

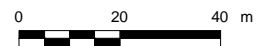
**Map 1 - Generalized Future Land Use  
9 Veterans Avenue  
Dartmouth**

**HALIFAX**

 Subject Site

**Designations**

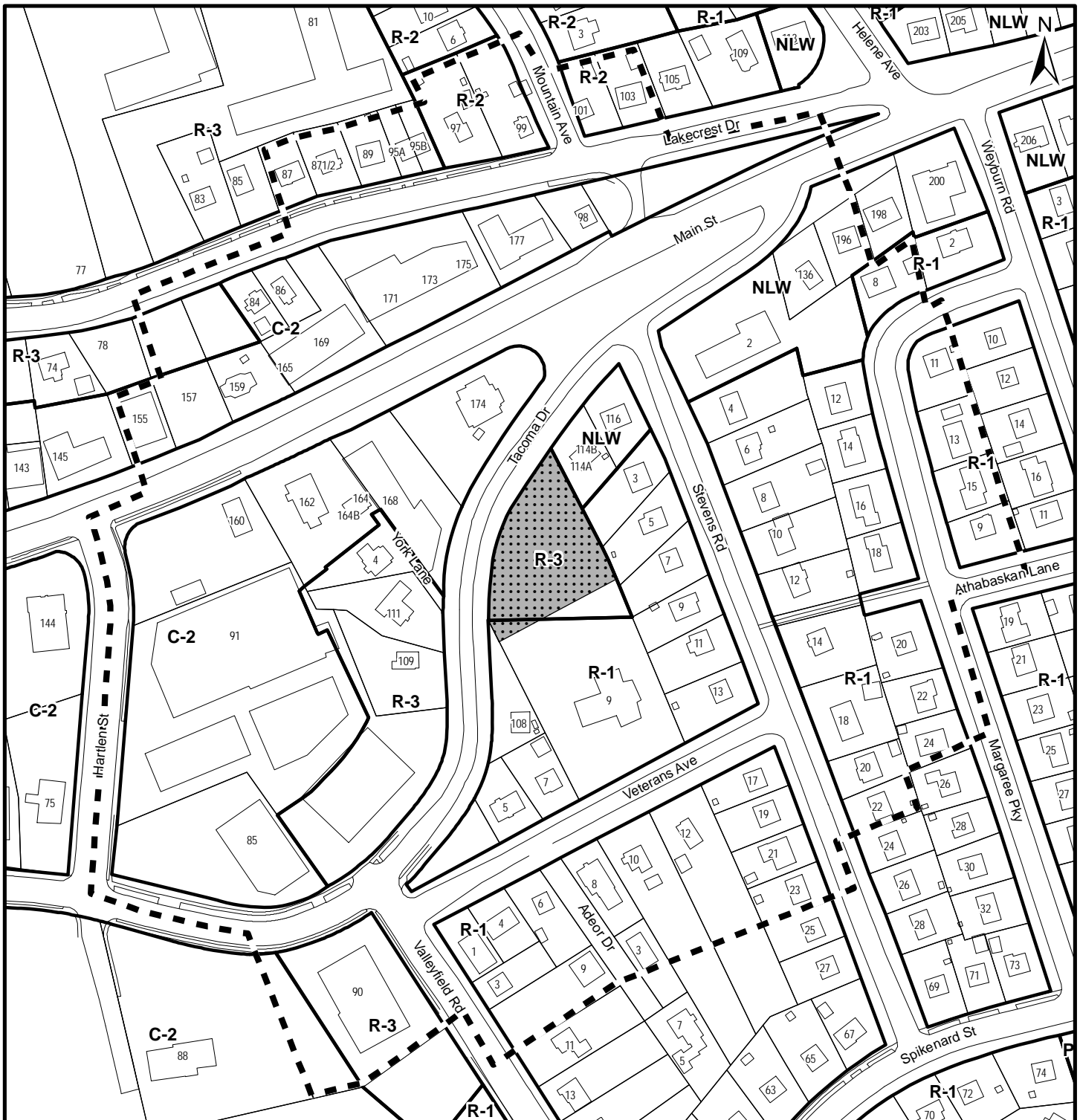
- R Residential
- MS Mainstreet



This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.



