



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 4.1.1
Harbour East-Marine Drive Community Council
August 26, 2014

TO: Chair and Members of Harbour East-Marine Drive Community Council

SUBMITTED BY: *Original signed*
For: Brad Anguish, Director of Community & Recreation Services

DATE: August 15, 2014

SUBJECT: **Case 19241, Non-Substantive Development Agreement Amendments for King's Wharf, Dartmouth**

ORIGIN

Application by EDM Limited

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that Harbour East-Marine Drive Community Council:

1. Approve, by resolution, the proposed Stage 1 Amending Agreement as contained in Attachment A of this report to enable an additional 54 residential units within Phase 1 and to establish a timeframe for the construction of a grade-separated access street for the King's Wharf development in Downtown Dartmouth;
2. Approve, by resolution, the proposed Stage 2 Amending Agreement, as contained in Attachment B of this report, to enable within Phase 1 an additional 54 residential units, a reduction in the amount of commercial space, changes to the design of Building C, alterations to the residential unit mix, and to establish a timeframe for the construction of a grade-separated access street for the King's Wharf development in Downtown Dartmouth; these amendments to become effective upon registration of the Stage 1 amending agreement; and
3. Require the Amending 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.

BACKGROUND

A Stage 1 development agreement was approved by community council in 2008 for the King's Wharf development on the Dartmouth waterfront. This agreement provided conceptual approval for 12 buildings containing up to 1292 residential units, a wide range of commercial uses, and public and private parks on two new public streets. A Stage 2 development agreement was approved in 2009, and later replaced in 2012 to allow Phase 1 of the project to commence. Phase 1 consists of four mixed use buildings and a public street, with up to 300 residential units and approximately 144,000 gross square feet of commercial space. The Stage 2 development agreement, among other matters, establishes requirements for residential unit mix and design requirements for each building. Two of the buildings have been completed (Buildings A and B), while a third is under construction (Building D). Building C is to be a 12-storey structure.

Location, Designation, Zoning and Surrounding Land Use

Subject Properties	PID numbers 00130286, 41318486, 41318494, 41374018, and 41377466
Location	49 King's Wharf Place (Building C)
Regional MPS Designation	Urban Settlement
Community MPS Designation	Waterfront
Zoning	M (Marine Business)
Servicing Capability	Municipal sewer and water
Physical Characteristics	The site consists primarily of recent fill, with some harbour infilling continuing.

Proposed Amendments

The developer is seeking a total of 3 amendments to the existing development agreements, which would affect Building C only. Two of these amendments would be reflected in the Stage 2 agreement only, while the third amendment would require amending both the Stage 1 and Stage 2 agreements. The proposed amendments can be described as follows:

1. Change the design of Building C and pull the building back from the water's edge by a maximum of 23 feet (Stage 2 Amendment);
2. Amend the unit mix requirements to allow a greater proportion of small units in Building C (Stage 2 Amendment); and
3. Permit a total of 354 units within the first phase of the project and under a single vehicle access, rather than the 300 units currently permitted (Stage 1 and Stage 2 Amendments).

Any amendment to the Stage 2 development agreement may be considered by community council as a non-substantive matter, pursuant to Section 6.1 of the agreement, provided that the requested change is consistent with the Stage 1 agreement. The request for an increase in the total number of units can be considered as a non-substantive matter, pursuant to Section 4.1 of the existing Stage 1 agreement, and as a non-substantive amendment to the Stage 2 development agreement.

DISCUSSION

MPS Policy

The existing Stage 1 and Stage 2 development agreements are enabled by Policies W-9A and W-9B (Attachment C) of the Downtown Dartmouth MPS, which provide for a mixed use redevelopment of the former Dartmouth Marine Slips site. The proposed amendments to the design of Building C and to the mix of unit types are non-substantive amendments to the existing agreement. No inconsistencies have been identified in regard to these two amendment requests under either MPS policies or the Stage 1 development agreement. Attachment A therefore provides the amending agreement necessary for council to approve the changes to building design and unit mix. The following provides a more detailed discussion on the amendment requests.

Request #1 - Building Design

The applicant has submitted that a relocation of Building C away from the water's edge is necessary due to an engineering design issue relative to the seawall along the rear property line. The proposed change would not impact the easement which is currently required by the Stage 1 and Stage 2 agreements for public access to the space between buildings B and C. The new design would result in changes to the overall architectural appearance and design of the building, but not its height which would remain at 150 feet above sea level. The proposed design changes would result in a slightly smaller footprint, and in alterations to the external appearance of the building. The revised building design establishes a base, middle and top for the building on its street-facing façade that breaks up the massing and provides visual interest, with ceramic panel cladding on the lower three floors, prominent green-tinted balconies, and visually prominent windows at the penthouse level. Cladding on the middle portion of the street facing façade, and on the other 3 sides of the building, would consist of glass and aluminum panels. The proposed amendments to the building design are therefore acceptable. Changes to the relevant Schedules inclusive of building elevations and site plans have been included within the proposed Development Agreement (Attachment A).

Request #2 - Unit Mix

Neither MPS policies, nor the Stage 1 agreement, establish targets for unit mix. The intent behind requiring a mix of unit types in the Stage 2 agreement was to provide for a range of household sizes including families, by establishing minimum targets for larger units and maximum thresholds for smaller units. Table A below demonstrates a comparison of the unit mix currently required, and what is proposed. These numbers establish an overall mix for the four buildings in Phase 1, with a minimum number of 2 and 3 bedroom units for Building C as shown in the table. The requested amendments would result in a slight decrease in the proportion of 2 bedroom units and studio units, in favour of a small increase in the proportion of one bedroom units. This amendment is acceptable, as adequate diversity in unit type would still be maintained.

Table A: Existing and Proposed Residential Unit Distribution

Unit Type	Existing Unit Mix Requirements	Proposed Amendments
Studios	8% Maximum	3% Maximum
1 bedroom/1 bedroom + den	38% Maximum	45% Maximum
2 bedroom/2 bedroom + den	42% minimum, and at least 21 Units in Building C	42% Minimum
3 bedroom/3 bedroom + den	12% Minimum, and at least 6 Units in Building C	10% Minimum

Request #3 – Additional Units in Phase 1

The third amendment of the development agreement being requested is to allow for an additional 54 units to be constructed within the first phase of the project, over and above the 300 which are currently permitted. The additional units would not result in larger buildings, or more floor area being added to the project, but instead would involve changing the use of floors 2 to 5 of Building C from commercial to residential use.

The existing Stage 2 development agreement requires commercial uses at grade in each of the four buildings, and allows flexibility for these commercial uses to continue on the 2nd and 3rd floors of Buildings A, B, and D. Floors 2-5 of Building C must be used for commercial space, given the overall 300 unit limit and the allocation of units to the first three buildings to date, meaning that floors 6-12 could accommodate up to 54 units. However, the applicant has indicated that there is market demand only for limited ground floor commercial space at this time, therefore Buildings A, B and D will contain commercial space only at grade. The land use mix currently enabled by the existing Stage 2 development agreement, and what is now proposed, is provided in the following table.

