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Item No. 11.1
Halifax Regional Council
February 16, 2016

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by

John Traves, Q.C. Acting Chief Administrative Officer

Original Signed by

Mike Labrecque, Deputy Chief Administrative Officer

DATE: February 2, 2016

SUBJECT: **Case 20227: Appeal of the Design Review Committee's Approval of the Substantive Site Plan Application for the Margaretta Development at 1447 Dresden Row, Halifax**

ORIGIN

Appeal of the Design Review Committee's December 10th, 2015 decision on a development proposal for the lands located at 1447 Dresden Row, Halifax.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter); Part VIII, Planning & Development – including:

Section 246A: Design Review Committee for HRM by Design Downtown Plan Area;
Section 251: Variance Procedures; and
Section 252: Variance Appeals and Costs.

RECOMMENDATION

The question before Regional Council is whether to allow or deny the appeal before them.

It is recommended that Halifax Regional Council uphold the decision of the Design Review Committee to approve, with the requested variance and conditions of approval, the qualitative elements of the substantive site plan approval application, as identified in Attachment A, for the proposed Margaretta development at 1447 Dresden Row, Halifax.

EXECUTIVE SUMMARY

W.M. Fares Group has submitted an application for substantive site plan approval to develop a 9-storey mixed use development consisting of residential and commercial uses at 1447 Dresden Row, Halifax, known as the "Margaretta" site (Attachment A). The proposed development requires substantive site plan approval as per the requirements of the Downtown Halifax Land Use By-Law. The site plan approval process is outlined in Attachment B.

Through the site plan approval process, the Design Review Committee (DRC) is specifically charged with:

1. considering the project as it relates to the Design Manual of the Downtown Halifax Land Use By-law and determining whether it meets the guidelines in the Design Manual;

2. evaluating and approving or refusing the variance that is being sought;

3. reviewing the results of the wind impact assessment that addressed the expected levels of pedestrian comfort that will result with the project; and

4. providing advice to the Development Officer with respect to the acceptability of the proposed post-bonus height public benefit category.

Staff reviewed the application relative to the Downtown Halifax Land Use By-law (LUB) and the Design Manual and provided a report to the DRC, dated November 26, 2015, that recommended the application be approved.

On December 10, 2015, the DRC received a presentation on the application and discussed staff's report before approving the application with conditions. As per the *HRM Charter*, a 14 day appeal period is required for decisions of the DRC. The Municipal Clerk received an appeal of the application by 4 property owners (see Attachment C). Where a decision of the DRC is appealed, Regional Council is required to hear the appeal and may make any decision that the DRC could have made (approve, approve with conditions, or refuse).

The purpose of this report is for staff to provide Regional Council with the background on the application, the appeal process and responses to the items raised in the notice of appeal.

BACKGROUND

This report is in response to an appeal of the DRC's decision on the substantive site plan approval application, by W.M. Fares Group, to develop a 9-storey mixed use development consisting of residential and commercial uses at 1447 Dresden Row, Halifax, known as the "Margaretta" site. Staff prepared a report on the application, dated November 26, 2015, which was provided to the DRC on December 10, 2015, for review and a decision (Attachment A). The Committee approved the application with conditions as outlined in this report.

The decision of the DRC was appealed by four property owners. Their letter of appeal is provided in Attachment C. Regional Council`s role is to hear the appeal and make any decision that the DRC could have made (approve, approve with conditions, or refuse) relative to the application.

Site Plan Approval Process

Under the site plan approval process, development proposals within Downtown Halifax Plan area must meet the land use and building envelope requirements of the Land Use By-law (LUB), as well as the

requirements of the By-law's Design Manual. The process requires approvals by the Development Officer and the DRC as follows:

Role of the Development Officer:
In accordance with the substantive site plan approval process, as set out in the Downtown Halifax LUB, the Development Officer is responsible for determining if a proposal meets the land use and built form requirements of the Downtown Halifax LUB. The Development Officer has reviewed the application and determined it to be in conformance with these requirements, with the exception of the streetwall width requirements. The applicant has requested a variance to this element.

Role of the Design Review Committee:
The Design Review Committee, established under the LUB, is the body responsible for making decisions relative to a proposal's compliance with the requirements of the Design Manual.

The role of the Design Review Committee in this case is to:

1. determine if the project is in keeping with the design guidelines contained within the Design Manual;
2. consider the application for the variance request that has been made;
3. provide advice to the Development Officer if the proposal is suitable in terms of the expected wind conditions on pedestrian comfort; and
4. provide advice to the Development Officer with respect to the acceptability of the proposed post-bonus height public benefit category.

Where the decision of the Design Review Committee is appealed, Regional Council will hear the appeal. If Regional Council upholds the decision of the DRC, the site plan for the project is approved. However, if Regional Council overturns the decision of the DRC, the site plan is refused.

Site Plan Approval Steps:
A flow chart outlining the steps involved in the site plan approval process for Downtown Halifax is provided in Attachment B. An overview of the key process components is as follows:

- The proposal is reviewed by the Development Officer to confirm that it meets the standard requirements of the Land Use By-law for such matters as building height, step back, bulk, conformance with Citadel view planes, etc. Any requested site plan variances are also identified.

- The proposal is assessed by Planning Applications' staff for compliance with the Design Manual adopted under Downtown Halifax LUB. A staff report and recommendation is submitted to the DRC.

- The DRC evaluates the application, and any requested site plan variances, against the requirements of the Design Manual and makes a decision to approve, approve with conditions or refuse the proposal.

- Where a proposal is approved by the DRC, notice is given to all assessed property owners within the Downtown Halifax Secondary Municipal Planning Strategy plan area boundary plus 30 meters. Any assessed property owner may then appeal the decision of the DRC to Regional Council. If no appeal is filed, the Development Officer may then issue the development permit for the proposal.

It is important to note that the *HRM Charter* provides that only the decision of the Design Review Committee may be appealed to Regional Council. There is no appeal of the aspects of the proposal that relate to the Development Officer's approval.

Project Description
The proposed development involves the construction of a 9-storey mixed-use development with commercial uses on the ground floor and multi-unit residential on the upper storeys, with underground parking. Major elements of the project include:

- Approximately 2,611 square metres (28,105 square feet) of commercial floor space at ground level with pedestrian access points along all streets and a separate residential lobby area;
- 8 storeys of residential use totaling 147 units;
- three underground parking levels containing 260 parking spaces;
- driveway access to underground parking is off Birmingham Street and a delivery entrance is off Dresden Row;
- landscaped areas, including a plaza in front of the building off Clyde Street, a second level roof terrace, and residential terraces, balconies and rooftop; and
- exterior cladding materials which include granite, brick and architectural stone, glass, aluminum frames, composite panels, glass canopies and glass/composite balconies with metal railings.

For more detailed information on the proposed development see Attachment A of this report.

Design Review Committee
In the November 26, 2015 Staff Report to the DRC, staff recommended approval of the proposal. The staff report outlines the rationale for staff's recommendation and includes an evaluation of the proposal against the applicable individual guidelines of the Design Manual. At their December 10, 2015 meeting, the DRC approved the proposal with one requested variance and two conditions of approval, as follows:

"MOVED by Ms. Sampson, seconded by Mr. Murphy

THAT the Design Review Committee:

1. *Approve the qualitative elements of the substantive site plan approval application for the mixed-use development on the "Margaretta" site bounded by Dresden Row, Clyde Street and Birmingham Street, Halifax, as shown on Attachment A; with the following conditions:*
    - *That the Applicant make the service entrance as well as the underground parking entrance of a translucent material; and*
    - *That the Applicant maintains the benches in the streetscape as presented in the application, Building Rendering 3 – Sidewalk, provided there are no implications with traffic flow and safety.*
2. *Approve the requested variance to the Streetwall Width, as shown on Attachment B;*
3. *Accept the findings of the Qualitative Wind Impact Assessment as contained in Attachment D.*
4. *Recommend that the Development Officer accept, as the Post-Bonus Height Public Benefit for the development, the provision of public art.* MOTION PUT AND PASSED."

Attachment D contains a copy of the minutes from the Committee.

Appeal Notice
Following the DRC's meeting, notice of their decision on the matter was given to all assessed property owners within the Downtown Halifax Secondary Municipal Planning Strategy plan area boundary, plus those owners within 30 metres of the boundary.

On December 23, 2015, a notice of appeal was filed with Municipal Clerk by four property owners. Attachment C contains a copy of the appeal letter and their reasons for the appeal.

DISCUSSION

The process and notification procedures and rights of appeal with respect to a decision of the DRC are the same as those that apply to a Development Officer's decision to grant or refuse to grant a variance. Appeals received through this process must be heard by Regional Council within 60 days, unless the parties to the appeal agree otherwise. As the appeal was filed on December 23, 2015, the 60 day time period will lapse on February 21st, 2015. Regional Council must render its decision within 30 days after having heard the appeal. The matter before Regional Council pertains to the appeal of an approval by the DRC. Therefore, Regional Council may only hear from the applicant and the appellant(s) (not the general public) at the hearing.

Decision
In hearing an appeal, Regional Council may make any decision that the DRC could have made. In the case of Downtown Halifax, this is to say that Regional Council may make any decision in respect of the application of the Design Manual appended to the LUB and any "site plan variances" pursuant to Part 3 of that Manual. Regional Council may not substitute its decision for that of the Development Officer in respect of the application of the land use and built form requirements of the Land Use By-law.

The process concludes with the Development Officer issuing or refusing a development permit in accordance with Council's ruling on the appeal provided the Development Officer is satisfied that all other requirements of the LUB have been met. A refused development permit may then be appealed to the Nova Scotia Utility & Review Board.

Grounds of Appeal
Within the notice of appeal, the appellants identified 5 items why Regional Council should overturn the decision of the DRC. Of the five items raised, staff identified only one that is within the purview of Regional Council to consider under the site plan appeal process. The other 4 items are matters which are not relevant to the application of the Design Manual and are therefore not matters for which Regional Council can consider under the appeal process.

This report provides staff's comments on the items raised in the notices of appeal as follows:

1) Landscaping & Placement of Permanent Benches

Appellants' Rationale: "… the building plans discuss the pedestrianization of Clyde St. and the Margaretta being landscaped with permeant sidewalk benches. We are opposed to these benches on grounds of security and sidewalk traffic flow. In a recent poll done for the Heritage Conservation District for Schmidtville showed that benches are not desired. In regards to security it is to be noted that on numerous occasions both homeowners have found beer bottles and other items left outside their doorstep. Permanent benches will only encourage negative activity in the evening and block a clear path for disabled pedestrians."

Staff's Response: While Clyde Street is not a designated "Pedestrian-Oriented Commercial Street", the Design Manual calls for it to evolve into an important pedestrian street. This is advanced through the project by the implementation of a 4-metre setback requirement under the LUB, and the installation of landscaping and permanent benches along Clyde Street. Such improvements serve to create an active and engaging pedestrian experience along the street, and enhance the streetscape design. They also promote linkage between the Central Library and Victoria Park.

The minutes of the December 10th DRC meeting, included in Attachment D, indicate that the matter was discussed by the DRC. As part of the motion of approval, the DRC approved a condition that support landscaping and permanent benches along Clyde Street. The condition states, *"the Applicant maintains*

the sidewalk benches as presented in the application, Building Rendering 3 – Sidewalk, provided there are no implications with traffic flow and safety."

Council should note that the matter relating to the 4-metre streetwall setbacks along Clyde Street is a LUB requirement that was reviewed and determined to be in compliance with the LUB by the Development Officer. As such, it is not a matter for which Regional Council can consider under the site plan appeal process. However, the elements of landscaping and the placement of permanent benches along Clyde Street are before Regional Council for a decision.

Other Items Not within Scope of Appeal:
The appellants also cite the following elements as grounds for the appeal; however, they are general in nature and are not relevant to the application of the Design Manual and the decision of the DRC. As such, they are not matters which Regional Council can consider under the site plan appeal process. They are provided for Council's information as follows:

2) Building Design & Schmidtville Neighbourhood

Appellants' Rationale: *"The overall mass and architecture of the building is not in keeping with this historic urban form/grain of Schmidtville. There are no setbacks for Birmingham Street or Dresden Row. This area will be dwarfed by the structure and will have lost both connectivity and human scale. Up until the 1960's, this land space contained family dwelling and shops that are part of the original Schmidtville lands. This seems to be forgotten in the discussion surrounding the building site and design."*

Staff's Response: According to municipal records, the subject site has no heritage significance and does not fall within a heritage conservation area, nor is it located within the proposed Schmidtville Heritage Conservation District. The vacant property has been continuously utilized as commercial surface parking lot for public use for approximately four decades. Thus, the proposed development was reviewed in accordance with Sections 7, 8, 9 and 10 of the Downtown Halifax LUB, which establish clear parameters relating to the Land Use and Built Form Requirements for any new development within Downtown Halifax. These requirements deal with elements such as height, massing, scale, streetwall setbacks and stepbacks, and are assessed by the Development Officer when evaluating a proposal, not the Design Review Committee. **As such, this is not a matter which Regional Council can consider under the site plan appeal process.**

3) **Wind Impacts**

Appellants' Rationale: *"The wind impact study cited in the documentation does not take into account the changes to the street and local area by the Mary Ann site building nor the new building at the corner of Spring Garden Road and Birmingham Street which now houses the bank of Montreal. The wind strength in the area has been altered by new construction. These changes are currently felt along Clyde Street from Queen Street to Brenton Street. The addition of the new Halifax library on Queen Street as well as the vacant lot which connects to the Dalhousie university residence, factor into the shift in wind strength in the local area. Given these changes in the community landscape, the Margaretta development will certainly alter the wind force in Schmidtville. Given the current wind related conditions at the corner of South Park Street and Brenton Place, further information is necessary in order to judge the wind factors related to this specific development. It is concerning that Clyde St. will become a wind tunnel."*

Staff's Response: Section 8(18) of the Downtown Halifax LUB references Schedule S-2, which includes standards for Wind Assessment Performance. A qualitative Wind Impact Assessment was prepared by Ekistics Planning and Design for the project (Attachment A). The purpose of the assessment is to determine whether the site and its surroundings will be safe and comfortable for pedestrians once the new building is constructed as required under Section S-2(2)(b), which states, *"the Wind Impact Assessment shall address: (b) The impact of the development on the following areas:*

i. the public realm, including parks, plazas, and other open spaces, sidewalks and other pedestrian traveled ways, building entrances; and
ii. private amenity spaces such as rooftop gardens."

The concern with respect to wind conditions is whether the site, and in particular the surrounding sidewalks, will be comfortable for their intended usage. Wind conditions are rated in terms of relative comfort for different pedestrian activities that include "sitting", "standing", and "walking." As such, the assessment places an emphasis upon the possible impacts upon Dresden Row, Clyde Street and Birmingham Street, and also considers the sidewalk spaces around the proposed building. With respect to this, the assessment finds that the proposal will not result in significant changes to the levels of pedestrian comfort surrounding the building. The DRC accepted the findings of the assessment and the Development Officer determined it to be in compliance with the LUB requirements. **As such, this is not a matter which Regional Council can consider under the site plan appeal process.**

4) On-Street and Underground Parking

Appellants' Rationale: "The plan for the site provided in the graphic renderings appears to be devoid of on-street parking or parking meters and boasts 260 new parking spaces. The plan also speaks about the existing parking supply but may have missed the requirements of homeowners in the area who have no driveways, parking spaces or direct access to their homes. If this on-street parking on Clyde Street were to disappear, as it has in the visuals in the submission, numerous residents and homeowners would be denied access to their homes. In addition to the issues surrounding parking, the plan shows an absence of overhead electrical wiring. Are we to presume that this too was merely an artist's rendering error or does it have other implications?"

Staff's Response: Section 11(3) of the LUB requires the two Clyde Street parking lots to have a minimum of 210 public parking spaces over both lots, in addition to any parking required for the new developments. The adjacent site bounded by Birmingham Street, Clyde Street and Queen Street, known as the MaryAnn Development, is currently under construction. Both the MaryAnn Development and the proposed Margaretta Development are developed by Clyde Street Developments Ltd. The Developer has committed to provide the required parking spaces in both developments as follows:

i. MaryAnn Site (under construction) - The site includes 3 levels of underground parking with a total of 179 parking spaces dedicated to private and public parking. Levels P1 and P2, which include 120 spaces, are dedicated for public parking *(114 spaces meeting the LUB requirement of 210 spaces, and 6 spaces satisfying the post-bonus height public benefit).*

ii. Margaretta Site - The proposal includes 3 levels of underground parking with a total of 260 parking spaces dedicated to private and public parking. Levels P1 and P2 include 104 spaces dedicated for public parking *(96 spaces to meet the LUB requirement of 210 spaces, and 8 spaces to satisfy the proposed post-bonus height public benefit).*

The developer has also indicated that continuous public access to this parking will be maintained. With regard to bicycle parking, visible at-grade locations will be identified and incorporated into the final site design.

The Development Officer has reviewed all matters relating to the required and proposed parking supply and has determined that the proposal meets the requirements of the LUB. **As such, this is not a matter which Regional Council can consider under the site plan appeal process.**

The issue relating to the availability and location of the parking meters within the HRM street right-of-way falls within the jurisdiction of the Municipal Traffic Authority. While the graphic renderings do not illustrate

the current on-street parking capability in the area, the site plan approval deals only with private property development. Further, staff advise that there is no intention that these spaces be removed. **As this is item is not within the scope of the Design Manual and therefore, not within the DRC's authority, this is also not a matter which Regional Council can consider under the site plan appeal process.**

5) Impacts of Construction

Appellants' Rationale: *"Further concern is the lack of consideration during construction on residents' livability. The construction of the Mary Ann has dragged on for many more years then first announced and contrary to the Margaretta plan questionnaire is months away from completion. The noise and air pollution caused by construction has had negative effects to us and our property. The dust from the Mary Ann construction has covered our homes and damaged our vehicles. Therefore, dust and construction needs to be better managed so as not to encumber the homeowners. How long will the Margaretta take to complete and how will we be compensated? There should be a time restriction on construction. Also, the noise pollution in being so close to the construction site is high. The building of the Mary Ann has led to many pre – 7A.M. awakenings and late nights with no advisement."*

Staff's Response: Activities related to construction sites are managed by staff through the enforcement of various HRM by-laws. While certain standards are currently in place, staff is in the process of developing improved standards for construction mitigation that, if approved, would help to lessen the impact of lengthy construction activities on the area. With respect to noise, By-law N-200 (Respecting Noise) is the appropriate tool to review and address the appellants' concerns. **As such**, **this is not a matter for which Regional Council can consider under the site plan appeal process.**

Conclusion
The Design Manual outlines items which relate to the architecture and design of a proposed building. The DRC determined that this proposal met those requirements and approved the proposal with conditions and one variance.

Staff advises that both the Development Officer and the DRC have approved the application based on the respective requirements of the Downtown Halifax Land Use By-law and Design Manual. As the decision of the DRC has been appealed, only one matter has been identified for Regional Council to hear and render a decision on.

FINANCIAL IMPLICATIONS

There are no financial implications. The HRM costs associated with processing this planning application can be accommodated within the approved operating budget for C310 Planning & Applications.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy and the requirements of the Downtown Halifax LUB regarding substantive site plan approvals. The level of engagement was information sharing, achieved through the developer's website, public kiosks at HRM Customer Service Centres, and a public open house.

ENVIRONMENTAL IMPLICATIONS

No implications have been identified.

ALTERNATIVES

1. Regional Council may choose to approve the proposal with additional and/or different conditions. This may necessitate further submissions by the applicant, as well as a supplementary report from Staff.

2. Regional Council may choose to overturn the decision of the Design Review Committee and refuse the application. Council must provide reasons for this refusal based on the specific guidelines of the Design Manual. This action would result in the refusal of the development permit by the Development Officer, which could then be appealed to the Nova Scotia Utility and Review Board.

ATTACHMENTS

Map 1	Location and Zoning Map
Attachment A	November 26, 2015 Staff Report to the Design Review Committee
Attachment B	Downtown Halifax Site Plan Approval Process
Attachment C	Notice of Appeal
Attachment D	Minutes of the December 10, 2015 Design Review Committee Meeting

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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 902.490.4210, or Fax 902.490.4208.

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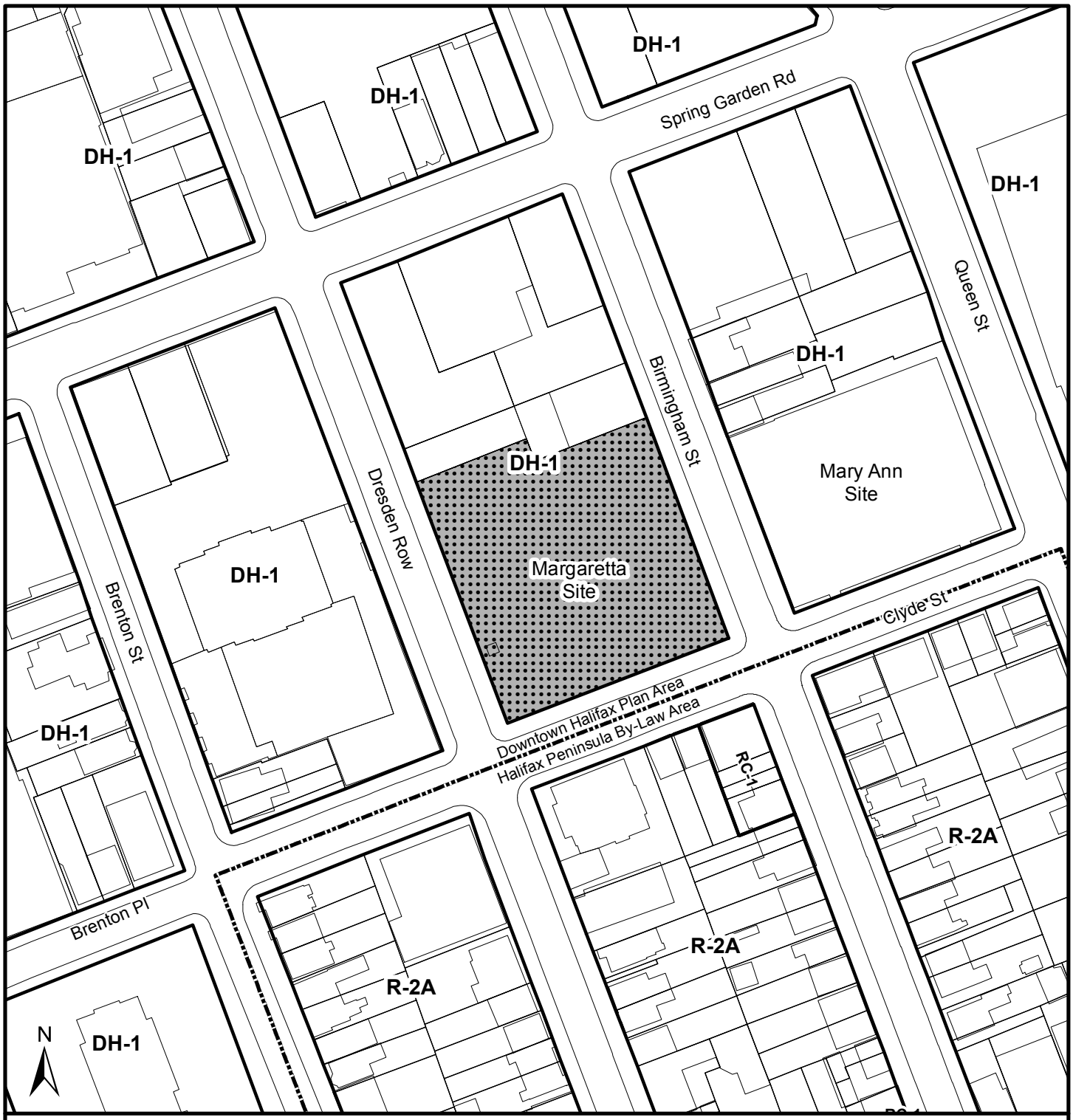
Report Approved by: Original Signed
Kelly Denty, Manager of Development Approvals, 902.490.4800

Report Approved by:
Bob Bjerke, Chief Planner and Director, Planning and Development, 902.490.1627



Map 1 - Location and Zoning

HALIFAX

1447 Dresden Row
Halifax

Subject Property

Zone - Downtown Halifax

DH-1 Downtown Halifax

Zone - Halifax Peninsula

R-2A General Residential Conversion
RC-1 Neighbourhood Commercial

0 20 40 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.