The accuracy of any representation on this plan is not guaranteed.

Dartmouth  
Plan Area

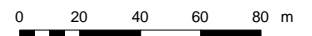


**Map 2 - Zoning & Notification**  
**9 Veterans Avenue**  
**Dartmouth**



-  Subject Site
-  Area of notification

- Zone**
- R-1 Single Family Residential
  - R-2 Two Family Residential
  - R-3 Multiple Family Residential (Medium Density)
  - C-2 General Business
  - NLW Neighbourhood Live-Work
  - P Park



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Dartmouth Land  
 Use By-Law Area

**ATTACHMENT A**

**Proposed Amendment to the Dartmouth Land Use By-law**

**BE IT ENACTED** by the Harbour East Marine Drive Community Council of the Halifax Regional Municipality that the Land Use By-law for Dartmouth is hereby further amended as follows:

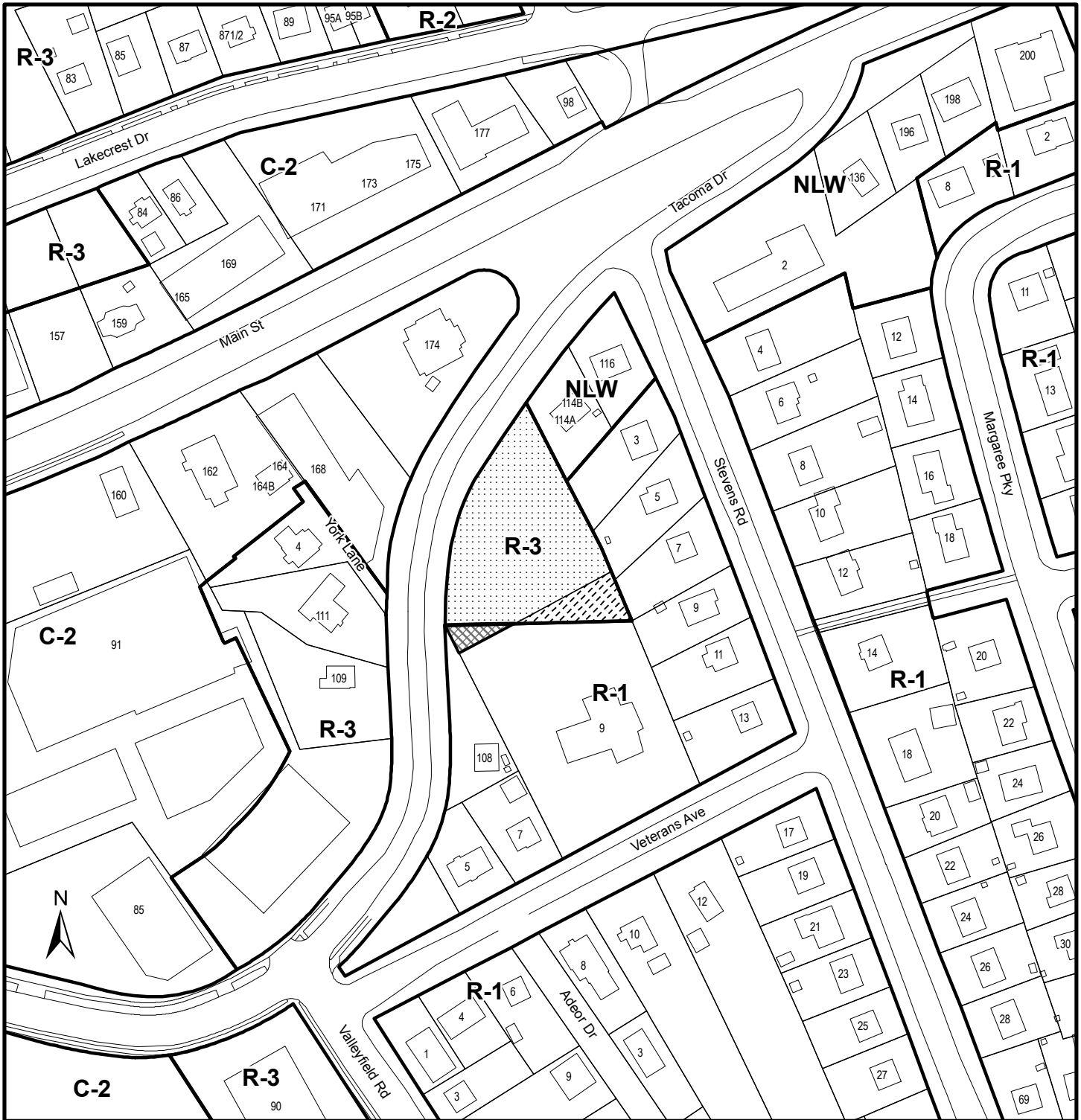
1. The Dartmouth Zoning Map is amended by rezoning a portion of the lands identified as 9 Veterans Avenue, Dartmouth, from the R-3 (Multiple Family Residential-Medium Density) zone and the R-1 (Single Family Residential) zone to the S (Institutional) zone, and a portion of the lands from the R-3 zone to the R-1 zone, as illustrated in Schedule A attached hereto.