Table B: Existing and Proposed Land Use Distribution – Buildings A to D

	Permitted # of Units	Proposed # of Units	Permitted Commercial Floor Area	Proposed Commercial Floor Area
Building A	88	88	Floors 1-3 28,800 sq. ft.	Ground Floor Only 5,200 sq. ft.
Building B	79	79	Floors 1-3 35,700 sq. ft.	Ground Floor Only 3,100 sq. ft.
Building C	56	110	Floors 1-5 52,737 sq. ft.	Ground Floor Only 8,000 sq. ft.
Building D	77	77	Floors 1-3 26,400 sq. ft.	Ground Floor Only 7,850 sq. ft.
Total	300	354	143,637 sq. ft.	24,150 sq. ft.

From a community design perspective, the reduction in upper storey commercial square footage in favour of residential space is acceptable as it does not result in a significant impact to the overall look and feel of the development as a whole. Ground floor commercial uses would still be required in each building, this maintaining an important element in urban design. However, the development of an additional 54 units prior to the construction of a second public street access raises important concerns for public safety.

HRM Design Guidelines & Street Access

Both the existing Stage 1 and Stage 2 development agreements require that a second public street access be constructed from Alderney Drive at Prince Street before the development as a whole exceeds a total of 300 dwelling units. The specific number limitation of 300 units is derived from the Municipal Design Guidelines (the Guidelines), a set of engineering design specifications which set standards for the design and construction of municipal infrastructure. A key goal of the Guidelines is to ensure that two public street accesses are provided for new developments for every day convenience and service purposes, and to ensure that adequate emergency access can be provided in the event that one street becomes blocked. The Guidelines provide that a maximum of 100 dwelling units may be approved on a single public street access and, in cases where there is an approved phasing plan and agreement in place which confirm that a second street access will be provided within a specified timeframe, up to 300 dwelling units may be developed on a single access. Requests to exceed the 300 unit limit are not routine undertakings and are not typically entertained due to public safety concerns. Further, in the case of King's Wharf, there are certain site-specific considerations that further exacerbate the provision of adequate vehicular access and egress. These include the following:

- This mixed use development is surrounded on three sides by water and separated from the established public street system by an active rail line. This makes evacuation of residents and workers, or access by emergency services, a key concern as the site becomes more heavily populated as businesses are established.
- The Municipality does not have the means to evacuate individuals in a situation where the only existing at-grade access is blocked by a train or other emergency event. This is a unique circumstance and not an issue in the case of most development sites.
- The existing at grade public street rail crossing is located at an elevation which is amongst the lowest / closest to sea level in the surrounding area. In the case of a flood emergency, this single access would be amongst the first streets to be rendered inaccessible. A grade separated vehicular access spanning the CN rail line and connecting to Alderney Drive will provide an alternative route for all future phases of the development, this road would be less likely to be impacted by this type of event.

It is important to note that, given these circumstances, allowing additional development to take place prior to the provision of the second street access would create increased risk for public safety and would not be recommended. However, a situation where land uses are re-allocated such that there is no net gain in the potential population that could result on site can be considered as this would not increase the risk to

public safety. On the basis of this premise, and due to the uniqueness of this situation relative to the development rights provided under the existing development agreement, staff are able to support the request in consideration of the following rationale and outcomes:

Existing Development Rights

Limits to the amount of commercial space in association with access limits applicable to 300 residential units are not contemplated by the Guidelines, as they primarily address new suburban-style residential subdivision developments rather than mixed use proposals in urban settings. As such, extensive commercial space is permitted in Phase 1 by the existing development agreements, in addition to the 300 residential units. These existing rights have the potential of permitting a larger site population than the proposed scenario whereby the total commercial space within Buildings A, B, C and D would be reduced by over 119,000 sq. ft. and the types of commercial uses limited. In evaluating this request there are several considerations in determining whether the additional 54 residential units should be permitted prior to the construction of the second access:

- The proposed re-allocation of floor space from commercial to residential would result in no net gain in the total population permitted on the site. The most likely uses for these floors, as permitted under the terms of the existing development agreement, are a hotel and office space. Based on typical occupancies, Table C below shows that the theoretical commercial occupancy of the 4 floors of Building C alone could result in a greater population than a residential use in the same space.
- The lower per unit occupancy of King's Wharf should be considered in relation to the Guidelines. The 300 unit limit of the Guidelines is most often applied in suburban contexts where single unit dwellings are proposed with an average occupancy of 3.35 persons per unit. By comparison, the per unit population of multiple unit dwelling developments like King's Wharf is 30% smaller, with an average occupancy of only 2.25 persons per unit.

**Table C: Comparison of Total Theoretical Population Scenarios for Building C – floors 2 - 12
(excluding ground floor commercial space)**

	Residential Population	Commercial Population	Total Population
Scenario A (existing DA) -54 units with a Hotel on floors 2-5	122	120 ¹ (80 rooms)	244
Scenario B (existing DA) - 54 units with Offices on floors 2-5	122	200 ²	322
Scenario C (proposed) -108 units	243	N/A	243

Timing of Second Access Construction

The existing development agreements do not contain specific requirements relative to the timing of the construction of the grade-separated access. Instead, they simply limit residential development to 300 units until the second access is in place. To provide further certainty as to the timing of the construction of this access, a requirement has been placed in the amending Stage 1 and Stage 2 agreements such that the second access is to be under construction by April 1, 2017. This would provide adequate time for the design, approval and commencement of construction of the second access.

More recently, the applicant has indicated that they would like to change the location and design of the previously approved access and have submitted a planning application (Case 18312) which proposes to

¹ Based on an average of 1.5 guests per room.

² <http://www.naiop.org/en/E-Library/Perspectives/Changes-in-Average-Square-Feet-per-Worker.aspx>
<http://www.prnewswire.com/news-releases/office-space-per-worker-will-drop-to-100-square-feet-or-below-for-many-companies-within-five-years-according-to-new-research-from-corenet-global-140702483.html>

change the design from the conceptually approved circular ramp known as the 'Helix', to a more linear ramp design running parallel to Alderney Drive. At present, conceptual plans have been submitted; however further staff analysis in addition to Council approval for the change will be required prior to construction drawings being completed. As per the terms of the amending agreement, the construction of the second access, either as it is currently accommodated in the existing agreements or as may be altered through the separate planning application, will be required to begin by April 1, 2017. Should Community Council approve the proposed amending agreements, development of Phase 1 would be permitted to continue, however, the timeframe for construction would apply independently of any specific development and serve to provide a level of predictability as to when the access would be established.

