building
 - Buildings are designed with utilities, services and parking that mitigate negative impacts on the public realm and adjacent properties

Other Design Objectives

- Provide for various housing forms or unit sizes to respond to a variety of needs.
- Provide transit amenity space near the Halifax Transit Penhorn Terminal.
- Provide new parkland opportunities to serve active needs of the community.
- Identification of variations required to existing zones.
- Traffic calming to create pedestrian friendly streets.

Section 5: Design Responses

Site Planning and Design Principles Responses

- **The proposed development organizes building massing, open spaces, and uses to create and emphasize active streetwalls and prominent sites**
 - Buildings are located at or close to the streetline;
 - All street frontages have human-scaled streetwall of 4 storeys;
 - A view terminus site was created with at-grade open space;
 - Small private open spaces to break up large lots and fine-grained street, block, and lot patterns;
 - Residential uses are proposed at grade with setbacks appropriate to provide for privacy, but close enough to the streetline to perceive building details and support an animated streetscape;
 - Public spaces and private open spaces are adjacent human-scaled streetwalls of 4 storeys;
 - Fine grained context of low-rise buildings is intended to be reflected in the design of adjacent low to mid-rise buildings;
 - In areas where there is a narrow public right-of-ways, private sidewalks extend into front yards to acts as extensions to the sidewalk.
 - The most active uses in a development are at-grade and close to the streetline; and
 - Services, utilities, and parking are located away from any terminus sites
- **The proposed development retains and introduces connections that support a pedestrian-friendly mobility network**
 - Previously existing informal paths have been continued /formalized through the site connecting existing parkland and transit terminal to other parts of the site;
 - Existing pedestrian connections have been continued through the site using open spaces, pedestrian paths, or driveways with sidewalks;
 - A full pedestrian network through Stage 1 allows for a fine grained mobility network;
 - Through the existing Penhorn Plaza (Stage 2) pedestrian corridors have been established linking Portland Street and the Halifax Transit terminal.
 - Multiple accessible points to proposed parkland have been provided to surrounding buildings;
 - Active spaces within proposed parkland are proposed adjacent to or abutting connections to animate the spaces and support their safe use;
 - Sidewalks are framed with and active human-scaled streetwalls;
 - The proposed design provides connections and spaces for bicycles and abutting active transportation routes;
 - In order to supplement narrow right-of-ways, private sidewalks have been included which act as an extension of the sidewalk;
 - Street and AT layout is in a grid design;
 - Pedestrian comfort and a fine-grained mobility network has been created through the design.
- **The proposed development retains and introduces open spaces that support the existing network of open spaces**

- The design physically connects the proposed open spaces with existing open spaces;
 - Introduces mid-block open spaces between residential uses;
 - Establishes a clear pattern of front and side yards
 - The proposed design connects proposed open spaces with pedestrian pathways and sidewalks;
 - The design frames open space with human-scaled building massing and elements;
 - Introduces new open spaces to expand and support the open space network;
 - Locates active uses along the edges of open spaces; and
 - Consideration of locating indoor amenity spaces which that are visually connected to, or overlook existing or proposed open spaces.
- **The proposed development locates buildings and open spaces to optimize pedestrian comfort, related to weather, on abutting and adjacent to the development**
 - Building are designed to minimize shadow impacts on abutting open spaces, particularly public open spaces and sidewalks;
 - Streetwall stepbacks are included which help mitigate shadow and wind impacts on sidewalks;
 - Stepbacks are provided to mitigate impacts of shadow and wind on residents, the public realm, and abutting residential uses; and
 - Front yards and patios are located to provide clear access to weather protection directly from the sidewalk.
- **The proposed development locates and scales utilities, services, and parking to mitigate negative impacts on the public realm and neighbouring properties**
 - The design internalizes services, utilities, and parking areas;
 - Parking areas are located out of view of the streetline;
 - Access points are located out of view of the streetline;
 - Through the development agreement terms which minimizing the scale of utilities, controls their location of services and utilities will be negotiated.

Open Space Design Responses

- **Open spaces in the proposed development are designed to reflect existing neighbourhood aesthetic themes and enhance the public realm**
 - Open spaces will be designed with material and colour patterns that reflect the local area:
 - Open spaces will be designed, where possible, with plantings and greenery that reflect or complement plantings or greenery on abutting properties;
 - Accessible open spaces will be designed with surface materials that link with and expand upon the design of abutting open spaces; and
 - Lighting options that complement the site as well as abutting open spaces or building design will be considered.
- **Open spaces in the proposed development are designed to be accessible to all**
 - Open spaces will be designed
 - With clearly defined barrier free access points

- To include accessibility tools to help users navigate the space such as signs, tactile strips, audible features, and landmarks, with flat, smooth, and slip-resistant surfaces as to not act as a barrier to any means of mobility
 - With clearly lit pathways and gathering spaces, and using Crime Prevention Through Environmental Design (CPTED) practices;
- **Open spaces in the proposed development are designed to optimize pedestrian comfort and interaction**
 - Open spaces have been designed to:
 - Include trees and a variety of human-scaled elements such as vegetation, planters, chairs, and short stone walls, multiple seating options, pedestrian weather protection from wind, sun and precipitation
 - Include interactive elements such as,
 - public art, cultural artifacts, or monuments/ memorial pieces, and - multiple access points, well-lit pathways, and gathering spaces;
 - Include a variety of smaller spaces that reflect different purposes;
 - Define the boundaries of open space using treatments such as changes in materials, seating, and plantings;
 - Maintain sightlines into open spaces;
 - Use awnings, canopies, plantings, or moveable furniture;
 - Avoiding blank walls abutting open spaces;
 - Integrating the architecture of the building into the open space;
- **Open spaces in the proposed development are designed to incorporate sustainable landscape practices**
 - The design
 - Manages stormwater capture, infiltration, and water filtration;
 - Reduces urban heat island effects;
 - Create habitats for urban wildlife.
 - Includes community garden space is proposed
 - Consideration of the following will be done at detailed design;
 - Using salt-tolerant plant and tree species that can withstand the local environment and climate;
 - Using native and non-invasive species;
 - Using pedestrian-scale lighting with full cut-off light fixtures and automatic shut-off devices;
 - Illuminating features with multiple directed lights rather than one broad coverage light;
 - Using edible plantings, such as fruit trees, to support food security;
 - Using street furniture constructed from sustainable or recycled materials;
 - Maximizing on-site stormwater capture, infiltration, and reuse through rain gardens, drywells, etc in public and private open space.
- **Open spaces in the proposed development are designed with durable, high quality materials**
 - Materials with a proven track record of durability in the local climate will be used
 - A range of vegetation adapted to the local environments such as grass and groundcover plantings for softscaping will be used;

