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Case 21296

Discharge of the Existing Development Agreement and Application of a New Development Agreement on the lands known as King`s Wharf, Dartmouth.

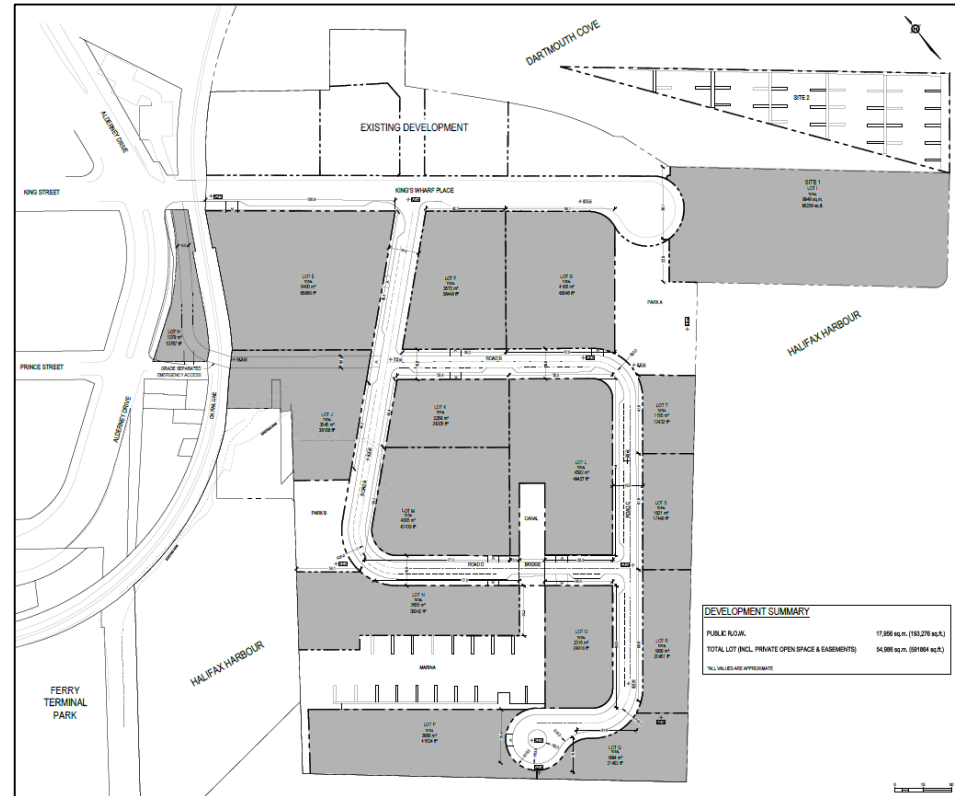
February 6, 2020

Applicant Proposal

Applicant: Fares & Co. Development Inc.

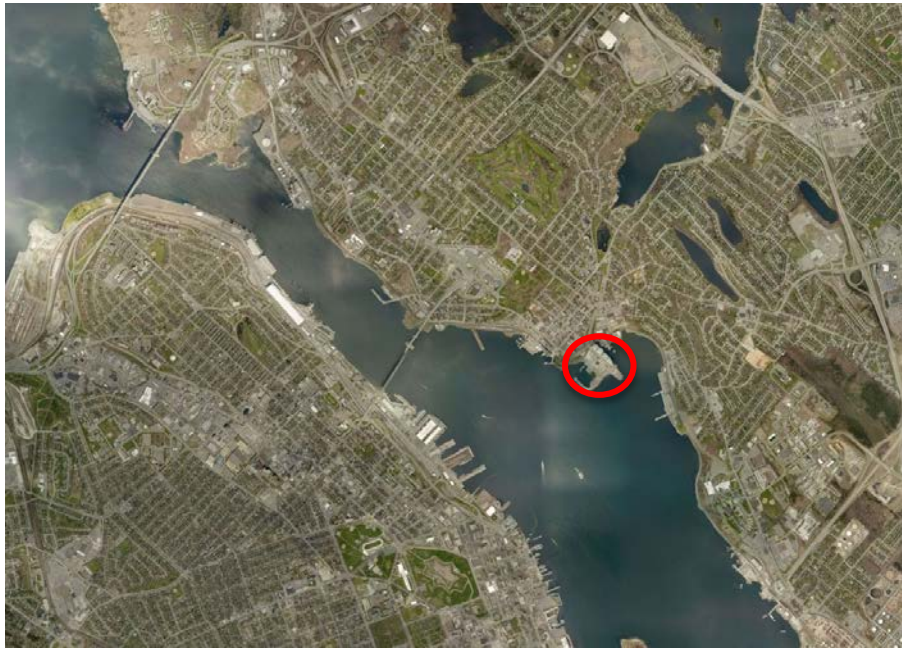
Location: 15-50 Kings Wharf Place, Dartmouth