Limitations on Permitted Commercial Uses

The existing Stage 2 development agreement allows all commercial uses permitted by the Downtown Business District Zone of the Downtown Dartmouth Land Use By-law. The list of potential uses is quite broad and includes any retail, business, office, entertainment or service use. To limit the intensity of the types of commercial uses permitted and thus, their potential associated population, the amending Stage 1 and 2 agreements also contain provisions that restrict the types of commercial uses in Buildings A, B, C and D to retail stores, office, restaurants (excluding drive-through varieties), and personal service shops. This will help to allay any concerns about the potential population associated with the existing permitted commercial uses as well as minimize the commercial population potential prior to the provision of the second access.

Based on these considerations, the request for an additional 54 residential units can be supported as the overall population on the site is generally equivalent to or less than what is currently permitted. There would be no net gain in combined resident/working population and therefore no increase in concerns over the use of one access. Additionally, given the potential population scenarios permitted by the existing agreement, the proposed re-allocation of floor space from commercial to residential would result in reducing the theoretical population of the site and therefore, reduce associated concerns with public safety. Amendments to both the Stage 1 and Stage 2 agreements are required to implement this change. To ensure that commercial development potential is limited on the site, for the purposes of minimizing the combined commercial/residential population, the Stage 2 amending agreement therefore reduces allowable square footage in all four buildings to 25,000 square feet. No further development on the site beyond Phase 1 can be permitted until such time as the required second access is designed and constructed by the developer.

Wastewater System Capacity Analysis

As with any development in the serviced area, Halifax Water requires that developers demonstrate that there is capacity within the wastewater system to accommodate their developments. To date, supporting information in this regard has not been provided for the development. Halifax Water requires the developer to undertake this work immediately. To address this matter, the Stage 2 amending agreement includes a provision that provides that the service connection of Building C to the water supply will not be authorized until a downstream capacity analysis is completed. Further, the developer will be responsible for any improvements to the wastewater system which may be identified through this process.

Conclusion

The requested non-substantive amendments to allow an alternative design for Building C, and to alter the unit mix requirements, are in conformance with MPS policy and the Stage 1 development agreement and are recommended for approval as amendments to the Stage 2 development agreement. The requested increase in the number of residential units can be considered, as an amendment to both the Stage 1 and Stage 2 agreements, as the request results in no net gain to the overall combined residential/commercial population on the site.

FINANCIAL IMPLICATIONS

The Developer will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement. The administration of the Agreement can be

carried out within the approved 2014/15 budget with existing resources.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy.

The level of community engagement strategy was information sharing, achieved through a sign on the property and information on the HRM website. Public information meetings and public hearings are not required for non-substantive amendments to a development agreement. The decision to grant a non-substantive amendment is made by resolution of Community Council.

The proposed amending development agreement will potentially impact, but is not limited to, the following stakeholders: local residents and property owners.

ENVIRONMENTAL IMPLICATIONS

The proposal meets all applicable environmental policies contained in the MPS. No additional concerns were identified beyond those discussed in this report.

ALTERNATIVES

1. Community Council may choose to approve the proposed amending development agreements subject to modifications. This may necessitate further negotiations with the applicant and a supplementary report from staff.
2. Community Council may choose to refuse the proposed amending development agreements, and in doing so, must provide reasons why the agreements do not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed amending development agreement is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.


ATTACHMENTS

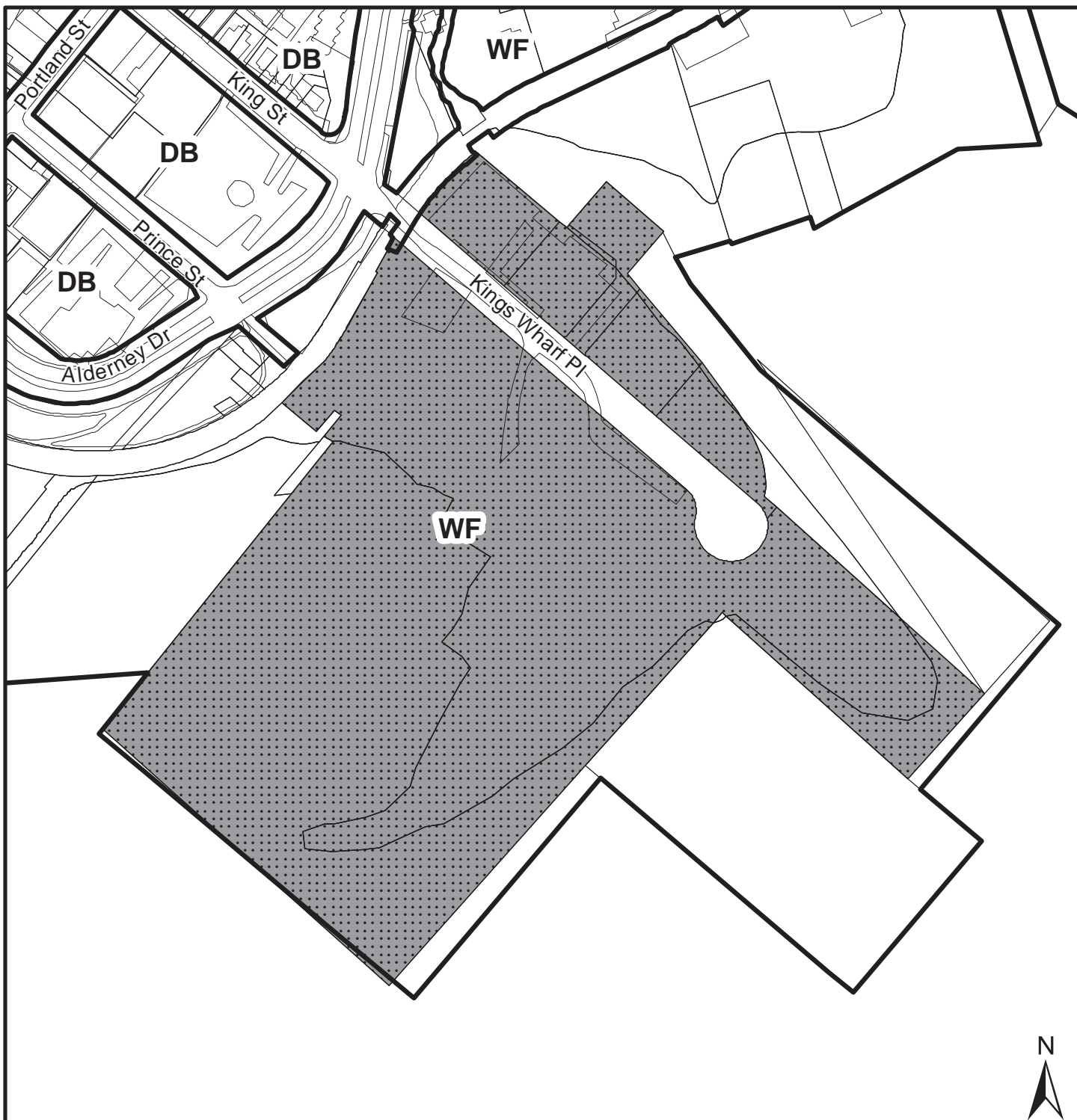
Map 1: Generalized Future Land Use
Map 2: Zoning
Map 3: King's Wharf Phasing

