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Public Hearing for Case 21812

MPS Amendment for St. Margarets
Square, Upper Tantallon

Regional Council
April 16, 2019

Applicant Proposal

Applicant: WSP Canada Inc. on behalf of PRO Real Estate Investments
(PRO REIT)

Location: St. Margaret's Square – Phase C, St. Margarets Bay Road,
Upper Tantallon

Proposal: Amend the Municipal Planning Strategy to enable
non-substantive amendments to the existing development
agreement for St. Margaret's Square in accordance with the
policies at the time DA was approved.



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Site Context

St. Margaret's Square, Upper Tantallon



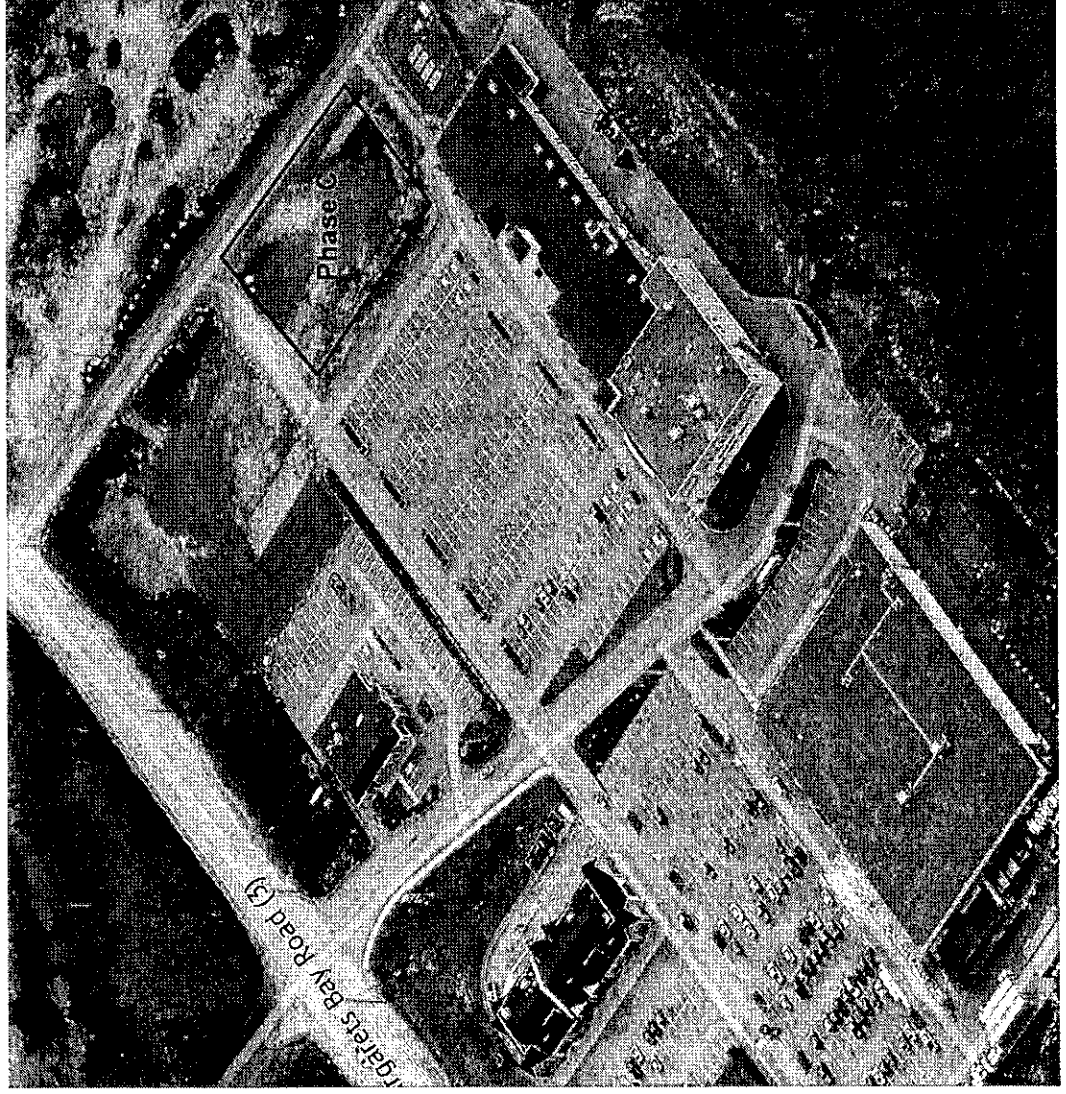
General Site location



Site Boundaries in Red

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Subject site - Phase C



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Planning Policy (2012)