Proposal: Application to enter into a new Stage I Development Agreement to allow a mixed-use development inclusive of up to 1500 residential units, commercial space, hotel, marina, parks and open space, and new streets

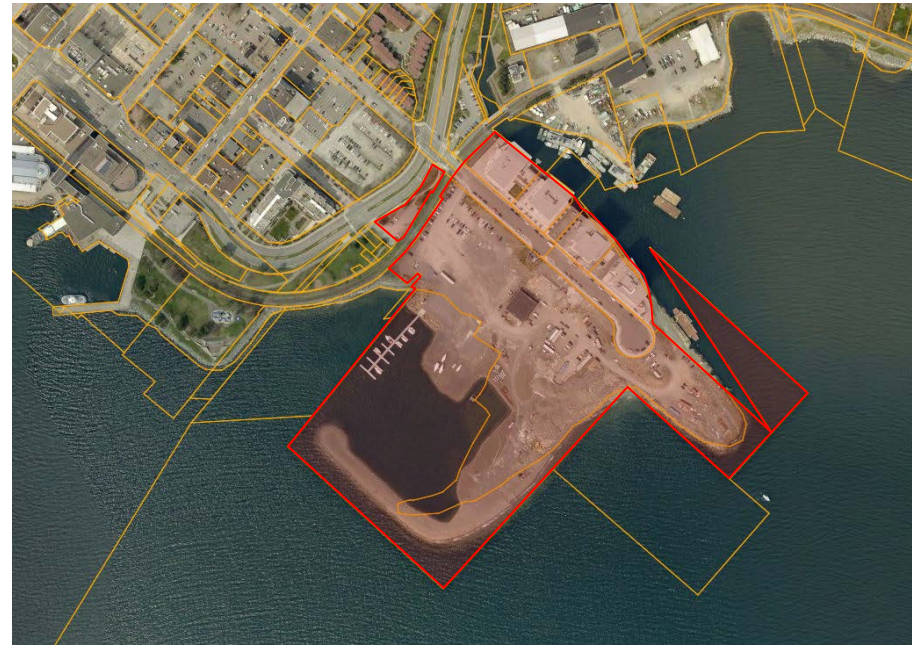


Site Context

King's Wharf Place, Dartmouth



General Site location



Site Boundaries in Red

Site Context



Subject site seen from the south, over the harbour

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Site Context



Subject site seen from Alderney Drive at Kings Wharf Place

Site Context



Subject site seen from Kings Wharf Place looking west

Background to Date

- Originally Shipyard and Marine Industrial Facility
- Facility closed in 2003
- In 2008 Regional Council approved amendments to the Downtown Dartmouth MPS to allow consideration of a mixed use project

Notwithstanding policies W-8 and W-9, HRM may consider permitting a mixed use development on the former Dartmouth Marine Slips property (identified as PID Nos. 00130286, 00130419, 00130278, 41164286 and 40943730) by approval of a two-stage development agreement.



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Background to Date

- 2008 - Stage 1 DA approved, giving conceptual approval for:
 - 12 buildings from 5 to 32 storeys
 - 2 new public streets
 - approximately 1500 residential units,
 - a 200 room hotel
 - up to 230,000 square feet of office and commercial space
 - public and private parks and boardwalks,
 - a marina

2-Stage Development Agreement Process

Stage 1 Agreement (Considered This Evening)