- Stone, masonry, or wood as the primary materials for hardscaping and built elements of proposed open spaces will be used;
- Wood or a combination of wood, masonry, and stone will be considered for site furniture and related elements;
- Asphalt is to be used as the primary surface of multi-use pathways;
- Hard and soft-soaping materials will be used to provide a balanced end product.

Building Design Responses

Although the proposal does not include detailed building design at this time, general building form is proposed. The intent is to follow the following measures when designing the buildings:

- **Buildings are designed with clearly established streetwalls containing distinct, narrow sections that reflect neighbourhood character and fine-grained lot fabric**
 - Large buildings are designing to be taller than wide, with narrow frontages;
 - A combinations of projections, recesses, changes in materials, and variation in colour will be used to identify distinct sections of the streetwall;
 - Creating a fine-grained lot fabric with low rise buildings and mimicking the fine grained design through architectural design of the opposite multiple unit dwellings;
- **Streetwalls are designed with a high level of transparency, and a variety of coordinated human-scaled elements that reflect existing neighbourhood aesthetic themes**
 - Each section of the streetwall will provide consistent architectural treatment and materials from grade to the top of the streetwall;
 - Articulating the vertical and horizontal internal functions of the building through façade elements such as doors and windows;
 - Retail bays or grade-related units will be used to articulate streetwalls vertically;
 - Entrances will be aligned in each distinct section of the streetwall;
 - Operable windows will be considered to allow for interaction between building residents and the street;
 - The use of high-quality materials will be continued around building corners and onto facades fronting open spaces; and
 - Blank walls, opaque glazing, and long frontages without active entrances will be avoided;
- **Streetwalls are designed with frequent and clearly distinguished entrances**
 - Building entrances will be designed through one or more of the following expressions: height, width, recesses, canopies, awnings, or landscaping;
 - Separate canopies or awnings for each building entrance will be considered;
 - Building entrances will be designed to break the streetwall, variation in streetwall height and sightlines;
 - Clearly distinguishable common entrances in the streetwall will be provided to access upper storey uses;
 - Signs will be used as appropriate to delineate residential and commercial entrances;
 - Distinct and unobstructed building entrances for residential and commercial uses will be provided through architecture and design treatments;
- **Buildings are designed to be accessible to all**

- At-grade entrances will be provided for direct access from the sidewalk to building entrances;
 - Access ramps (internal or external) will be provided as necessary;
 - Signs indicating the location of accessible entrances and for wayfinding tools; and
 - Clearly delineated, safe and accessible pedestrian access routes through surface parking areas will be provided.
- **Buildings are designed with durable, high quality materials**
 - Locally tested and proven high-quality materials will be used on all façades, particularly those that can be seen from the public realm;
 - Masonry, stone, glass, steel, or high-quality natural wood will be used within the streetwall.
- **Buildings are designed to emphasize prominent sites and provide visual quality from all vantage points**
 - Blank walls are avoided on all facades;
 - Consistent or complementary treatment will be used for all façades;
 - Rooftop mechanical and telecommunication equipment will be integrated into the building top, or completely screened from the street;
 - Projections and recesses on portions of the building façade visible from a view terminus line will be used; and
 - Varying streetwall heights will be considered in detailed designs of prominent sites.
- **The top of the building is distinguished from other parts of the building**
 - Changes in colour, changes in materials, varied fenestration, change in roof pitch, projections and recesses, parapets and cornices will be used to distinguish the building top from the lower portions of the building;
 - The building top will be designed to use elements large enough to be clearly visible from the public realm;
 - Mechanical spaces or penthouse levels will be integrated into the building top or roofline;
 - Other architectural treatments such as continuing parapets around all sides of the roof that are visible from the public realm will be considered.
- **Buildings are designed with utilities, services and parking that mitigate negative impacts on the public realm and adjacent properties**
 - Parking is located away from the streetline, either underground, inside, or to the rear of the building.
 - Parking access doors are located to minimize visibility;
 - Utilities and services will be integrated into the building design; and
 - Architecture and design strategies will be used to minimize the impact of utilities, with landscape screening used as a last resort.

Site Constraints Responses

General findings related to existing development on the site are:

1. The Penhorn Future Growth node will have to be redeveloped using a staged approach to long term planning;

2. Existing infrastructure needs to remain to service the existing Penhorn Plaza;
3. Existing infrastructure will influence choices in site design;
4. Variations to technical requirements and practices may be appropriate to accommodate existing and proposed uses;
5. Flexibility and adaptations will be required in Stage 1 to effectively implement the vision in the near and long term.
6. Care needs to be taken to not adversely impact the existing Penhorn Plaza.
7. Limited commitments should be made on Stage 2 of the Future Growth Node and commitments should only be made when crucial to the execution of Stage 1 and meeting policy;
8. Commitments in Stage 2 need to be flexible to accommodate changes needed beyond the near term.