Downtown Halifax Plan Area

26 November 2015 Case 20227 T:\work\planning\Casemaps\DHFX\20227\ (AKT)

HALIFAX

P.O. Box 1749
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B3J 3A5 Canada

Item No. 7.1.1
Design Review Committee
December 10, 2015

TO: Chair and Members of Design Review Committee

SUBMITTED BY: Original signed by

Bob Bjerke, Director of Planning and Development

DATE: November 26, 2015

SUBJECT: **Case 20227: Substantive Site Plan Approval – Mixed-use Development at 1447 Dresden Row, Halifax**

ORIGIN

Application by WM Fares Group

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter); Part VIII, Planning & Development

RECOMMENDATION

It is recommended that the Design Review Committee:

1. Approve the qualitative elements of the substantive site plan approval application for the mixed-use development on the "Margaretta" site bounded by Dresden Row, Clyde Street and Birmingham Street, Halifax, as shown on Attachment A;

2. Approve the requested variance to the Streetwall Width, as shown on Attachment B;

3. Accept the findings of the Qualitative Wind Impact Assessment as contained in Attachment D; and

4. Recommend that the Development Officer accept, as the Post-Bonus Height Public Benefit for the development, the provision of public parking facilities.

BACKGROUND

An application has been received from WM Fares Group Architects, on behalf of Clyde Street Developments Ltd., for the development of a 9-storey mixed-use development at 1447 Dresden Row, Halifax, known as the "Margaretta" site (Map 1). To allow the development, the Design Review Committee must consider the project relative to the Design Manual within the Downtown Halifax Land Use By-law (LUB). This report addresses relevant guidelines of the Design Manual in order to assist the Committee in their decision.

Existing Context

The subject site is approximately 3,968 square metres (42,705 square feet) in area and has been used as a commercial parking lot for approximately four decades. It is one of two former HRM-owned parking lots on Clyde Street that were the subject of a Request for Proposals and subsequently sold in 2011. It is one of three development parcels that have been branded as the "Sister Sites" in reference to the three daughters of the Schmidt family, who lived in the Schmidtville neighbourhood 140 years ago. The "Mary Ann" site is located at the adjacent block, bounded by Queen, Clyde and Birmingham Streets, and is currently under construction. The third site, the "Rosina", is located on Queen Street (the site of the former Halifax Infirmary hospital) and remains undeveloped

The subject site is in a mixed-use area and is immediately surrounded by:

- Commercial uses along Spring Garden Street to the north;
- The Halifax Central Library and a 9-storey mixed use building (the "Mary Ann") to the east;
- Medium density residential uses to the south; and
- A mixture of residential and commercial uses to the west.

Project Description

The project involves the construction of a 9-storey mixed-use development with commercial uses on the ground floor and multi-unit residential on the upper storeys, with underground parking. Major elements of the project include:

- Approximately 2,611 square metres (28,105 square feet) of commercial floor space at ground level with pedestrian access points along all streets and a separate residential lobby area;
- 8 storeys of residential use totaling 147 units;
- three underground parking levels containing 260 parking spaces;
- driveway access to underground parking is off Birmingham Street and a delivery entrance is off Dresden Row;
- landscaped areas, including a plaza in front of the building off Clyde Street, a second level roof terrace, and residential terraces, balconies and rooftop; and
- exterior cladding materials which include granite, brick and architectural stone, glass, aluminum frames, composite panels, glass canopies and glass/composite balconies with metal railings.

Information about the approach to the design of the project and the requested variance has been provided by the applicant (Attachment B).

Regulatory Context

With regard to the Downtown Halifax Secondary Municipal Planning Strategy (DHSMPS) and the Downtown Halifax LUB, the following are relevant to note from a regulatory context:

- the site is within the DH-1 (Downtown Halifax) Zone and the Spring Garden Road Area (Precinct 3);
- the maximum pre-bonus height is 22 metres and the maximum post-bonus height is 28 metres;

- the site is encumbered by Viewplanes No.9 and No.10. The proposed building does not penetrate the viewplanes;
- the required Streetwall Setback on Clyde Street is the “Institutional and Parkfront Setback” (a minimum of 4m) while the Dresden Row and Birmingham Street setback is "Minimal to no setback" (0-1.5m); and
- the minimum Streetwall Height is 11 metres while the maximum heights are 15.5 metres on Clyde Street and 18.5 metres on Dresden Row and Birmingham Street.

In addition to the above regulations, the Design Manual of the Downtown Halifax LUB contains guidance regarding the appropriate appearance and design of buildings.

Role of the Development Officer

In accordance with the Substantive Site Plan Approval process, as set out in the Downtown Halifax LUB, the Development Officer is responsible for determining if a project meets the land use and built form requirements of the Downtown Halifax LUB. The Development Officer has reviewed the application and determined it to be in conformance with these requirements, with the exception of the Streetwall Width requirements. The applicant has requested a variance to this element (Attachment B).

Role of the Design Review Committee

The role of the Design Review Committee in this case is to:

1. determine if the project is in keeping with the Design Manual;
2. consider the application for the variance request that has been made;
3. determine if the project is suitable in terms of expected wind conditions on pedestrian comfort (Attachment D); and
4. provide advice to the Development Officer with respect to the acceptability of the proposed post-bonus public benefit.

DISCUSSION

Design Manual Guidelines

As noted above, the Design Manual contains a variety of building design conditions that are to be met in the development of new buildings and in modifying existing buildings as follows:

- Section 2.3 of the Design Manual contains design guidelines that are to be considered specifically for properties within Precinct 3; and
- Section 3.6 of the Design Manual specifies conditions in which variance to certain Land Use By-law requirements may be considered.

An evaluation of the general guidelines and the relevant conditions as they relate to the project are found in a table format in Attachment C. The table indicates staff’s advice as to whether the project complies with a particular guideline. In addition, it identifies circumstances where there are different possible interpretations of how the project relates to a guideline or where additional explanation is warranted. These matters, identified as “Discussion” items, are addressed as follows:

Sloping Conditions - 3.2.3(f), 3.2.5(f) and (g)

The Design Manual indicates that split level or sunken retail entrances should be avoided. It also stipulates that pedestrian entrances on sloping streets should be provided where possible. In this case, a sloping condition exists along the Dresden Row and Birmingham Street frontages. In response, the ground-floor retail entrances along those streets are designed at the same grade level as the abutting section of sidewalk while a landing and ramp/lift are provided inside the building. The proposed height of

the ground floor will stay at 5.2m (~17ft) and, as such, respond well to the site's sloping street frontages and meet the intent of the Design Manual.

Parking - 2.3(f), 3.5.2(l) and (o)

The Design Manual and Land Use By-law require that, for the two Clyde Street parking lots, a minimum of 210 parking spaces be retained for public use over both lots, in addition to any parking required for the new developments. The adjacent site bounded by Birmingham Street, Clyde Street and Queen Street, known as the Mary Ann Development, is currently under construction. Both the Mary Ann Development and the proposed Margaretta Development are developed by Clyde Street Developments Ltd. The Developer has committed to provide the required parking spaces in both developments as follows:

1. Mary Ann Site (under construction) - The site includes 3 levels of underground parking with a total of 179 parking spaces dedicated to private and public parking. Levels P1 and P2 which include 120 spaces, are dedicated for public parking *(114 spaces towards meeting the LUB total requirement of 210 spaces, and 6 spaces satisfying the post-bonus height public benefit).*

2. Margaretta Site - The project includes 3 levels of underground parking with a total of 260 parking spaces dedicated to private and public parking. Levels P1 and P2 include 104 spaces dedicated for public parking *(96 spaces towards meet the LUB total requirement of 210 spaces, and 9 spaces to satisfy the post-bonus height public benefit).*

The developer has also indicated that continuous public access to this parking (Section *3.5.2 l*) will be maintained. With regard to bicycle parking (Section *3.5.2 o*), visible at-grade locations will be identified and incorporated into the final site design.

Clyde Street as a Pedestrian-Oriented Street - 2.3(f)

While Clyde Street is not a designated "Pedestrian-Oriented Commercial Street", the Design Manual calls for it to evolve into an important pedestrian street. This is advanced through the project with the minimum 4.0 metre required setback and the installation of landscaping along Clyde Street. Such improvements serve to promote a linkage between the Central Library and Victoria Park.

Vehicular and Service Access - 3.5.1(b) and 3.5.2(c)

The Design Manual calls for the visual impact of parking and service areas to be minimized. There are two such areas provided in the building, fronting on Dresden Row and Birmingham Street, which serve as a parking garage entrance and loading bay. These areas occupy a small proportion of the overall width of each building face, and given that they are relatively well concealed, comply with the Design Manual.

Variance Request

One variance request is being sought to the quantitative requirements of the Downtown Halifax LUB as follows:

Streetwall Width: Subsection 9(6) of the LUB states that on lots other than on Central Blocks, the streetwall width may be reduced to no less than 80 % of the width of a lot abutting a streetline.

Non-compliance: According to subsection 9(5) of the LUB, the streetwall shall extend the full width of a lot abutting a streetwall. Further, in clause 3.2.1 (b), the Design Manual calls for the streetwall to occupy 100% of a property's frontage along streets. The LUB provides that the streetwall may be reduced to no less than 80% of the width of a lot abutting a streetline, provided that the streetwall is continuous. The proposed design of the Clyde Street façade includes a gap in the streetwall that is measured at 32% of the streetwall. As such, the proposed design along Clyde Street does not comply with the requirements of the LUB or the Design Manual.

Variance Option: Section 3.6.4 of the Design Manual allows for a variance to the Streetwall Width subject to meeting certain conditions as outlined in Attachment C. Of the potential conditions for a variance, this application is being considered under the following provisions:

> *"3.6.4 (a): the Streetwall Width is consistent with the objectives and guidelines of the Design Manual; and*
>
> *3.6.4 (b): the resulting gap in the Streetwall has a clear purpose, is well-designed and makes a positive contribution to the streetscape."*

Response: The Clyde Street façade design includes a gap in the streetwall that is setback 13 metres (~43 ft) from the property line, extends 16.7 metres (~54 ft) along Clyde Street. This area is measured at 412.2 sq m (4,437 sq ft) and is designed in the form of a landscaped courtyard plaza in the centre, where it creates two distinctive building blocks (Attachment A). The purpose of the courtyard is to create an active, inviting and engaging pedestrian experience along Clyde Street, and enhance the streetscape design. Further, the main entrance to the residential component of the building is well-defined and complements the design of the landscaped courtyard. As such, the proposed streetwall width and the resulting gap in the Streetwall is well designed with a clear purpose, makes a positive contribution to the streetscape, and is consistent with the intent of the Design Manual.

Wind Impact Assessment

A qualitative wind impact assessment was prepared by Ekistics Planning and Design for the project (Attachment D). The purpose of the assessment is to determine whether the site and its surroundings will be safe and comfortable for pedestrians once the new building is constructed. The concern with respect to wind conditions is whether the site, and in particular the surrounding sidewalks, will be comfortable for their intended usage. Wind conditions are rated in terms of relative comfort for different pedestrian activities that include "sitting", "standing", and "walking." The Ekistics study places an emphasis upon the possible impact upon Dresden Row, Clyde Street and Birmingham Street, and also considers the sidewalk spaces around the proposed building. With respect to this, it finds that the project will not result in significant changes to the levels of pedestrian comfort surrounding the building. Accordingly, mitigative measures to address wind impacts are not required.

Proposed Public Benefit

The Land Use By-law specifies a maximum pre-bonus building height of 22 metres (72.2 feet) and a maximum post-bonus height of 28 metres (92 feet) for this site. Projects that propose to exceed the maximum pre-bonus height are required to provide a public benefit that is equal to or exceeds a prescribed value in the by-law based on the amount of gross floor area that is located above the pre-bonus height. A list of eligible public benefits is found in section 12(7) of the LUB.

The developer proposes a public benefit contribution in the category of public parking facilities. A calculation of the value of the required public benefit has been determined to be approximately $214,625. This is to be achieved by providing 9 additional public parking spaces within the Margaretta Development, based on the cost of $25,000/space.

The Design Review Committee's role is to review and recommend to the Development Officer whether a proposed public benefit should be accepted by the Municipality. With this, the final cost estimates of providing the public benefit will be determined and an agreement with the Municipality will be executed prior to the issuance of a Development Permit. It is recommended that directing the required public benefit contribution towards this category has merit on the basis that public parking has been identified as a need within the community. Accordingly, it is recommended that the Design Review Committee recommend that the Development Officer accept the public benefit contribution as outlined in this report.

Conclusion

The proposed building will result in the development of underutilized lands which form an important corner in the Downtown. Staff advise that the project and the variance that is being sought are consistent with the overall conditions found within the Design Manual and therefore, it is recommended that the substantive site plan approval application be approved along with the requested variance.

FINANCIAL IMPLICATIONS

There are no financial implications. The HRM costs associated with processing this planning application can be accommodated within the approved operating budget for C310 Planning & Applications.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy and the requirements of the Downtown Halifax LUB regarding substantive site plan approvals. The level of engagement was information sharing, achieved through the HRM website, the developer's website, public kiosks at HRM Customer Service Centres, and a public open house.

ENVIRONMENTAL IMPLICATIONS

No implications have been identified.

ALTERNATIVES

1. The Design Review Committee may choose to approve the application with conditions. This may necessitate further submissions by the applicant, as well as a supplementary report from staff.

2. The Design Review Committee may choose to deny the application. The Committee must provide reasons for this refusal based on the specific guidelines of the Design Manual. An appeal of the Design Review Committee's decision can be made to Regional Council.

ATTACHMENTS

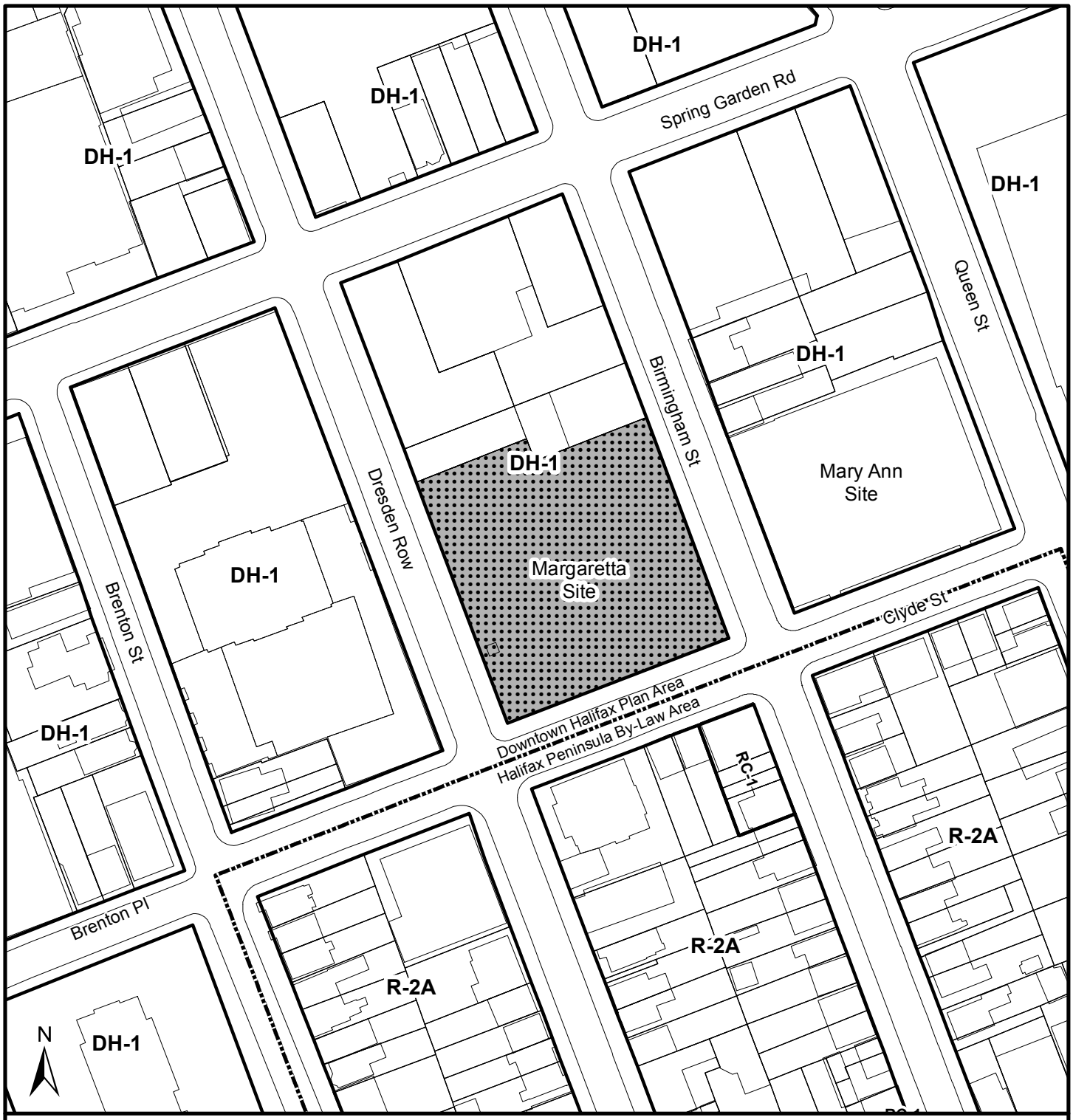
Map 1	Location and Zoning
Attachment A	Site Plan Approval Plans
Attachment B	Design Rationale and Requested Variance
Attachment C	Qualitative Wind Impact Assessment
Attachment D	Developer's Overview of Post-Bonus Height Public Benefit
Attachment E	Design Manual Checklist

A copy of this report can be obtained online at http://www.halifax.ca/commcoun/index.php then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Dali Salih, Planner, Development Approvals, 902.490.1948

Report Approved by: Original signed by

Kelly Denty, Manager of Development Approvals, 902.490.6100



Map 1 - Location and Zoning

HALIFAX

1447 Dresden Row
Halifax

Subject Property

Zone - Downtown Halifax

DH-1 Downtown Halifax

Zone - Halifax Peninsula

R-2A General Residential Conversion
RC-1 Neighbourhood Commercial

0 20 40 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.

Downtown Halifax Plan Area

26 November 2015 Case 20227 T:\work\planning\Casemaps\DHFX\20227\ (AKT)

WM FARES
ARCHITECTS

The Margaretta

MIXED USE DEVELOPMENT
NOVEMBER.16 2015

SITE STATISTICS

LOT AREA	42 768 SF
LEVEL 100 AREA	36 325 SF
COMMERCIAL	28 105 SF
COMMON	8 220 SF
ROOF AREA	23 274 SF
UNDERGROUND PARKING	260 STALLS

LANDSCAPING REQUIREMENTS

(5m²) x (# OF UNITS) = MIN. REQ.
(53.82 SF) x (147 UNITS) = 7911.54 SF

LEVEL 100

STREETSCAPE/COURTYARD	4437 SF
LEVEL 200 TERRACE	3595 SF
TOTAL	8032 SF

LEVEL	BACH.	1 BD	1 BD + D	2 BD	2 BD + D	TOTAL
200	1	3	0	4	9	17
300	2	3	2	4	9	20
400	2	3	2	4	9	20
500	2	6	2	1	9	20
600	3	3	1	9	2	18
700	3	3	1	9	2	18
800	3	3	1	9	2	18
900	3	3	1	7	2	16
TOTAL	19	27	10	47	44	147
	13%	18%	7%	32%	30%	100%

DENSITY CALCULATIONS

BACHELOR (19 UNITS) x (1 PERSON)	19
1 BEDROOM (37 UNITS) x (2 PERSONS)	74
2 BEDROOM (91 UNITS) x (2.25 PERSONS)	204.75
TOTAL	297.75 PEOPLE

