

## Item No. 7.7

Halifax Regional Council  
September 22, 2020  
September 29, 2020

**TO:** Mayor Savage and Members of Halifax Regional Council

**SUBMITTED BY:** Original Signed by   
Jacques Dubé, Chief Administrative Officer

**DATE:** August 25, 2020

**SUBJECT:** Dartmouth Cove Project – Development Charges

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### ORIGIN

- 1) Item 13.1.1, Harbour East-Marine Drive Community Council, June 6, 2019:  
Motion approved that Harbour East-Marine Drive Community Council endorse the Downtown Dartmouth Combined Infrastructure Renewal Plan as presented at their June 6, 2019 meeting.
- 2) Regional Centre Secondary Municipal Planning Strategy (Package A), September 2020, Policy 3.6.3.4 Dartmouth Cove Lands:

“Dartmouth Cove includes the lands between Alderney Drive and Maitland Street, and between Portland Street and Halifax Harbour except for some lands immediately abutting Portland Street. The following requirements are based on the Dartmouth Cove Comprehensive Plan (2012) which anticipated a community of approximately 2,000 residents on this site. Given the multiple property ownership of these lands, more than one development agreement may be considered on this site.

The vision for Dartmouth Cove is to create a new and appealing mixed-use neighbourhood with strong relationships to the waterfront, and to open spaces, streetscapes, trails, Downtown Dartmouth and adjacent neighbourhoods. Dartmouth Cove will become an extension of the Downtown and provide a variety of housing, employment, shopping, and recreational opportunities to accommodate and appeal to diverse demographics. It also has the potential to develop into an “Innovation District” as an extension of the neighbouring Cove lands. It will be a transit supportive and pedestrian-oriented community, setting a new benchmark in sustainability and design excellence for Halifax Regional Municipality and beyond.

Future development should maintain, protect and reinforce the distinct sense of place, which is defined by the marine industrial history, the Shubenacadie Canal, and the human-scale character of Portland Street and adjacent historic neighbourhoods.”

**RECOMMENDATION ON PAGE 2**

## **LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter, R.S.N.S. 2008, c. 39:*

Part VIII, Planning & Development

Municipal expenditures

**79A (1)**... the Municipality may only spend money for municipal purposes if  
(a) the expenditure is included in the Municipality's operating budget or capital budget or is otherwise authorized by the Municipality;

### **By-law regarding payment of charges**

**104 (1)** The Council may make by-laws imposing, fixing and providing methods of enforcing payment of charges for

(f) laying out, opening, constructing, repairing, improving and maintaining streets, curbs, sidewalks, gutters, bridges, culverts and retaining walls, whether the cost is incurred by the Municipality directly or by, or pursuant to, an agreement with Her Majesty in right of the Province, the Minister of Transportation and Infrastructure Renewal or any person;

## **RECOMMENDATION**

It is recommended that Halifax Regional Council direct the Chief Administrative Officer to draft a Development Charge By-law to fund 50% of the net project cost as described in the Financial Implications section of this report, for the design and construction of the Dundas Street extension and bridge, and return to Council for consideration.

## **BACKGROUND**

The goal of the comprehensive plan approved by Harbour East Community Council the in June 2012 was to prepare a comprehensive, mixed-use plan for the re-development of the Dartmouth Cove study area. The vision for the community is to have a walkable and cycle-friendly area, increasing the connection between this area and downtown Dartmouth.

As a follow up to the Comprehensive Plan, the Dartmouth Cove Transportation Plan was carried out in 2015 to develop an understanding of the impacts the study and surrounding areas would have on the road network. The study concluded that as traffic in the Dartmouth downtown area increases, more and more traffic is likely to use the Circumferential Highway (111). This intercepting major roadway will help protect the study area from steadily increasing traffic. It also noted that there are significant opportunities to influence study area traffic to alternate modes of traffic.

In 2017, the Integrated Mobility Plan was endorsed by Council. While traffic congestion was used to evaluate road network effectiveness in the Dartmouth Cove Transportation Plan, the IMP recommends removing specific congestion targets in favour of a multi-modal approach that focuses on building complete and connected networks.

In 2018, Halifax Water completed the first phase of the Sawmill Creek storm sewer replacement project, from Sullivan's Pond to Irishtown Road. Construction of the second phase, from Irishtown Road to Dundas Street, is planned for 2022. This provides an opportunity to improve the Alderney Drive road right-of-way and the Prince Albert Portland Alderney (PAPA) intersection, because the area will be significantly disturbed during construction of the Sawmill Creek storm sewer replacement project.