Based on the above, the following detailed responses are proposed:

- **Active commercial development (Penhorn Plaza) / Long term leases**
 - Initiate a two staged development proposal
 - Stage 1 – Former Penhorn Mall lands (immediate development timeline)
 - Stage 2 – Existing Penhorn Plaza (long term development 20+ years)
 - Establish the needs of policy
 - Establish road connections to Portland Street (through Stage 1/2)
 - Establish AT/sidewalk connections throughout site (through Stage 1/ 2)
 - Establish initial stage of pedestrian oriented street (Stage 1),
 - Establish future potential commercial cross street (Stage 2) to set preliminary alignment for future
 - Establishes urban form (Stage 1) and general Urban Structure (Stage 1 and 2)
 - Complete design of Stage 1
 - Identifying parkland for Stage 1 and initial Stage 2 (transit amenity). Parkland Design and in-kind development.
 - Existing Penhorn Plaza (existing underground / above ground utilities) complicates road takeover and multi-use paths
 - Propose temporary (long term) public access easement for Main Penhorn Mall driveway
 - Include new sidewalk and adjustments to road alignment/existing parking
 - Allows flexibility to tweak road alignment in conjunction with future Stage 2 design.
 - Allows new infrastructure design to suit Stage 2 in the future.
 - Eliminates need to rebuild infrastructure for existing commercial plaza in near term
 - Propose temporary (long term) easement for multi-use pathway from pedestrian commercial area to transit terminal/Portland Street through central driveway
 - Include new multi-use pathway and adjustments to road alignment/existing parking/loading areas.

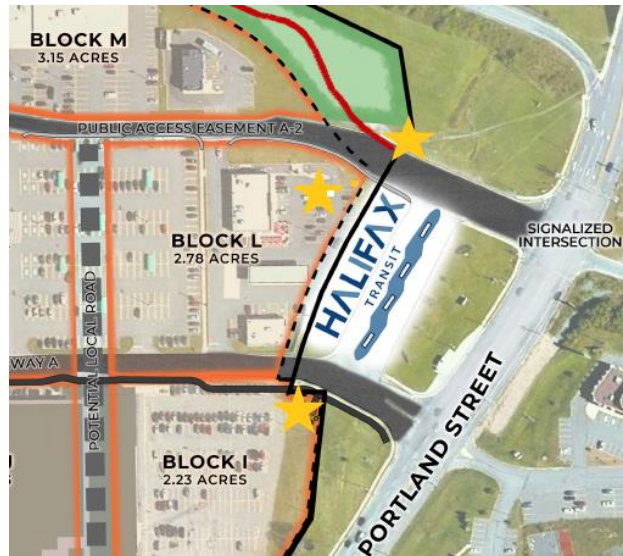
- Allows new infrastructure design to suit Stage 2 in the future.
 - Eliminates need to rebuild infrastructure for existing commercial plaza in near term
 - Temporary easements are anticipated to be made permanent in future detailed Stage 2 process. At that time permanent decisions can be made based on planning/design needs of the day.
 - Limited ability for parkland turnover on select parcels due to existing utilities (Penhorn Lake trail extension)
 - Use clause 83(5) of Regional Subdivision By-law to take as parkland (where it is in the interest of the public).
 - Strategic upgrades to formalize trail/multi use pathway and upgrade user experience.
 - Phase of development negotiable.
 - Layout of existing commercial development makes setting up commercial uses on the site challenging and lands may not be suitable for commercial occupation until the front of the site is reconstructed.
 - Build ground floors of buildings facing the pedestrian street to pedestrian commercial standards;
 - Allow flexible use of ground floor space including residential / commercial and institutional uses.
- **Other Objectives**
 - **Provide for various housing forms or unit sizes to respond to a variety of needs**
 - The proposal includes low density townhouse forms, medium rise multiple unit dwellings and high rise multiple unit dwelling forms.
 - Townhouses will likely be typical three bedroom dwellings while multiple unit dwellings will include a variety of dwelling units varying from one-bedroom to three bedroom. The exact mix is intended to meet market demands.
 - Ground based dwelling units will be provided in multiple unit dwellings.
 - **16 Foot Townhouses**
 - 16 foot wide townhouse dwellings are proposed to create a housing product that is more affordable than the typical 20 foot wide townhouse unit.
 - Market preferences have evolved. Home sizes are decreasing as market is seeking a smaller footprint in order to address affordability, down size, live simply (ie tiny house movement, minimalist trend) and in an energy efficient way.
 - Internal size is still considerable (1700 sf – 2140 sf), and comparable to large multi-res unit sizes, but is configured differently, and so offers market diversity. Small /affordable ground based product is rare.
 - They are an efficient land use as they required less road frontage (the main factor allowing them to be more affordable)
 - Provides a fine grained street interface, and pushes builders away from the use of a garage at the front of the home, as space is limited. The removal of a garage at the front provides significant improvement to architectural quality and allows greater community surveillance.

- These dwelling units have been previously constructed in the Bedford West area and have been very well received. These dwelling units are produced in a manufactured housing facility at Prestige Homes (a Shaw Group Limited company). Visuals of the existing Brownstones in Bedford West are below.
- The form of these homes creates a fine grained streetwall that is compatible with adjacent medium density multiple unit buildings and the adjacent low density neighbourhood of Manor Park.