The Margaretta
Mixed Use Development
Halifax, NS

PROJECT INFORMATION

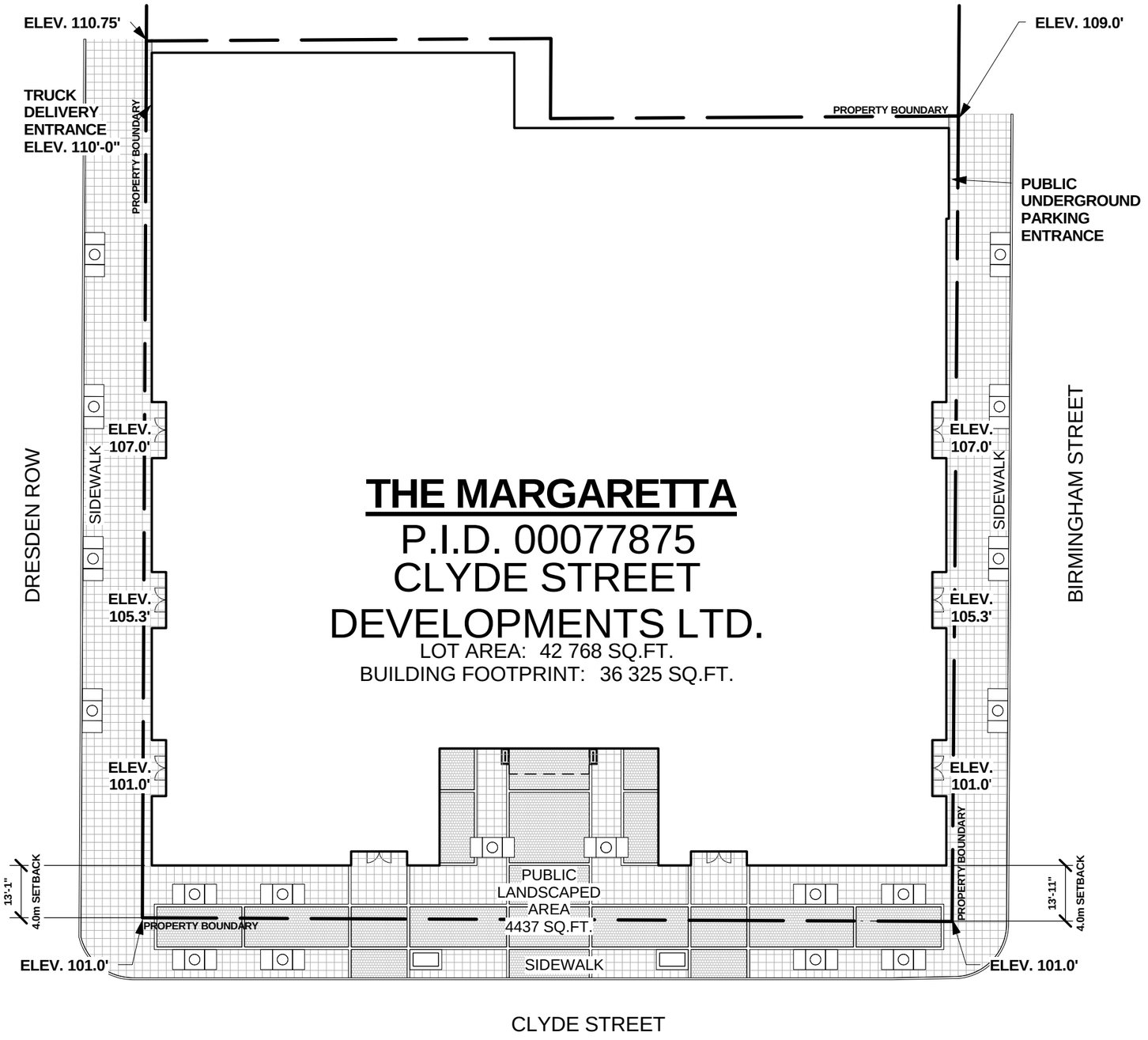
SCALE: NTS

DATE: NOV. 16 2015

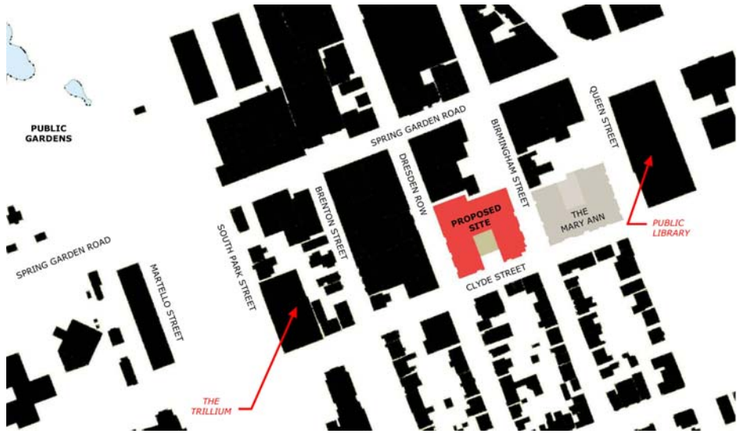
WM FARES ARCHITECTS

A-1

The Margaretta Mixed Use Development Halifax, NS	SITE PLAN	SCALE: NTS DATE: NOV. 16 2015		WM FARES ARCHITECTS	SP

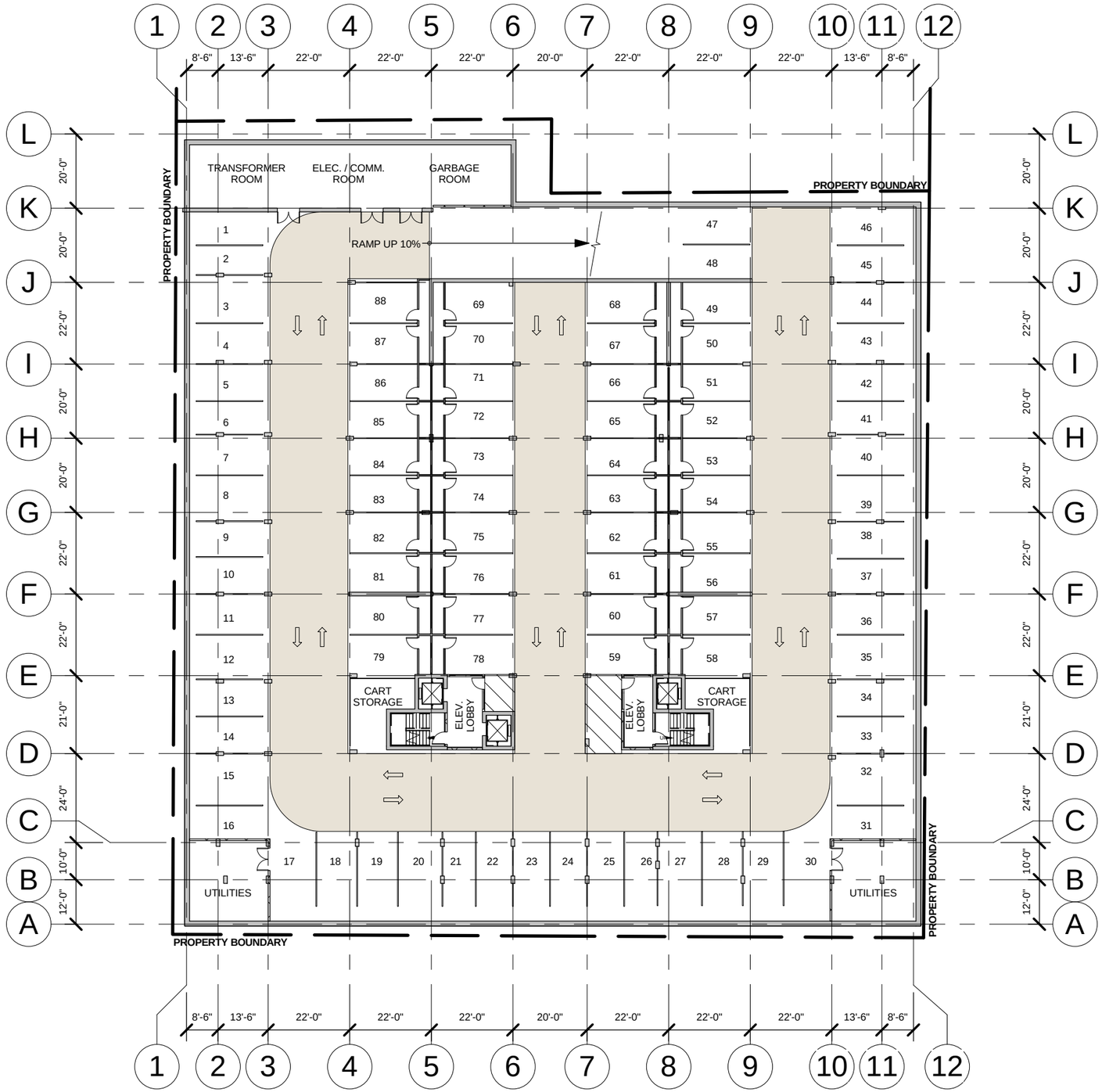


NORTH



KEY PLAN

The Margaretta Mixed Use Development Halifax, NS	SITE PLAN	SCALE: 1" = 30'-0" DATE: NOV. 16 2015		WM FARES ARCHITECTS	SDP



The Margaretta
Mixed Use Development

Halifax, NS

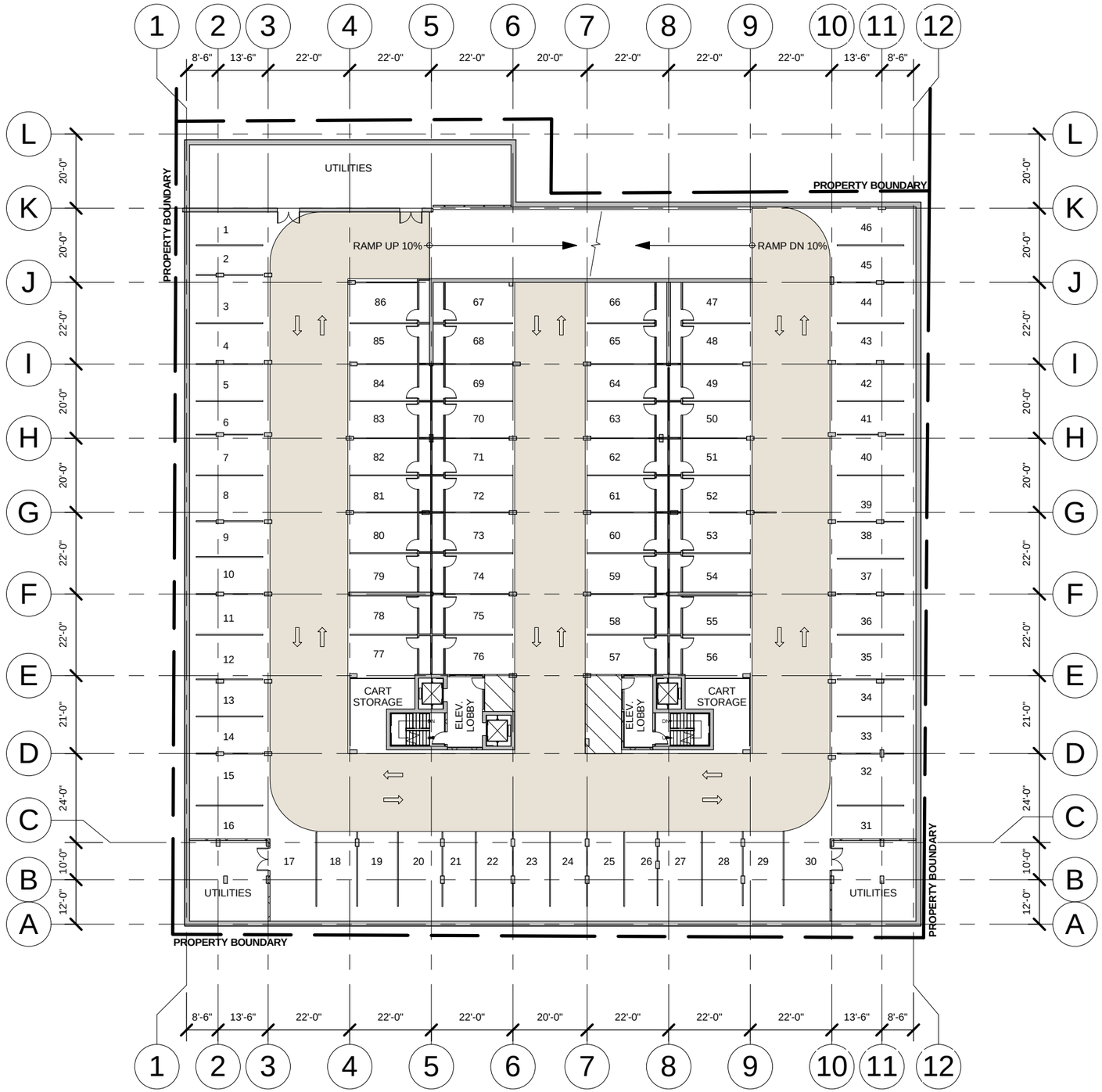
Parking Level P3

SCALE: 1/32" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-2



The Margaretta
Mixed Use Development

Halifax, NS

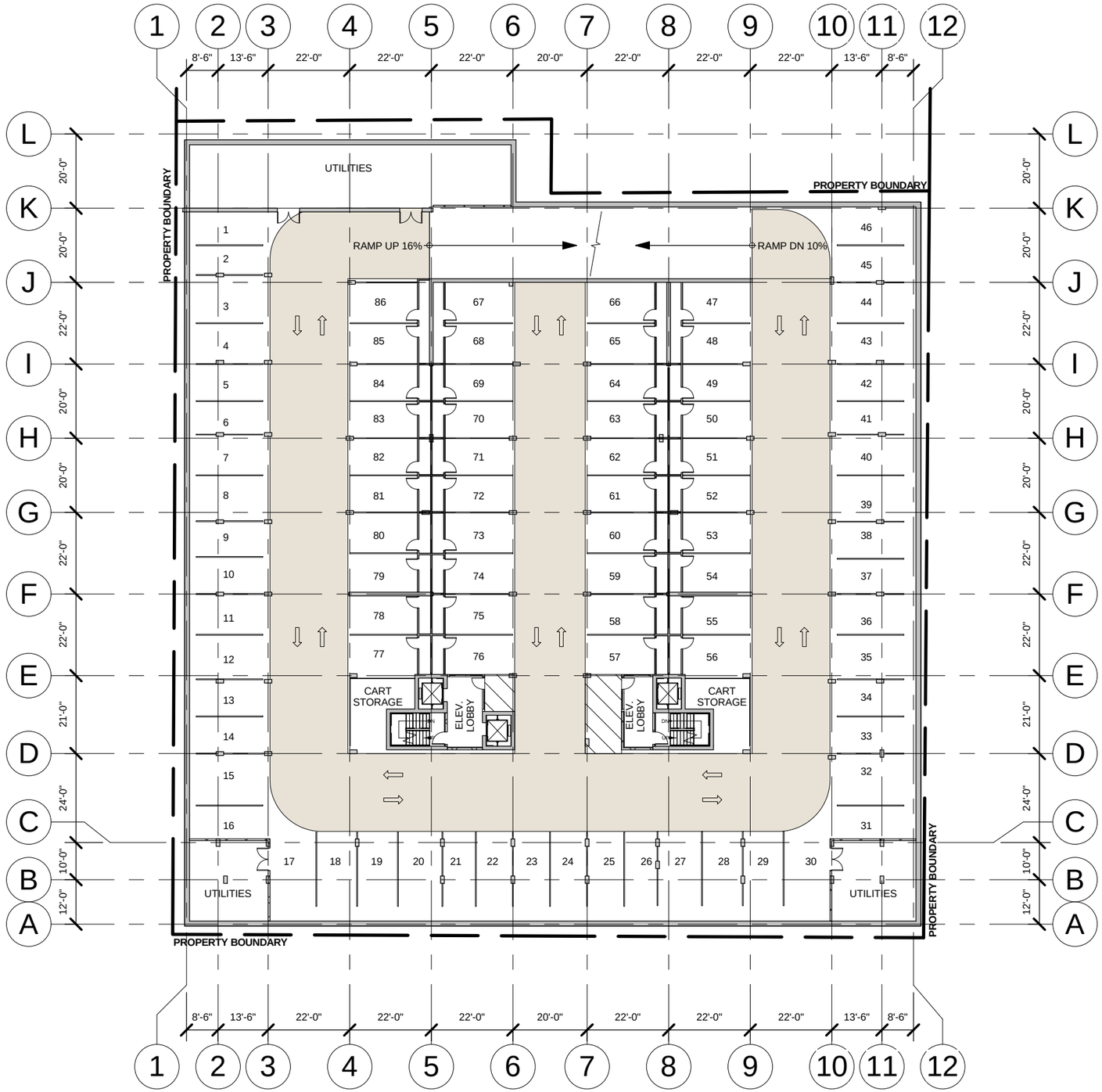
Parking Level P2

SCALE: 1/32" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-3



The Margaretta
Mixed Use Development

Halifax, NS

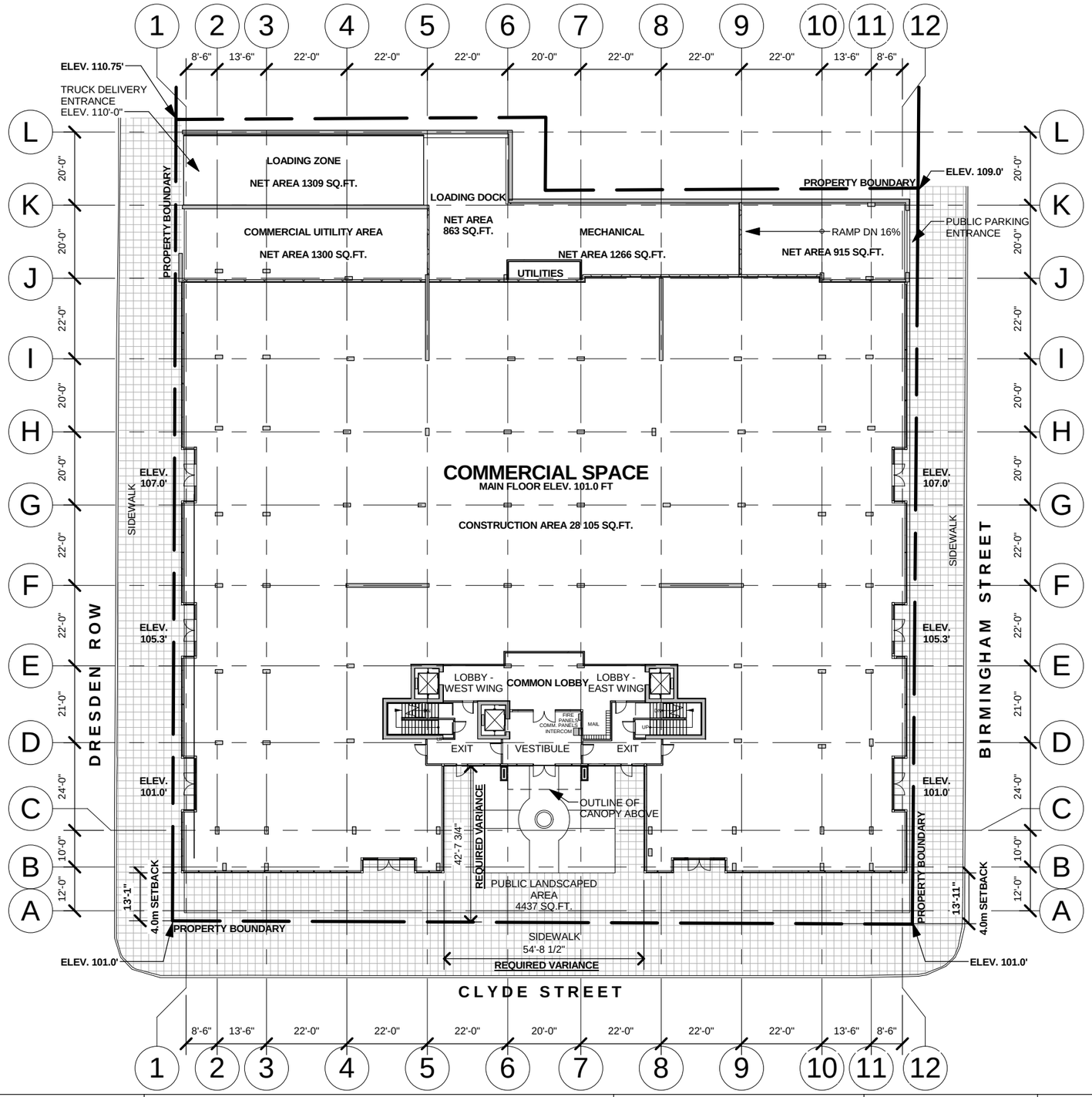
Parking Level P1

SCALE: 1/32" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-4



The Margaretta
Mixed Use Development

Halifax, NS

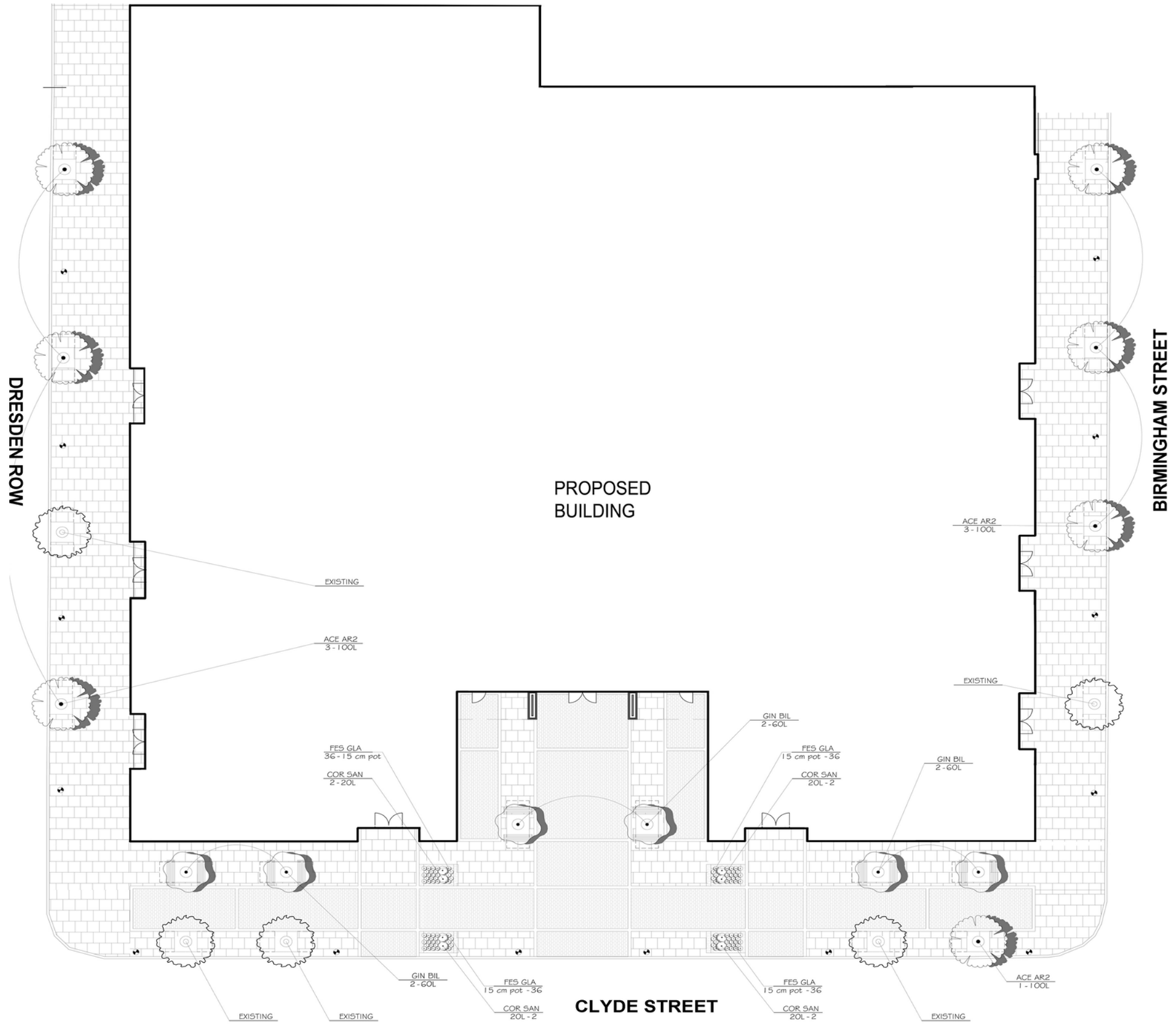
Ground Level 100

SCALE: 1/32" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-5



PLANTING SCHEDULE:

	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL
TREES				
ACE AR2	7	ACER FREEMANII 'ARMSTRONG' / FREEMAN MAPLE	100L	50mm CAL.
GIN BIL	6	GINKGO BILOBA / MAIDENHAIR TREE (SPEC MALE TREES ONLY)	60L	50mm CAL.
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME	CONT	SIZE
COR SAN	8	CORNUS SANGUINEA 'WINTER FLAME' / WINTER FLAME BLOODTWIG DOGWOOD	20L	
FES GLA	144	FESTUCA GLAUCA / BLUE FESCUE	15 CM POT	

PLANTING NOTES:

GENERAL PLANTING
-CONTRACTOR TO CHECK ALL QUANTITIES.
-REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT IN WRITING.
-THE QUANTITIES INDICATED ON THE PLAN SUPERCEDE THE TOTALS OF THE PLANT LIST.