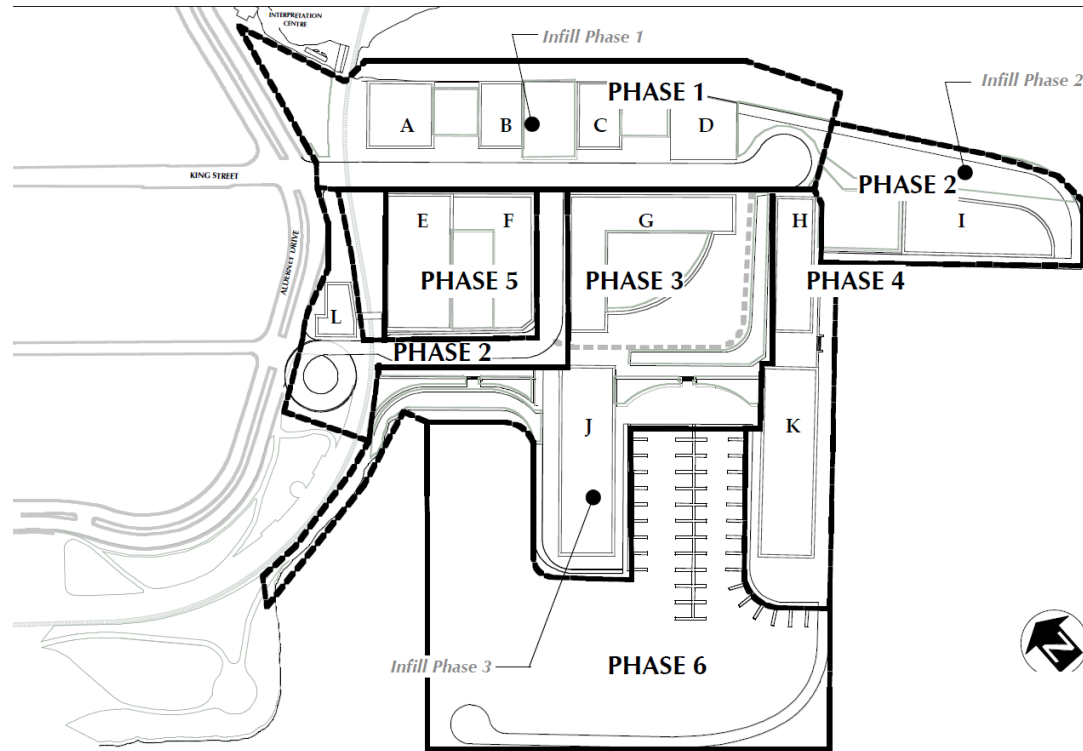
- Outlines higher level conditions of the development
- Indicates allowable uses, building size and form, road network, and intensity of uses
- Must be reasonably consistent