Staff have also identified the need to make major improvements to the Prince Albert Road, Portland Street, Alderney Drive (PAPA) intersection, as well as recapitalization of Alderney Drive. These improvements include lane alignment, sidewalks, lighting, and traffic signal replacement, with a focus on making the

intersection more pedestrian friendly and incorporating a multi-use path connection. Contract documents for this work are 60% complete.

In 2019, the Dartmouth Cove plan was been updated and included in the Regional Centre Secondary Municipal Planning Strategy (Package A) as a Future Growth Node. This involves the re-development of Dartmouth Cove, creating a new street grid, and extending Dundas Street across Alderney Drive to Canal Street. The Dundas Street extension will include a bridge over the existing Canal. Contract documents for this work are 90% complete. A transportation reserve for the Dundas Street bridge and extension have been incorporated into the Centre Plan.

## **DISCUSSION**

### **Project Plan**

In July 2019, Design Point consultants were hired to complete the detailed design of the Dundas extension and bridge, and the preliminary design of the PAPA intersection. Using the IMP as a guide, the objectives of this work were to:

- Confirm if the section of Alderney Drive, from Dundas Street to the PAPA intersection could operate as a two-lane undivided roadway;
- Maximize the daylighting of Sawmill Creek;
- Make the PAPA intersection more pedestrian and bike friendly; and,
- Finalize the alignment of Dundas Street Bridge and extension.

This design work for the Dundas Street extension has been taken to the 90% stage and will be refreshed before tendering in 2021. The design work for the PAPA intersection has been taken to the 60% stage and will be progressed in cooperation with Halifax Water's work to daylight Sawmill Creek. A concept plan of the completed areas is included in Attachments A and B. The concept plan was endorsed by the Harbour East-Marine Drive Community Council on June 16, 2019.

### **Development Charge By-law**

The Dundas Street Bridge and extension benefits both existing residents and businesses, as well as developers within Dartmouth Cove. Council has adopted a Capital Cost Contribution Policy, primarily aimed at suburban greenfield development, to quantify benefit and assign costs of infrastructure that has a shared benefit between existing residents and developers. In greenfield developments, peak hour journey to work patterns and mode share are predictable and have been used as the basis to assign benefit and capital cost. Predicting journey to work patterns in an urban setting is possible but is less defensible and should not be relied upon to apportion costs.

Therefore, staff are suggesting that a 50/50 cost sharing between HRM and developers is a reasonable and fair representation of benefit. In other words, 50% of the capital cost would be recovered from property owners through a development charge. The majority of the property owners have been consulted on the proposed approach. If Council chooses to accept the recommendation of this report, a Development Charge By-law will be developed, and more extensive consultation with property owners would be carried out.

The development charge would be distributed among the property owners based on area of land and potential for development density as a proxy for benefit, using rules set in place by the Centre Plan. The Municipality would initially pay for the infrastructure, and a development charge would be collected at the time of development. This will allow existing uses such as the Curling Club to continue operations, without additional financial burden.

### **Street Names and Civic Addressing**

There are five streets involved/proposed in the Dartmouth Cove Development Area. Three of these street names, Maitland Street, Canal Street and Mill Lane are already in place. There are no issues with Canal

Street or Mill Lane, however, due to the duplication issue with the more well-known Maitland Street in Halifax, staff will be recommending to the Civic Addressing Public Safety Committee that this opportunity be taken to rename the Dartmouth Maitland Street. Currently, there are 5 properties (2 uninhabited) with civic addresses on Maitland Street in Dartmouth. Therefore, the renaming of this street would have minimal impact. If approved by the Committee, staff will be suggesting a new commemorative street name.

Due to the current civic numbering of Dundas Street (north-west of Alderney Drive) continuing this street name into the project area will not be an option, as that would involve readdressing all of the current Dundas Street properties (23 properties and a 70+ unit apartment building). In accordance with the Asset Naming Policy, this new street will also be commemoratively named.

As the fifth street name, currently referred to as Harbour Walk, will not be developed by the Municipality, the private developer may select a street name. This name must meet the street naming policies of Civic Addressing Admin. Order #29 and a commemorative name may be selected from the approved list of names if so desired by the developer.