DELIVERY AND INSPECTION
-SPRAY ALL PLANT MATERIAL WITH ANTI DESICCANT PRIOR TO TRANSPORT.
-KEEP ALL ROOTS AND ROOTBALLS MOIST PRIOR TO PLANTING.
-OBTAIN OWNER / OWNER'S REP'S APPROVAL ON ALL PLANT MATERIAL AT SOURCE OR UPON DELIVERY, PRIOR TO COMMENCEMENT OF PLANTING WORK.
-APPROVAL OF PLANT MATERIAL PRIOR TO PLANTING SHALL NOT IMPAIR THE RIGHT OF THE LANDSCAPE ARCHITECT TO REJECT PLANTS AFTER PLANTING, WHICH HAVE BEEN DAMAGED OR WHICH IN ANY WAY DO NOT CONFORM TO THE SPECIFICATIONS.
-SUBSTITUTIONS OF SIZE, OR WITH OTHER PLANT MATERIAL WILL ONLY BE ALLOWED WITH THE WRITTEN APPROVAL OF THE CONSULTANT AND THE CLIENT.
-ALL MATERIAL MUST CONFORM TO THE SIZES SHOWN ON THE PLANT LIST, EXCEPT WHERE LARGER PLANT MATERIAL IS USED WHEN APPROVED BY THE CONSULTANT. USE OF LARGER PLANTS WILL NOT INCREASE THE CONTRACT PRICE. UNDERSIZED MATERIAL WILL BE REJECTED.
-ALL SHRUBS AND TREES SHALL CONFORM TO THE PRESENT STANDARDS OF THE CANADIAN NURSERY TRADES ASSOCIATION FOR SIZE AND SPECIES.
-PLANTS ARE TO BE NURSERY GROWN UNDER PROPER CULTURAL CONDITIONS, IN PARTICULAR WITH RESPECT TO SPACING, PEST AND DISEASE CONTROL, AND BRANCH AND ROOT PRUNING.
-TREES ARE TO HAVE STRAIGHT STURDY TRUNKS. TREES SHALL BE WELL BRANCHED AND BALANCED WITH A STRONGER CENTRAL LEADER.
-DECIDUOUS SHADE TREES SHALL BE FREE OF BRANCHES LESS THAN 6 FEET ABOVE THE GROUND UNLESS OTHERWISE NOTED.
-TREES WITH OPEN SCARS ARE NOT ACCEPTABLE.

PREPARATION AND INSTALLATION
-PREPARE PLANTING BEDS PRIOR TO ARRIVAL OF PLANT MATERIAL ON SITE.
-EXCAVATE PER PLANTING DETAILS.

TOPSOIL
-MIX TOPSOIL, AS RECOMMENDED BY SOIL TEST RESULTS AND RECOMMENDATIONS OF SOIL TESTING AGENCY.
-ALL TOPSOIL SHOULD BE FREE OF SUBSOILS, CLAYS, STONES, ROOTS, EXCESS WATER, FROST, AND OTHER EXTRANEOUS MATTER.
- UNLESS OTHERWISE NOTED, TOPSOIL SHALL CONSIST OF THE FOLLOWING SPECIFICATIONS
  - SAND (50-60%)
  - SILT (20-40%)
  - CLAY (6-10%)
  - ORGANIC (2-5%)
  - PH 7.5 OR LESS.

GUARANTEE AND FINAL INSPECTION
-AT THE COMPLETION OF PLANTING OPERATIONS REMOVE ALL SURPLUS MATERIAL FROM THE SITE AT NO EXTRA COST.
-MAKE GOOD ALL DAMAGE RESULTING FROM THE PLANTING OPERATIONS AT NO EXTRA COST.
-PLANT MATERIAL SHALL BE GUARANTEED FOR A MINIMUM OF TWO YEARS FROM THE ISSUE DATE OF THE CERTIFICATE OF COMPLETION.
-ALL PLANTS SHALL BE INSPECTED TWICE, ONCE HALFWAY THROUGH THE GUARANTEE PERIOD, AND AGAIN AT THE END OF THE GUARANTEE PERIOD. PLANTS WHICH, AT THAT TIME, ARE NOT IN A HEALTHY VIGOROUS GROWING CONDITION TO THE OWNER / OWNER'S REP'S SATISFACTION, SHALL BE REPLACED AT NO EXTRA CHARGE.
-CONTRACTOR TO CONTACT CONSULTANT AND/OR THE CLIENT TO REVIEW PROJECT FOR GUARANTEE INSPECTIONS.

UTILITIES
-CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING UTILITIES ON THE SITE.
-CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSION AND CONDITIONS ON THE JOB, REPORTING ALL DISCREPANCIES TO THE LANDSCAPE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
-CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO EXISTING

The Margaretta
Mixed Use Development
Halifax, NS

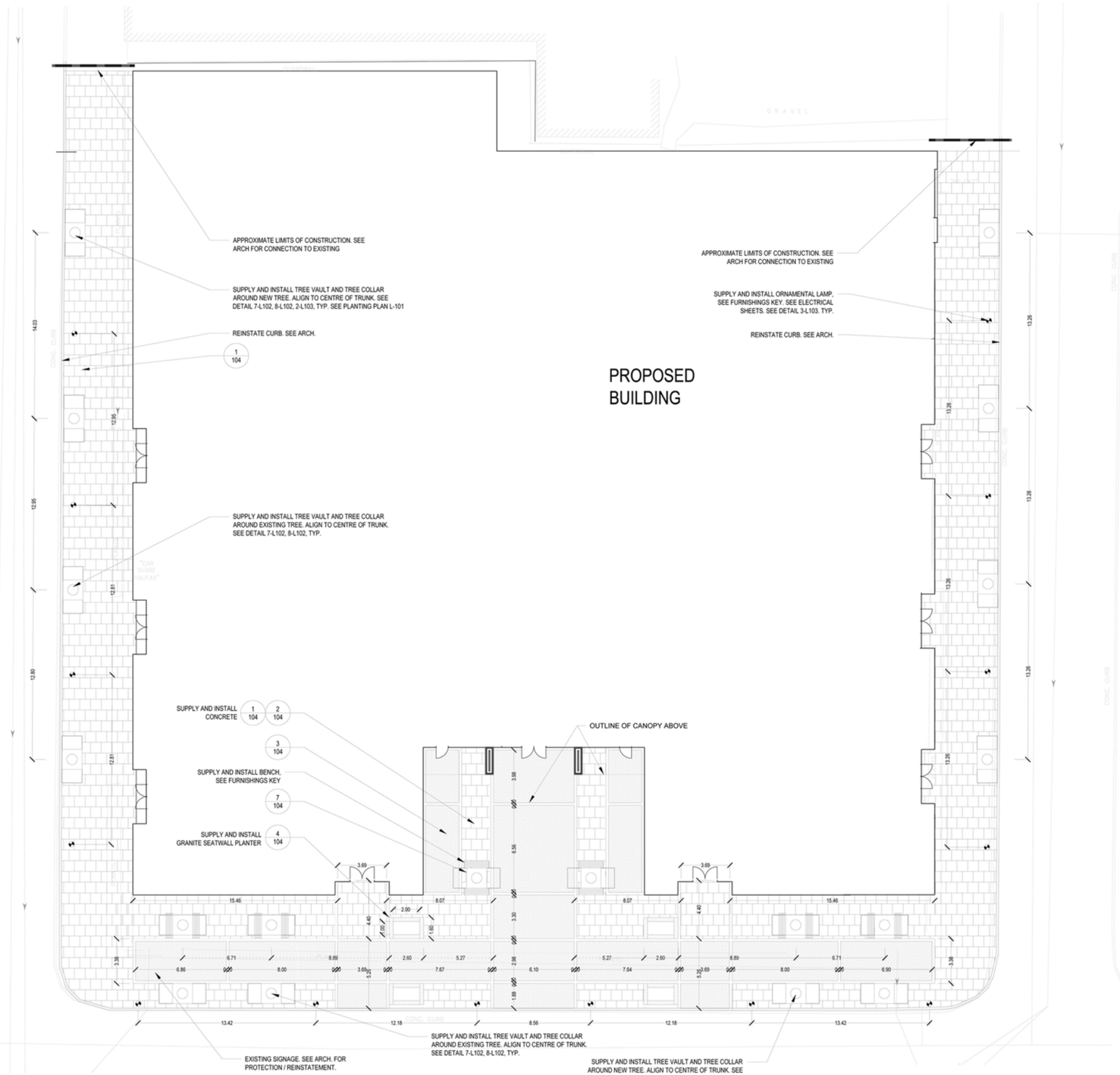
Ground Level 100 Landscaping
Planting

SCALE: NTS

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-6



LAYOUT NOTES:

1. CONCRETE EXPANSION JOINTS SHALL BE PLACED AT 10m INTERVALS, AND WHERE CONCRETE ABUTS FIXED OBJECTS (I.E. CURBS, UTILITY POLES, FOOTINGS, FOUNDATIONS, BUILDINGS, STAIRS, TRANSITIONS BETWEEN HEAVY AND LIGHT DUTY CONCRETE, AND BETWEEN EXISTING HARD SURFACES).
2. CONTROL JOINTS SHALL BE LOCATED AS INDICATED ON PLAN OR AT 1m INTERVALS
3. CONTRACTOR TO PRESERVE EXISTING SURVEY REFERENCE POINTS DURING CONSTRUCTION.
4. ANY DAMAGE TO AREAS OUTSIDE THE LIMIT OF CONTRACT, DUE TO ACTIVITES OF THE CONTRACTOR MUST BE RECTIFIED BY THE CONTRACTOR AT HIS EXPENSE.
5. CONTRACTOR SHALL COMPARE DIMENSIONS OF BUILDING W/ ARCH. DWGS. AND REPORT ANY DISCREPANCIES.

FURNISHINGS KEY

SYMBOL	NO.	DETAILS
	14	LED ORNAMENTAL LIGHT LANDSCAPE FORMS ALCOTT LINE, 12' (3.66m) INSTALL PER MANUFACTURER'S RECOMMENDATIONS
	8	BACKED BENCH LANDSCAPE FORMS NEOROMANTICO LINE, 69" (1752mm) LENGTH, EMBEDDED SUPPORT, WITH BACK INSTALL PER MANUFACTURER'S RECOMMENDATIONS
	13	STANDARD HRM TREE VAULT AND PRE-FABRICATED TREE COLLAR SEE DETAIL SHEET L-102 INSTALL PER MANUFACTURER'S RECOMMENDATIONS
	4	PLANTER LANDSCAPE FORMS PLAZA LINE, 48" (1220mm) SQUARE, JARA WOOD PANEL, FIBERGLASS INTERIOR INSTALL PER MANUFACTURER'S RECOMMENDATIONS
	7	BIKE RACK LANDSCAPE FORMS EMERSON LINE, 30" (762mm), EMBEDDED SUPPORT INSTALL PER MANUFACTURER'S RECOMMENDATIONS EACH RACK HOLDS 2 BIKES (14 BIKES IN TOTAL)
	4	GRANITE SEAT WALL PLANTER SEE DETAIL 4-L102

MATERIALS KEY

DECORATIVE PAVER PATTERN,
SEE DETAIL 3-L104

HRM PAVER PATTERN. STANDARD DETAIL.
SEE DETAIL 3-L104

CONCRETE SIDEWALK
SEE DETAIL 1-L104, 2-L104
SPACE CONTROL JOINTS 1m BY 1m, OR AS INDICATED ON PLAN TO BE IN ALIGNMENT WITH OTHER SURFACES OR INSTALLATION.
EXPANSION JOINTS TO BE EVERY 10m

The Margaretta
Mixed Use Development
Halifax, NS

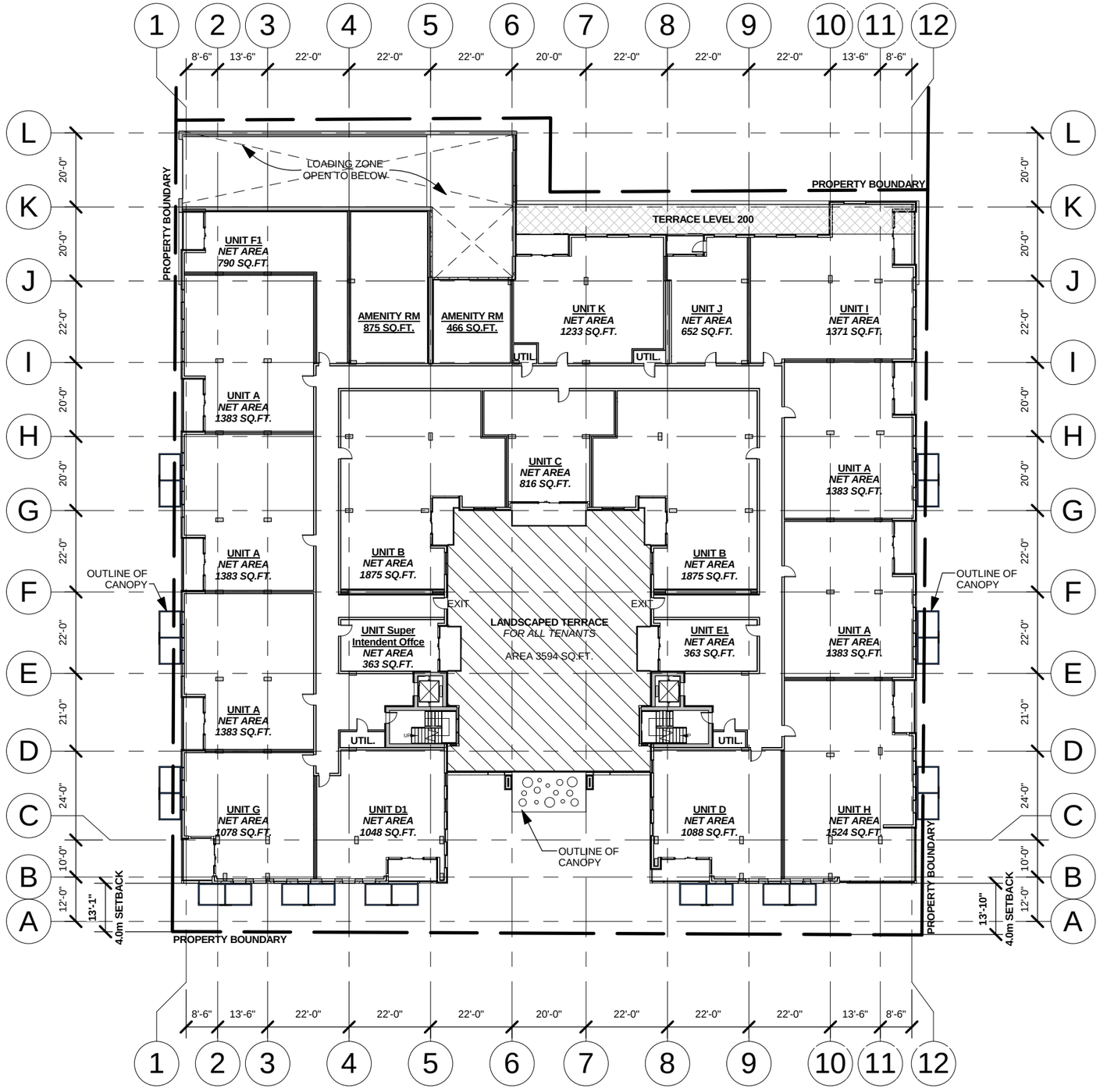
Ground Level 100 Landscaping Furnishing

SCALE: NTS

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-7



The Margaretta
Mixed Use Development

Halifax, NS

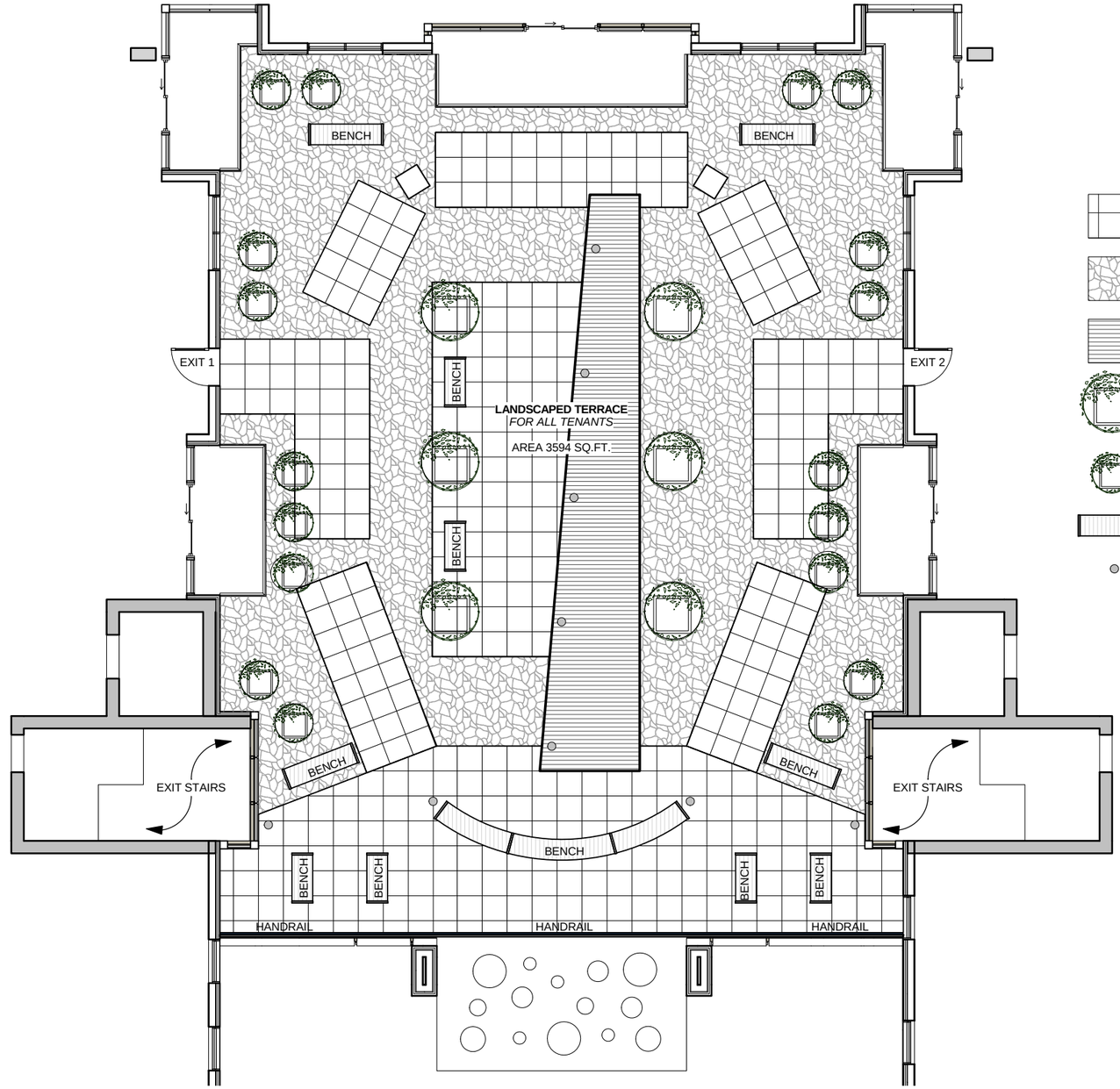
Level 200

SCALE: 1/32" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-8



SOFTILE WALKWAY PADS

BEACH STONE

NON COMBUSTIBLE WOOD DECKING

LARGE PLANTER C/W TREE

SMALL PLANTER C/W SHRUB

BENCH

BOLLARD LIGHTS

The Margaretta
Mixed Use Development

Halifax, NS

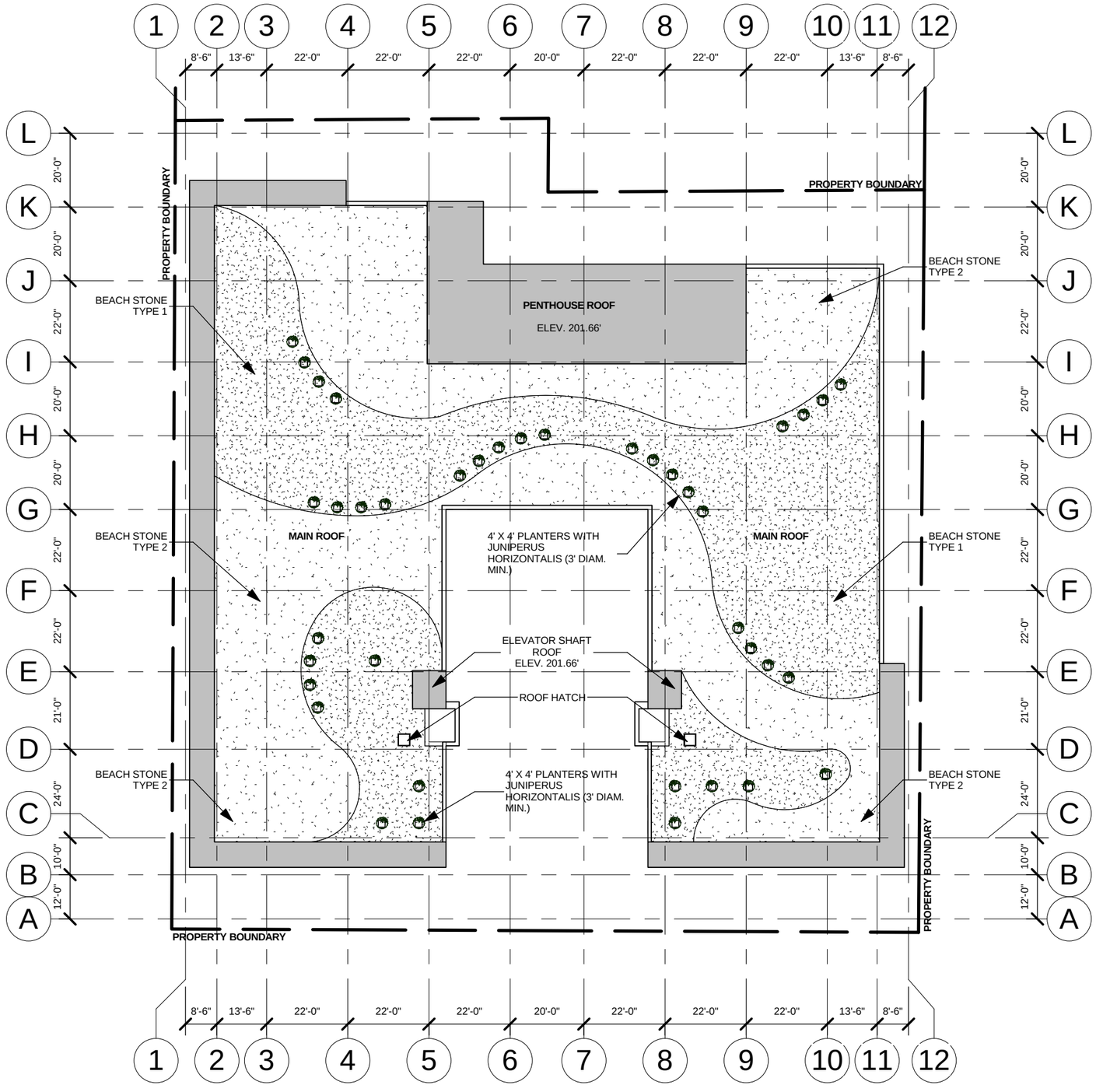
Level 200 Landscaping

SCALE: 3/32" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-9



NOTES:

1) CRUSHED GRAVEL TO BE: LANDSCAPE GRAVEL 2" COLORS TO BE DETERMINED
2) PLANTERS TO BE STAND ALONE, NOT INTEGRATED INTO ARCHITECTURE, FREE DRAINING AND INSULATED FOR ALL SEASONS. PLANTS TO BE LOW LYING JUNIPERS.
3) ALL ROOF LANDSCAPED ELEMENTS TO BE NO TO LOW MAINTENANCE.
4) ALL GRAVEL FIELDS TO BE HELD BY LANDSCAPE EDGER.