THIS IS TO CERTIFY that the by-law of which this is a true copy was duly passed at a duly called meeting of the Harbour East Marine Drive Community Council of Halifax Regional Municipality held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GIVEN under the hand of the municipal clerk and under the Corporate Seal of the said Municipality this \_\_\_\_day of \_\_\_\_\_, 201\_\_.




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Municipal Clerk



**Schedule A**  
 9 Veterans Avenue,  
 Dartmouth

**HALIFAX**

-  Area to be Rezoned from R-1 to S
-  Area to be Rezoned from R-3 to S
-  Area to be Rezoned from R-3 to R-1

- Zone**
- R-1 Single Family Residential
  - R-2 Two Family Residential
  - R-3 Multiple Family Residential (Medium Density)
  - C-2 General Business
  - NLW Neighbourhood Live-Work
  - P Park
  - S Institutional



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Dartmouth Land  
 Use By-Law Area

## Attachment B - Review of Relevant Policies from the Dartmouth MPS and LUB

### Commercial Policies – Main Street Designation

Policy C-60	Staff Comment
<p><i>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 9x (Main Street Generalized Future Land Use Map).</i></p>	<p>The site abutting this property lies within the Neighborhood Edge Sub-Designation, which allows for “small institutional uses, provided that development shall be in a low-rise house form”. The abutting properties are zoned NLW (Neighborhood Live-Work Zone) under the Dartmouth LUB. The NLW Zone permits S (Institutional) uses.</p> <p>The proposed building form at 38 feet in height is consistent with low rise housing form outlined within the Neighborhood Edge Sub-Designation. The S (Institutional) Zone requirements for building heights within the Main Street Designation are a maximum of 45 feet as per Schedule AF of the Dartmouth LUB. The proposed use is listed under the S (Institutional) Zone, the zone applied to the adjacent properties within the Neighborhood Edge Sub-Designation.</p> <p><i>Please note that Policy C-60 refers to Map 9x, which is incorrect. A text error was made in the Dartmouth MPS. The Main Street Generalized Future Land Use Map is Map 9y of the Dartmouth MPS.</i></p>

Policy C-54	Staff Comment
<p><i>Council shall establish the Neighbourhood Edge Sub-Designation as shown on Map 9X - 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.</i></p>	<p>Neighborhood Edge Sub-Designation allows for “small institutional uses, provided that development shall be in a low-rise house form”. See above for staff review of Policy C-54 in relation to Policy C-60.</p>