Planning districts 1 & 3 (St. Margarets Bay)

Designation:

Mixed Use B (2012)

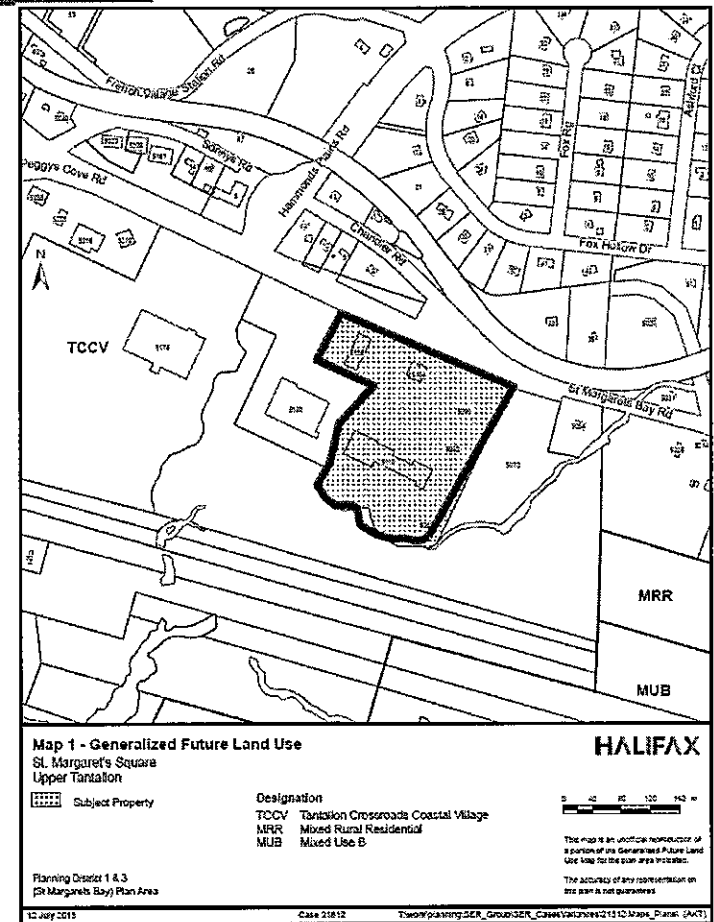
Zone: MU-2

Intent of designation (2012):

- Future large format commercial development is planned in a **comprehensive manner**, and remain **in the growth centre** rather than spreading out along the Bay.
- Balance this growth with the **traditional character** of the built form in St. Margarets Bay.

Enabling Policy:

MU-16(A) (2012) –Commercial buildings >7,500 sqft. through DA consideration



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Planning Policy (2014)

Planning districts 1 & 3 (St. Margarets Bay)

Designation:

Tantallon Crossroads Coastal Village (2014)

Zone:

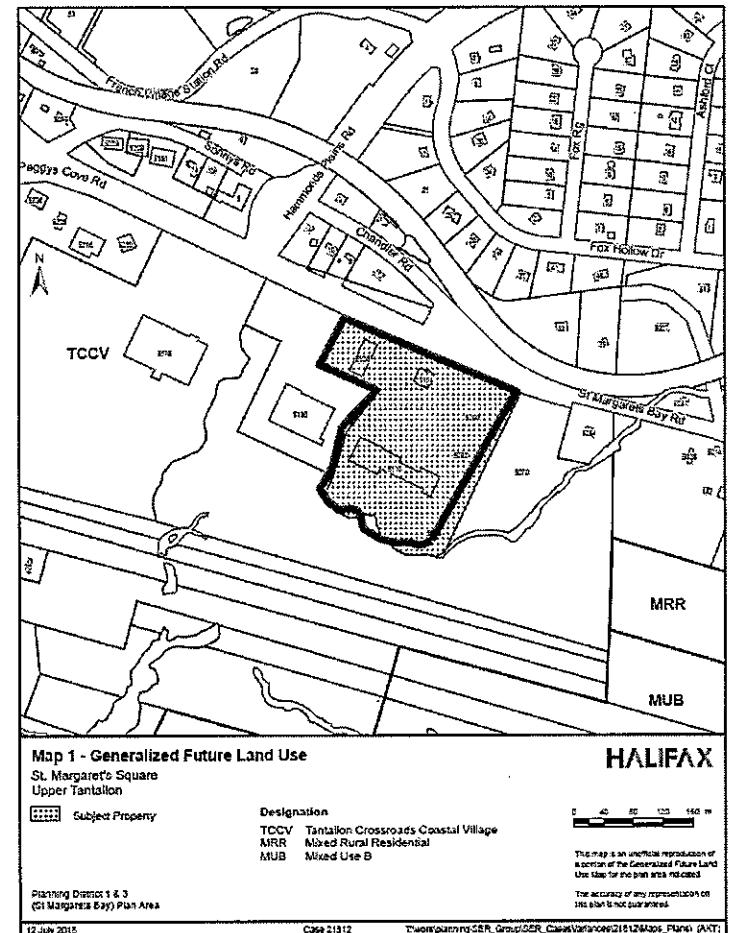
Village Centre

Intent of designtion

- encourage a **human-scale, commercially focussed** centre in a form that respects **traditional building styles** while answering to modern local and tourist needs;
- encourage a range of housing types close to shops and services; and
- support **small-scale building footprints**.

Policy:

CV-7 -Enables Council to consider DA or amendments to existing DA or new commercial if key considerations are met.



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Planning Policy (2014)

Planning districts 1 & 3 (St. Margarets Bay)

CV-7 Within Schedule N as shown on Map 2, Council shall only consider development agreements, or amendments to existing development agreements, provided that:

(a) For new buildings:

(i) **front yard setbacks, building footprints** and building heights do not exceed the maximum for the Village Centre Zone;