with applicable Municipal Planning Strategy policies
- Requires a public hearing prior to a decision by Community Council

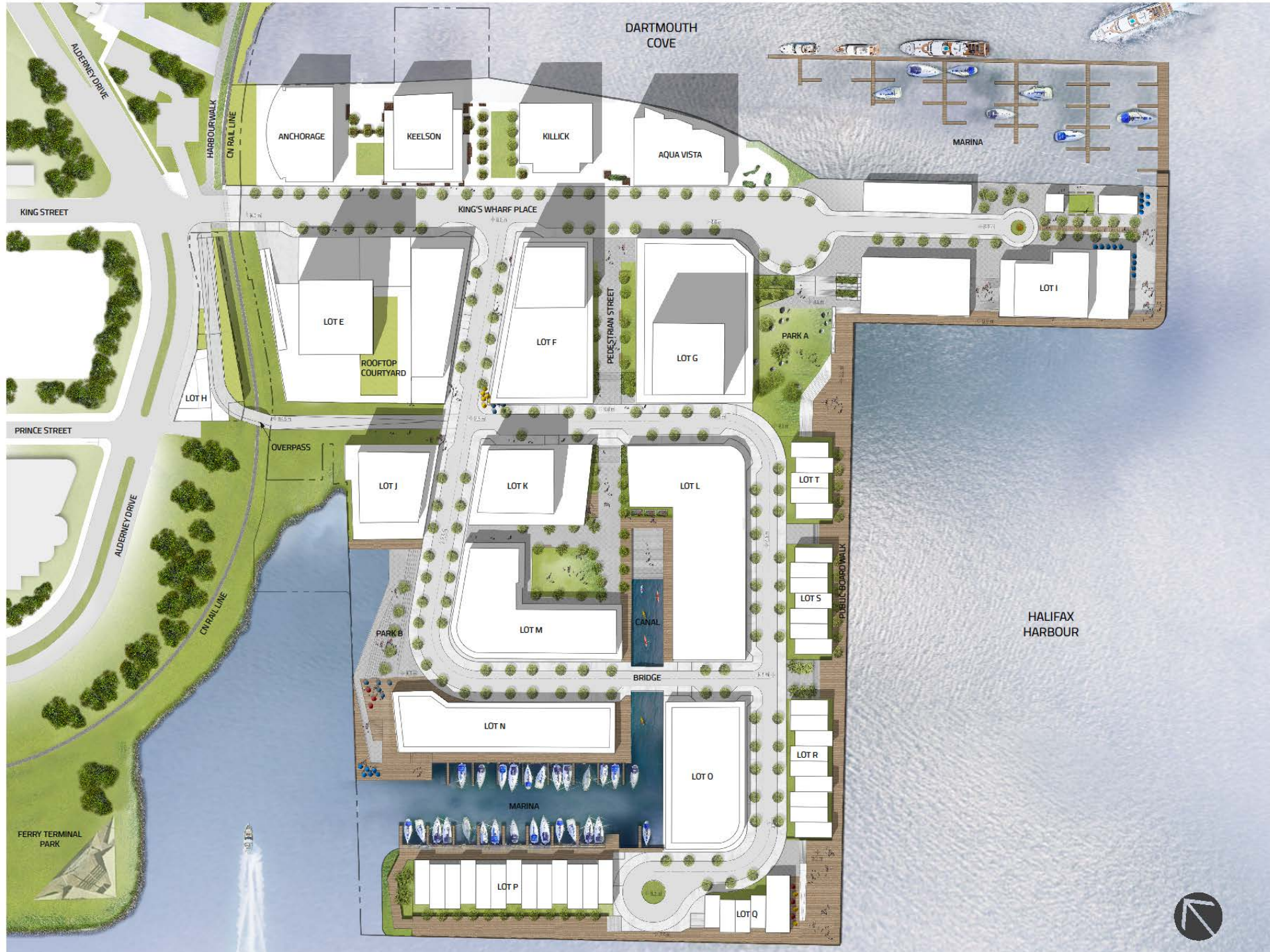
Stage 2 Agreement (Considered in a Subsequent Process)