Attachment A: Proposed Stage 1 Amending Development Agreement
Attachment B: Proposed Stage 2 Amending Development Agreement
Attachment C: Applicable MPS Policies

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Mitch Dickey, Planner, 490-5719

Report Approved by: *Original signed*

Kelly Denty, Manager, Development Approvals, 490-4800



Map 1 - Generalized Future Land Use

50 Kings Wharf Place
Dartmouth



Area of existing
development agreements

Downtown Dartmouth
Plan Area

Designation

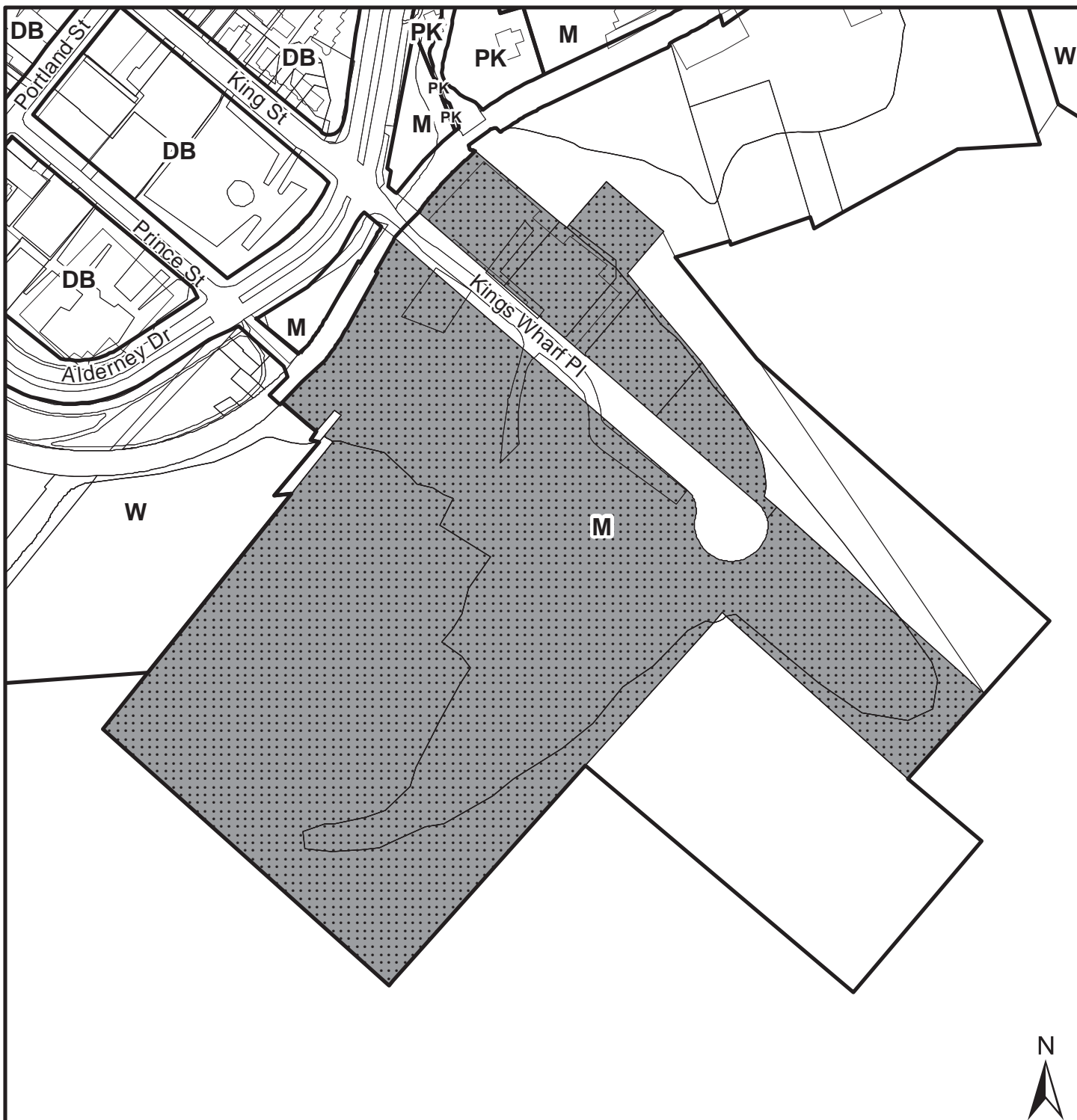
DB Downtown Business District
WF Waterfront

HALIFAX

0 20 40 60 80 100 m

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

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



Map 2 - Zoning

50 Kings Wharf Place
Dartmouth



Area of existing
development agreements

Downtown Dartmouth
Plan Area

Zone

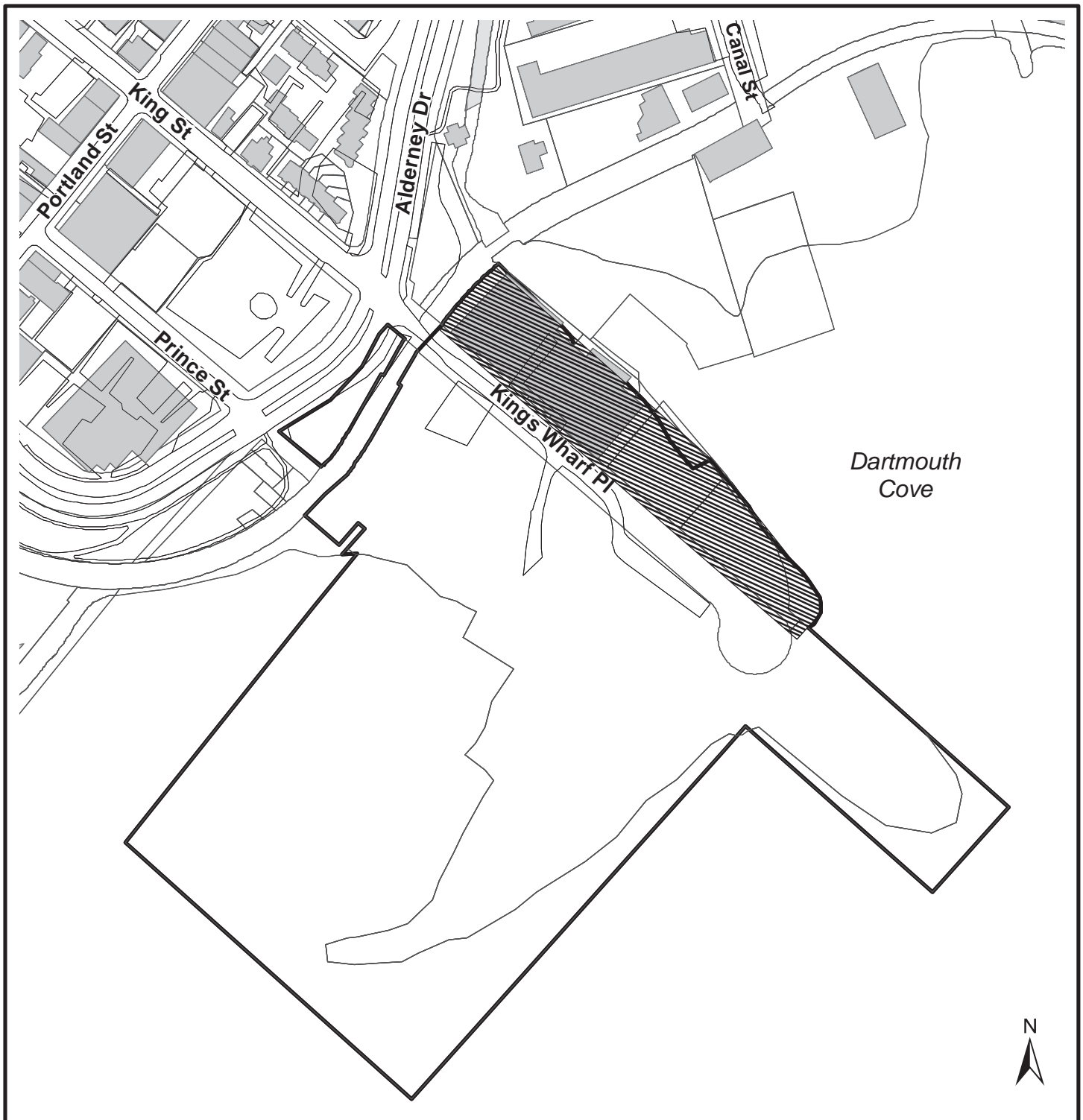
DB	Downtown Business District
W	Waterfront
M	Marine Business
PK	Park and Open Space