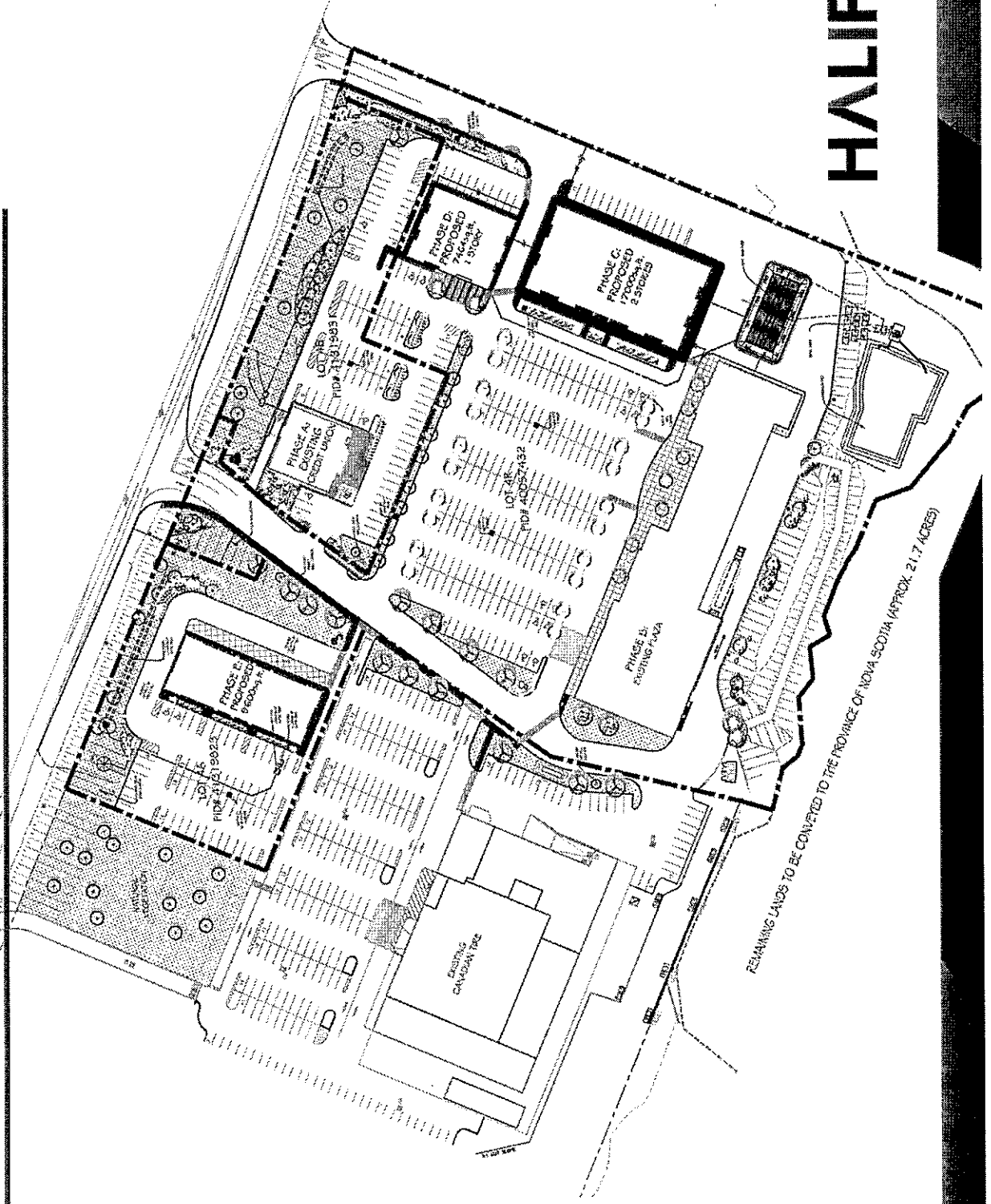
(ii) **facades are located parallel to the public street** and include display windows, awnings and entry doors facing the public street;

(iii) walkways connect the façade entry doors to existing or approved walkways on the same property without the need for pedestrians to cross parking areas, vehicle lanes or drive-through lanes;

(iv) **no surface parking**, drive-through, circulation lane, fuel pump, recharging station or loading bay is located **between the public roadway and the building** façade; and