Figure 16 The Brownstones of Bedford West

- **Transit Amenity Space near Penhorn Transit Terminal**
 - The Penhorn transit Terminal is located on approximately 1.4 acres of land located at Portland Street, in front of the Penhorn Future Growth Node site. The transit terminal is developed on approximately one-third of this site, with remaining lands being landscape and undeveloped and available for amenity use.
 - Outcomes of the Penhorn vision identified the need for additional transit amenity space. The vision specifically identified the need for climate controlled space at the terminal. The proposed amenity space does not satisfy this need and this need should be implemented by Metro Transit on the transit terminal site through site redevelopment or upgrades. Ideally transit amenity space and facilities should be located on the terminal land, where it is proximate to the existing terminal as that is where it is most likely to be used.
 - Notwithstanding the above statement, policy requires the consideration of additional amenity space near the transit terminal.
 - Three areas were reviewed to provide transit amenity space near the Penhorn transit Terminal:
 - Lands to the west of the terminal at Block I;
 - Lands located on Block L; and
 - Lands opposite the transit terminal to the east of Block M.



- All three parcels have merit; however two parcels were removed from consideration. Block M was ruled out due to microclimate, highway noise, distance from transit terminal, poor visibility and likelihood of not being used for the intended purpose. Block L was also removed from consideration as this parcel is currently under lease as is an active commercial development (Penhorn Plaza), poor visibility of the transit terminal and because of walking distance.
- Block I was selected based on the outcome of a site visit. Site features include:
 - a more positive microclimate than other sites
 - great visibility sitting high over the transit terminal and providing the best views of all three locations;
 - best ease of access through existing pedestrian crossings and sidewalks;
 - a location that could serve as a trail head and transit amenity space being located at the apex of bicycle, pedestrian and transit desire lines.
- Proposed transit amenities include:
 - Hard surfaced area
 - Seating
 - Pergola
 - Landscaping

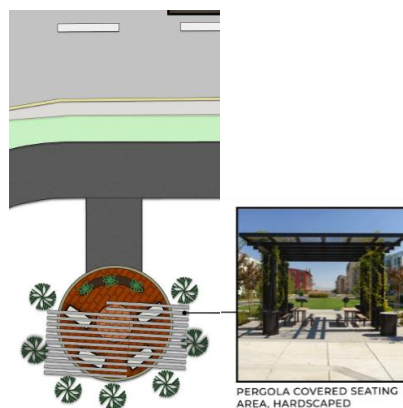


Figure 17 Transit Amenity Space Conceptual Design

- **Provide new parkland opportunities to serve active needs of the community.**
 - The redesign of the medium density multiple unit dwelling blocks to create a more continuous streetwall provided the opportunity to combine buildings and create a linear park between the buildings. This enabled the inclusion of approximately .71 acres of useable land which creates active opportunities. The proposal includes:
 - Landscaped lawn/meadow;
 - Multiple use pathway/sidewalk;
 - Beach volleyball court and adjacent seating/ play area;
 - Lighting
 - Urban Community Garden
 - Hardscaped square
 - Adjacent parkland to the multi-modal greenway.
 - The addition of this linear park significantly upgrades parkland within the development.
 - Further the parkland plan identifies the addition of new parkland throughout the development. This land:
 - Significantly upgrades parkland connectivity between Brownlow Park and Penhorn Lake Park;
 - Provides additional trail opportunities that serve parkland needs
 - Enhances existing park areas through the provision of:
 - Additional land adjacent existing parks;
 - In-kind development enhancing proposed parkland;

Please note that the submission package contains a conceptual landscape plan which includes further design enhancements which are beyond what is being proposed. The plan was provided as visualization or inspiration of what could be developed on the park.

- **Identification of variations required to existing zones.**
 - Identification of required variations is found elsewhere in the application package.

- Traffic calming to create pedestrian friendly streets.
 - In order to provide for a road network where pedestrian and active transportation are the highest priority, the site design will include the following traffic calming techniques:
 - Raised intersection crossings will be used at intersections of Road 1 and Road 2 as shown on Schedule O.
 - Raised Crosswalks will be used at main crossings on Road 1 and 2, specifically where the Linear Park and Multiple Use Pathway bring pedestrians and AT users toward the Penhorn transit Terminal.
 - Curb extensions and reduced travel way will be used, specifically on local Road 1 to slow traffic.
 - Pinch point/yield crossings will be provided at less used pedestrian crossings (Road 2) to provide for safer crossings by slowing traffic.



Section 6: The Proposed Design

The proposal includes:

- 45 townhouses;
- 860 multiple unit dwelling units located in 10 buildings;
 - Block A
 - 6 Storey - 82 Units
 - 12 storey - 90 units
 - Block B
 - 5 storey – 69 units
 - 15 storey – 119 units
 - Block C
 - 6 storey – 102 units
 - Block D
 - 4 storey – 72 units
 - Block F
 - 4 storey – 50 units
 - Block G
 - 6 storey – 89 units
 - Block H
 - 12 storey – 93 units
 - 13 storey – 94 units
- Street frontages designed to promote active streets;
- Designed for mixed uses along a pedestrian oriented street;
- A pedestrian oriented transportation network with 3.5 km of sidewalks, paths and multiple use trails as follows:
 - New crusher dust trail = 822m
 - Multi-Use asphalt trail = 954m
 - Public sidewalks = 1043m
 - Private walkways = 776m; and
- A .77 acre urban park with park square, meadow (amphitheater), outdoor sand play and sand volleyball court
- Additional land enhancements to Brownlow Park and Penhorn Lake Park plus additional parkland enhancements.