HALIFAX

0 20 40 60 80 100 m


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


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



Map 3- Kings Wharf Phasing

King's Wharf

 Phase 1 of Development

 King's Wharf Development

Downtown Dartmouth Plan Area

HALIFAX

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

THIS SECOND AMENDING AGREEMENT made this day of , 2014

BETWEEN”

AND WHEREAS the Harbour East Community Council of the Municipality did, at a meeting on November 12, 2009, grant approval of a non-substantive amendment to the Stage 1 Agreement that revised the phasing plan and schedule for development of the Lands, which said Amending

Agreement was registered at the Land Registry Office in Halifax as Document Number 95113008 (hereinafter called the "Stage 1 Amending Agreement");

AND WHEREAS the Harbour East Community Council of the Municipality did, at a meeting on December 3, 2009, grant approval of a Stage 2 Agreement that allowed construction of Phase 1 on the Lands, which said Agreement was registered at the Land Registry Office in Halifax as Document Number 95534534 (hereinafter called the "Original Stage 2 Agreement");

AND WHEREAS the Harbour East Community Council of the Municipality did, at a meeting on May 3, 2012, discharge the Original Stage 2 Agreement, which said discharging Agreement was registered at the Land Registry Office in Halifax as Document Number 100947408 (hereinafter called the "Discharging Agreement");

AND WHEREAS the Harbour East Community Council of the Municipality did, at a meeting on May 3, 2012, grant approval of a new Stage 2 Agreement that allowed construction of a revised Phase 1 on the Lands, which said Agreement was registered at the Land Registry Office in Halifax as Document Number 100947523 (hereinafter called the "Revised Stage 2 Agreement");

AND WHEREAS the Developer has requested that the Municipality amend the Stage 1 Development Agreement to alter the phasing and mix of land uses in order to permit 354 residential units in Phase 1.

AND WHEREAS the Harbour East-Marine Drive Community Council for the Municipality approved this request at a meeting held on _____, referenced as Municipal Case Number 19241;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree to the following amendments to the Stage 1 Agreement:

1. The text of Section 3.4.3 is deleted and replaced by the following:

"Phase 1 shall not exceed a total of 354 residential units and limited commercial use in Buildings A, B, C and D. No additional buildings or residential units shall be permitted in any phase of the development until such time as a grade separated access over the rail line is constructed from Alderney Drive via Prince Street pursuant to Section 3.6."

2. The following text is appended to Section 3.6.5:

"The Developer and the Municipality agree that construction of the grade separated access shall commence by April 1, 2017 or before the approval of a Stage 2 agreement for Phase 2, whichever is earlier. "

IN WITNESS WHEREAS the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of:

=====

SEALED, DELIVERED AND ATTESTED to by the proper signing officers of Halifax Regional Municipality, duly authorized in that behalf, in the presence of:

(Insert Owners Names)

Per:_____

=====

HALIFAX REGIONAL MUNICIPALITY

Per:_____

Mayor

Per:_____

Municipal Clerk

THIS AMENDING AGREEMENT made this day of , 2014

BETWEEN”

AND WHEREAS the Harbour East Community Council of the Municipality did, at a meeting on November 12, 2009, grant approval of a non-substantive amendment to the Stage 1 Agreement that revised the phasing plan and schedule for development of the Lands, which said Amending

Agreement was registered at the Land Registry Office in Halifax as Document Number 95113008 (hereinafter called the "Stage 1 Amending Agreement");

AND WHEREAS the Harbour East Community Council of the Municipality did, at a meeting on December 3, 2009, grant approval of a Stage 2 Agreement that allowed construction of Phase 1 on the Lands, which said Agreement was registered at the Land Registry Office in Halifax as Document Number 95534534 (hereinafter called the "Original Stage 2 Agreement");

AND WHEREAS the Harbour East Community Council of the Municipality did, at a meeting on May 3, 2012, discharge the Original Stage 2 Agreement, which said discharging Agreement was registered at the Land Registry Office in Halifax as Document Number 100947408 (hereinafter called the "Discharging Agreement");

AND WHEREAS the Harbour East Community Council of the Municipality did, at a meeting on May 3, 2012, grant approval of a new Stage 2 Agreement that allowed construction of a revised Phase 1 on the Lands, which said Agreement was registered at the Land Registry Office in Halifax as Document Number 100947523 (hereinafter called the "Revised Stage 2 Agreement");

AND WHEREAS the Harbour East-Marine Drive Community Council of the Municipality did, at a meeting on _____, grant approval of a non-substantive amendment to the Stage 1 Agreement that revised the phasing and land use distribution of the Lands, which said Amending Agreement was registered at the Land Registry Office in Halifax as Document Number _____ (hereinafter called the "Second Stage 1 Amending Agreement");

AND WHEREAS the Developer has requested that the Municipality amend the Stage 2 Development Agreement to allow changes to the design and use of Building C and to permit a total of 354 units in Phase 1;

AND WHEREAS the Harbour East-Marine Drive Community Council for the Municipality approved this request at a meeting held on _____, referenced as Municipal Case Number 19241;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree to the following amendments to the Revised Stage 2 Agreement:

1. The text of Section 3.4 (e) is deleted and replaced by the following:

"Notwithstanding Sections 3.4 (a) through (d), permitted ground floor commercial uses shall be limited to restaurants (excluding drive-throughs), offices, retail stores and personal service shops as defined by the Land Use By-law. The floor area allocated to commercial uses shall not exceed a combined total of 25,000 square feet in all buildings in Phase 1."