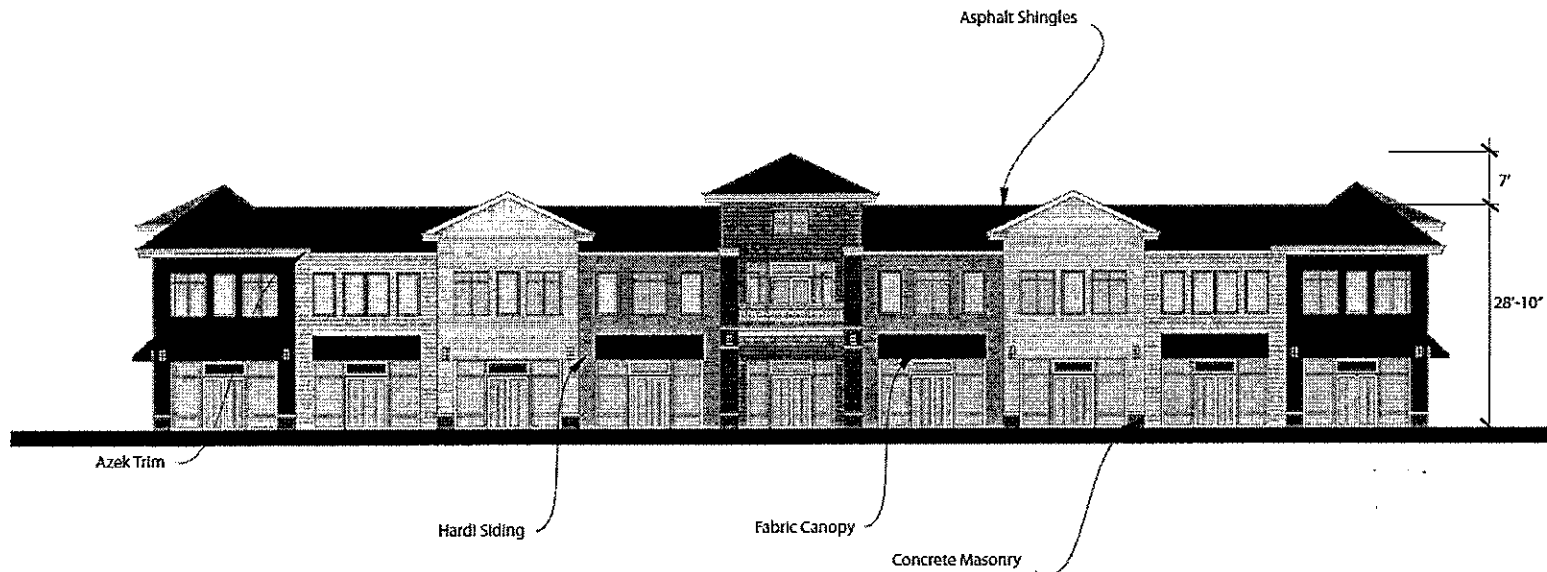
(v) the provisions of Policy CV-6;

Existing Site Plan (approved in 2012)



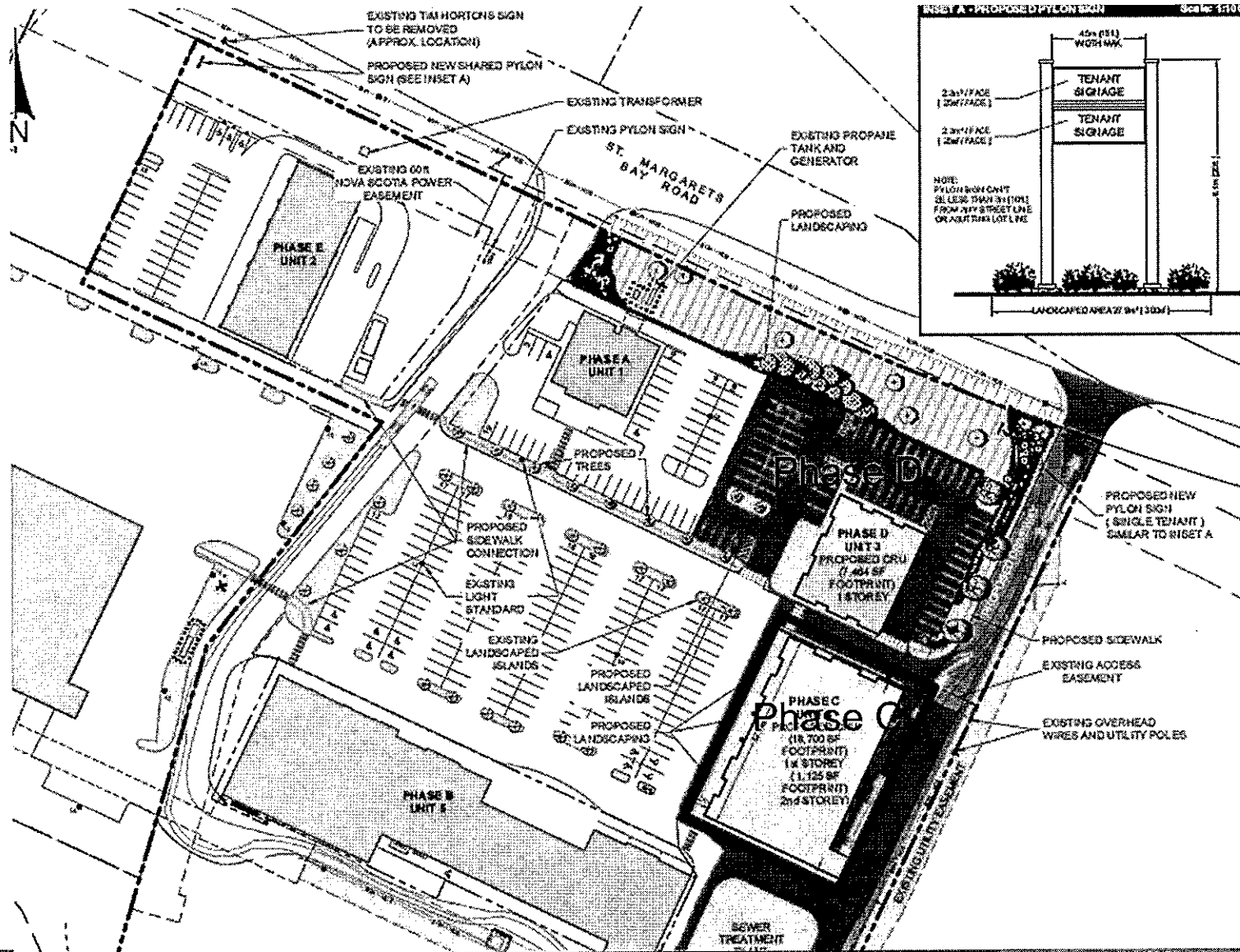
REMAINING LANDS TO BE CONVERTED TO THE PROVINCE OF NOVA SCOTIA (APPROX. 21.7 ACRES)