Figure 18 Penhorn Mall Stage 1 Concept Plan



Figure 19 Conceptual Visualization of Stage 1 Penhorn Future Growth Node



Figure 20 Conceptual Visualization - Townhouses/Multi Road 2

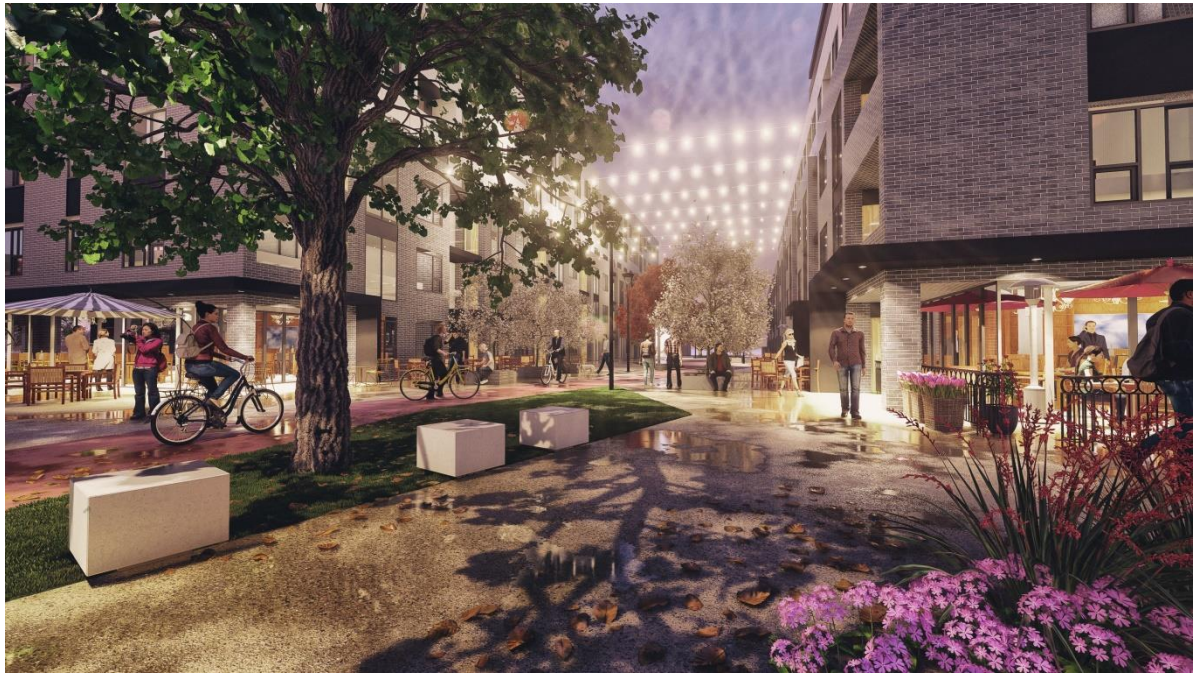


Figure 21 Conceptual Visualization - Pedestrian Street



Figure 22 Figure 20 Conceptual Visualization - Linear Park at Multi Modal Greenway



Figure 23 Conceptual Visualization - Linear Greenway at Road 2



PENHORN LANDSCAPE MASTER PLAN
CLAYTON DEVELOPMENTS LIMITED

March 19, 2021
Prepared by: **fathom**

Figure 24 Conceptual Linear Park Design

Section 7: Sustainable Development Report

8.2 HalifACT 2050 Compliance

HalifACT: Acting on Climate Together is the Municipality's long-term climate change plan to reduce emissions and help our communities adapt. The plan was adopted by Regional Council on June 23, 2020 and guides efforts to reduce emissions by conserving energy and increasing access to clean energy sources. It also helps communities adapt by raising awareness and helping people prepare.

HalifACT identifies a series of actions that the community can collectively do to achieve the climate action goals from now until 2050. Actions are grouped by three main themes: decarbonized and resilient infrastructure, prepared and connected communities, and governance and leadership.

The proposed design for Stage 1 of the Penhorn Growth Node addresses the following HalifACT items:

Opportunities (p.20)

HalifACT 2050 talks of opportunities and that taking advantage of opportunities can play a key role in developing momentum in the transition to a low carbon community. Such opportunities may be indirect such as a proposal to redevelop a brownfield site. The Penhorn site is a partial brownfield, through property owner cooperation and participation and the implementation of municipal policies, redevelopment of the subject site will lead to a development that supports the goals of HalifACT.

Business Opportunities (p.28) –HalifACT identifies the transition to a low carbon world involves investments across the economy in building retrofits, renewable energy, energy storage, transit systems and active transportation infrastructure, much of it by local business. Clayton Developments Limited views these opportunities as partnerships with the municipality. The creation of a sustainable development also has broad economic benefits to the region.

Further the Shaw Group Limited (Clayton Developments parent company) has previously developed a partnership with CarbonCure Technologies, an XPrize finalist. CarbonCure is leading an initiative to reduce the carbon footprint of the concrete industry. The CarbonCure Technology enables builders to reduce the carbon footprint of concrete products used in construction projects without impacting the concrete's quality. An investigation of the use of this technology will take place for use on this site.

Action 1 - Develop, adopt and apply a standard for net-zero and climate resilient new construction (p.36) - The design of new buildings can maximize energy performance by considering solar orientation, building shape, energy performance of the envelope and roof, and high efficiency equipment. These matter have been considered in the design of the site and will be considered in the design of individual buildings.

Action 6 /24- Develop a district energy initiative to decarbonize and expand district energy – The subject site has some potential for district energy useage (pg.37) / Plan for the deployment of carbon-neutral district energy and microgrid systems (pg.40)- An investigation is underway which is looking at the potential of harnessing surplus heat from supermarket refrigeration systems to heat homes and harness renewable energy. By connecting supermarket refrigeration with district heating systems through heat pumps, supermarkets can be part of local energy networks.

Additionally, there is electricity storage capacity in the refrigerator's cooling compressors, which can be used to store excess renewable energy for periods of high electricity demand. Thus, the heating and energy storage potential of supermarket refrigeration systems can be unlocked to add flexibility to the energy grids and heating networks.