### Implementation Policy

Policy IP-1(b) Generalized Land Use	Staff Comment
<p><i>The generalized land use categories for the City shall include: (1) Residential, (2) Commercial, (3) Industrial, (4) Park and Open Space, (5) Institutional. (Deleted-RC-Jul 11/00;E-Sep 2/00)</i></p>	<p><u>1. R-3 (Multiple Family Residential zone- Medium Density) to S (Institutional) zone:</u></p>

<p><i>In addition, areas outside the development boundary not designated on the Generalized Land Use Map shall be designated Reserve in accordance with Map 9c attached as Schedule "C". (As amended by By-law C-475, Sept. 20, 1983).</i></p> <p><i>Tables 4, 4a and 4b identify (RC-Sep 10/13;E-Nov 23/13), in matrix form, the permitted uses under each 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 23/13). The generalized land uses are also shown on: Map 9;</i></p> <p><i>Map 9b, 9c, 9d, 9e, 9g, 9h,9i (By-law 633), 9i (By-law 724), 9j, 9q, 9m, 9o, 9p (Portland St), 9p (Craigwood), 9r, 9y and 9z (RC-Sep 10/13;E-Nov 23/13) (As amended by By-law C-475, Sept. 20, 1983, By-law C- 493, Dec. 9, 1983, By-law C-494, Dec. 9, 1983 and By-law C-511, Jul.,1984).</i></p> <p><i>These maps shall be the Generalized Land Use Map for the City of Dartmouth based on the policies contained in this plan.</i></p> <p><i>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.</i></p> <p><i>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.</i></p>	<p>"Local Institutional" and "City/Regional Institutional" uses are permitted in all sub-designations of the plan per Table 4b.</p> <p>2. <u>R-1 (Single Family Residential) zone to S (Institutional) zone:</u></p> <p>Policy IP-1(b) allows the consideration of local institutional land uses in the Residential designation as per Table 4.</p> <p>3. <u>R-3 (Multiple Family Residential zone- Medium Density) to R-1 (Single Family Residential) zone:</u></p> <p>Policy IP-1(b) allows the consideration of single family residential land uses within the Residential designation as per Table 4.</p>
<p><b>Policy IP-1(c) Zone By-Law</b></p>	
<p><i>In considering zoning amendments and contract zoning, Council shall have regard to the following:</i></p>	
<p><i>(1) that the proposal is in conformance with the policies and intent of the Municipal Development Plan;</i></p>	<p>Staff feel the proposal is in conformance with Policy C-60 of the Dartmouth MPS as discussed above.</p>
<p><i>(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;</i></p>	<p>The surrounding neighborhood consists of a mix of single family residential, commercial (retail/restaurant), and institutional use- with two churches located within three blocks of the property. Temporary housing provides a community service and serves as an institutional use which is not currently present in the neighborhood, but which is</p>

	<p>consistent with other institutional uses in the neighborhood.</p> <p>The building bulk is proposed at 3 stories (38 feet) which is less than the required maximum height under Sched AF of the Dartmouth LUB. The building provides an appropriate transition from the larger scale commercial along Main Street, to the single family residential neighborhood located adjacent to the property.</p>
<p><i>(3) provisions for buffering, landscaping, screening, and access control to reduce potential incompatibilities with adjacent land uses and traffic arteries;</i></p>	<p>Landscaping requirements are required under the S Zone, Section 45(2)(d) which requires the first ten (10) feet bordering the road right-of-way to be fully landscaped, except where driveway or pedestrian access points are required. Additionally, Part 2 General Provisions of the Dartmouth LUB lists additional landscaping requirements including a grassed area with a minimum depth of twenty (20) feet along the entire length of the adjacent property line. The grassed landscaped area may be reduced to ten (10) feet where an opaque fence of at least six (6) feet in height is provided along the common property boundary.</p> <p>The site has been proposed to meet the landscaping provisions of the Dartmouth LUB (above), with landscaping around the periphery of the site designed to screen the residential properties from the proposed institutional building.</p> <p>The current site is accessed via curb cuts on Tacoma Drive and Veterans Ave. The site is now proposed to be accessed from Tacoma Drive only, to reduce any land use/traffic incompatibilities.</p>
<p><i>(4) that the proposal is not premature or inappropriate by reason of:</i></p> <p><i>(i) the financial capability of the City is to absorb any costs relating to the development</i></p>	<p>There are no costs of this proposal which must be absorbed by the municipality.</p>
<p><i>(ii) the adequacy of sewer and water services and public utilities</i></p>	<p>The site is serviced by municipal sewer and water services.</p>
<p><i>(iii) the adequacy and proximity of schools, recreation and other public facilities</i></p>	<p>There are a number of schools within the neighborhood, including Admiral Westphal Elementary School, Brookhouse Elementary School, Caledonia Junior High School, Ellenvale Junior High School, and Prince Andrew High School, as well as two Conseil Scolaire Acadien Provinvial (CSAP) Schools: Ecole Bois-Jolie et Ecole du Carrefour. The site is also in proximity to Tacoma/Westphal</p>