Existing Elevation and Architecture

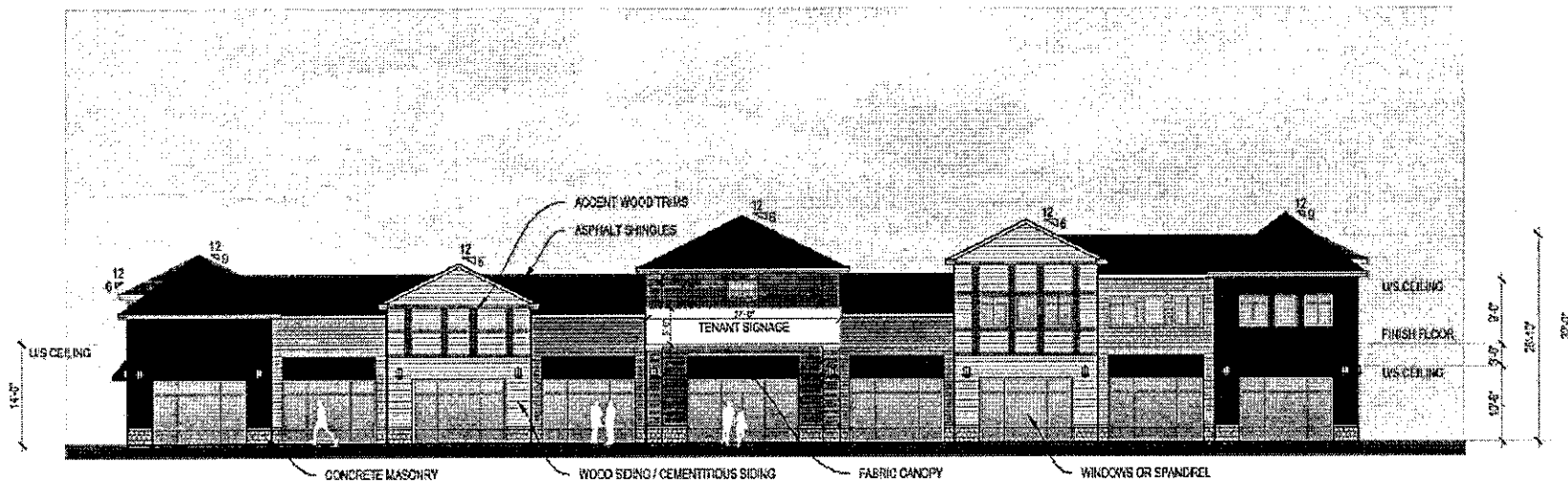


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Proposed Site Plan



Proposed Elevation & Architecture



Exterior Elevations -west (front)