As per the current procedure, Regional Council will approve all new street names in a standard street naming/renaming recommendation report returning to Council at a later date.

#### Next Steps

Budget for land acquisition has been approved in the 2020/2021 Capital Budget. The process for land acquisition for the project is already underway.

Construction of the Dundas Street Bridge and Extension from Alderney to Canal is planned for 2021. This will allow the new route to be used as a detour during the construction of the Sawmill Creek Daylighting Phase 2 and the PAPA intersection realignment.

Construction of the PAPA intersection will correspond to Halifax Water's work on the Sawmill Creek Daylighting Phase 2, planned for 2022. Combining this work will minimize costs and disruptions due to construction.

#### **FINANCIAL IMPLICATIONS**

The costs associated with developing a Development Charge By-law for Dartmouth Cove can be accommodated within the approved 2020/21 approved budget.

Funding for the HRM portion of the Dundas Street Extension and PAPA intersection upgrade is identified in the 2021 – 2024 Capital Plan. There is \$4M planned in years 4-5 for the construction of these streets in capital account CT190003 – Downtown Dartmouth Infrastructure Renewal. If approved, the development charge will recover \$2M of the capital costs. Since HRM's net costs will decrease by 50% due to the development charge, it may be possible to move this project forward in the budget cycle. Staff will evaluate and bring to Council via the capital budgeting process.

More detail regarding cost sharing with Developers and Halifax Water will be developed if the recommendation is approved, but the timing of construction is subject to the availability of funds which is at the sole discretion of Council.

#### **RISK CONSIDERATION**

1. Development Charges are collected at the time of a development permit. Therefore, the project costs will not be recouped until the areas develop. This poses a risk as HRM cannot be certain of the timing of development. Escalating the amount of the Development Charge to account for interest and inflation will mitigate this risk.

2. Develop Nova Scotia is a crown corporation and therefore not subject to taxes imposed by the Municipality. The Development Charge can be applied to these properties if Develop Nova Scotia sells the property or agrees to a long-term lease of the property to a private entity. There is risk that this may not happen. If so, HRM would be required to absorb the resulting cost. This risk is rated high. The developer share of the capital cost is estimated at \$2,800,000. Develop NS can reasonably be allocated between \$375,000 - \$625,000 of this amount.
3. Timing of the Sullivan's Pond Storm Sewer Phase 2 Project (to further daylight Sawmill Creek) is led by Halifax Water. If completion is delayed, it would delay work to the PAPA intersection. Completion of the Dundas Street extension will spur development. The risk to completing the Dundas work and delaying the PAPA work, is that development will still move forward without the completion of the supporting infrastructure. This risk is rated low.
4. Most land required for the extension of Dundas Street is privately owned. The required land has been designated as a transportation corridor, and HRM has 5 years in which to acquire the property, which may be delayed if owners are not willing sellers. This risk is rated low, as developers have thus far been cooperative.
5. Internal resource commitments may limit the ability for work to be completed internally. This risk is mitigated by the fact that engineering and planning studies directly related to a physical asset are bona fide capital costs, and external resources may be procured and funded through capital if needed.

### **COMMUNITY ENGAGEMENT**

Community Engagement on this project thus far has included:

- In summer 2018, a meeting was held with representatives from St. James United Church, located at the corner of Portland Street and Prince Albert Road. The Church representatives were open to considering changes to the parking area but emphasized accessible parking must remain available. Staff designed an option that will accommodate 4 parking spots, plus an accessible drop off, while realigning the driveway entrance to allow for upgrades to the PAPA intersection.
- On October 22, 2018, a concept design of the Downtown Dartmouth Combined Infrastructure Renewal Project was included as part of the Centre Plan public consultation regarding the Downtown Dartmouth Plan. This meeting was held in the market space at Alderney Landing in Dartmouth. Public feedback was positive. As a result of this public consultation, the Dartmouth Cove Development Plan was incorporated into Package A of the Centre Plan.
- On February 25, 2019, the concept plan was presented to the Shubenacadie Canal Commission. A letter of support was received (Attachment C).
- Two meetings have been held with the Dartmouth Curling Club to discuss the concept plan.
- On June 6, 2019, a presentation was made to the Harbour East Marine Drive Community Council and an endorsement of the project plan was received.
- On June 27, 2019, a project presentation was made to the Downtown Dartmouth Business Commission, at their Annual General Meeting, explained possible construction impacts and our plans for mitigating those impacts).
- In summer 2019, two pop-up public engagement sessions were held. The first was at the Dartmouth Switch even on August 25, 2019. The second was at the Alderney Market on September 7, 2019. Feedback from these sessions was positive.