- Outlines more detailed aspects of development on a building-by-building basis
- Indicates specifics of buildings inclusive of number of units, vehicle access, materials, and landscaping
- Must be reasonably consistent with applicable Municipal Planning Strategy policies and the Stage 1 Agreement
- Requires a resolution of Community Council

Background to Date

- 2009 – Stage 1 Amendment to revise the phasing plan
- 2009 - Stage 2 Agreement approved for Phase 1, consisting of new street, 4 buildings and up to 300 units
- 2012 – Stage 2 Agreement amended to alter design of Phase 1
- 2014 - Amendments approved to increase the number of residential units allowed prior to a 2nd vehicle access from 300 to 354





DARTMOUTH COVE

MARINA

LOT I

ANCHORAGE

KEELSON

KILLICK

AQUA VISTA

LOT E

ROOFTOP COURTYARD

LOT F

LOT G

PARK A

LOT H

OVERPASS

LOT J

LOT K

LOT L

LOT T

PARK B

LOT M

CANAL

LOT S

BRIDGE

LOT N

LOT O

LOT R

LOT P

LOT Q

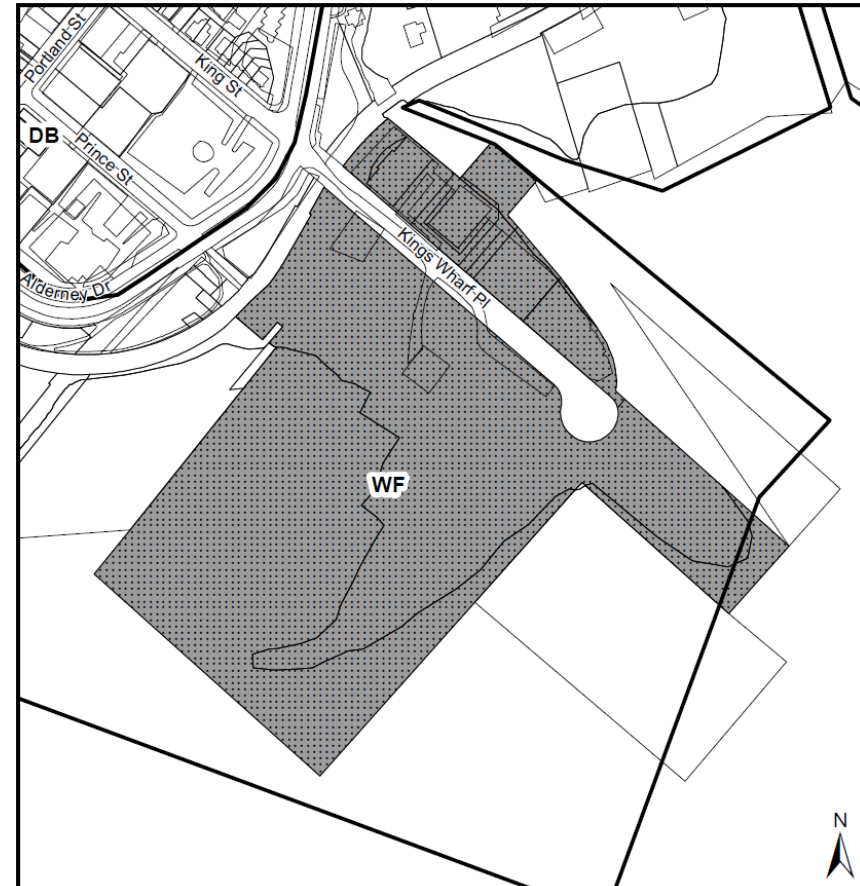
HALIFAX HARBOUR



Planning Policy


Downtown Dartmouth / Regional Centre Municipal Planning Strategy

- W – Waterfront Designation (Dartmouth)
- D – Downtown Designation (Regional Centre)
- Enabling Policies W-9A and W-9B of the Downtown Dartmouth MPS
- Enabling Policy 10.25 of Regional Centre MPS allows a previously received applications to continue under old policy



Map 1 - Generalized Future Land Use
King's Wharf Place, Dartmouth

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 Subject Site

Designation

DB Downtown Business District
WF Waterfront

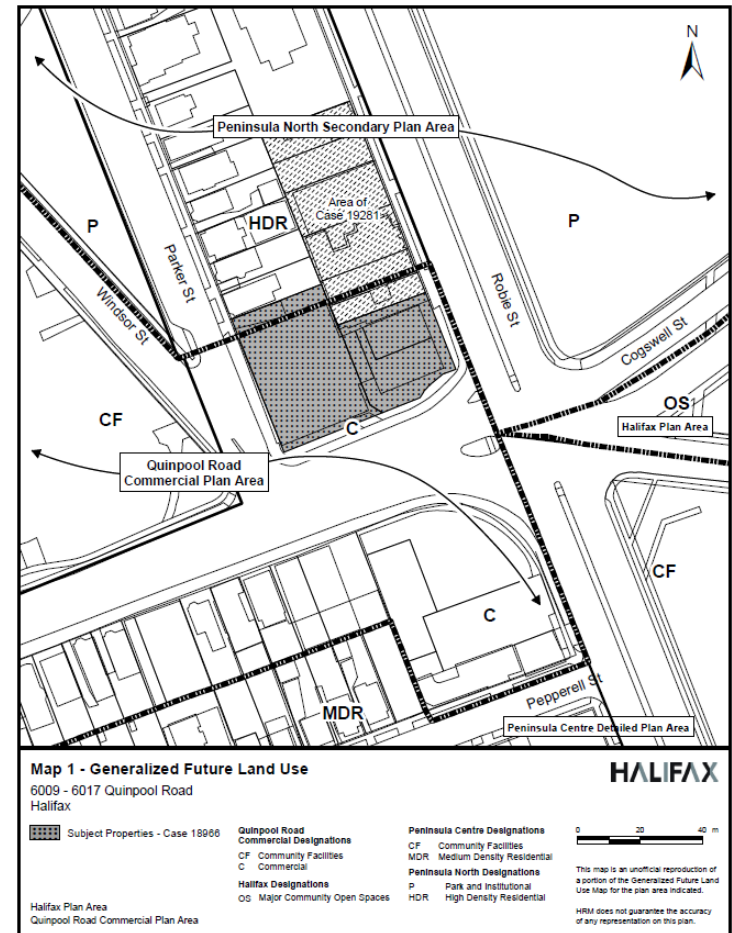
0 40 80 120 m

This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

Land Use By-law

Downtown Dartmouth / Regional Centre LUB

- M – Marine Business Zone (Dartmouth)
- D – Downtown Zone (Regional Centre)