2. Section 3.6.5 (a) is amended by deleting the number "300" and replacing it with the number "354".

3. The text of Section 3.6.5 (b) is deleted and replaced by the following:

"The overall number of dwelling units to be built in Buildings A, B, C and D shall provide a mix of unit types as follows:

- (i) At least 10% of units shall contain 3 bedrooms;
- (ii) At least 42% of units shall have 2 bedrooms or 2 bedrooms plus den;

- (iii) Up to 45% of units may have 1 bedroom or 1 bedroom plus den; and
- (iv) Not more than 3% of units shall be studio units.”
- 4. Section 3.6.5 (d) is deleted.
- 5. The following new section is added:
 “4.6 Pursuant to Section 3.6.5 of the Stage 1 Agreement, the Developer agrees that construction of the grade separated access shall commence by April 1, 2017 or before the approval of a Stage 2 agreement for Phase 2, whichever is earlier. “
- 6. The following new section is added:
 “4.7 No water meter shall be issued for Building C until such time as the availability of capacity in the wastewater system is confirmed. Any required upgrades to either onsite or offsite infrastructure to provide such capacity shall be the responsibility of the Developer.”
- 7. ‘Schedule C – Site Plan’ is deleted and replaced by new Schedule C, attached hereto as Schedule B; and
- 8. ‘Schedules F1 through F4 – Building Elevations – Building C’ are deleted and replaced by new Schedules F1 through F4, attached hereto as Schedule C.

IN WITNESS WHEREAS the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Owners Names)

Per:_____

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SEALED, DELIVERED AND ATTESTED to by the proper signing officers of Halifax Regional Municipality, duly authorized in that behalf, in the presence of:

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HALIFAX REGIONAL MUNICIPALITY