Proposed Non-Substantive Amendments

Section 6.1 of the 2012 Development Agreement outlines eight items as non-substantive amendments. **4 of the 8 are** requested:

a) Minor expansions of gross floor area with max 10% of GFA:

*-Increase building footprint 17,000 to **18,700 sq.ft.**; and*

*-reduce GFA from 34,000 to **19,825 sq.ft.** Building C*

c) Minor changes to the exterior architecture of buildings:

*-Replace second storey with a mezzanine ie. 2 to **1.5 storeys.***

Proposed Non-substantive amendments

d) Changes to the landscaping requirements:

*-Additional **landscaping around signage and islands** in temporary parking spaces of vacant lot for Building D*

e) Changes to the signage requirements:

*- A double-tenant **pylon sign** to replace the existing pylon sign*

*- A second single-tenant **pylon sign** near the east driveway*

*- Revised tenant **fascial wall sign***

Public Engagement Feedback

- Level of engagement completed was achieved through a mail out notification and signage on the property and early consultation with NWPAC
- Feedback from the community generally included the following:
 - The scope the amendments with respect to other DAs
 - Screening of the parking in Phase D area from St. Margarets Bay Road

Notifications
Mailed



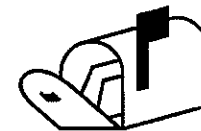
36

PAC Meeting
Attendees



6

Letters/Emails
Received



1

Recommendation

The **NW PAC**:

- Recommended approval (Oct. 2018)
- Consideration to significant landscaping between parking lot and the St. Margarets Bay Road to provide a visual barrier

The **NW Community Council**:

- Recommended proceeding to Regional Council for a Public Hearing (March 2019)

Proposed Amendments

Municipal Planning Strategy

To enable non-substantive amendments:

MPS:

- CV-7A Notwithstanding Policies CV-7 and CV-6, **applications for non-substantive amendment** to the approved development agreement for St. Margarets Square shall be **considered under the policies in effect at the time the agreement was approved.**

LUB:

- 1. Section 3.6(r)(iv) USES CONSIDERED BY DEVELOPMENT AGREEMENT shall be amended by adding the text below:
- (r) (iv) Within Schedule N, in accordance with Policy CV-7 and **CV-7A** of the MPS for Planning Districts 1 and 3, building expansions or new buildings.