Action 8 -Expand transit and active transportation infrastructure to support the Integrated Mobility Plan (p.38) - the proposed design includes approximately 3.5 km's of new active transportation infrastructure. This infrastructure completes creates a complete site specific AT network around and through the subject site. The network also completes neighbourhood connections such as Phase 2 of the Penhorn Multi Use Pathway which will complete the AT connection between Penhorn Lake Park and the Halifax Transit terminal at Portland Street. Further, the placement of a dense cluster of buildings next to a transit terminal is density in the right place to encourage/facilitate transit usage.

Action 9 and 10 - Collaborate with local organizations and businesses to develop a community-wide EV strategy / Prepare for and catalyze electric vehicle uptake through planning and policy (p.38) – The proposed design includes options for EV Charging stations within proposed multiple unit dwellings and at a central location within the subject site.

Action 14/ 25 - Develop a holistic, integrated, and climate-informed stormwater management plan and program / Increase land protection and conservation on private lands through partnerships, collaboration and municipal planning requirements (pg.42) – Climate informed stormwater plans for site are included in the proposed engineering. The inclusion of green infrastructure and the use of low impact design (LID) stormwater management on the subject site is an appropriate land protection technique. Low Impact Development (LID), mimic the natural water balance by focusing on practices that promote increased evapotranspiration, infiltration and groundwater recharge, and lower surface runoff volumes and flow rates. Maintaining the natural or pre-development hydrology of a site is critical to the ecological functioning of natural features, such as wetlands, woodlands, and watercourses. LID techniques are proposed to be used on public and private lands.

Action 20 - Fund and implement the Green Network Plan and Urban Forest Master Plan (p.40) – The proposal will include robust landscaping and tree planting which further the goals of the Urban Forest Master Plan.

Action 35 - Improve food security and food systems resilience - The proposal is to include community gardens in a new park on the site. This improves local food security and food systems resilience.

Section 8: Existing Policy and Regulatory Context

The site is located within the Regional Municipal Planning Strategy and within the Centre Plan SMPS. The Regional Plan identifies the Penhorn Area as part of the Urban Settlement Designation and a Regional Local Growth Centre.

The Urban Settlement Designation encompasses those areas where the Municipality has enabled serviced development or where undeveloped lands are to be considered for serviced development over the life of the Plan.

In October 2009, following a significant community consultation process, a Community Vision for the Penhorn site was approved in principle by Regional Council. The vision desired a mixed-use area including pedestrian and transit-oriented spaces and corridors, and a range of medium to high density housing choices clustered around the Penhorn transit terminal on Portland Street..

This community vision was integrated into the Regional Centre Secondary Municipal Planning Strategy (SMPS) in 2019, enabling future development at the site through a comprehensive development agreement process. Development agreement applications are to be reviewed, assessed, and approved in accordance with Future Growth Node Policies 3.35 and 3.32. In general, these policies require:

1. Site and building design to support a compact, mixed-use neighbourhood
2. Environmental protection and water quality protection
3. A range of parks and open spaces to serve the densely populated community
4. A transportation network that prioritizes walking, the easy use of mobility devices, cycling, and transit.

Excerpts from the Centre Plan SMPS

Below are excerpts from the Centre Plan SMPS which relate to CDD Zoned sites and specifically the Penhorn Mall Future Growth Node. The policies identify the matters to be considered in a development agreement for this site.

3.6 Future Growth Node Designation

The Future Growth Node Designation is applied to large sites that are currently largely vacant or contain predominantly single-use development such as shopping centres. These areas have the potential to accommodate significant growth due to their size, location and proximity to services. Future Growth Nodes are capable of transformative change as they have the land base to support population growth and new construction. The location of transit facilities and proximity to existing and future transit connections is a fundamental consideration for the development of each Node.

This Plan envisions these nodes developing comprehensively as complete communities with supportive transit services, pedestrian oriented streets, a mix of uses, services, and a blend of high-rise buildings, tall mid-rise buildings, mid-rise buildings, and low-rise buildings largely consistent with the land use and built form regulations of the Land Use By-law. The following ten sites are identified within the Regional Centre as Comprehensive Development Districts (CDDs) within the Future Growth Node Designation:

- Dartmouth Cove, Dartmouth;

- Halifax Shopping Centre Lands, Halifax;
- Joseph Howe Rail Lands, Halifax;
- Kempt Road Lands, Halifax;
- Mic Mac Mall Lands, Dartmouth;
- Penhorn Lands, Dartmouth;
- Shannon Park Lands, Dartmouth;
- Strawberry Hill Lands, Halifax;
- West End Mall Lands, Halifax; and
- Young Street Lands, Halifax.

Objectives:

- F1 Provide for diverse and inclusive opportunities for public engagement during the comprehensive planning process;
- F2 Preserve and recognize significant environmental and cultural aspects and provide for a variety of open space uses;
- F3 Comprehensively plan and develop each Future Growth Node for a mixed-use neighbourhood with a range of housing opportunities, places of employment and services where daily needs of residents can be met;
- F4 Design a transportation network that includes transit services and facilities, prioritizes pedestrians, cyclists, and public transit over auto-oriented uses, and is connected to other communities;
- F5 Effectively integrate new developments with surrounding neighbourhoods;
- F6 Design and build attractive, pedestrian-oriented healthy places, which consider human scale design, food security, urban agriculture, and the use and conservation of energy;
- F7 Design to mitigate flooding, including coastal flooding, and to manage stormwater on-site; and
- F8 Create a safe, attractive and accessible public realm for people of all ages and abilities.

Policy 3.27

Lands designated as Future Growth Nodes on Map 1 are established as Comprehensive Development Districts (CDDs) over lands where there is potential to accommodate significant growth due to the site's size, location and proximity to services. These lands are intended to develop comprehensively into compact mixed-use communities where transit and human scale and pedestrian-oriented environment is prioritized and supported.