The Margaretta
Mixed Use Development

Halifax, NS

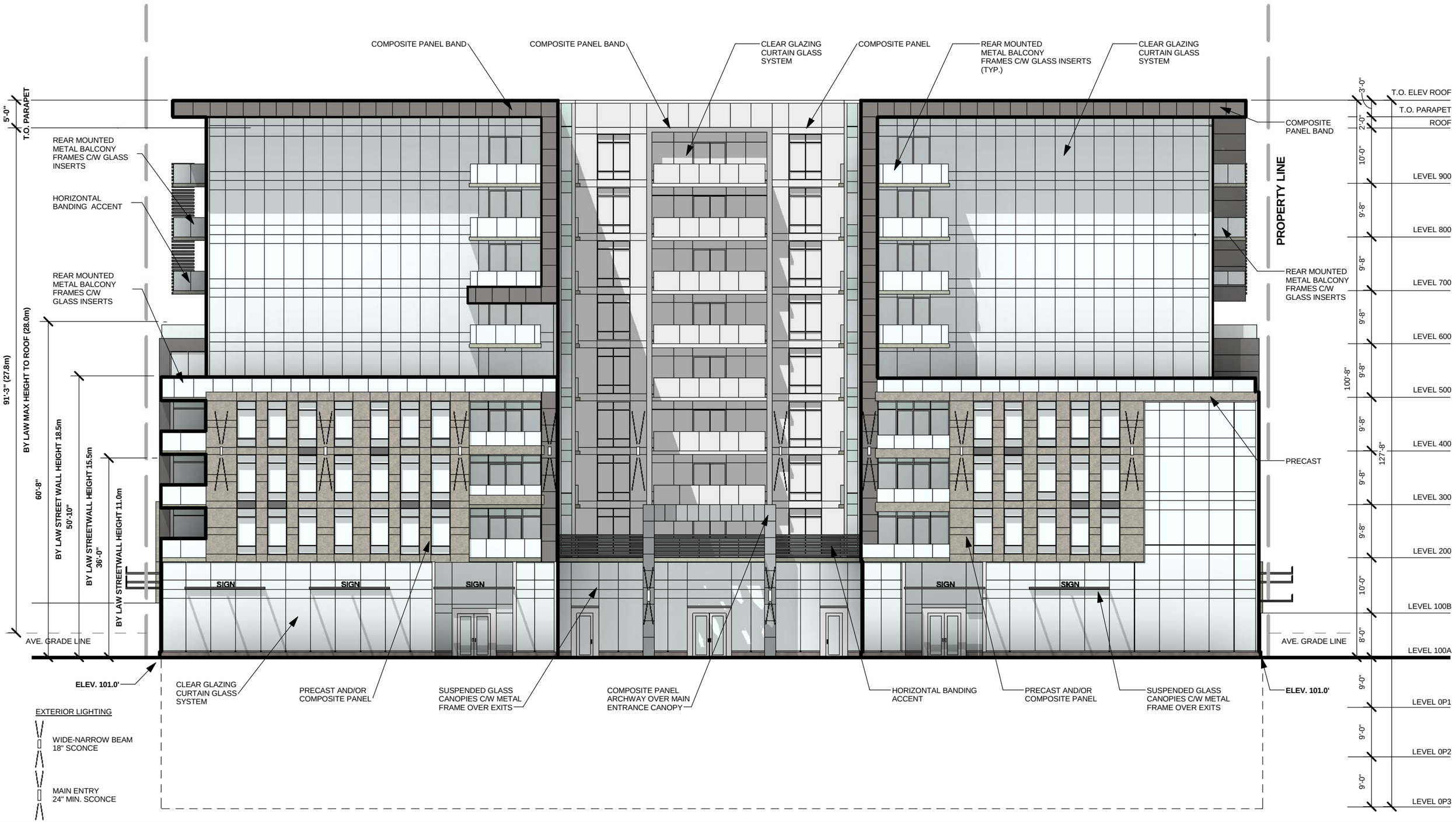
Level Roof

SCALE: 1/32" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-15



The Margaretta
Mixed Use Development

Halifax, NS

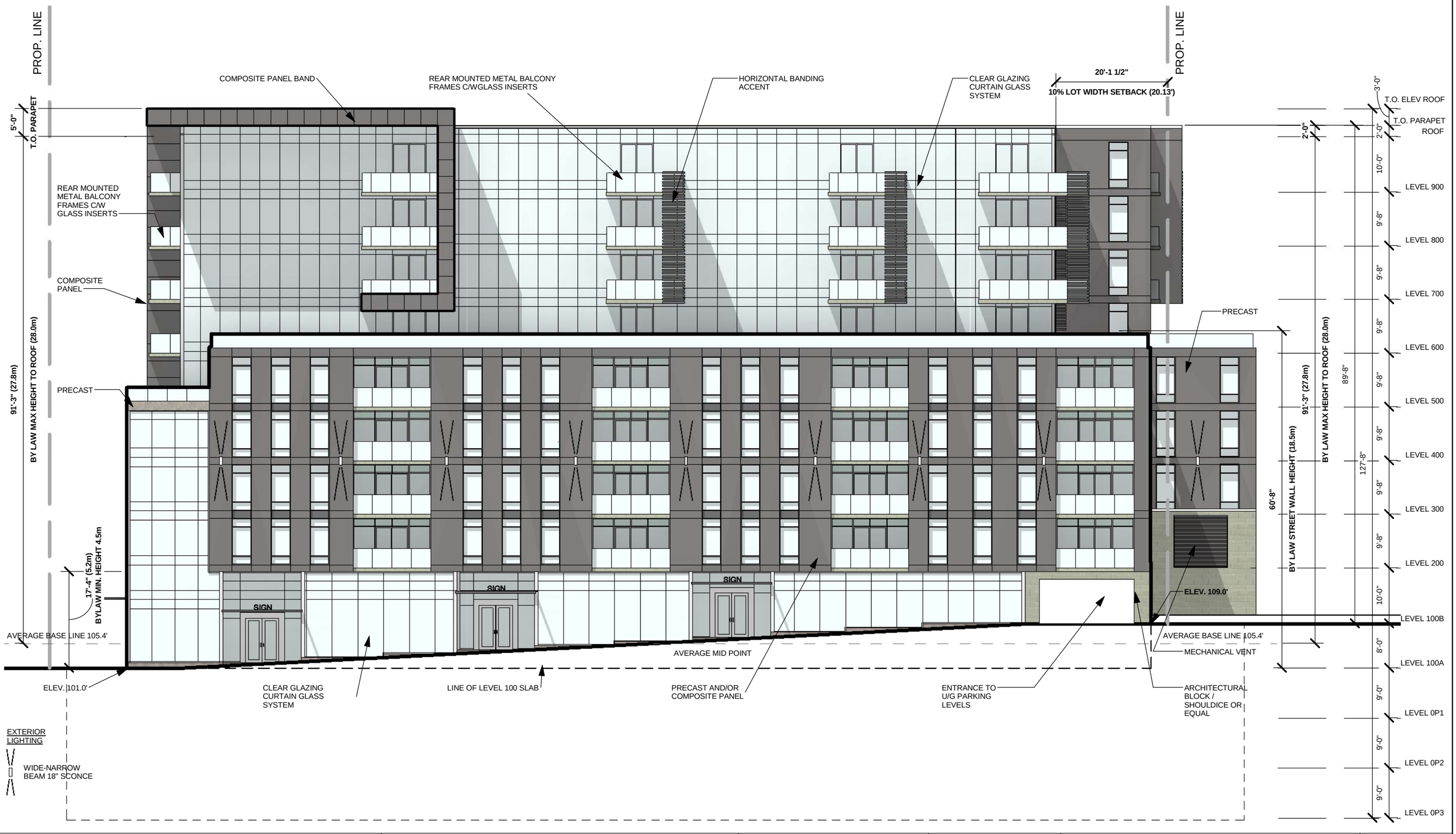
South - Clyde Street Elevation

SCALE: 1/16" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-16



The Margaretta
Mixed Use Development

Halifax, NS

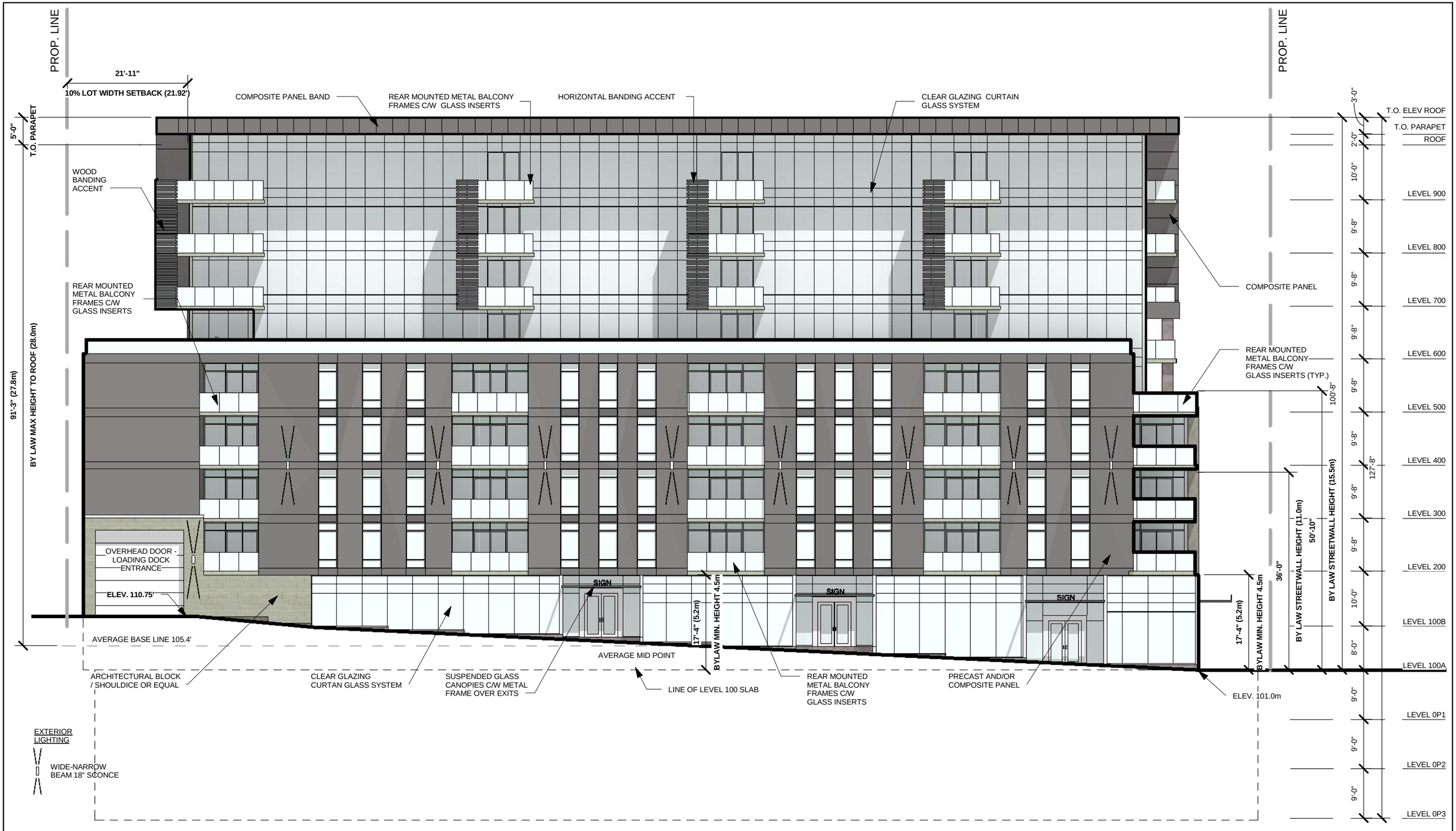
East - Birmingham Street Elevation

SCALE: 1/16" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-17



The Margaretta
Mixed Use Development

Halifax, NS

West - Dresden Row Elevation

SCALE: 1/16" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-18

The Margaretta
Mixed Use Development

Halifax, NS

North - Rear Elevation

SCALE: 1/16" = 1'-0"

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-19

The Margaretta
Mixed Use Development

Halifax, NS

Building Rendering 1

SCALE: NTS

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-20

The Margaretta Mixed Use Development Halifax, NS	Building Rendering 2	SCALE: NTS DATE: NOV. 16 2015		WM FARES ARCHITECTS	A-21

The Margaretta Mixed Use Development Halifax, NS	Building Rendering 3 - Sidewalk	SCALE: NTS DATE: NOV. 16 2015		WM FARES ARCHITECTS	A-22

The Margaretta
Mixed Use Development

Halifax, NS

Building Rendering 4 - Courtyard

SCALE: NTS

DATE: NOV. 16 2015

WM FARES ARCHITECTS

A-23

THE MARGARETTA
MIXED USE DEVELOPMENT
HALIFAX, NOVA SCOTIA

DESIGN RATIONALE
+
REQUESTED VARIANCES

PROPOSAL BY WM FARES ARCHITECTS INC.
OCTOBER 1 2015

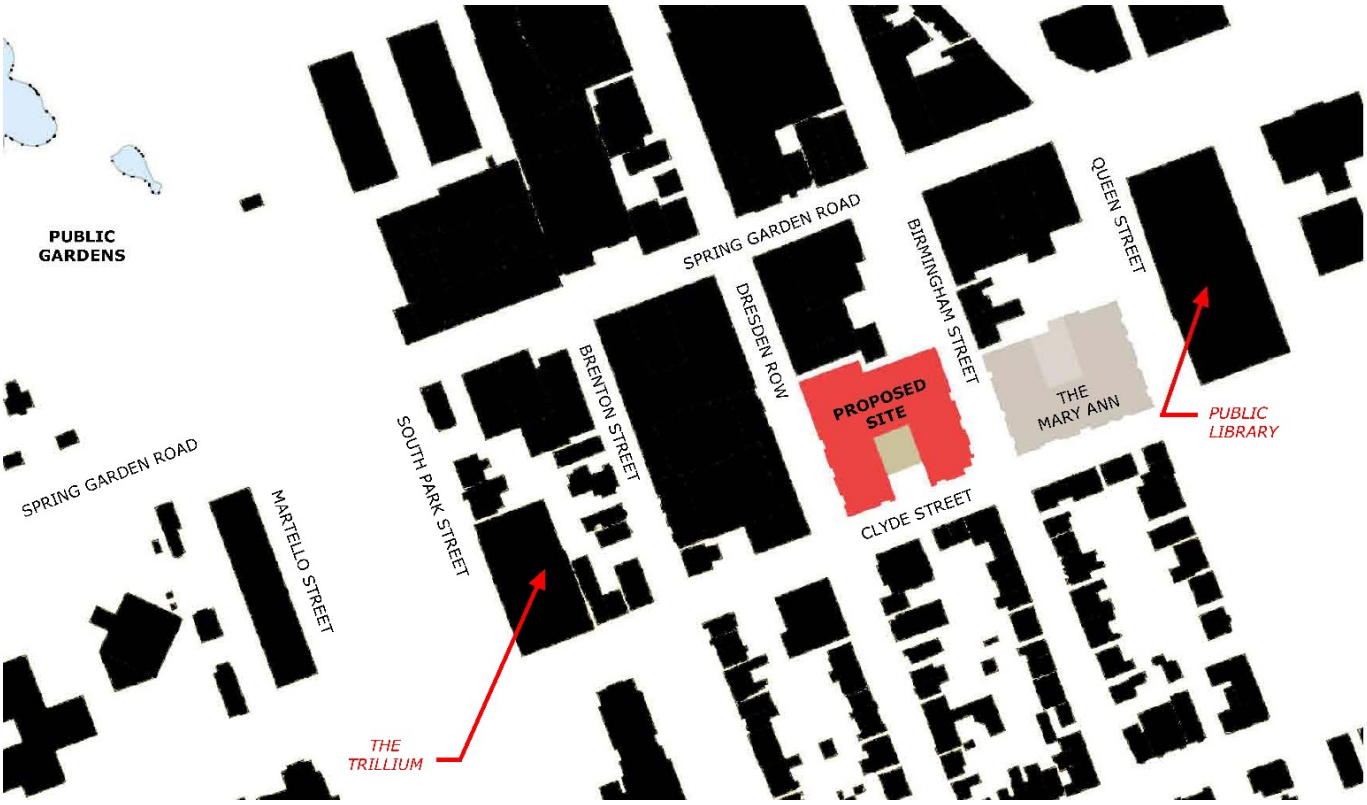
PROJECT SUMMARY

This property is approximately 42,768 square feet in area. It is located on Clyde Street between Birmingham Street and Dresden Row (Parcel SP-4 PID 00077875), and is currently used as a paid parking lot. This site is the second of what is known as the Twin Sisters (Maryann and Margaretta). The Maryann site is currently under construction, and is expected to be complete by December 2015.

The subject property is well positioned along the pedestrian corridor between South Park (corner of The Trillium) and Queen Street (New Public Library) and is in close proximity to Schmidtville and The Maryann site.

The proposed 9 storey mid-rise is comprised of 3 underground parking levels (260 stalls + Class A and B bicycle racks) for residential and public use, 147 residential suites and approximately 28, 105 square feet of active retail and commercial space. Large storefront windows and doors have been provided on the main level in compliance with the Primary Commercial Street designation.

Ground floor landscaping complete with quality paving, particularly along Clyde Street, has been enhanced, with an enlarged courtyard plaza in the middle of the building. This ensures adequate space for a walkable and pleasant pedestrian experience enhanced by a well-defined main entrance. Furthermore, this proposal incorporates a fully landscaped south facing rooftop terrace on the second level, designed for the enjoyment of the residents.



DOWNTOWN HALIFAX LAND USE BY-LAWS
SCHEDULE S-1 DESIGN MANUAL

DOWNTOWN HALIFAX LAND USE BY-LAW DESIGN CRITERIA

The site is designated under Downtown Halifax Zone (DH-1) per Map 1.

The site is situated within Precinct 3: Spring Garden Road per Map 2.

The site is situated on Clyde Street which will become a Pedestrian Oriented Street per Map 3.

The site has a maximum post-bonus height of 28 metres (91'-10 ½") per Map 5.

The site has a Streetwall Minimum Setback of 4.0 metres on Clyde Street; and 0-1.5 metres on Birmingham Street and Dresden Row per Map 6.

The site has a Streetwall Maximum Height of 15.5 metres on Clyde Street and 18.5 metres on Birmingham Street and Dresden Row per Map 7.

SCHEDULE S-1 DESIGN MANUAL RELEVANT OBJECTIVES

2 DOWNTOWN PRECINCT GUIDELINES
2.3 PRECINCT 3: SPRING GARDEN ROAD

2.3(a) Development shall appropriately frame Citadel Hill, the Public Gardens, and Victoria Park through the provision of consistent, animated streetwalls of superior quality and design.

The proposed building mass takes up the whole site, with an animated ground level for multiple retail and restaurant spaces. The various façade designs are well articulated at all levels with the use of Curtain Glass, Composite Panels, Precast, and architectural concrete block on the rear elevation.

2.3(b) Ensure that there continues to be adequate sunlight penetration on Spring Garden Rd.

The proposal is a 9 storey mid-rise building that is 200 feet away from Spring Garden Road at its closest block before it starts cascading up and fading away from Spring Garden.

2.3(c) Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.

The proposed ground level is provided with 3 entrances on Clyde Street including the residential access, 3 entrances on Birmingham Street and 3 entrances on Dresden Row. Each entrance has a canopy.

2.3(d) Prohibit new surface parking lots of any kind.

The 3 parking levels are underground, with its main entrance on Birmingham.

2.3(e) Improve the pedestrian environment in the public realm through a program of streetscape improvements as previously endorsed by Council (Capital District Streetscape Guidelines).

The sidewalk on Clyde Street (which is part of a future pedestrian corridor) is well designed and equipped following the guidelines of the Capital District Streetscape Guidelines. In addition, sidewalks on Birmingham and Dresden Row are also designed within the guidelines.

2.3(f) Development shall be in keeping with the Spring Garden Rd. / Queen Street Area Joint Public Lands Plan, including:

- ensure that the Clyde Street parking lots are redeveloped with mid-rise development, underground parking, and massing that transitions to Schmidtville;

  Proximity to Schmidtville has been one of the main factors in the conception of the design. When looking at the massing treatment of the two street corners, as well as, the façade on Clyde Street; where the building has been split in the middle by the courtyard plaza on the ground level and the south facing roof top terrace on level 200, creating a much more articulated massing.

- ensure that the existing parking supply on the two Clyde Street parking lots will be preserved as part of the redevelopment of those lots, and that in addition, the redevelopment provides adequate parking for the new uses being introduced;

  Conforms. The proposed 3 parking levels provide 260 new spaces for tenant and public use.

- reinforce a development pattern of “monumental’ buildings on Spring Garden Rd. from Queen Street towards Barrington Street;

  Conforms.

- a new public open space, 2,000 square metres minimum (21,528 square feet) shall be established at the terminus of Clyde Street, on the east side of Queen Street;

  Not Applicable to the site.

- Clyde Street and Brenton Street to become important pedestrian-oriented streets;

  The proposal provides a well-designed and equipped streetscape along Clyde Street to enhance and increase pedestrian activity.

- Allow for a mid-rise development at the corner of Morris and Queen Streets, and;

  Not Applicable to the site.

- To allow tall buildings on the western blocks of the precinct.

  Conforms.

3 GENERAL DESIGN GUIDELINES

3.1 THE STREETWALL – PEDESTRIAN ORIENTED COMMERCIAL

3.1(a) The articulation of narrow shop fronts, characterized by close placement to the sidewalk.

With approximately 28, 105 square feet of active retail and commercial space in compliance with Primary Commercial Street designation, there is great potential for space articulation.

3.1(b) High levels of transparency (non-reflective and non-tinted glazing at a minimum of 75% of the first floor elevation).

The ground level on Clyde St., Birmingham and Dresden Row is equipped with more than 75% of storefront, non-tinted glazing and doors.

3.1(c) Frequent entries.

The proposed ground level is provided with 3 entrances on Clyde Street (including residential), 3 entrances on Birmingham Street, and 3 entrances on Dresden Row.

3.1(d) Protection of pedestrians from the elements with awnings and canopies is required along the pedestrian-oriented commercial frontages shown on Map 3, and is encouraged elsewhere throughout the downtown.