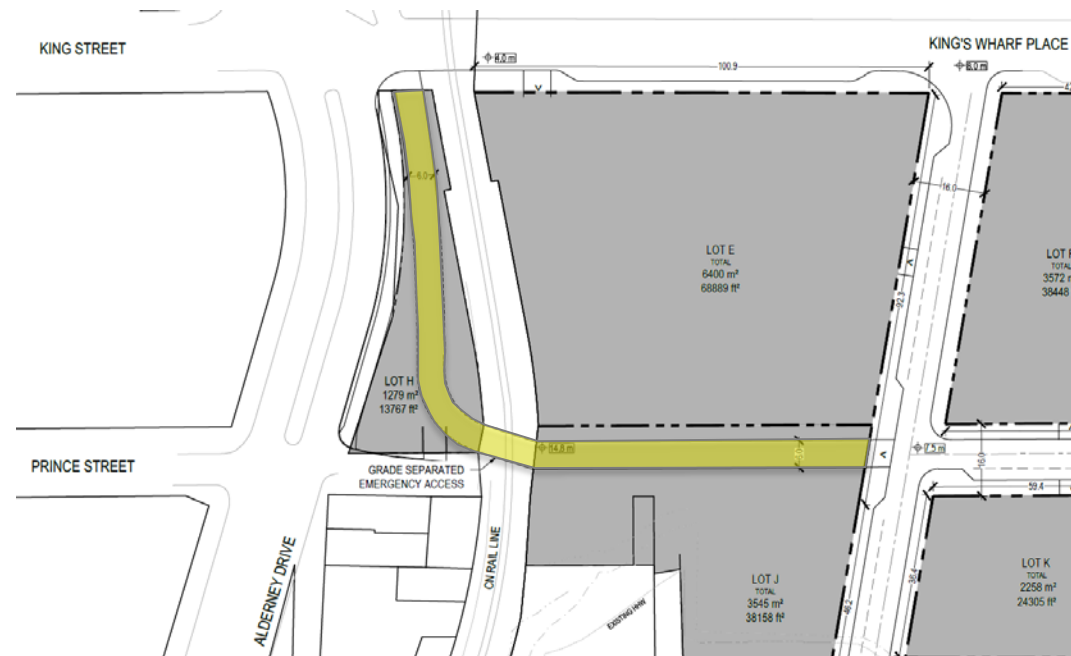


Key Aspects of New Proposal

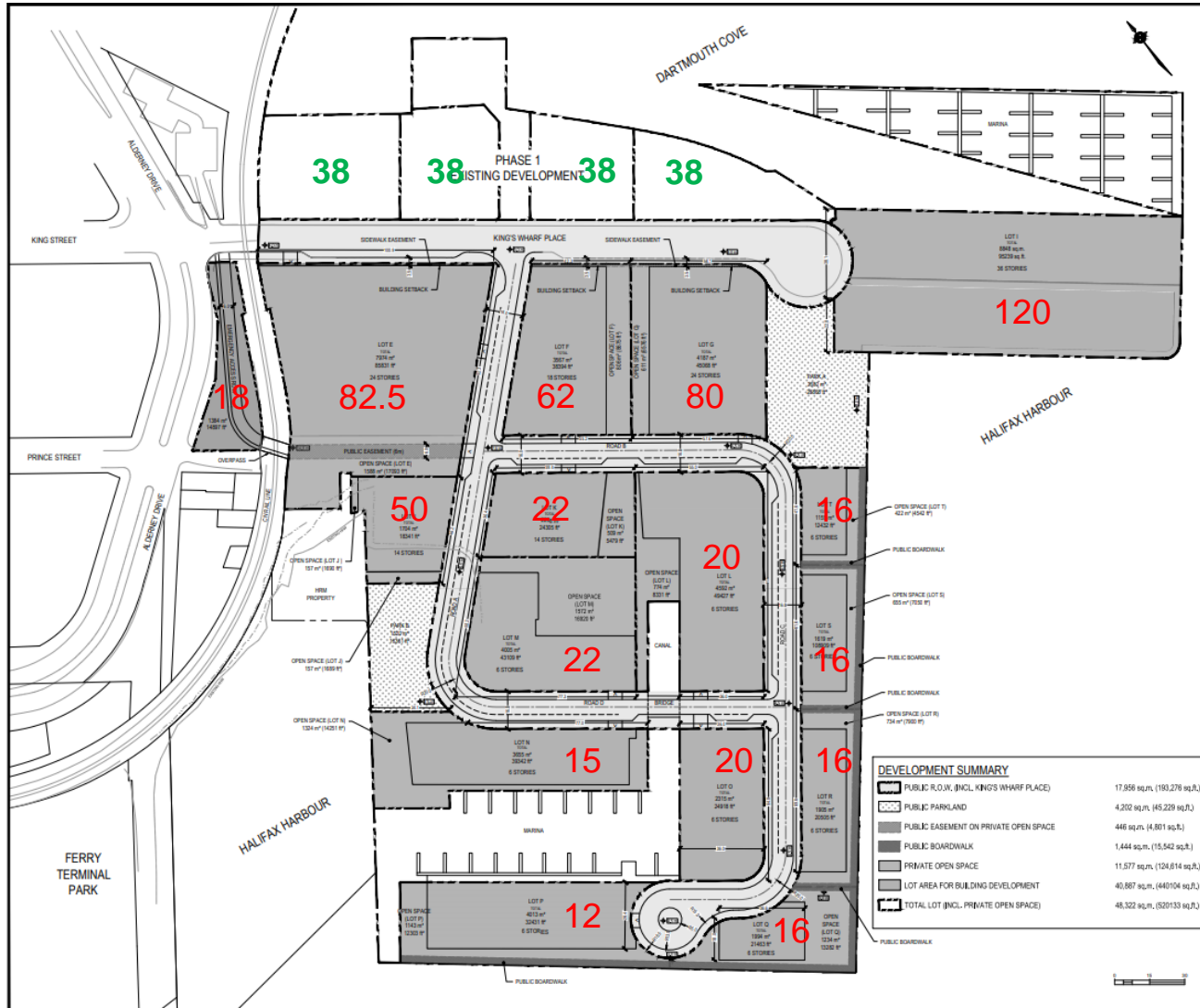
- Revised second access design to accommodate emergency vehicles and pedestrians
- Amended road network and phasing plan
- Inclusion of two proposed public parks and public access to the waterfront via a boardwalk
- Introduction of townhouse style units along the outward facing extent of the King's Wharf peninsula
- Removal of the previously proposed saltmarsh open space
- Removal of Ferry Terminal Park connection
- Allowance for several temporary uses as the site develops
- Inclusion of new design standards regulating building massing and architecture