Policy 3.28

The Land Use By-law shall establish a Comprehensive Development District (CDD) zone and apply it over lands within the Future Growth Node Designation. The CDD zone shall permit all commercial and industrial uses permitted in the CEN-2 zone without a development agreement, providing:

- a) any new use is permitted as of right in the CDD zone;
- b) any new use is limited to a maximum floor area of 1,000 square metres and to a maximum building height of 20 metres; and
- c) the new use is located on a lot in existence at the time of the adoption of this Plan.

A development agreement shall be required for any other use in the CDD zone, in accordance with the Policy 3.32.

Where a development agreement is required in a CDD zone, the Land Use By-law shall require incentive or bonus zoning.

Policy 3.29

Amendments to the Land Use By-law may be considered to allow for the additional expansion of existing uses permitted in the CDD Zone provided such expansion, or internal conversion, would not preclude the future comprehensive subdivision and development of the lands and complies with the Land Use By-law.

3.6.1 COMPREHENSIVE DEVELOPMENT DISTRICT

Master neighbourhood planning will be required for each Future Growth Node Comprehensive Development District (CDD) before a development agreement will be considered to allow the comprehensive development of the site. The neighbourhood plans will be incorporated into this Plan as CDD Design Criteria for each Future Growth Node based on a more detailed planning process.

Policy 3.30

The Municipality shall undertake master neighbourhood planning for each Future Growth Node prior to considering a development agreement to enable the comprehensive development of the site. New or revised CDD Design Guidelines for a Future Growth Node shall consider and be reasonably consistent with the Regional Centre Urban Design Manual (Urban Design Manual) contained in Appendix 2, and the following matters:

- a) the objectives of Section 3.6 of this Plan;
- b) the classes of uses permitted;
- c) the type, location and phasing of development;
- d) the use and conservation of energy, including sustainable design;
- e) opportunities to identify, preserve, rehabilitate and celebrate significant environmental features or cultural assets as identified through a culture and heritage assessment;
- f) on-site stormwater management including green stormwater infrastructure to reduce the stormwater flowing into the public stormwater system, and improve the quality of runoff through filtration;
- g) the provision of parks, open spaces and community recreation facilities that meet the objectives of this Plan;
- h) the transportation network and the need for on-site transit facilities;
- i) the design of streets, buildings and open spaces to respond to weather patterns, mitigate potential for flooding and accommodate seasonal conditions;
- j) the layout of public streets with a block pattern that supports transit and connects to the surrounding community, Centres, the Downtown, and other key destination areas;
- k) the provision of a mix of uses;
- l) encouraging the use of buffers, building design, and landscape design to mitigate negative air quality impacts to building users and residents, particularly in areas near highways, regional truck routes, high traffic streets and other sources of air pollution;
- m) setbacks and other measures to minimize safety risks and conflicts associated with railway operations;

- n) setting maximum building floor areas ratios and maximum heights for the entire or a portion of the site that may differ from those illustrated on Map 3 of this Plan and Schedule 7 of the Land Use By-law;
- o) the location and built form regulations under the Land Use By-law particularly with respect to streetwalls and maximum building dimensions;
- p) provisions for incentive or bonus zoning;
- q) urban design that supports pedestrian environments;
- r) respect the Downtown Dartmouth View Corridors as shown on Map 9 of this Plan, and as more specifically defined in the Land Use By-law;
- s) community food security and urban agriculture; and
- t) applicable direction contained in the Regional Plan and in any approved Priority Plans.

Policy 3.31

Council may only consider development agreement applications for the development of Future Growth Nodes when site specific CDD Design Requirements are adopted in this Plan.

3.6.2 GENERAL DEVELOPMENT AGREEMENT AND LAND USE BYLAW AMENDMENT REQUIREMENTS

Policy 3.32

The Maximum Building Height Precincts illustrated on Map 3 and Schedule 7 shall not apply to a development agreement within a CDD zone. In considering development agreement for any lands zoned CDD, Council shall consider the following:

- a) the Urban Design Manual contained in Appendix 2 of this Plan;
- b) the applicable site specific CDD requirements set out in Section 3.6.3 of this Plan;
- c) all applicable policies of the Regional Plan and of this Plan;
- d) the subdivision of land;
- e) the phasing of infrastructure;
- f) the proposed road network and the location of transit facilities;
- g) the provision of open space that meets the objectives of this Plan and the requirements of Regional Subdivision By-law;
- h) the proposed built form and land use requirements reference the appropriate zones and sections of Land Use By-law with limited variations considered as needed to meet Urban Design Manual;
- i) the agreement may identify Pedestrian-Oriented Commercial Streets, View Corridors, and View Terminus Sites;
- j) provisions to comply with the Pedestrian Wind Impact Assessment Protocol and Performance Standards, and the Shadow Impact Assessment Protocol and Performance Standards of the Land Use By-law;
- k) provisions for incentive or bonus zoning;
- l) impacts to Municipal infrastructure and the need, if any, to concurrently approve by-laws to pay for growth related municipal infrastructure; and
- m) the agreement to enable the agreement to be discharged when all terms and obligations are fulfilled.

Policy 3.33

Zoning identified in the development agreement pursuant to Policy 3.32 shall be applied to the Future Growth Nodes upon the fulfillment of the approved terms of the development agreement to continue to regulate land use and built-form on the site. In considering amendments to Land Use By-law to replace the CDD Zone with any other Regional Centre Plan zone, the Council shall be satisfied that the proposed zoning meets the intent of the approved CDD Development Agreement Requirements.