- In summer 2019, utilized Shape Your City Halifax to post and information page and conduct a survey about design elements.
- In February 2020, staff met with the president of Club 24, located on Dundas Street, at the request of the area councillor, to answer concerns regarding the impacts of construction.
- Throughout the design process, meetings have been held with several property owners in the Future Growth Node to discuss the project plan, including the plan for project funding and a development charge. There are still several property owners to meet with, that staff intends to meet with in Fall 2020.

#### What We Heard:

Two pop-up public consultation sessions were held in 2019, and in August 2019 a project page was created on the “Shape Your City Halifax” website. This included a survey for residents that asked several questions regarding the project and the vision for the new bridge. The objectives of the public consultation were to:

- Provide information about historic and existing conditions;
- Provide information about the plan for the Dartmouth Cove development area, including the Dundas Street bridge;
- Provide information about the next phase of daylighting the Sawmill Creek, including improvements to the PAPA intersection and narrowing Alderney Drive to allow for sidewalks, a multi-use path, and further daylighting; and,
- Gather public and stakeholder input to develop an understanding of the typical user and experiences and of the area, and the ideal user experiences.

The pop-up public consultation sessions at the Alderney Market and at the Dartmouth Switch event, were attended by approximately 350 people in total. The online survey had 433 participants, and over 800 people interacted with the project through Shape Your City materials.

We heard respondents were concerned about safety, improved active transportation access, and the cultural connection to the Shubie Canal system. Enthusiasm was high for redevelopment of the Dartmouth Cove area, and potential for extending Downtown Dartmouth to this area. However, many participants were very familiar with the 2012 Dartmouth Cove Plan and were skeptical that this project was finally getting underway after 7 years. Enthusiasm was high regarding upgrades to the PAPA intersection and Alderney Drive as an active transportation area, and for extending the daylighting of Sawmill Creek; participants expressed the importance of maintaining a connection to the Shubie Canal system.

When asked specific questions about the Dundas Street bridge, 60% of survey respondents preferred a pathway over the bridge to a path under the bridge alongside the water. However, 66% of respondents said they would feel comfortable using a path under the bridge with adequate lighting and safety measures.

#### **ENVIRONMENTAL IMPLICATIONS**

This project has multiple positive environmental implications from a climate adaptation and mitigation perspective as well as an ecological system perspective.

The increased multi-modal transportation and improved active transportation access will align with the municipality's climate change planning objectives. As mentioned in the report, alternative modes of transportation will be encouraged. This aligns with the objectives of HalifACT 2050, the municipality's long-term climate action plan.

With respect to sea level rise adaptation, the project includes raising the elevation of Alderney, Dundas and Canal Street in the areas of work. The purpose of this is to aid in bringing the entire development area up above the future projected sea level rise as a form of climate change adaptation. This provides flood

resilience for future development in the area.

Ecosystem services will be enhanced as development of the area will likely result in more softscape, vegetation, and treed spaces, because presently the area is primarily buildings and hardpacked gravel. The proposed changes to Alderney Drive and the Dundas Street extension include the planting of 10 new trees. This provides many environmental benefits including air filtration, carbon sequestration and improved stormwater management.

This project allows Halifax Water to increase the portion of Sawmill Creek that can be daylighted. Daylighting the creek provides environmental benefits such as improved fish passage and flood resilience, along with increased ecological functions to the stream.

As part of the geotechnical testing required for road design, an environmental analysis was conducted on soil samples taken from the area of the Dundas Street extension. The soil conditions at the site are typical of fill material found around the harbour. It was found that most concentrations of contaminants such as hydrocarbons, PAH, and metals were within Tier I guidelines, set by Nova Scotia Environment, meaning there is not a concern posed to human health. Some metals were found to be above the guidelines but are at a depth that do not pose a concern for human health and can be managed on site, without remedial excavation.

## **ALTERNATIVES**

Council may choose to not approve the recommendations of this report.