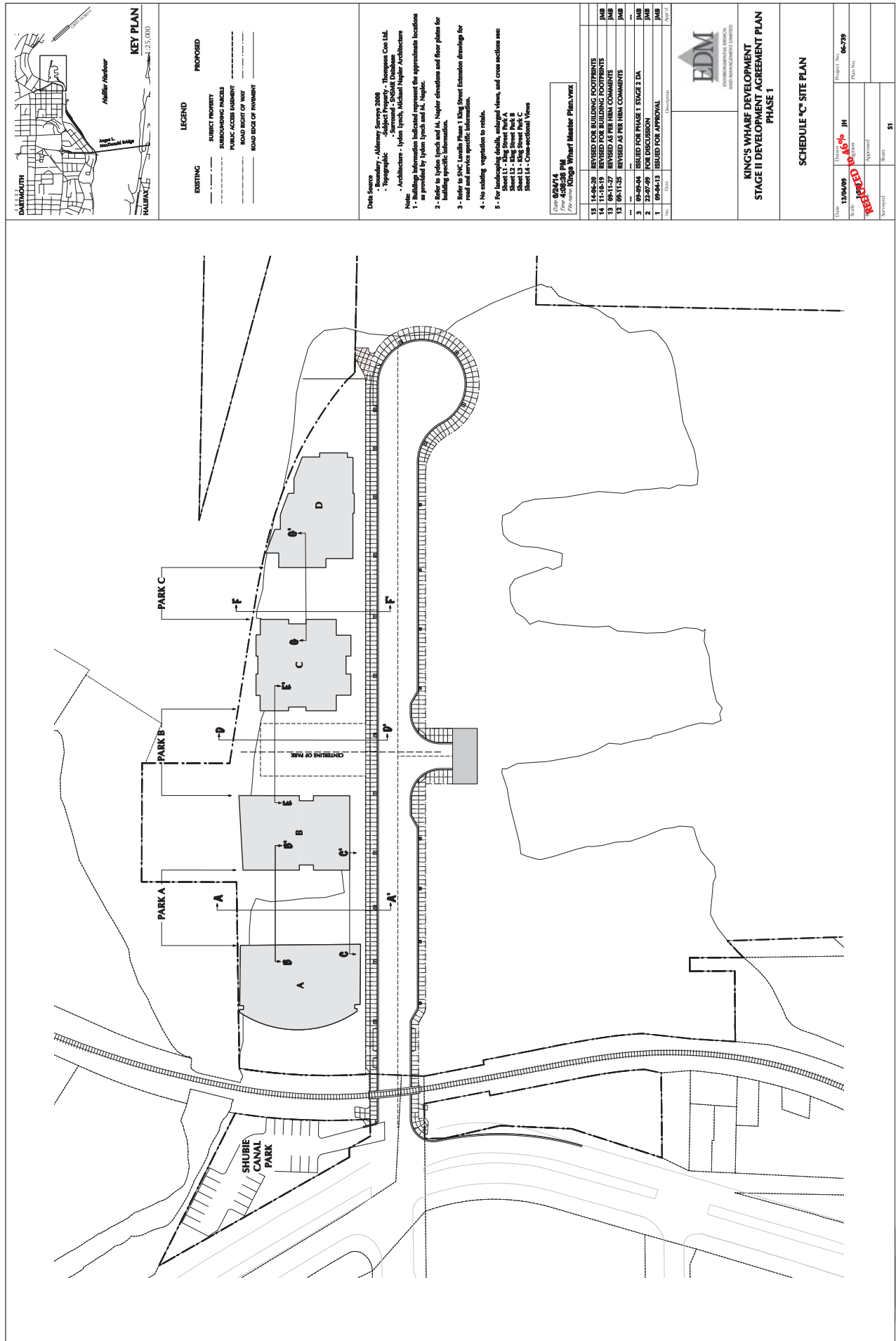
Per:_____

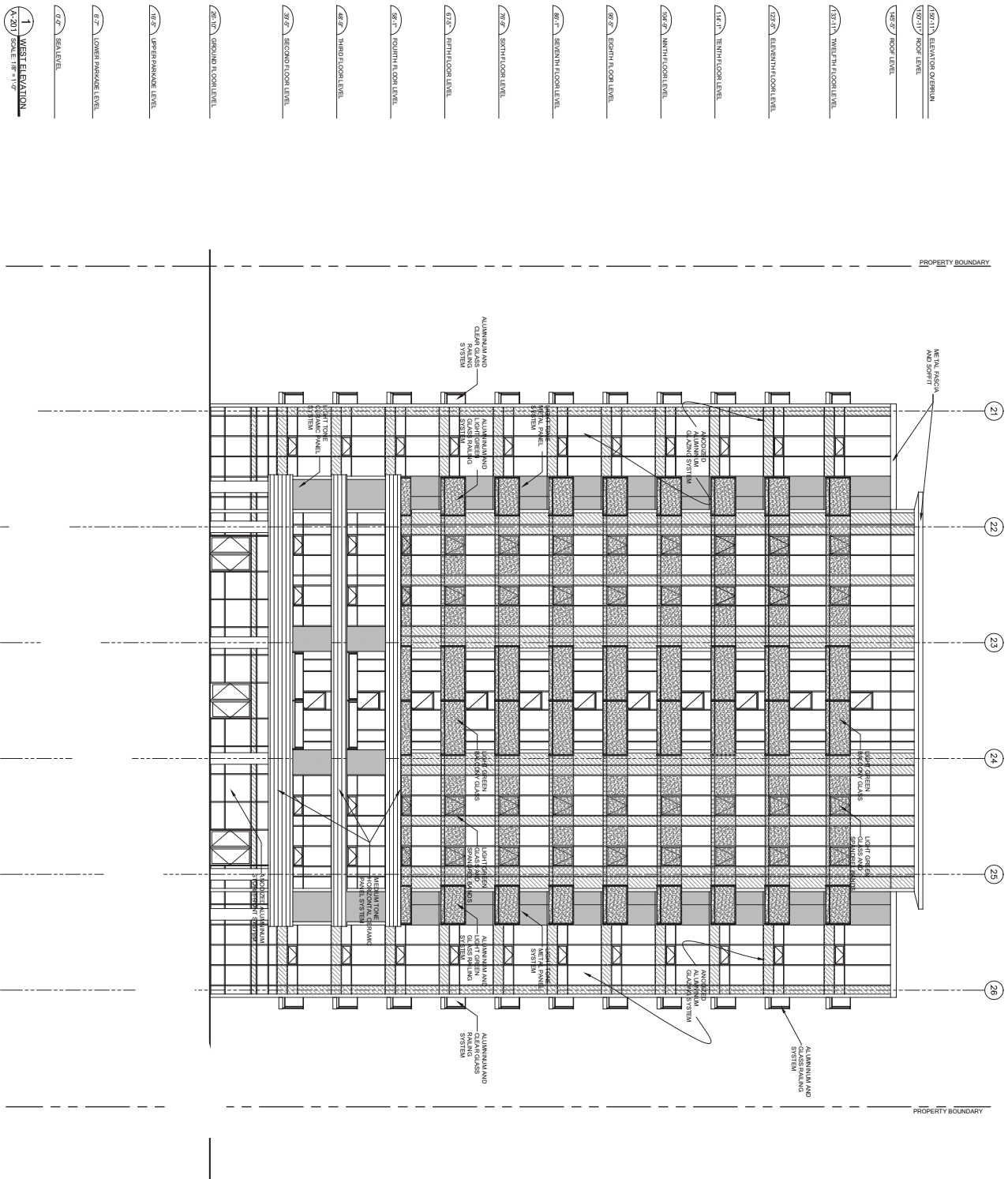
Mayor

Per:_____

Municipal Clerk

Case 19241: Schedule C - Site Plan





REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR PERMIT
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NOTES:
1. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
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19. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
20. ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.

DATE: MAY 2014

SCALE: 1/8" = 1'-0"

WEST ELEVATION

MICHAEL NAPIER ARCHITECTURE INC.
1000 Kings Highway
Dartmouth, Nova Scotia
B3A 2K4
Tel: 902-555-5522

KINGS WHARF BUILDING C
50 KINGS WHARF PLACE
DARTMOUTH,
NOVA SCOTIA

STAFF: MAY 2014
A-201



REVISIONS		REV	DATE
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1. ALL CUSTODIANS TO REPORT ALL APPLICATIONS TO THE
STANDARD, BY NAME, ETC.
2. DO NOT GOAL THE CHAIRMAN FOR CONSTITUTION PURPOSES. USE
THE CHAIRMAN'S NAME TO REPORT TO THE CHAIRMAN.
3. ALL CUSTODIANS TO REPORT TO THE CHAIRMAN.
4. ALL CUSTODIANS TO REPORT TO THE CHAIRMAN.
5. ALL CUSTODIANS TO REPORT TO THE CHAIRMAN.

CONTROL WITH

STUDY

MICHAEL
APIER
ARCHITECTURE INC.

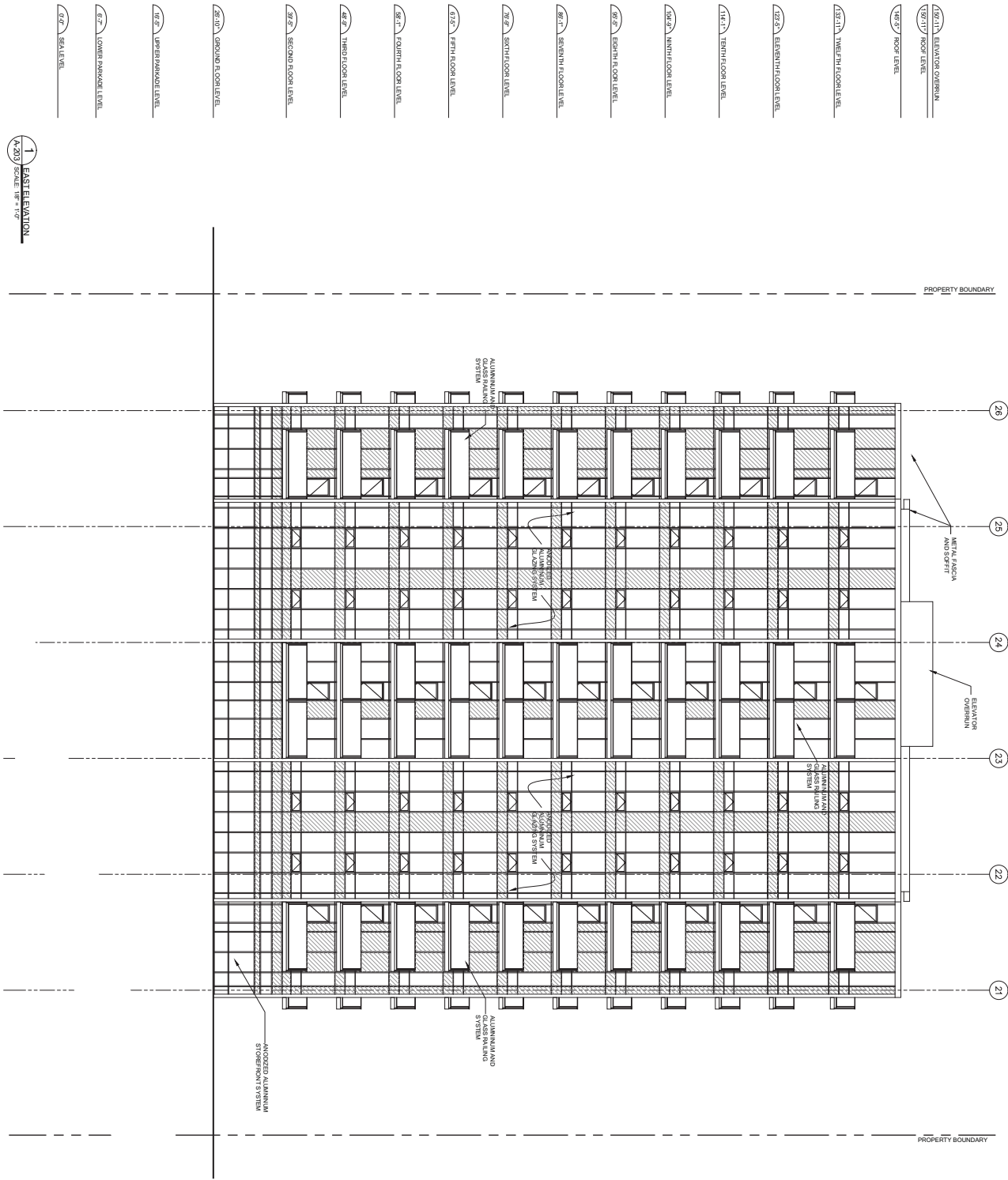
5440 Kuyper Street
Hullfax, Nova Scotia
Tel: (902) 455-5522
Fax: (902) 455-5523