	Shopping Centre as well as Main Street commercial shops, which include grocery, pharmacy and doctor clinic access.
<i>(iv) the adequacy of transportation networks in adjacent to or leading to the development</i>	The Tacoma/Westphal shopping centre is a major transit stop serviced by four Metro Transit routes including routes no.10 and no.72 which provide access to the Bridge Terminal and Downtown Halifax. The site has access to Main Street and onto the Circumferential highway. HRM Engineering concluded that the TIS submitted was found acceptable.
<i>(v) existing or potential dangers for the contamination of water bodies or courses or the creation of erosion or sedimentation of such areas</i>	The proposal shows signs that would lead to negative effects to waterbodies or watercourses. There are no waterbodies or watercourses in proximity of the site.
<i>(vi) preventing public access to the shorelines or the waterfront</i>	N/A
<i>(vii) the presence of natural, historical features, buildings or sites</i>	N/A
<i>(viii) create a scattered development pattern requiring extensions to truck facilities and public services while other such facilities remain under utilized</i>	N/A
<i>(ix) the detrimental economic or social effect that it may have on other areas of the City.</i>	N/A
<i>(5) that the proposal is not an obnoxious use;</i>	The use is not considered obnoxious.
<i>(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</i>	The application is for a re-zoning to the S (Institutional) Zone under the Dartmouth LUB. The LUB regulates the permitted uses under Part 9, Section 45(1) to: “(a) P uses as herein set out; (b) sports clubs, either public or private; (c) public or private community purpose buildings; (d) hospitals, schools, colleges, universities, masteries, libraries, museums, art galleries, and other institutions of a similar nature. <b>(deleted: HECC-Dec 4/08; E-Dec 27/08)</b> <b>(e) health clinics;</b> <b>(f) long term care facilities;</b> <b>(g) day nurseries;</b> <b>(h) places of worship and associated halls; and</b> <b>(i) uses accessory to any of the foregoing uses.”</b>
<i>(ii) emissions including air, water, noise</i>	There are no such emissions from the proposed institutional use.
<i>(iii) traffic generation, access to and egress from the site, and parking</i>	HRM Engineering found that the TIS submitted was acceptable. The TIS relays that the proposed access to the site is existing, and that there is no cross