## **ATTACHMENTS**

Attachment A – Dartmouth Cove Project – Interim Concept (Dundas Street Bridge extension)  
Attachment B – Dartmouth Cove Project – Finished Concept (PAPA intersection and daylighting)  
Attachment C – Shubenacadie Canal Commission Letter of Support

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Shannon O'Connell, Program Engineer, Infrastructure Policy & Standards, Infrastructure Planning, 902.476.2719

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# DARTMOUTH COVE

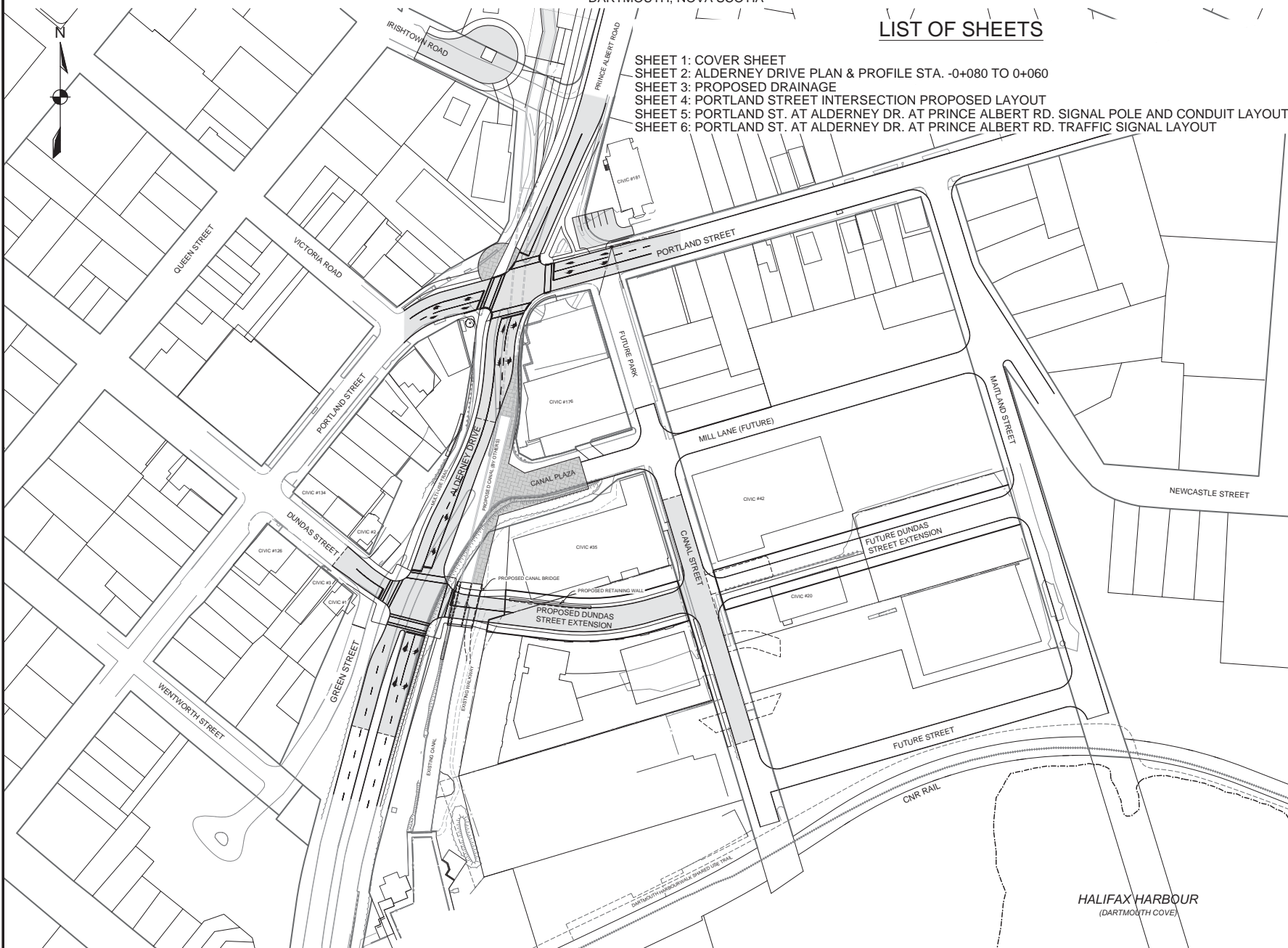
DARTMOUTH, NOVA SCOTIA

## LIST OF SHEETS

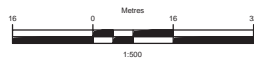
- SHEET 1: COVER SHEET
- SHEET 2: ALDERNEY DRIVE PLAN & PROFILE STA. -0+080 TO 0+060
- SHEET 3: PROPOSED DRAINAGE
- SHEET 4: PORTLAND STREET INTERSECTION PROPOSED LAYOUT
- SHEET 5: PORTLAND ST. AT ALDERNEY DR. AT PRINCE ALBERT RD. SIGNAL POLE AND CONDUIT LAYOUT
- SHEET 6: PORTLAND ST. AT ALDERNEY DR. AT PRINCE ALBERT RD. TRAFFIC SIGNAL LAYOUT