**KING'S WHARF
BUILDING C**
50 KINGS WHARF PLACE
DARTMOUTH,
NOVA SCOTIA

SOUTH ELEVATION

CRIMINAL STAFF	CRIMINAL NUMBER

GOAL E	$1.5 = 1.5$
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REVISIONS	
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10	ISSUED FOR PERMITTING AND CONSTRUCTION

NOTES:
1. ALL MATERIALS TO BE SUBMITTED TO THE LOCAL CODE OFFICE.
2. THE DRAWING IS THE PROPERTY OF THE ARCHITECT AND SHALL NOT BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.
3. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR OTHER SOURCES.
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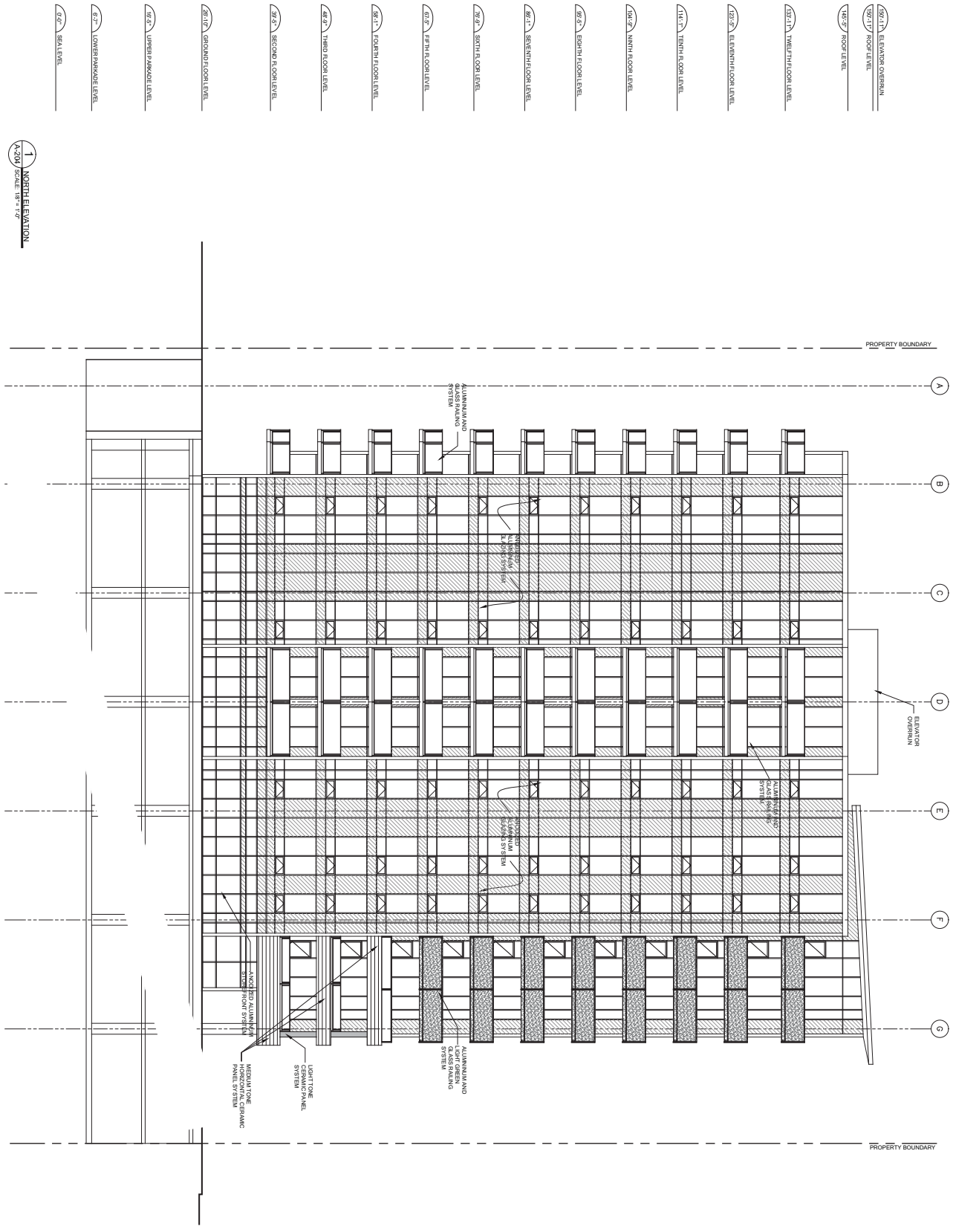
SCHEDULE F3	
ITEM NO.	DESCRIPTION
1	ALUMINUM AND ANODIZED ALUMINUM SYSTEM
2	ALUMINUM AND ANODIZED ALUMINUM SYSTEM
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10	ALUMINUM AND ANODIZED ALUMINUM SYSTEM

Michael Apier Architecture Inc.
1000 Kings Wharf Street
Dartmouth, Nova Scotia
B3A 2K5
Tel: 902-555-5525

Kings Wharf Building C
50 Kings Wharf Place
Dartmouth, Nova Scotia

East Elevation

SCHEDULE F3	
ITEM NO.	DESCRIPTION
1	ALUMINUM AND ANODIZED ALUMINUM SYSTEM
2	ALUMINUM AND ANODIZED ALUMINUM SYSTEM
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REVISIONS	
NO.	DESCRIPTION
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NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL MATERIALS AND FINISHES ARE TO BE AS SHOWN ON THE DRAWINGS.
3. ALL WORKMANSHIP IS TO BE IN ACCORDANCE WITH THE CANADIAN BUILDING CODE.
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KINGS WHARF BUILDING C
50 KINGS WHARF PLACE
DARTMOUTH,
NOVA SCOTIA
NOVA SCOTIA
NORTH ELEVATION

DATE	STAFF	PROJECT NUMBER
MAY 2014		A-204
SCALE	1/8" = 1'-0"	