Revised Secondary Access

- For pedestrian/cyclist use only except in case of emergency
- Bollards or gate to restrict access to emergency vehicles only
- Design vetted by HRM engineering, HRFE, and CN Rail
- Required to be operational prior to occupancy of development on Lot E and Lot J



Proposed Building Heights (In Storeys)

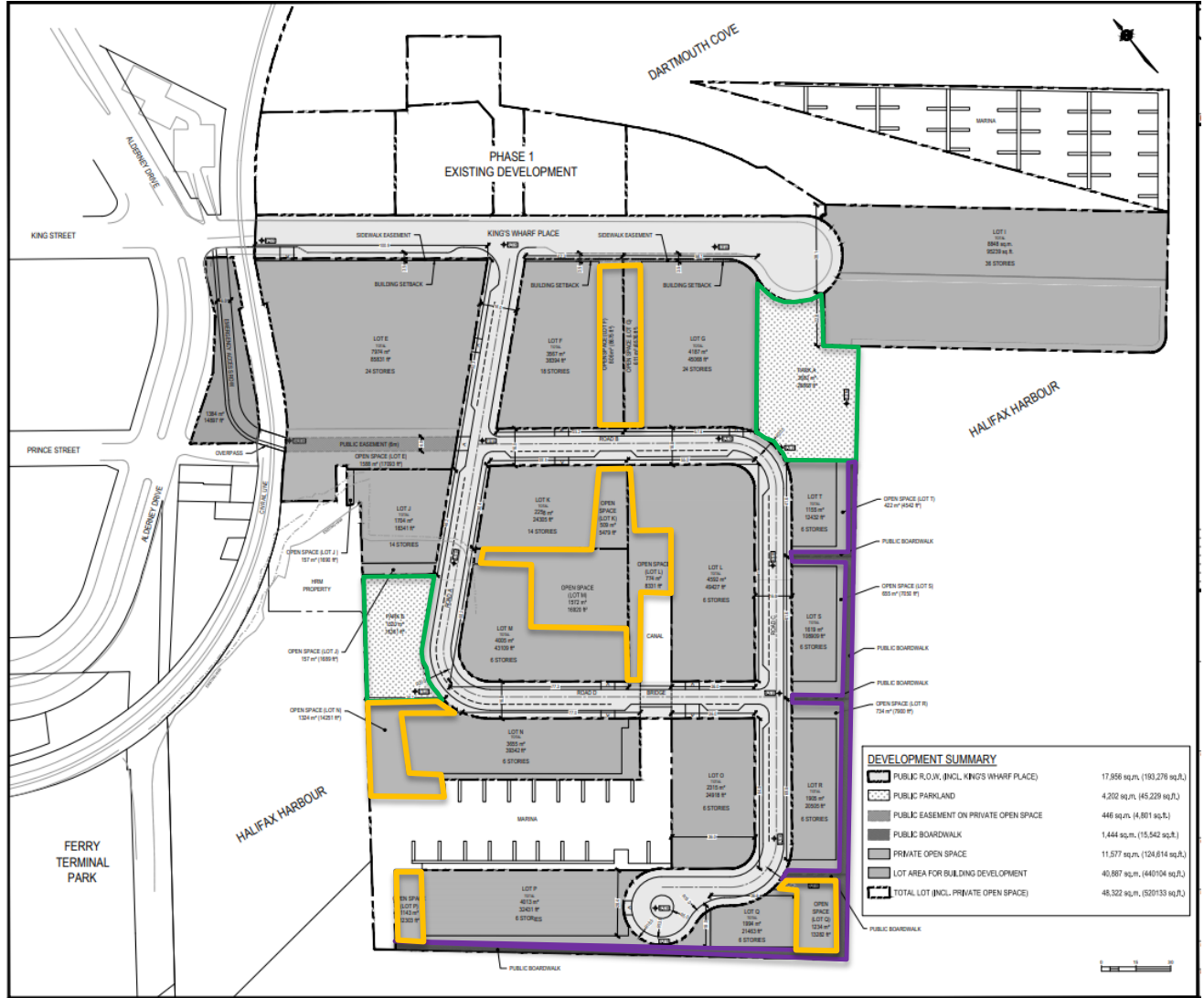


X = Height of Constructed Building (metres)