	connection to the Adjacent St. Luke’s Anglican Church to Veterans Ave. The number of trips generated would be 11 during AM peak hour, and 13 at PM peak hour.
<i>(iv) open storage and landscaping</i>	There is no open storage proposed. Landscaping requirements are required under the S Zone, Section 45(2)(d) which requires the first ten (10) feet bordering the road right-of-way to be fully landscaped, except where driveway or pedestrian access points are required. Additionally, Part 2 General Provisions of the Dartmouth LUB lists additional landscaping requirements including a grassed area with a minimum depth of twenty (20) feet along the entire length of the adjacent property line. The grassed landscaped area may be reduced to ten (10) feet where an opaque fence of at least six (6) feet in height is provided along the common property boundary.
<i>(v) provisions for pedestrian movement and safety</i>	Part 2 General Provisions of the Dartmouth LUB lists minimum requirements for parking lots under Section 15, which requires curbs or other appropriate methods of delineating shall be provided to ensure safety between varying vehicular movements and vehicular and pedestrian movements;
<i>(vi) management of open space, parks, walkways</i>	There are no LUB requirements for open space/parks/walkways for institutional use in the S Zone, however an outdoor playground and open space are provided as part of the proposal.
<i>(vii) drainage both natural and sub-surface and oil-stability</i>	N/A
<i>(viii) performance bonds.</i>	N/A
<i>(7) suitability of the proposed site in terms of steepness of slope, soil conditions, rock out-cropping’s, location of watercourses, marshes, swamps, bogs, areas subject to flooding, proximity to major highways, ramps, railroads, or other nuisance factors;</i>	The subject property is located on a slight rise of land, and located above Tacoma Drive. There is an existing retaining wall along the property line at the sidewalk, however any new building would need to meet engineering requirements when building permits were applied for.
<i>(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 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;</i>	N/A

<p><i>(9) that in addition to the foregoing, all zoning amendments are prepared in sufficient detail to provide:</i></p> <p><i>(i) Council with a clear indication of the nature of proposed development, and</i></p>	<p>The applicant has provided a site plan and proposed building elevations which clearly illustrate the proposed new development.</p>
<p><i>(ii) permit staff to assess and determine the impact such development would have on the land and the surrounding community.</i></p>	<p>The above noted information has been shared with Development and Engineering services, and no issues have been identified. Additionally, planning staff have not identified any relevant impacts caused by the rezoning on the surrounding community.</p>

## Attachment C

### HALIFAX REGIONAL MUNICIPALITY Public Information Meeting Case 21490

*The following does not represent a verbatim record of the proceedings of this meeting.*

Monday, January 15, 2018

7:00 p.m.

St. Luke's Anglican Church Hall - 9 Veterans Avenue, Dartmouth, NS

#### STAFF IN

##### ATTENDANCE:

Brittney MacLean, Planner, HRM Planning  
Maggie Holm, Principle Planner  
Steve Higgins, Acting Manager, Current Planning  
Holly Kent, Planning Technician, HRM Planning  
Tara Couvrette, Planning Controller, HRM Planning

#### ALSO IN

##### ATTENDANCE:

Councillor, Tony Mancini, District 6  
Deputy Mayor Wayne Mason, District 7  
MLA, Tim Halman  
Reverend, Matthew Sponagle – St. Luke's Anglican Church  
Tom Emodi, TEAL Architects & Planners – Applicant  
Ross Grant, TEAL Architects & Planners – Applicant  
Carolyn Caskey, TEAL Architects & Planners – Applicant  
Kenda Riles, Halifax Transition House Association

#### PUBLIC IN

##### ATTENDANCE:

Approximately: 43

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The meeting commenced at approximately 7:03 p.m.

#### Call to order, purpose of meeting – Brittney MacLean

Ms. MacLean introduced herself as the Planner and Facilitator for the application. They also introduced; Councillor Tony Mancini, Tara Couvrette – Planning Controller, Holly Kent - Planning Technician, Reverend, Matthew Sponagle – St. Luke's Anglican Church, Tom Emodi, TEAL Architects & Planners – Applicant, Ross Grant, TEAL Architects & Planners – Applicant, Carolyn Caskey, TEAL Architects & Planners – Applicant, Kenda Riles, Halifax Transition House Association and Tim Halman, MLA.

Case 21490 - Application by Teal Architects and Planners, on behalf of the property owner, to rezone a portion of the lands located at 9 Veterans Avenue, Dartmouth from R-3 (Multiple Family Residential) zone to the S (Institutional) zone.