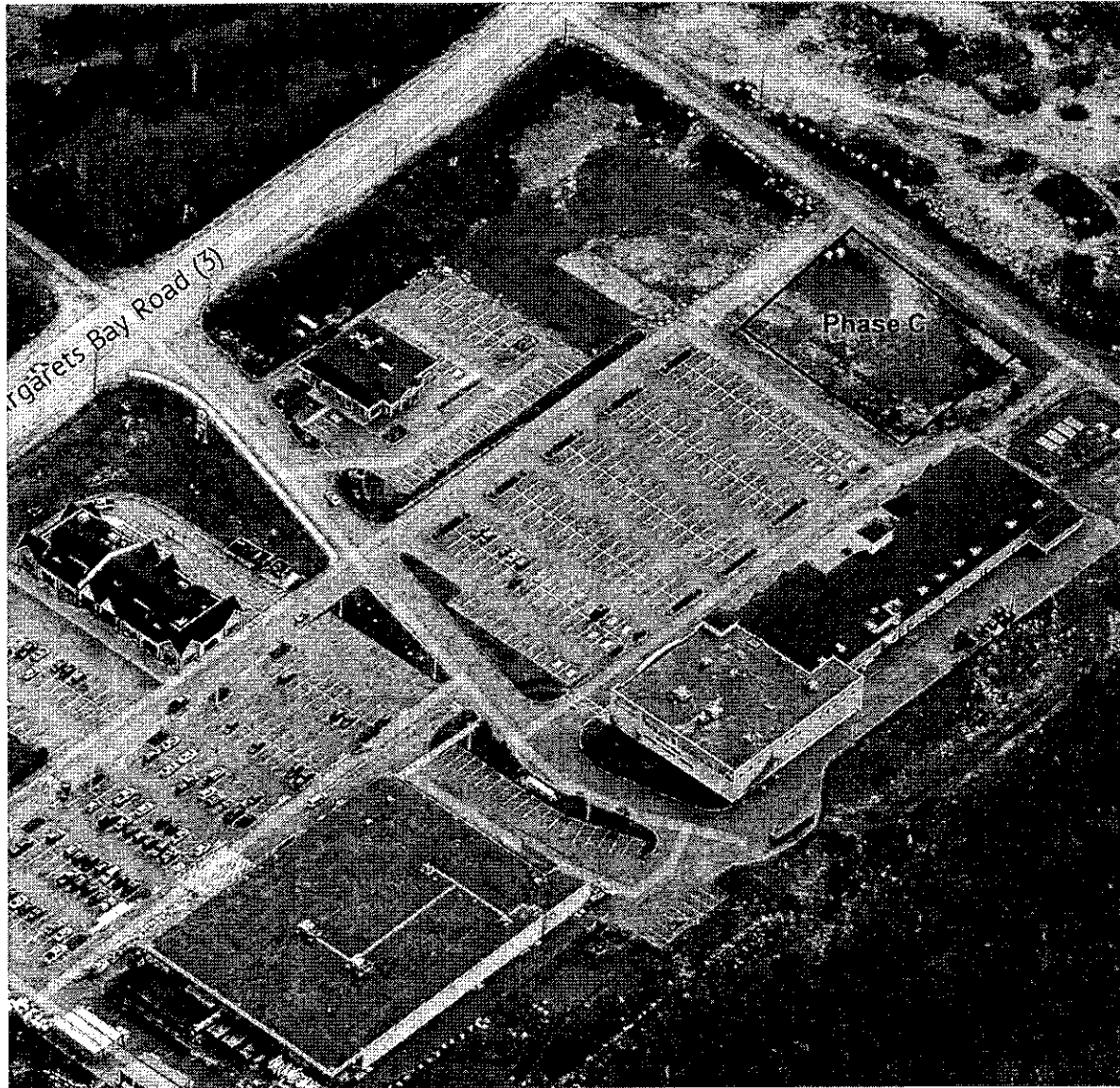
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Rationale to Change Plan Policy

- Other plans have policy that allow consideration of **non-substantive amendments according to original policies** under that which was negotiated.
- These types of amendments that are typically minor in nature are intended to give some **flexibility** to developer and staff.
- Developer made as many changes as possible to **align with revised policy**, ie. façade, landscaping
- **Substantive amendments** are still required to be considered according to updated policies
- This is an acceptable request and acts as a **fair transition** to the proposed vision of the Village Centre

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Currently on site and approved



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Process if Council Approves

1. Public Hearing for the Municipal Planning Strategy and Land Use By-law amendments
2. Should Regional Council approve the proposed amendments to the Municipal Planning Strategy and Land Use By-law
3. Province of Nova Scotia review and approval of the amendments
4. Community Council through resolution will consider and approve the non-substantive amendments to the existing Development Agreement



Map 3 East River

Policy CV-17 – requires a 30 metre (98.5 feet) wide riparian buffer



Map 3 - East River
Tantallon Crossroads Coastal Village

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-  East River
-  Waterway



Planning District 1 & 3
(St Margarets Bay) Plan Area

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

Staff Recommendation

It is recommended that Regional Council:

1. adopt the proposed amendments to the Municipal Planning Strategy (MPS) and Land Use By-law (LUB) for Planning Districts 1 and 3, as set out in Attachments A and B of the staff report dated January 7, 2019, to enable non-substantive amendments to the existing Development Agreement for St. Margarets Square, Upper Tantallon and to include Map 3 - East River in the Municipal Planning Strategy as a housekeeping amendment.