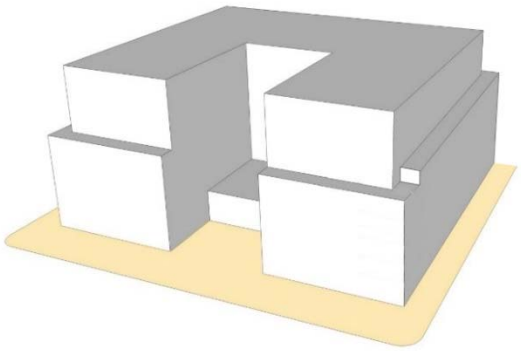
Each of the building entrances is equipped with a canopy.

3.1(e) Patios and other spill-out activity is permitted and encouraged where adequate width for pedestrian passage is maintained.

Ground floor landscaping complete with quality paving, particularly along Clyde Street, has been enhanced, with an enlarged courtyard plaza in the middle of the building. This ensures adequate space for a walkable and pleasant pedestrian experience which is enhanced by a well-defined main entrance gate, ideal for spill out activity such as restaurants.

3.1(f) Where non-commercial uses are proposed at grade in those areas where permitted, they should be designed such that future conversion to retail or commercial uses is possible.
Not Applicable to the site.

PEDESTRIAN FLOW
Pendestrian flow available as highlighted in orange. Enlarged Plaza provides pedestrian friendly environment



3.1.2 THE STREETWALL - STREETWALL SETBACK

3.1.2(a) Minimal to no Setback (0-1.5 metres): Corresponds to the traditional retail streets and business core of the downtown. Except at corners or where an entire block length is being redeveloped, new buildings should be consistent with the setback of the adjacent existing buildings.

Along Birmingham Street and Dresden Row. In addition, the proposal is in line with The Maryann Development across the street.

3.1.2(b) Setbacks vary (0-4m): Corresponds to streets where setbacks are not consistent and often associated with non-commercial and residential uses or house-form building types. New buildings should provide a setback that is no greater or lesser than the adjacent existing buildings.

Not Applicable to site. Per Map 6 (LUB)

3.1.2(c) Institutional and Park front Setbacks (4m+):

Conforms. Along Clyde Street. Per Map 6 (LUB)

3.1.3 THE STREETWALL-STREETWALL HEIGHT

To ensure a comfortable human-scaled street enclosure, streetwall height should generally be no less than 11 metres and generally no greater than a height proportional (1:1) to the width of the street measured from building face to building face…, generally 15.5m, 17m or 18.5m.

The site is allowed a Streetwall Max. Height of 15.5 metres on Clyde Street and 18.5 metres on Birmingham Street and Dresden Row per Map 7. The proposed building design has articulated and balanced the building mass with the slope of both sidewalks along Birmingham St. and Dresden Row toward Clyde Street, establishing various stepbacks while creating continuous streetwall heights.

3.2 PEDESTRIAN STREETSCAPES

3.2.1 DESIGN OF THE STREETWALL

3.2.1(a) The streetwall should contribute to the 'fine grained' character of the streetscape by articulating a façade in a vertical rhythm that is consistent with the prevailing character of narrow buildings and storefronts.

Conforms.

3.2.1(b) The streetwall should generally be built to occupy 100% of a property's frontage along the Streets.

3.2.1 (b) The Streetwall should generally be built to occupy 100% of a property's frontage along the streets. Also, the LUB 9(5)-States that a street wall shall extend the full width of a lot abutting the streetline. As required by LUB 9(6)-On lots other than central blocks, the street wall width may be reduced to no less than 80% of the width of a lot abutting a streetline, provided the streetwall is continuous.

The proposed design does not comply with 3.2.1 (b) along Clyde Street regarding a Streetwall Width, therefore, a Variance through a Site Plan Approval will be required.

3.2.1(c) Generally, streetwall heights should be proportional to the width of the right of way, a 1:1 ratio between streetwall height and right of way width. Above the maximum streetwall height, further building heights are subject to upper story setbacks.

Conforms. The building mass steps back as required.

3.2.1(d) In area of contiguous heritage resources, streetwall height should be consistent with heritage buildings.

Not Applicable to this site.

3.2.1(e) Streetwalls should be designed to have the highest possible material quality & detail.

The various façade designs on four elevations are well articulated at all levels with the use of curtain glass, composite panels, precast, and architectural concrete block on the rear elevation.

3.2.1(f) Streetwalls should have many windows and doors to provide 'eyes to the street' and a sense of Animation and engagement.

The ground level on Clyde St., Birmingham and Dresden Row is equipped with more than 75% of storefront non-tinted glazing and provides 3 entrances on Clyde Street (including residential), 3 entrances on Birmingham Street, and 3 entrances on Dresden Row. In addition, light tinted colour has been added to the upper section of the windows to create a dynamic and colourful Rhythm.

3.2.1(g) Along pedestrian frontages at grade level, blank walls shall not be permitted, nor shall any mechanical or utility functions (vents, trash vestibules, propane vestibules, etc.) be permitted.

There are no blank walls along pedestrian frontages facing Clyde St., Birmingham street or Dresden Row. All mechanical equipment and vents are at the building's top level, lower parking levels, and on Level 100 inside the North rear wall which will be treated with quality shouldice block or equal.

3.2.2 BUILDING ORIENTATION AND PLACEMENT

3.2.2(a) All buildings should orient to, and be placed at, the street edge with primary entry points that directly access the sidewalk.

The large streetwall setback on Clyde Street along with a recessed plaza in the middle provides an opportunity for great urban design. The primary residential entrance is centrally located and is enhanced by the gate, promoting pedestrian traffic. Also, all commercial entrances are directly accessible off the sidewalk, and are sheltered by the projected glass/steel canopy.

3.2.2(b) Not Applicable to this site.

3.2.2(c) Not Applicable to this site.

3.2.3 RETAIL USES

3.2.3(a) All mandatory retail frontages (Map 3 LUB) should have retail uses at grade with a minimum of 75% glazing to achieve maximum visual transparency and animation.

Refer to note 3.2.1(f). Conforms.

3.2.3(b) Weather protection for pedestrians through the use of well-designed awnings and canopies is required along mandatory retail frontages (Map 3) and is strongly encouraged in all other areas.

Refer to note 3.1(d). Conforms.

3.2.3(c) Not Applicable to this site.

3.2.3(d) Not Applicable to this site.

3.2.3(e) Avoid deep columns or large building projections that hide retail display and signage from view.

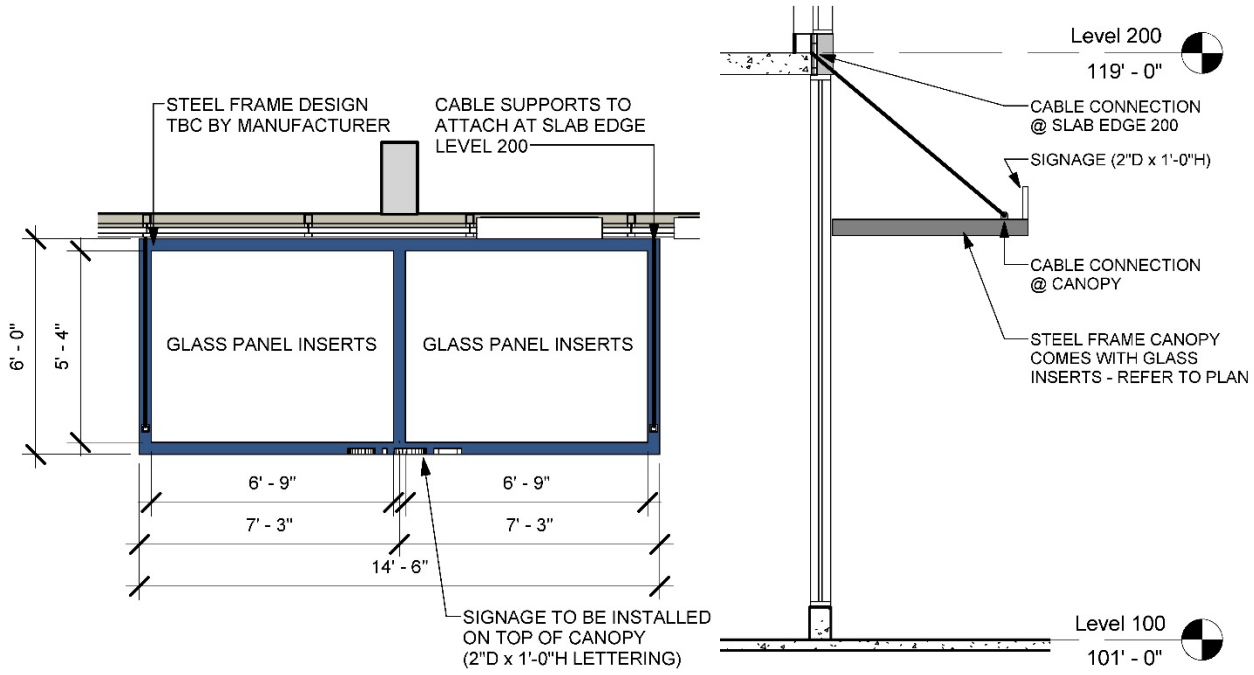
Conforms

3.2.3(f) Ensure retail entrances are located at or near grade. Avoid split level, raised or sunken retail entrances Where a changing grade along a building frontage may result in exceedingly raised or sunken entries it may be necessary to step the elevation of the main floor slab to meet the grade changes.

Entrances to the Ground Level on Clyde Street are directly at-grade, while entrances on Birmingham Street and Dresden Row present a challenge due to a severe continuous uphill slope from Clyde Street. Nevertheless, those challenges have been resolved by providing an interior landing directly at-grade at each of the entrances, where pedestrians will be able to access the ground level through steeps, and a ramp or a mechanical lift, therefore, creating a 100% accessible directly at-grade accessible building.

3.2.3(g) Commercial signage should be well designed and of high material quality to add diversity and interest to Retail streets, while not being overwhelming.

All signage is attached to or above the face of the suspended glass steel canopies, and will be modest in size and design to keep the modern integrity of the building (refer to attached sketch).



3.2.4 RESIDENTIAL USES

3.2.4(a) …..(i.e. townhomes).

Not Applicable to this site.

3.2.4(b) Residential units accessed by a common entrance and lobby may have the entrance and lobby elevated or located at grade-level, and the entrance should be clearly recognizable from the exterior through appropriate architectural treatment.

The main residential entrance and lobby is well defined by a sculptural gate made of composite metal panel, with a glass/steel projected canopy inserted within. In addition, the required residential exits are located on either side. The building civic number is to be located on one of the gate's pillars.

3.2.4(c) Not Applicable to this site.

3.2.4(d) Units with multiple bedrooms (2 and 3 bedroom units) should be provided that have immediately accessible outdoor amenity space. The amenity space may be at grade or on the landscaped roof of a podium.

All suites have access to a balcony, and in some cases a private terrace. In addition, a South oriented landscaped roof top terrace on Level 200 has been allocated as outdoor amenity space serving all residents.

3.2.4(e) Not Applicable to this site.

3.2.4(f) Residential uses introduced adjacent to pre-existing or concurrently developed eating and drinking establishments should incorporate acoustic dampening building materials to mitigate unwanted sound transmission.

Floor to floor separation between commercial and residential is 18 feet which allows for suspended ceiling and insulation, if commercial space presents a noise problem.

3.2.5 SLOPING CONDITIONS

3.2.5(a) Maintain active uses at grade, related to the sidewalk, stepping with the slope. Avoid levels that are distant from grade.

Conforms. Refer to 3.2.3(f)

3.2.5(b) Provide a high quality architectural expression along the façade…,

Conforms. Refer to 3.3(a) and 3.2.1(e)

3.2.5(c) Provide windows, doors and other design articulation along facades; blank walls are not permitted.

Conforms. Refer to 3.2.1(f) and 3.2.1(g)

3.2.5(d) Articulate the façade to express internal floor or ceiling lines; blank walls are not permitted.

At the commercial level, vertical and horizontal frame lines along with spandrels and tinted color glazing will facilitate internal/external expression of the building façade. At the residential levels, the use of various materials and projections helps to express interval floor lines.

3.2.5(e) Wrap retail display windows a minimum of 4.5 metres around the corner along sloping streets, where retail is present on the sloping street.

Conforms. Refer to 3.1(b)

3.2.5(f) Wherever possible, provide pedestrian entrances on sloping streets. If buildings are fully accessible at other entrances, consider small flights of steps or ramps up or down internally to facilitate entrances on the slope.

Conforms. Refer to 3.2.3(f)

3.2.5(g) Refer to 2.3.(f) and 3.1.3

3.2.6 ELEVATED PEDESTRIAN WALKWAY

Not Applicable to this site.

3.2.7 OTHER USES

Not Applicable to this site.

3.3 BUILDING DESIGN

3.3.1 BUILDING DESIGN ARTICULATION

3.3.1(a) To encourage continuity in the streetscape and to ensure vertical 'breaks' in the façade, buildings shall be designed to reinforce the following key elements through the use of setbacks, extrusions, textures, materials, detailing, etc.
BASE: Within the first four storeys, a base should be clearly defined and positively contribute to the quality of the pedestrian environment through animation, transparency, articulation, and material quality.
MIDDLE: The body of the building above the base should contribute to the physical and visual quality of the overall streetscape.
TOP: The roof condition should be distinguished from the rest of the building and designed to contribute to the visual quality of the skyline.

The proposed building complies with the Halifax Downtown LUB and the design criteria set up by Schedule S-1: Design Manual regarding the articulation of a well-defined building **base**, **middle** and **top**; In addition to the appropriate use of texture, colour, materials, and a well articulated roof line and landscaped rooftop area.

Design Description (scale, composition and materials)

The south side of the building is a 4 meter setback on Clyde and is fully animated with landscaping, (trees, benches and lighting etc.), along with street awnings and entrance canopies to provide shelter, identification, colour, and animation for pedestrians. The proposal conforms to the criteria of Pedestrian Oriented Commercial Use. At-grade access on Birmingham Street and Dresden Row will be provided at various locations along the sloped public sidewalk, however, the interior retail will remain at one level.

The street wall on the south side rises 4 storeys (15 m) before stepping back 3m for the upper floors. The building face follows the property line along Birmingham Street and Dresden Row, with a street wall of five storeys (16.5m) where it then steps back 3m for the top portion. The north side of the building is set back 0.6m from the property line and has a street wall height of five storeys, complete with a step back of 5.5m for the remaining top storeys.

Vertically, the building is divided into a **distinct base, middle and top** expressed on all 3 street facades. The base is 75% constructed with an aluminum glazing and entrance system, and the middle with a combination of precast or composite metal panel, and glass. The base level reflects the height of the adjacent Schmidtville and older Spring Garden Rd. buildings. The top (upper floors) will be cladded with curtain glass to minimize the apparent height and massing of the building.

Projections above the maximum height are confined to the mechanical penthouse in a central location on the roof (next to elevator shaft) and some architectural features on the façades. All elements of the building are below the View Planes.

3.3.1(b) Buildings should seek to contribute to a mix and variety of high quality architecture while remaining respectful of downtown's context and tradition

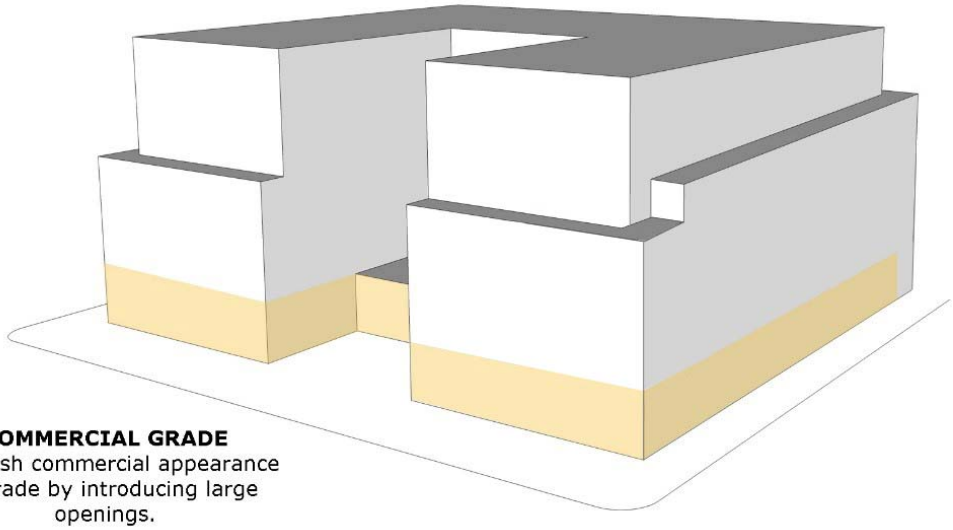
This is a modern building of high quality architecture, where the use of 75% glazing at ground level provides a transition from traditional houses. Building entrances are accentuated by a projected glass/steel canopy and thick mullions. In addition, colour tinted glass will be used at upper sections.

3.3.1(c) To provide architectural variety and visual interest, other opportunities to articulate the massing should be encourage, including vertical and horizontal recesses or projections, datum lines, and changes in material, texture or colour.

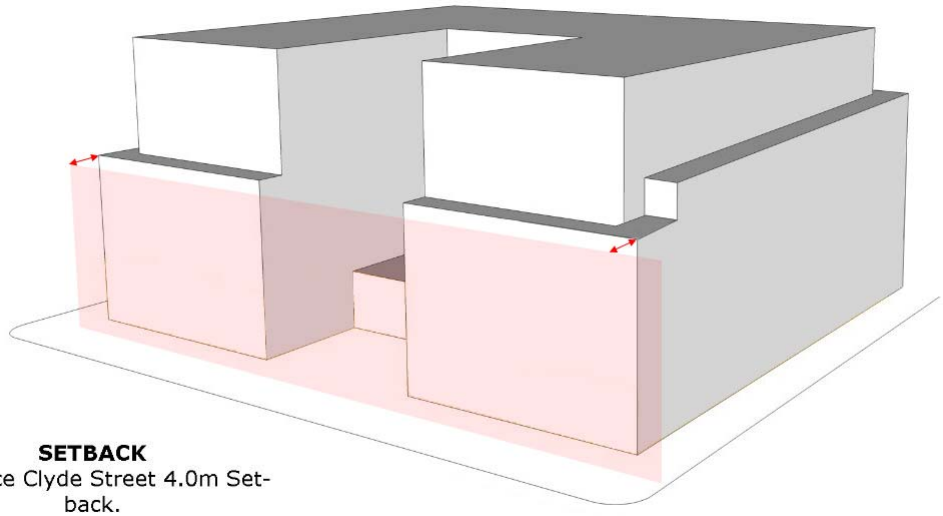
The massing is highly articulated with projections and use of various materials such as curtain glass wall, composite panel, precast and shouldice (at rear blank walls). In addition, the ground floor is accented by the colour of glass panels.

3.3.1(d) Street facing façades should have the highest design quality, however, all publicly viewed façades at the side and rear should have a consistent design expression.

All street facing façades are treated with quality design materials. The rear façade will be consistent with the rest, the ground floor will be treated with shouldice or precast with design reveals.



COMMERCIAL GRADE
Establish commercial appearance at grade by introducing large openings.



SETBACK
Introduce Clyde Street 4.0m Set-back.

3.3.2 BUILDING MATERIALS

3.3.2(i) Darkly tinted or mirrored glass is prohibited. Clear glass is preferable to light tints. Glare reduction coatings are preferred.

The building has 3 distinct cladding materials such as Curtain Glass, Composite Metal Panel, Precast and Architectural Concrete Block or similar. The materials are articulated at the base, middle and top:

Curtain Glass Wall. The whole street face is envisioned as Curtain Glass Wall made of 7" aluminum frame with high performance clear vision glass (solarban 70) designed for major climate factors such as solar heat gain (.27 coefficient vs. 77 standard), visible light (64% visibility vs. 82% standard), ultraviolet

transmission (6% allow vs. 59% standard) and less heat loss. No darkly tinted or mirrored glass will be used.

Spandrel glazing. A 6 mm heat strengthened single glass with a scrim back coating and insulated metal back pan. Spandrels are part of Curtain Wall used to block undesired views such as columns, party walls, and/or ventilation systems. The spandrel colour is always a challenge and will be studied to complement the architectural features of the building. For now, we envision a light silver grey.

Operational windows, balcony doors, handrails and 5 mm tempered glass inserts. Awnings will be sightless and balcony doors thermally broken aluminum sliders.

All mullions will be a clear anodized finish on the inside, with a 2.5" horizontal line capped at every level, and an 8" cap framing part of the middle body. The caps will be silver in colour. All remaining joints will be a frameless silicon connection.

Composite Metal Panels. At the highest parapet and architectural features.

Precast. Mainly at the middle of the building facing Clyde St. Birmingham St. and Dresden Row.

Architectural concrete block Precast with reveals or similar is proposed on the rear blank wall facing North.

Balcony handrails and glass inserts will consist of aluminum framing, light in colour (TBC), with 5mm clear tempered glass inserts.

Natural Tinted Glazing; we envision an iconic building with vibrancy and energy to engage and motivate positive thinking, by adding colour touches at the commercial level glazing.

3.3.3 ENTRANCES.

3.3.3(a) Emphasize entrances with such architectural expressions as height, massing, projection, shadow, punctuation, change in roof line, change in materials, etc.

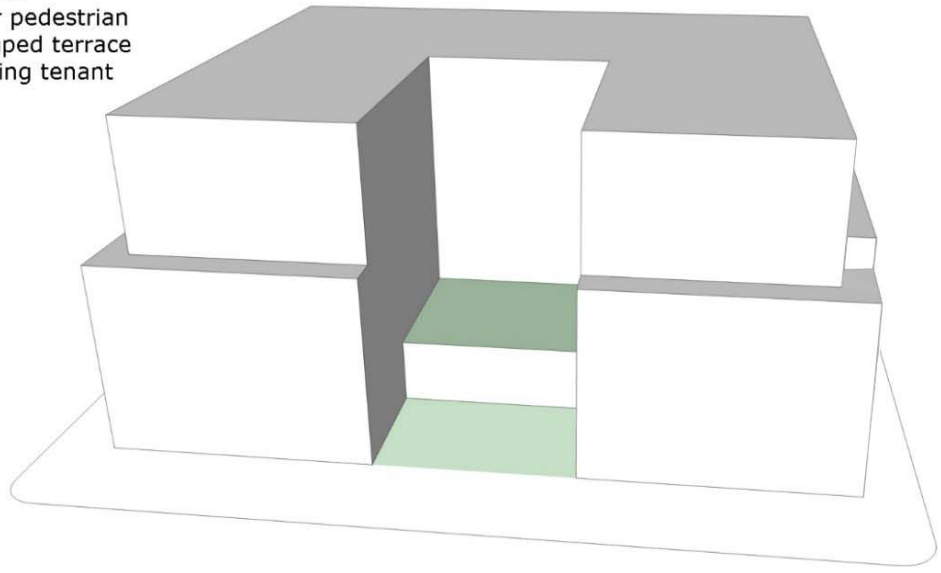
The primary residential entrance and lobby is located in the middle of the building facing Clyde Street. The entrance is at grade and is preceded by a courtyard plaza with a sculptural gate made of composite metal panel complete with signage, civic number, and a glass/steel canopy projected out to shelter pedestrians. All commercial entrances are identified by a projected (glass/steel) canopy and a solid 12" aluminum frame around the door entrances.