3.6.3 SITE SPECIFIC COMPREHENSIVE DEVELOPMENT DISTRICT (CDD) DEVELOPMENT AGREEMENT REQUIREMENTS

At the time of adoption of this Plan, community engagement had already taken place, and CDD Design Requirements were prepared for the following Future Growth Nodes:

- Shannon Park Lands, Dartmouth;
- Penhorn Mall Lands, Dartmouth;
- Young Street Lands, Dartmouth; and
- Dartmouth Cove, Dartmouth.

These requirements are incorporated into this Plan to guide future development agreements and land use by-law amendments that enable the comprehensive development of these lands.

3.6.3.2 PENHORN MALL LANDS

A Community Vision for the Penhorn Mall site was approved in principle by Regional Council in October of 2009 as a mixed-use area clustered around the transit terminal on Portland Street. The redevelopment concept includes pedestrian and transit oriented spaces and corridors, a range of medium to high density housing choices that includes approximately 3,500 – 4,000 people. Public amenity spaces including Penhorn Lake and Brownlow Park will support the development of this community, and additional open spaces and open space connections will be provided. Protection of the water quality of Penhorn Lake is a key goal of future development on this site, and shall be considered during the development and construction of the site. Four areas are identified for this Future Growth Node:

Area 1: this area abuts the Manor Park neighbourhood and Penhorn Lake Park and Brownlow Park. Future development will maintain and enhance the existing vegetative buffer. Low-rise residential buildings are supported in this area due to its proximity to an existing low-rise residential neighbourhood.

Area 2: this area abuts Area 1 and the Penhorn Lake Park. Future development will maintain and enhance the existing vegetative buffer through landscaping. Predominantly residential low-rise buildings and mid-rise buildings will be supported in this area to provide transition between the low-rise residential of Area 1, and the more dense and mixed-use Area 3. Part of this area also abuts the Circumferential Highway where a multi-use trail is to connect the transit facility to Area 3, and Penhorn Lake Park.

Area 3: this area is intended to be the mixed-use centre of the Penhorn Future Growth Node. Mid-rise buildings, tall-mid-rise buildings and high-rise buildings in a transit-oriented development is supported in this area. A main-street pedestrian oriented development is envisioned for this area, providing a focal point for commercial activity and supporting public amenities for this dense community. A multi-modal active transportation greenway connects and provides a transition between this area, and Area 2 and connects the two key parks which exist on the site.

Area 4: this area is nestled between Manor Park low-rise residential area, Brownlow Park, low-rise Area 1, and the mixed-use centre of Area 1. This area is facing Portland Street and is in close proximity to the transit facility. This area may develop into low-rise to high-rise mixed use development, and additional park space adjacent to Brownlow Park may also be considered for this area.

Policy 3.35

When considering a development agreement for the Penhorn Lands Future Growth Node, Council shall consider Policy 3.32, and:

- a) That the general location of proposed land uses, road network connections, parks, and multi-use trails is reasonably consistent with Map 12;
- b) That site and building design supports a compact, mixed-use neighbourhood by:
 - i. planning for a mix of low-rise buildings, mid-rise buildings, tall mid-rise buildings and high-rise buildings as illustrated on Map 12;
 - ii. planning for low-rise residential buildings in Area 1; low-rise to mid-rise buildings predominantly residential forms in Area 2; mixed-use mid-rise, tall mid-rise and high-rise buildings in Area 3; and low-rise to mid-rise buildings and open space in Area 4;
 - iii. transitioning new development down to existing low-rise residential buildings, and to municipal parks,
 - iv. locating commercial and institutional uses within mixed use buildings up to the third floor, and primarily along the ground floor of pedestrian-oriented commercial streets;
 - v. providing pedestrian-oriented building facades and designs;
 - vi. prohibiting new drive-through facilities;
 - vii. providing substantial landscaping around the perimeter of the site, and adjacent to all buildings; and
 - viii. providing a mix of units, including ground orientated units.
- c) That environmental protection, water quality and Urban Forest Master Plan objectives are supported by:
 - i. designing on-site stormwater management that emphasizes low impact development measures as a means to maintain water quality in Penhorn Lake, with consideration given to the Analysis of Regional Lakes Water Quality Data (2006 - 2011) prepared by Stantec in 2012,
 - ii. considering a water quality monitoring program during and following development to ensure that the water quality objectives of the Regional Plan are satisfied;
 - iii. preparing a landscaping and vegetation plan as part of site development to support the canopy target for the Manor Park Neighbourhood as referenced in the Urban Forest Masterplan.

- d) Parks and open spaces provide the full range of recreation and open spaces needed to serve the dense community by:
 - i. locating public amenity spaces near the transit terminal on Portland Street,
 - ii. retaining, and where feasible, enhancing vegetative buffers around Penhorn Lake,
 - iii. establishing setbacks from municipally-owned lands around Penhorn Lake,
 - iv. providing that only pervious landscaping surfaces or materials are permitted within the setbacks from municipally-owned lands around Penhorn Lake, and
 - v. planning for a public park or parks to be aligned with, and to be visible from existing parks and the multi-modal pathway linking Penhorn Lake area and Brownlow Park; and
- e) That the transportation network prioritizes walking, the easy use of mobility devices, cycling, and transit use by:
 - i. providing a minimum of two street accesses to Portland Street as illustrated on Map 12;
 - ii. planning for a multi-modal greenway that links Penhorn Lake area and Brownlow Park, is hard surfaced and no less than 3 metres wide to accommodate public spaces, trees and an off-road active transportation route;
 - iii. designing wide pathways to access the back half of the site and intersect with the greenway to give priority to pedestrians and active transportation,
 - iv. designing pedestrian pathways to connect the transit facility, existing neighbourhoods, Brownlow Park, Penhorn Park, and the proposed Penhorn Lake trails, and
 - v. planning for pedestrian pathways and open spaces.