NOTE:  
60% DESIGN SHOWN FOR PAPA INTERSECTION ONLY. SEE 90% DESIGN FOR DUNDAS & ALDERNEY INTERSECTION.



**DRAFT**  
NOT FOR CONSTRUCTION



ISSUE	DATE	DESCRIPTION	CONSULTANT
5	FEB. 14, 2020	REVISED AS PER HRM COMMENTS (PAPA ONLY)	
4	NOV. 20, 2019	60% SUBMISSION	
3	SEP. 20, 2019	ISSUED FOR 60% DESIGN REVIEW	
2	AUG. 27, 2019	ELEVATIONS CORRECTED TO COVD2019	
1	AUG. 23, 2019	ISSUED FOR 30% DESIGN REVIEW	



CLIENT

**HALIFAX**

PROJECT DESCRIPTION

DARTMOUTH COVE

DARTMOUTH, NOVA SCOTIA  
SHEET DESCRIPTION

COVER SHEET

Drawn J. KEEPER	Engineer G. WOODFORD	Project No. 19-135	Drawing No. C-01
Date of 1st Issue AUG. 23, 2019	Scale 1:750	Filename 19-135_T01.dwg	1 of 6

Small text at the bottom left corner of the drawing area.



The Fairbanks Centre  
54 Locks Road, Dartmouth,  
NS, B2X 2W7

May 3, 2019

Ms. Shannon O'Connell  
Program Engineer, Planning and Development  
Halifax Regional Municipality  
P.O. Box 1749  
Halifax, Nova Scotia B3J 3A5

Dear Ms. O'Connell:

First of all, on behalf of the Shubenacadie Canal Commission (SCC), I thank you and Halifax Regional Municipality for the February 25<sup>th</sup> slide presentation to the Commission on the proposed Downtown Dartmouth Combined Infrastructure Renewal Project concept.

Based on the process to date and the information received, the full Commission discussed this proposal at our regular March 25<sup>th</sup> Board Meeting. Our HRM-appointed Commissioners participated in the discussion and I have copied them on this response.

At this time, the Commission consensus is that we support the concept proposed with the following preferences and concerns:

1. The daylighting proposal presented – open channel design from Irishtown Road to Dartmouth Cove in Phase 2 - is supported with the emphasis of parklike settings planned in the vicinity (Dundas St.).
2. We prefer the concept of two lanes of traffic with two sidewalks with the central greenbelt.
3. The layout for the intersections of Portland, Prince Albert, and Alderney should include as much open channel as possible (rather than tunnels) combined with walkways on both sides of the canal.
4. The loop section at the end of Irishtown Road should not impede the plan for a pond at the southerly section of Starr Park (Greenway).
5. We support the concept of the bridge over Sawmill Creek enabling the extension of Dundas St. to the proposed Dartmouth Cove Development Area.

The Shubenacadie Canal Commission was established through an Act of the Nova Scotia Legislature to oversee and further promote the Shubenacadie Canal System including the operation of any information or interpretive centres. The SCC has no approval processes for projects that fall outside of the licensee agreement with the Province, however, the Commission deems development that further promotes the system through maximizing the enjoyment of the features to the public while enhancing the environmental sustainability of its natural features as complimentary to this mandate.

The route of Phase Two of the Sawmill Creek Storm Sewer Rehabilitation and Daylighting project has historical significance to the Shubenacadie Canal, and we request that historical features and interpretation be incorporated into the design concept and plan. The SCC would be delighted to work with HRM on all interpretation design elements and structures.

We are supportive of the concept proposed and would like to stay engaged, especially in the design phase and further progress on the project. Please note that as new information becomes available about the proposed infrastructure project, we reserve the right to expand or change our initial response.

We thank you for your consideration and information and look forward to continued dialogue.

Yours truly,

<sup>Orig</sup>  
**Original signed**

Bill McIntyre, Chair  
Shubenacadie Canal Commission