3.3.4 ROOF LINE AND ROOFSCAPES

As a 9 storey building structure with a well-defined parapet top at 28 metres in height, and articulated building corners, this midrise building will contribute to the Halifax downtown 'skyline'. The parapet has

movement and frames the sections of the building. It enhances the landscaping treatment of the main flat roof which is visible from Citadel. The Elevator Penthouse and the Mechanical Room offers an opportunity to better articulate the flat roof. The Roof top on level 200 is landscaped and visible from the tenants suites above within the Court Yard.

GREEN SPACE
Ground Level Plaza for pedestrian use, as well as landscaped terrace at level 200 for building tenant use.



3.4 CIVIC CHARACTER

Not Applicable to this site.

3.4.1 PROMINENT FRONTAGES AND VIEW TERMINATION

Not Applicable to this site.

3.4.2 CORNER SITES

3.4.2(a) Provision of a change in building massing at the corner, in relation to the streetwall.

Both building corners at both street interceptions of Clyde St. and Birmingham St. and Clyde St. and Dresden Row provide a strong physical and visual articulation on the whole building massing.

3.5 PARKING SERVICES AND UTILITIES

3.5.1 VEHICULAR ACCESS, CIRCULATION, LOADING AND UTILITIES

3.5.1(a) Locate parking underground or internal to the building, or to the rear.

All 3 parking levels are underground with no surface parking.

3.5.1(b) Ensure vehicular and service access has minimal impact on the streetscape, by minimizing the width of the frontage it occupies, and by designing integrated access portals and garages.

The proposal has only one parking entrance to its underground off of Birmingham Street, and one service entrance off of Dresden Row.

3.5.1(c) Locate loading, storage, utilities, areas of delivery and trash pickup out of view from public streets and spaces, and residential uses.

All services, loading, trash pickup, venting etc. are hidden by the blank wall on the North side.

3.5.1(d) Conforms.

3.5.1(e) Coordinate and integrate utilities, mechanical equipment and meters with the design of the building, for example, using consolidated rooftop structures or internal utility rooms.

All utility rooms and mechanical equipment will be indoors with ventilation grilles where necessary. Rooms are facing rear wall. Main chiller will be located in an enclosed space at the top floor.

3.5.1(f) Conforms.

3.5.2 PARKING STRUCTURES

Not Applicable to this site.

3.5.3 SURFACE PARKING

Not Applicable to this site.

3.5.4 LIGHTING

Lighting creates a theatrical effect in the building and beyond. This building will be equipped with proper lighting to enhance the night image without negatively affecting the residential tenants and neighbourhood. Refer to elevations.

3.5.5 SIGNS

Refer to 3.2.3(g)

3.6 SITE PLAN VARIANCES

This proposal requires the variance as follows:

3.6.4 STREETWALL WIDTH VARIANCES

The proposed design requires a variance on the Streetwall Width.

As required by LUB 9(5) - A streetwall shall extend the full width of a lot abutting the streetline. As required by LUB 9(6) – On lots other than central blocks, the streetwall width may be reduced to no less than 80% of the width of a lot abutting a streetline, provided the street wall is continuous.

Street wall widths may be varied by Site Plan Approval where:

a) the street wall width is consistent with the objectives and guidelines of the Design Manual and;

b) the resulting gap in the street wall has a clear purpose, is well-designed and makes a positive contribution to the streetscape.

The architectural massing of this proposal fits well within the site and its surroundings. The design has interrupted the street wall facing Clyde St. By incorporating a south facing Courtyard Plaza in the center, where the main residential entrance has been located, and therefore creating two distinct building blocks; allowing the building scale and pedestrian streetscape to be much more pleasant and inviting. As a result, this gap enhances the design while creating a balanced building scale more in harmony with Schmidtville.

Ground floor landscaping complete with quality paving, particularly along Clyde Street, has been enhanced, with an enlarged Plaza in the middle of the building and the south facing Roof Top Terrace on Level 200. This ensures adequate space for a walkable and pleasant pedestrian experience and is enhanced by a well-defined main entrance, ideal for spill out activity such as restaurants.

Again, proximity to Schmidtville has been one of the main factors in the conception of the design facing Clyde Street and therefore, its human scale design approach.

In addition, the main residential entrance and lobby is well defined by a sculptural gate made of composite panel, with a glass canopy inserted within. The building civic number is to be located on one of the gate's pillars. All of the above would not be possible if the design follows the required Streetwall Width guidelines.

SECTION 5 – SUSTAINABLE GUIDELINES

The proposed building conforms to most of the sustainable guidelines, such as: 5.2.2 Transportation (a), 5.2.3 Water Conservation (a), 5.2.5 Atmosphere (a), 5.2.6 Materials (a), 5.2.7 Indoor Air Quality (a), (b), (d), (e), (f), (g) and (h), 5.2.8 Building Materials (a) and (e).

FINAL NOTE

The subject site falls within an area of high probability for archaeological resources. The excavation work would need to be referred to the Nova Scotia Department of Tourism, Culture and Heritage (Heritage Division) for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

CONCLUSION

The Margaretta, known as one of the Twin Sisters along with The Maryann, is another design project conceived by WM Fares Architects Inc. in compliance with the Downtown Halifax Land Use By-Laws and Schedule S-1 of the Design Manual. The proposal is well positioned along the pedestrian corridor between South Park (corner of The Trillium) and Queen Street (New Public Library). The architectural massing and Ground floor landscaping along Clyde Street, with an enlarged Plaza in the middle of the building and the south facing Roof Top Terrace will create a walkable and pleasant environment well in harmony with Schmidtville, The Maryann residential development, and surrounding neighbourhood.

Therefore, we would like to move forward with a full site plan approval application.

Respectfully,

WM FARES
ARCHITECTS

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Planning Applications
Planning & Development Services
PO Box 1749
Halifax, NS, B3J 3A5

Attn: Mr Richard Harvey, LPP

Re: Proposed Margaretta Site (Clyde St) Wind Impact Qualitative Assessment

Dear Richard,

The proposed 9-storey mixed use development project at the corner of Clyde Street and Dresden Road sits just south of the Spring Garden Road urban corridor. To the north and west of the site, the Spring Garden corridor has a wide range of mid and high rise building types (some up to 22 storeys) which typify the mixed use urban corridor. To the south, the residential neighbourhood of Schmidtville includes mostly low rise 2-3 storey residential and some commercial structures. To the east of the site, the new 9-storey Mary Ann mixed-use development is being constructed.

The following assessment looks to interpret the probable impacts to existing wind speed and turbulence on surrounding properties and sidewalks as a result of the proposed Margaretta development. To that end wind data recorded at the local Shearwater Airport between 1953 and 2000 was assembled and analyzed using Windrose PRo 2.3 to understand the intensity, frequency, and direction of winds at the Margaretta Site. The resulting diagram (Fig 1.) shows that the highest and most frequent wind speeds come **from** the west and south. The relative distribution of higher wind speeds are somewhat constant from the north, north-west, and south-west. High winds from the north-east, east, and south-east are substantially infrequent when compared to other directions. This has visible implications for development on the site as is shown in Fig 2.

Urban Windbreak Impacts

The surrounding building shown on Fig 2 (red numbers represent # of stories) already create significant wind implications on this site and on Schmidtville. Because the study site is already surrounded by taller buildings on the north and southwest sides (the direction of prevailing winds in winter and summer), the area is well within the wake zone of the existing structures. Wake zones for zero porosity structures can extend 8-30 times the height of a structure. So, a 10-storey building

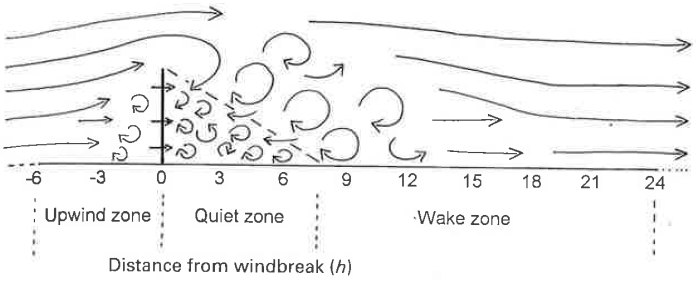


Fig. 6.4. Zones with altered airflow caused by a windbreak. Vertical dimension is magnified for illustration. Vertical line indicates windbreak; *h* = height of windbreak. Large eddies = strong turbulence. Uninterrupted airflow in the open is to the left of the upwind zone, and to the right of the wake zone. Widths of zones are approximate. Based on several sources.

Figure 1. Wind Rose for Shearwater Airport. Diagram shows winds in the FROM direction.

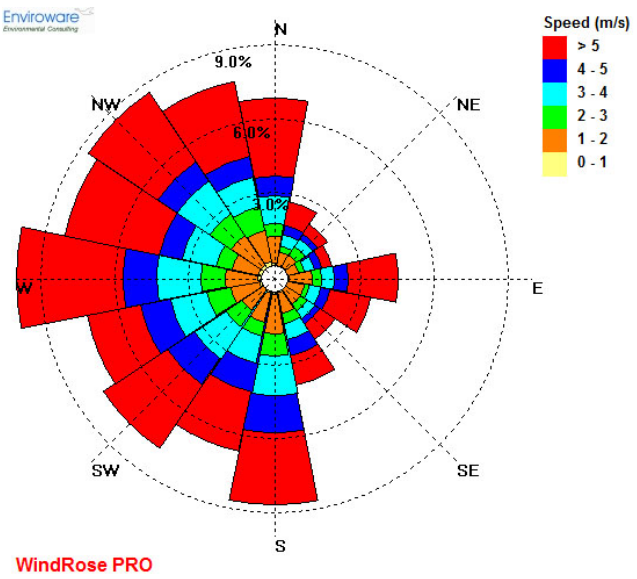
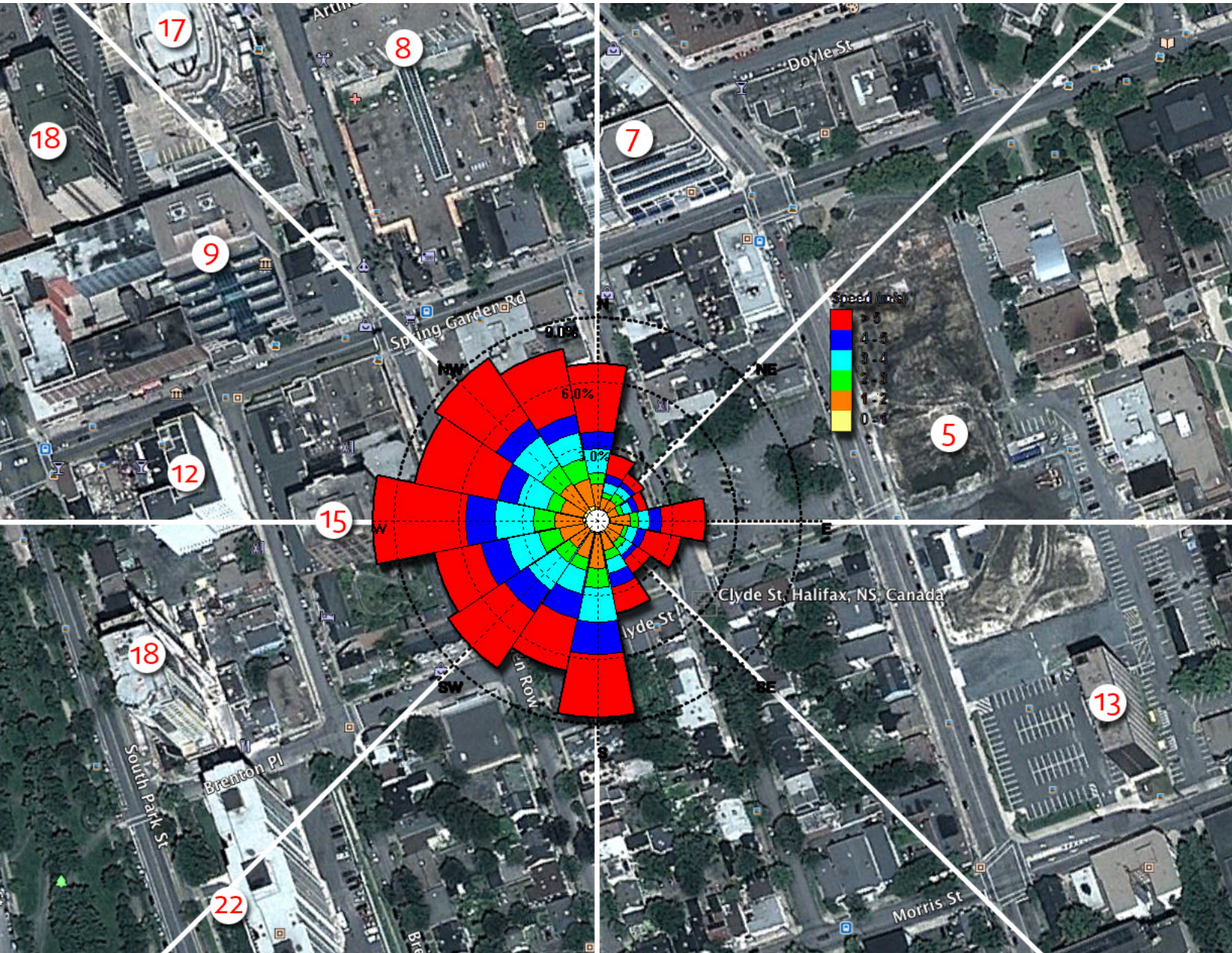


Figure 2. Wind Rose overlain on top of the proposed development site. Red #'s denote # storeys



can generate reduced wind speeds between 800 and 3,000 feet on the lee side. Beyond the wake zone, there are typically more gusts and eddies as a result of more turbulent air. On the trailing edges of the building, wind strikes the building and concentrates the flow, accelerating the wind speed near the trailing fringes and on the windward side. As the ground levels of the proposed Margaretta building are already within the 'quiet zone' of neighbouring tall structures, it is doubtful that any wind changes will occur at the sidewalk on the windward side. Wind speed will likely be reduced on the leeward side of the building along Birmingham Street most of the year, and along Clyde Street during the winter months.

While wind turbulence is generated by structures, wind speed is reduced. Low porous or no porous structures such as buildings will reduce wind speeds immediately adjacent to the structure on the windward side. Wind speed is also reduced on the leeward side but generally reaches original approach speeds at an average distance of 4 times the structure height.

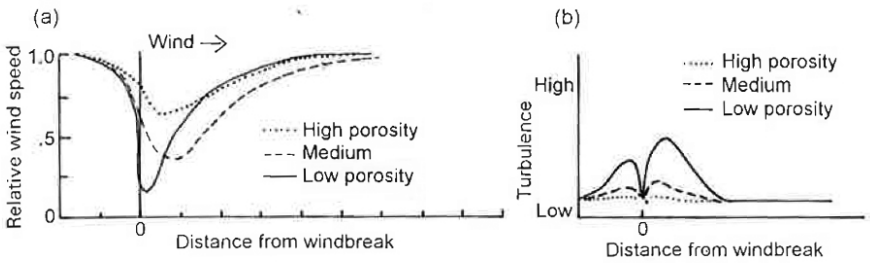


Fig. 6.5. Effect of windbreak porosity on **streamline and turbulent airflows.** (a) Streamline airflow based on treebelts **of different foliage densities;** wind measurements at 1.4 m height. From **Heisler & DeWalle (1988) with** permission of Elsevier Science Publishers. (b) **Generalized expected turbulence** pattern based on Robinette (1972), Rosenberg *et al.* (1983), Heisler & DeWalle (1988), McNaughton (1988).

COMFA Model (Brown and Gillespie, 1995)

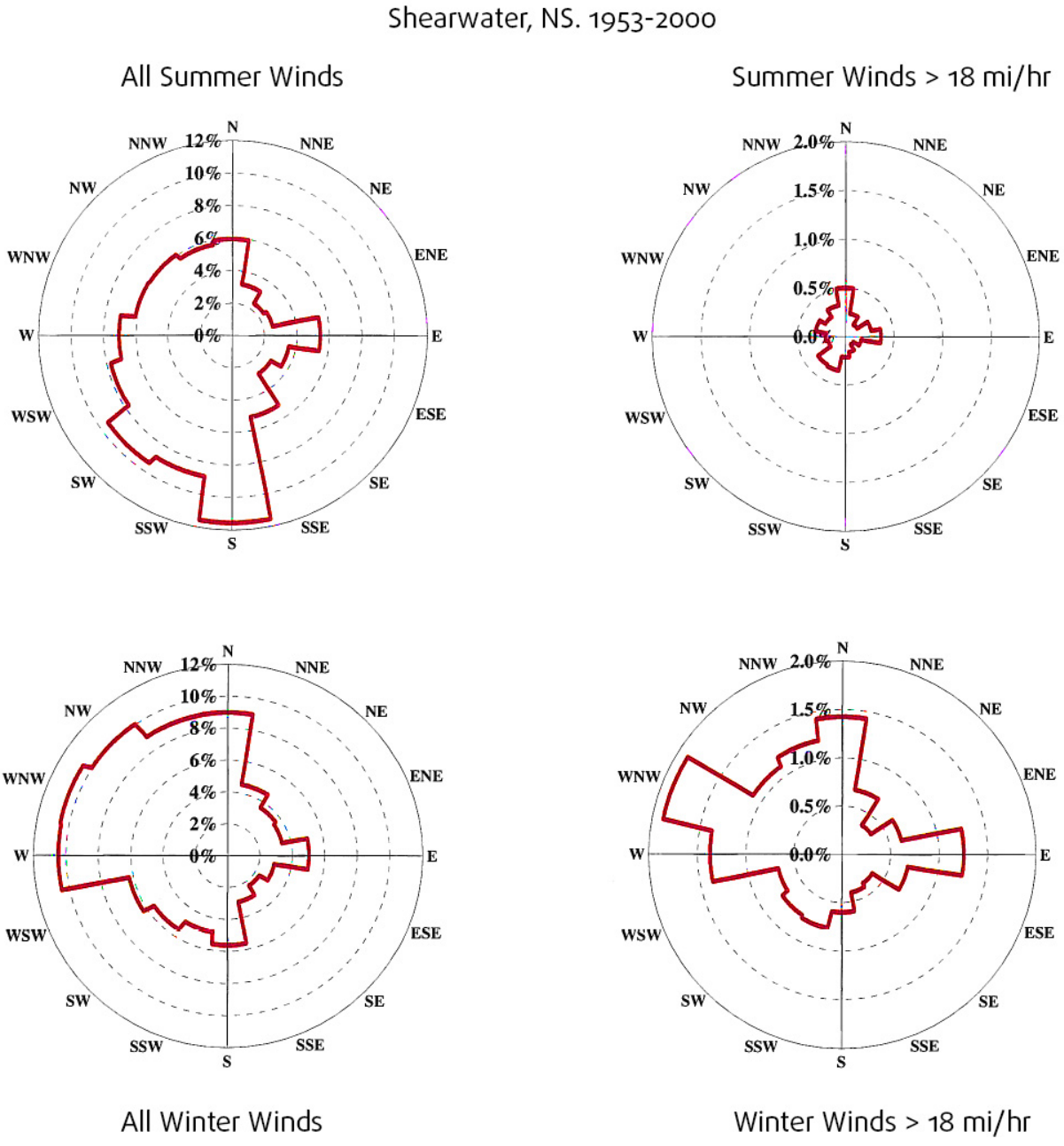
Dr. Robert Brown of the University of Guelph developed the COMFA model to model human thermal comfort as a result of a number of variables including wind speed. Human thermal comfort is more pronounced during low-activity situations like sitting than during high-activity situations like running. The model is explained in the attached paper by Brown and LeBlanc (2003). Mr. LeBlanc was also the co-author with Dr. Brown in the 2008 ed. "Landscape Architectural Graphic Standards", Microclimate Chapter. This model is the basis for the theoretical assessment of human thermal comfort changes as a result of the building explained below.

Seasonal Wind Impacts

Looking at the seasonal wind impacts (Fig 3.), during the summer the majority of winds come from the southwest quadrant, approximately 46%, with the remaining spread amongst the other 3 ordinal directions: roughly 20% from the southeast, 24% from the northwest, and a mere 10% originating out of the northeast quadrant. Overall, the winds are mild, with just over two percent of all winds reaching speeds over 18 miles per hour (+/- 29 kph). Summer winds may impact the sidewalk on Birmingham Street just east of the development where concentrated flows from the fringe of the building may be funneled between the Margaretta building and the new Mary Ann building. In this location, street trees have been added as natural wind breaks to reduce speeds and provide human thermal comfort improvements. In the summer, there will be very little wind impacts on Schmidtville, Clyde Street or Dresden Row. Winds at the corner of Spring Garden and Birmingham Street may be slightly elevated.

In the winter the prevailing winds shift to a northwest dominated occurrence. Approximately 48% of all winds come from the northwest. Winter winds are also stronger, with around fifteen percent of all winds reaching speeds above 18 miles per hour. The new structure could elevate the wind speeds at the fringes of the structure for a portion of Dresden Row and Birmingham Street. However, the neighbouring 15 story existing structure is more likely to have a dampening effect on any surface winds along the sidewalk than will be generated by the Margaretta building. During high wind conditions (>18mph), only the winds from the east (that occur 1.25% of the time) will impact pedestrians on the Clyde Street sidewalk. The north east corner of Schmidtville (corner of Birmingham and Clyde) will see periodic increases in turbulence in the winter from north-west and northerly winds, though no increase in wind speed is anticipated. Again, the placement of new street trees, and the retaining of existing street trees, will aid in reducing wind speeds at ground level.

Figure 3. Seasonal Wind Direction for Shearwater Airport



It should be noted that the building's stepped massing nature should significantly reduce wind speed in the direct vicinity of the sidewalks. Wind down gusts from the upper storeys will hit the upper raised terraces, reducing the wind speed significantly at the sidewalk but causing slightly more turbulence. In addition, canopies have been added to the commercial base, again adding a second level of wind and weather protection.

Wind Comfort Assessment

Changes in wind speed as a result of buildings vary depending on wind direction and building morphology. On the upwind side of the building (west and north side; or on the Dresden Row side) there can be more turbulent wind but little change in wind speed if the building is vertically stepped. On the downwind side of the building (south and east; or the Birmingham and Clyde St side), wind speed is often reduce up to eight times the height of the building in what is often referred to as the "quiet zone". On both sides of the new building, 'streamlines' can occur where the wind is accelerated through the openings between buildings. The taller the buildings, the greater the potential for increased wind speed. The area where this will be most impacted as a result of the new building will be the Birmingham Street area when winds prevail from the south (about 10% of the time during the summer) and from the north during the winter (about 9%) of the time. Even during these infrequent times, wind speeds will likely not increase more than 10% at the street or sidewalk level due to vertical stepping and the use of street trees. The main building entrance is recessed and located on the south side of the building which is in the quite zone in the winter, fall and spring months. The window canopies further reduce wind speed at the sidewalk. The fact that the new 9-storey Mary Ann building preserves existing street trees and incorporates new street trees will help to reduce the canyon effect.