X = Height of Proposed Building (metres)


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Proposed Open Space Locations



 HRM Owned Public Park

 Publicly Accessible Boardwalk

 Tentative Privately Owned Open Space

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Policy Consideration

Enabling Policies W-9A and W-9B requires Council consider the following in rendering their decision on a Development Agreement:

- Proposals should respect that the waterfront is a pedestrian precinct.
- The Development should address public accessibility the water's edge.
- Special consideration shall be given to parking to ensure that proposals are designed with pedestrian orientation in mind rather than cars. Surface parking is strongly discouraged
- An internal street may be needed to provide emergency and delivery access to the development. Alternative street design standards should be considered for any new streets which are in keeping with the historical grid and pedestrian character of the downtown.

Policy Consideration (Cont'd)

Enabling Policies W-9A and W-9B requires Council consider the following in rendering their decision on a Development Agreement:

- The Development shall minimize the amount of infilling that occurs on the water lots to ensure the character of Dartmouth Cove is not significantly altered.
- Pedestrian street level activity shall be encouraged in all development through the incorporation of outdoor cafes, ground floor uses, and uses that are open beyond daytime hours of operation
- A high level of refinement in the architectural details shall be provided to provide visual interest, both in the upper stories, and in particular at pedestrian level

Public Engagement Feedback

- Level of engagement completed was consultation achieved through a mail out notification and a public open house on May 30, 2018
- Feedback from the community generally included the following:
 - The response of the development to climate change
 - Concerns for infilling of the harbour
 - Traffic and view issues given the intensity of the development
 - Adequacy of parking

**Notifications
Mailed**



764

**Meeting
Attendees**



158

**Letters/Emails
Received**



11

Summary: Key Aspects of Proposed Development Agreement

- 1146 residential units, 27,421 m² of commercial uses, 2 marinas, and park spaces
- Buildings ranging in height from 12m – 120m
- Standards for streetwall heights, floorplate sizes, tower separation, storefront articulation, in addition to design guidelines to inform future Stage II Agreement applications
- Publicly accessible boardwalk framing much of the development along the waters edge
- Mix of publicly owned and publicly accessible open space

Non-Substantive Amendments

A 'Non-Substantive Amendment' is a change to the agreement which could be made without a formal Public Hearing. Instead, Community Council could authorize this change by resolution.

As proposed, Non-Substantive Amendments within this agreement include the following:

- Approvals of any Stage II Development Agreement
- Extension of commencement or completion dates
- Amendments to include the use of cruise ship or luxury yacht docking facility
- Surface parking provisions
- Temporary use provisions
- Phasing plan
- Design guidelines

Staff Recommendation

Staff recommend that Harbour East Marine Drive Community Council:

1. Approve, by resolution, the Discharge Agreement, which shall be substantially of the same form as set out in Attachment B of this report
2. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A **with the exception that the reference to 3.18.14 in section 6.1.1(h) should be replaced with 3.18.16**; and
3. Require that both agreements be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.



KINGS WHARF EXISTING DEVELOPMENT Distribution of Parkland

- Existing Developed Lots - 8680 sq m (81% of Total)
- Parkland/Easement - 2098 sq m (17 % Parkland Credit)
- Road (not included in analysis)
- Kings Wharf - Shedule B Proposed Development

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Parks & Recreation
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KINGS WHARF - SCHEDULE B PROPOSED DEVELOPMENT

Distribution of Proposed Parkland

- Proposed Lot - 55450 sq m (93% of Total)
- Proposed Parkland - 4030 sq m (6.8% Parkland Credit)
- Road (not included in analysis)
- Kings Wharf - Existing Development

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KINGS WHARF - SCHEDULE B & EXISTING DEVELOPMENT

Distribution of Proposed Parkland

- Proposed or Developed Lot - 64130 sq m (91% of Total)
- *Proposed or Proposed Parkland - 6127 sq m (8% Parkland Credit)
- Proposed or Developed Road (not included in analysis)
- Kings Wharf - Existing Development

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