

December 15th, 2023

Attn: Stephanie Norman & Dean MacDougall, Land Development & Subdivision, HRM

Gladstone Ridge partial DA discharge to allow for an addition to 2719 and 2717 Gladstone Street on PID 41215385 between Gladstone Street and Clifton Street

Dear Stephanie and Dean,

Fowler Bauld and Mitchell Ltd. ("FBM") is working with Westwood Development Group ("Westwood") on a design for an addition to the above-noted site for commercial office use. The existing building was developed under a Development Agreement (DA) as the "Gladstone Lands Development" (Document # 84144325, dated January 19, 2006) now referred to in this application as "Gladstone Ridge". We are submitting this application for a partial DA discharge on PID 41215385 only as this portion of the Gladstone Ridge development (2719 & 2717 Gladstone Street) has been completed as per the DA. We understand that in order to accommodate an addition to the existing building, the DA must be discharged.

It is understood that if this partial discharge application is successful, the addition will be subject to Regional Centre Plan LUB requirements. As such, we submitted a Development Only application (DEVONLY-2023-11619) for the addition in August 2023. HRM staff review indicated no concerns with the application.

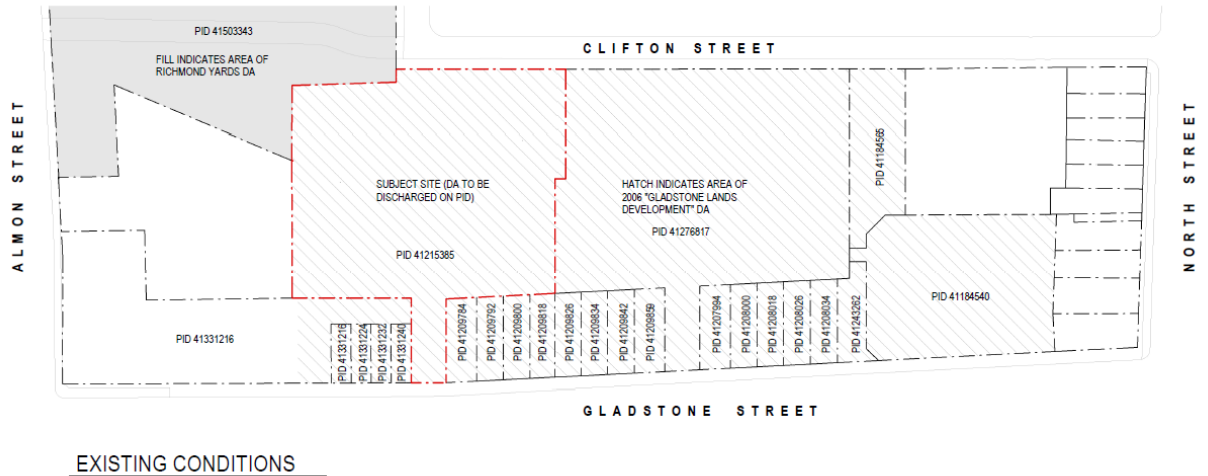
We understand the Gladstone addition process will require the following applications:

1. Development Only permit – *submitted (DEVONLY-2023-11619)*
2. Gladstone Ridge DA (Partial) Discharge - *current application*
3. Amended Plan of Subdivision (Boundary Realignment) – *forthcoming application*
4. Richmond Yards DA Non-substantive Amendment – *concurrent application*
5. Richmond Yards DA (Partial) Discharge for sliver parcel arising from boundary realignment
6. Construction Permit

The proposed design includes elements that impact the adjacent Richmond Yards site (PID 41503343) which shares a boundary with the subject site to the northwest. Concurrent with this application, we are submitting for non-substantive amendments to the Richmond Yards DA for changes to the landscaping plan.

A subsequent Subdivision Application will be submitted to adjust the location of the shared boundaries as originally shown on the Development Only application. It is understood that the Subdivision Application must be received, processed, and accepted prior to approval of the other applications listed above.

Context map showing subject site in red and respective Development Agreements boundaries



Planning and Design Rationale

Under the HRM Charter Section 244 (2):

The Chief Administrative Officer may discharge a development agreement, in whole or in part, in accordance with the terms of the agreement or with the concurrence of the property owner.

This ability is enabled through Gladstone Ridge DA clause 3.3 which states that:

Upon the completion of the development or portions thereof, or within seven years from the date of registry of this Agreement with the Registry of Deeds, whichever time period is less, Council may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;*
- (b) negotiate a new Agreement;*
- (c) discharge this Agreement on the condition that for those portions of the development that are deemed complete by Council, the Developer's rights hereunder are preserved and the Council shall apply appropriate zoning pursuant to the Municipal Planning Strategy and Land Use By-law, as may be amended.*

We assert that development on the subject site (PID 41215385) is complete under the Gladstone Ridge DA and is therefore eligible for partial discharge. The continued application of the DA on this site is prohibitive to encouraging pedestrian oriented design along the Clifton Street extension. This addition represents a key opportunity to seamlessly connect Gladstone Ridge with Richmond Yards through human-scale design.

Conclusion

We are excited to see the continued development of this important and valuable site in support of the human-scale design and pedestrian first priorities outlined in the Regional Centre SMPS. We look forward to your favourable review of this package. If there are any questions or need for clarification, please do not hesitate to contact the undersigned.

Sincerely,

Fowler Bauld & Mitchell Ltd.

Original Signed

Brianna Maxwell, BCD, MCIP, LPP

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Original Signed

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