Ms. MacLean explained; the purpose of the Public Information Meeting (PIM) is: a) to identify that HRM has received a proposal for the site; b) to provide information on the project; c) to explain the Planning Policies and the stages of the Planning Process; d) an opportunity for Staff to receive public feedback regarding the proposal. No decisions are made at this PIM.

## 1. Presentation of Proposal – Ms. MacLean

Ms. MacLean provided a brief introduction to the application and then made a presentation to the public outlining the purpose of the meeting, status of the application and the applicants request. Ms. MacLean outlined the context of the subject lands and the relevant planning policies.

### 1b. Presentation by Reverend Matthew Sponagle – St. Like’s Anglican Church

Reverend Sponagle provided some history on the church and the property and explained why the church is involved with this application.

### 1c. Presentation by Kenda Riles, Halifax Transition House Association

Ms. Riles explained why they need a new location and current condition of their location in Halifax. Ms. Riles also explained the community impact and the programs/services they offer.

### 1d. Ross Grant and Carolyn Caskey, TEAL Architects & Planners – Applicant

Mr. Grant explained why they decided on that site. They explained their goal is to design and construct a 24-bed shelter with the programs that Ms. Riles outlined.

Ms. Caskey spoke about the design of the building and the landscape.

## 2. Questions and Comments

**Gary Spears, Stevens Rd.** – Mr. Spears has concerns over the height of the building and the views from their property. Mr. Spears would like to know why they couldn’t go from Tacoma Drive and build into the ground rather than have a three storey building on the site as it sits now. They feel it will decrease the value of their property. **Ms. MacLean** explained they would need to meet the height requirement for the zone. **Mr. Emodi** from Teal explained the reason they couldn’t go any further into the ground was because the cost to excavate is very expensive. They were able to bring it down as far as they could, excavate about 12 feet, and still meet the projects budget which means from his location they should only see the top two storeys of the building.

**Dave Stevens, Veterans Ave** – Wanted to know if this was totally funded by Federal and Provincial funds. **Mr. Grant** explained the funding comes from Canada Mortgage and Housing Corporation (CMHC) which is a Federally funded program and the funding is being administered by Housing NS. **Mr. Stevens** stated the reason why they ask is because there was four hundred thousand spent repairing the old building and it is still in disrepair. Are they going to keep this building in top shape so it looks good in the community or will it be rundown? They wouldn’t want to see it bring the look of the neighbourhood down because of ill repair. They stated they are not against the building coming here, they just don’t want something coming in and not being kept up. They also wanted to know if there is going to be a thru fare from this location to the church. **Ms. MacLean** explained there is going to be a fence around this location so there will be no thru traffic from this location to the church. **Mr. Stevens** asked what the exterior of the building was going to be. **Mr. Grant** explained they haven’t got to the point yet of knowing what the materials would be. **Ms. Riles** explained that even though the inside of the current shelter is in disrepair the outside looks fine and you would never know the inside looked like that. They have never had a complaint about the property.

**Steve Milk** wanted to know if this does get approved how long will it take to complete the project. **Mr. Grant** stated it would take about 18 months.

**Graziella Grbae, Main St** – stated what they have to say is not for or against the project. They stated they are with the Village on Main Community Improvement District and is confused about the issue because their understanding is the property is zoned R3 and it can be three storeys which means this building should be able to be built as of right with no public engagement. **Ms. MacLean** stated that for an apartment building there would be public engagement. For anything more than 2 residential units must be considered under a development agreement. **Ms. MacLean** later corrected herself, and stated to everyone that under the Main Street area in the Land Use By-law R-3 Zone, an apartment building can be built as-of-right through the permitting process without a development agreement or planning application, and with no public engagement.

**Lawrence Roche, Verterans Ave** - feels they live in a great neighbourhood with lots of amenities and transit close by. They feel there should be space made for everybody in the community and would like to see this project go ahead.

### **3. Closing Comments**

**Ms. MacLean** thanked everyone for coming and expressing their comments.

### **4. Adjournment**

The meeting adjourned at approximately 7:53 p.m.