The areas most likely to be impacted by the new building due to increased wind speeds will be the corner of Dresden Row and Clyde Street during the winter season, and the corner of Birmingham and Clyde Street during the summer. This will only occur during prevailing north and south wind directions (10% of the time in the winter and 12% of the time in the summer). Even with these minor increases we do not anticipate any more 'uncomfortable' conditions than those that already exist. The building should not create any additional 'uncomfortable' conditions more than 1% of the time. Around other areas of the building, there will be no measurable change in wind speed as a result of the development. There will be no measurable change in discomfort for people walking on any of the sidewalks surrounding the development, and no measurable change in comfort for people sitting around the development. The corner of Birmingham and Clyde may experience occasional gusting when prevailing winds come from the north and south which, while not effecting walking, may make sitting at this corner location uncomfortable on occasion (the increase in discomfort as a result of the building will be less than 1% of the time).

Since Schmidtville lies directly south and southwest of the new development, the infrequent winds from the east and north east mean that there will be little potential for the building impacting Schmidtville and the Clyde Street Dresden Row Intersection. The existence of several multi-story buildings in the adjacent areas currently disrupt street level wind patterns so much that the addition of the Margaretta Building will have little if any effect on the overall wind quality of the neighbourhood. Changes to neighbourhood wind patterns may see slight increases in mild localized seasonal breeze turbulence but little if any changes in wind speed.

Summary

The 9-storey building is not anticipated to have any measurable change in human thermal comfort for a person sitting, standing, walking or running within the anticipated wake zone of the building. The corner of Dresden Road and Clyde streets may be occasionally windier than currently exists but this change in wind speed should not measurably change the comfort of people on this corner. Street trees on this corner should be planted with a smaller caliper tree that is wind tolerant. The smaller caliper allows the tree to acclimate to the site conditions better than a larger caliper tree.

If you have any questions please contact me at your convenience.

Sincerely,

Original signed by

Robert LeBlanc, president
Ekistics Planning & Design

Clyde Street – Margaretta Site
Post-Bonus Height Public Benefit

In response to the Post Bonus Height Public Benefit requirement as stipulated under section 12 of the Downtown Halifax Land Use Bylaw, the developer has opted to utilize the provision of public parking (section 12(7)(g).

The following outlines our understanding and proposed approach:

- The gross floor area that has been gained as a result of the post bonus height option is 4586 square meters;

- The value of the public benefit that is required as established under section 12 of the Halifax Land Use Bylaw is approximately $214,624.80

- The Land Use Bylaw mandates that the developer of the Sister Sites on Clyde Street known as the Mary Ann and Margaretta provide a total of 210 public parking spots between both sites;

- The Mary Ann Site, currently under construction, includes 3 levels of underground parking with a total of 179 parking spots. Levels P1 and P2 which include 120 spots, are dedicated for public parking, out of which 114 spots go toward the Land Use Bylaw requirement of 210 leaving a balance of 96, and 6 spots go toward satisfying the post-bonus height for the Mary Ann building.

- The Margaretta Site, currently under consideration, includes 3 levels of underground parking with a total of 260 parking spots. Levels P1 and P2 will include 105 spots dedicated for public parking, out of which 96 spots go toward satisfying the balance of the Land Use Bylaw requirement of 210, and 9 spots go toward satisfying the post-bonus height public benefit of the Margaretta building.

- The required post bonus height public benefit value of $214,624.80 is achieved by providing 9 additional public underground parking spots within the Margaretta building, based on a cost of $25,000/spot.

Attachment E – Design Manual Checklist – Case 20227				
Section	**Guideline**	**Complies**	**Discussion**	**N/A**
2	**Downtown Precinct Guidelines**			
2.3	**Precinct 3 - Spring Garden Road Area**			
2.3a	Development shall appropriately frame Citadel Hill, the Public Gardens, and Victoria Park through the provision of consistent, animated streetwalls of superior quality and design.			•
2.3b	Ensure that there continues to be adequate sunlight penetration on Spring Garden Road.	•		•
2.3c	Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.	•		
2.3d	Prohibit new surface parking lots of any kind	•		
2.3e	Improve the pedestrian environment in the public realm through a program of streetscape improvements as previously endorsed by Council (Capital District Streetscape Guidelines).	•		
2.3f	Development shall be in keeping with The Spring Garden Road/Queen Street Area Joint Public Lands Plan, including:			
	• ensure that the Clyde Street parking lots are redeveloped with mid-rise development, underground parking, and massing that transitions to Schmidtville;	•		
	• ensure that the existing parking supply on the two Clyde Street parking lots will be preserved as part of the redevelopment of those lots, and that in addition, the redevelopment provides adequate parking for the new uses being introduced;		•	
	• reinforce a development pattern of “monumental” buildings on Spring Garden Road from Queen Street towards Barrington Street;			•
	• a new public open space, 2,000 square metres minimum, shall be established at the terminus of Clyde Street, on the east side of Queen Street;			•
	• Clyde Street and Brenton Place to become important pedestrian-oriented streets;		•	
	• allow for a mid-rise development at the corner of Morris and Queen Streets, and;			•
	• to allow tall buildings on the western blocks of the precinct.			•

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Section	**Guideline**	**Complies**	**Discussion**	**N/A**
3	**General Design Guidelines**			
3.1	**The Streetwall**			
3.1.1	**Pedestrian-Oriented Commercial** On certain downtown streets pedestrian-oriented commercial uses are required to ensure a critical mass of activities that engage and animate the sidewalk These streets will be defined by streetwalls with continuous retail uses and are shown on Map 3 of the Land Use By-law. All retail frontages should be encouraged to reinforce the 'main street' qualities associated with the historic downtown, including:			
3.1.1a	The articulation of narrow shop fronts, characterized by close placement to the sidewalk.			•
3.1.1b	High levels of transparency (non-reflective and non-tinted glazing on a minimum of 75% of the first floor elevation).			•
3.1.1c	Frequent entries.			•
3.1.1d	Protection of pedestrians from the elements with awnings and canopies is required along the pedestrian-oriented commercial frontages shown on Map 3, and is encouraged elsewhere throughout the downtown.			•
3.1.1e	Patios and other spill-out activity is permitted and encouraged where adequate width for pedestrian passage is maintained.			•
3.1.1f	Where non-commercial uses are proposed at grade in those areas where permitted, they should be designed such that future conversion to retail or commercial uses is possible.			•
3.1.2	**Streetwall Setback** *(refer to Map 6 of the LUB)*			
3.1.2a	Minimal to no Setback (0-1.5m): Corresponds to the traditional retail streets and business core of the downtown. Except at corners or where an entire block length is being redeveloped, new buildings should be consistent with the setback of the adjacent existing buildings.	•		
3.1.2b	Setbacks vary (0-4m): Corresponds to streets where setbacks are not consistent and often associated with non-commercial and residential uses or house-form building types. New buildings should provide a setback that is no greater or lesser than the adjacent existing buildings.			•
3.1.2c	Institutional and Parkfront Setbacks (4m+): Corresponds to the generous landscaped setbacks generally associated with civic landmarks and institutional uses. Similar setbacks designed as landscaped or hardscaped public amenity areas may be considered where new public uses or cultural attractions are proposed along any downtown street. Also	•		

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	corresponds to building frontages on key urban parks and squares where an opportunity exists to provide a broader sidewalk to enable special streetscape treatments and spill out activity such as sidewalk patios.			
3.1.3	**Streetwall Height** *(refer to Map 7 of the LUB)* To ensure a comfortable human-scaled street enclosure, streetwall height should generally be no less than 11 metres and generally no greater than a height proportional (1:1) to the width of the street as measured from building face to building face. Accordingly, maximum streetwall heights are defined and correspond to the varying widths of downtown streets B generally 15.5m, 17m or 18.5m. Consistent with the principle of creating strong edges to major public open spaces, a streetwall height of 21.5m is permitted around the perimeter of Cornwallis Park. Maximum Streetwall Heights are shown on Map 7 of the Land Use By-law.	•		
3.2	**Pedestrian Streetscapes**			
3.2.1	**Design of the Streetwall**			
3.2.1a	The streetwall should contribute to the fine grained character of the streetscape by articulating the façade in a vertical rhythm that is consistent with the prevailing character of narrow buildings and storefronts.	•		
3.2.1b	The streetwall should generally be built to occupy 100% of a property's frontage along streets.		•	
3.2.1c	Generally, streetwall heights should be proportional to the width of the right-of-way a 1:1 ratio between streetwall height and right of way width. Above the maximum streetwall height, further building heights are subject to upper storey stepbacks.	•		
3.2.1d	In areas of contiguous heritage resources, streetwall height should be consistent with heritage buildings.			•
3.2.1e	Streetwalls should be designed to have the highest possible material quality and detail.	•		
3.2.1f	Streetwalls should have many windows and doors to provide eyes on the street and a sense of animation and engagement.	•		
3.2.1g	Along pedestrian frontages at grade level, blank walls shall not be permitted, nor shall any mechanical or utility functions (vents, trash vestibules, propane vestibules, etc.) be permitted.	•		

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3.2.2	**Building Orientation and Placement**			
3.2.2a	All buildings should orient to, and be placed at, the street edge with clearly defined primary entry points that directly access the sidewalk.	•		
3.2.2b	Alternatively, buildings may be sited to define the edge of an on-site public open space, for example, plazas, promenades, or eroded building corners resulting in the creation of public space (see diagram at right). Such treatments are also appropriate for Prominent Visual Terminus sites identified on Map 9 of the Land Use By-law.	•		
3.2.2c	Sideyard setbacks are not permitted in the Central Blocks defined on Map 8 of the Land Use Bylaw, except where required for through-block pedestrian connections or vehicular access.			•
3.2.3	**Retail Uses**			
3.2.3a	All mandatory retail frontages (Map 3 of Land Use By-law) should have retail uses at-grade with a minimum 75% glazing to achieve maximum visual transparency and animation.			•
3.2.3b	Weather protection for pedestrians through the use of well-designed awnings and canopies is required along mandatory retail frontages (Map 3) and is strongly encouraged in all other areas.	•		
3.2.3c	Where retail uses are not currently viable, the grade-level condition should be designed to easily accommodate conversion to retail at a later date.			•
3.2.3d	Minimize the transition zone between retail and the public realm. Locate retail immediately adjacent to, and accessible from, the sidewalk.	•		
3.2.3e	Avoid deep columns or large building projections that hide retail display and signage from view.	•		
3.2.3f	Ensure retail entrances are located at or near grade. Avoid split level, raised or sunken retail entrances. Where a changing grade along a building frontage may result in exceedingly raised or sunken entries it may be necessary to step the elevation of the main floor slab to meet the grade changes.		•	
3.2.3g	Commercial signage should be well designed and of high material quality to add diversity and interest to retail streets, while not being overwhelming.			•

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3.2.4	**Residential Uses**			
3.2.4a	Individually accessed residential units (i.e. town homes) should have front doors on the street, with appropriate front yard privacy measures such as setbacks and landscaping. Front entrances and first floor slabs should be raised above grade level for privacy, and should be accessed through means such as steps, stoops and porches.			•
3.2.4b	Residential units accessed by a common entrance and lobby may have the entrance and lobby elevated or located at grade-level, and the entrance should be clearly recognizable from the exterior through appropriate architectural treatment.	•		
3.2.4c	Projects that feature a combination of individually accessed units in the building base with common entrance or lobby-accessed units in the upper building, are encouraged.			•
3.2.4d	Units with multiple bedrooms (2 and 3 bedroom units) should be provided that have immediately accessible outdoor amenity space. The amenity space may be at-grade or on the landscaped roof of a podium.	•		
3.2.4e	Units provided to meet housing affordability requirements shall be uniformly distributed throughout the development and shall be visually indistinguishable from market-rate units through the use of identical levels of design and material quality.	•		
3.2.4f	Residential uses introduced adjacent to pre-existing or concurrently developed eating and drinking establishments should incorporate acoustic dampening building materials to mitigate unwanted sound transmission.			•
3.2.5	**Sloping Conditions**			
3.2.5a	Maintain active uses at-grade, related to the sidewalk, stepping with the slope. Avoid levels that are distant from grade.	•		
3.2.5b	Provide a high quality architectural expression along facades. Consider additional detailing, ornamentation or public art to enhance the experience.	•		
3.2.5c	Provide windows, doors and other design articulation along facades; blank walls are not permitted.	•		
3.2.5d	Articulate the façade to express internal floor or ceiling lines; blank walls are not permitted.	•		
3.2.5e	Wrap retail display windows a minimum of 4.5 metres around the corner along sloping streets, where retail is	•		

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	present on the sloping street.			
3.2.5f	Wherever possible, provide pedestrian entrances on sloping streets. If buildings are fully accessible at other entrances, consider small flights of steps or ramps up or down internally to facilitate entrances on the slope.		•	
3.2.5g	Flexibility in streetwall heights is required in order to transition from facades at a lower elevations to facades at higher elevations on the intersecting streets. Vertical corner elements (corner towers) can facilitate such transitions, as can offset or broken cornice lines at the top of streetwalls on sloping streets.		•	
3.2.6	**Elevated Pedestrian Walkways** *(not applicable)*			
3.2.7	**Other Uses** *(not applicable)*			
3.3	**Building Design**			
3.3.1	**Building Articulation**			
3.3.1a	To encourage continuity in the streetscape and to ensure vertical breaks in the façade, buildings shall be designed to reinforce the following key elements through the use of setbacks, extrusions, textures, materials, detailing, etc.: • **Base:** Within the first four storeys, a base should be clearly defined and positively contribute to the quality of the pedestrian environment through animation, transparency, articulation and material quality. • **Middle:** The body of the building above the base should contribute to the physical and visual quality of the overall streetscape. • **Top:** The roof condition should be distinguished from the rest of the building and designed to contribute to the visual quality of the skyline.	•		
3.3.1b	Buildings should seek to contribute to a mix and variety of high quality architecture while remaining respectful of downtown's context and tradition.	•		
3.3.1c	To provide architectural variety and visual interest, other opportunities to articulate the massing should be encouraged, including vertical and horizontal recesses or projections, datum lines, and changes in material, texture or colour.	•		
3.3.1d	Street facing facades should have the highest design quality; however, all publicly viewed facades at the side and rear should have a consistent design expression.	•		

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3.3.2	**Materials**			
3.3.2a	Building materials should be chosen for their functional and aesthetic quality, and exterior finishes should exhibit quality of workmanship, sustainability and ease of maintenance.	•		
3.3.2b	Too varied a range of building materials is discouraged in favour of achieving a unified building image.	•		
3.3.2c	Materials used for the front façade should be carried around the building where any facades are exposed to public view at the side or rear.	•		
3.3.2d	Changes in material should generally not occur at building corners.	•		
3.3.2e	Building materials recommended for new construction include brick, stone, wood, glass, in-situ concrete and pre-cast concrete.	•		
3.3.2f	In general, the appearance of building materials should be true to their nature and should not mimic other materials.	•		
3.3.2g	Stucco and stucco-like finishes shall not be used as a principle exterior wall material.	•		
3.3.2h	Vinyl siding, plastic, plywood, concrete block, EIFS (exterior insulation and finish systems where stucco is applied to rigid insulation), and metal siding utilizing exposed fasteners are prohibited.	•		
3.3.2i	Darkly tinted or mirrored glass is prohibited. Clear glass is preferable to light tints. Glare reduction coatings are preferred.	•		
3.3.2j	Unpainted or unstained wood, including pressure treated wood, is prohibited as a building material for permanent decks, balconies, patios, verandas, porches, railings and other similar architectural embellishments, except that this guidelines shall not apply to seasonal sidewalk cafes.	•		
3.3.3	**Entrances**			
3.3.3a	Emphasize entrances with such architectural expressions as height, massing, projection, shadow, punctuation, change in roof line, change in materials, etc.	•		
3.3.3b	Ensure main building entrances are covered with a canopy, awning, recess or similar device to provide pedestrian weather protection.	•		
3.3.3c	Modest exceptions to setback and stepback requirements are possible to achieve these goals.	•		

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3.3.4	**Roof Line and Roofscapes**			
3.3.4a	Buildings above six storeys (mid and high-rise) contribute more to the skyline of individual precincts and the entire downtown, so their roof massing and profile must include sculpting, towers, night lighting or other unique features.	•		
3.3.4b	The expression of the building top (see previous) and roof, while clearly distinguished from the building middle, should incorporate elements of the middle and base such as pilasters, materials, massing forms or datum lines.	•		
3.3.4c	Landscaping treatment of all flat rooftops is required. Special attention shall be given to landscaping rooftops in precincts 3, 5, 6 and 9, which abut Citadel Hill and are therefore pre-eminently visible. The incorporation of living Agreen roofs@ is strongly encouraged.	•		
3.3.4d	Ensure all rooftop mechanical equipment is screened from view by integrating it into the architectural design of the building and the expression of the building top. Mechanical rooms and elevator and stairway head-houses should be incorporated into a single well-designed roof top structure. Sculptural and architectural elements are encouraged to add visual interest.	•		
3.3.4e	Low-rise flat roofed buildings should provide screened mechanical equipment. Screening materials should be consistent with the main building design. Sculptural and architectural elements are encouraged for visual interest as the roofs of such structures have very high visibility.			•
3.3.4f	The street-side design treatment of a parapet should be carried over to the back-side of the parapet for a complete, finished look where they will be visible from other buildings and other high vantage points.	•		
3.4	**Civic Character** *(not applicable)*			
3.5	**Parking Services and Utilities**			
3.5.1	**Vehicular Access, Circulation, Loading and Utilities**			
3.5.1a	Locate parking underground or internal to the building (preferred), or to the rear of buildings.	•		
3.5.1b	Ensure vehicular and service access has a minimal impact on the streetscape, by minimizing the width of the frontage it occupies, and by designing integrated access portals and garages.		•	
3.5.1c	Locate loading, storage, utilities, areas for delivery and trash pick-up out of view from public streets and spaces, and residential uses.	•		

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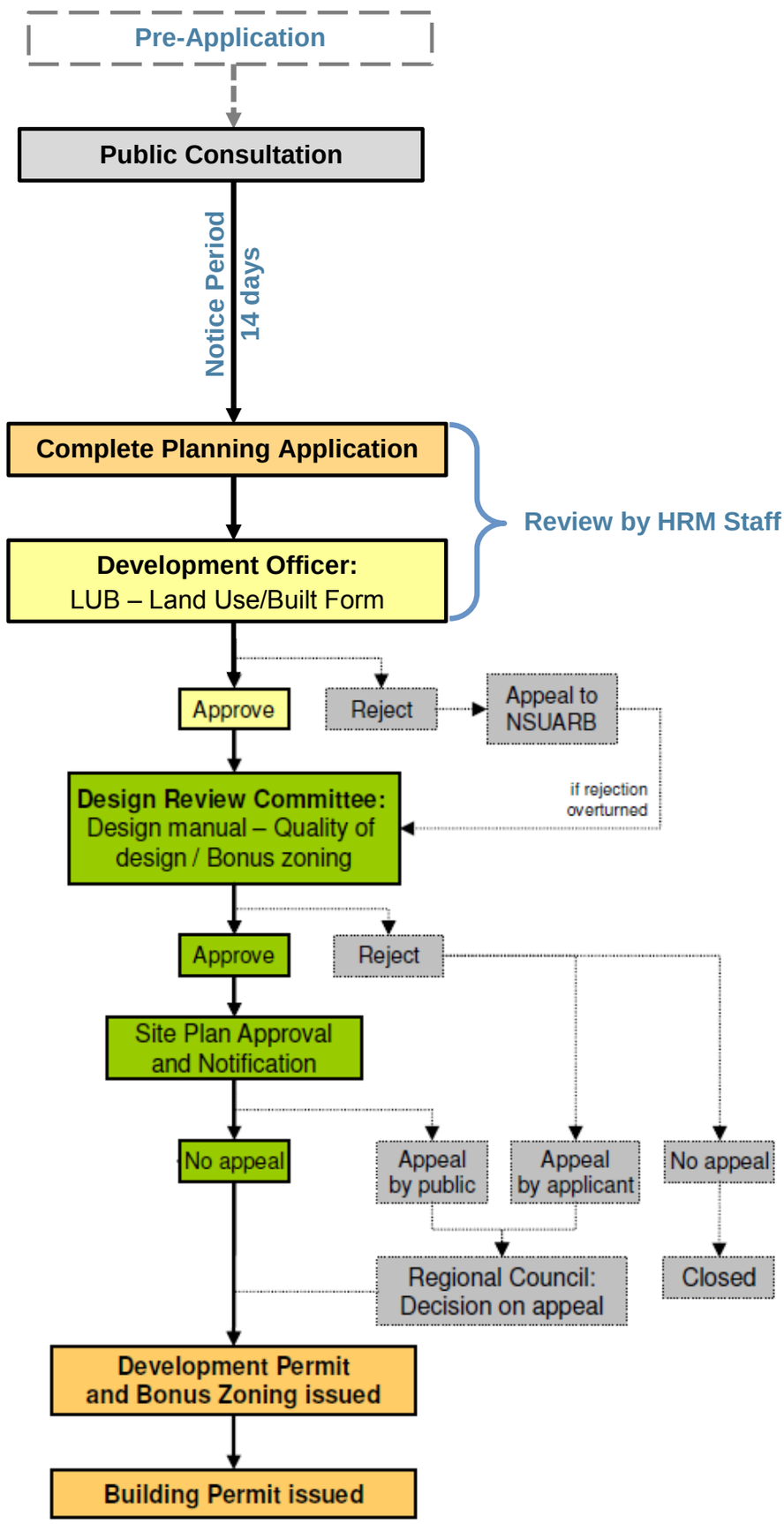
3.5.1d	Where access and service areas must be visible from or shared with public space, provide high quality materials and features that can include continuous paving treatments, landscaping and well-designed doors and entries.			•
3.5.1e	Coordinate and integrate utilities, mechanical equipment and meters with the design of the building, for example, using consolidated rooftop structures or internal utility rooms.	•		
3.5.1f	Locate heating, venting and air conditioning vents away from public streets. Locate utility hook-ups and equipment (i.e. gas meters) away from public streets and to the sides and rear of buildings, or in underground vaults.	•		
3.5.2	**Parking Structures**			
3.5.2a	Where multi-storey parking facilities are to be integrated into new developments they should be visually obscured from abutting streets by wrapping them with ‘sleeves’ of active uses.			•
3.5.2b	Animated at-grade uses should occupy the street frontage, predominantly retail, with 75% transparency.			•
3.5.2c	At-grade parking access and servicing access to retail stores should be provided to the rear and concealed from the street.		•	
3.5.2d	Provide articulated bays in the façade to create fine-grained storefront appearance.	•		
3.5.2e	Provide pedestrian amenities such as awnings, canopies, and sheltered entries.	•		
3.5.2f	Provide façade treatment that conceals the parking levels and that gives the visual appearance of a multi-storey building articulated with ‘window’ openings.			•
3.5.2g	Design of parking structures such that they can be repurposed to other uses (i.e. level floor slabs) is encouraged.			•
3.5.2h	Provide cap treatment (at roof or cornice line) that disguises views of rooftop parking and mechanical equipment.			•
3.5.2i	Utilize high quality materials that are compatible with existing downtown buildings.	•		
3.5.2j	Locate pedestrian access to parking at street edges, with direct access. Ensure stairs to parking levels are highly visible from the street on all levels.	•		
3.5.2k	Ensure all interior and exterior spaces are well lit, inclusive	•		

Attachment E – Design Manual Checklist – Case 20227				
Section	**Guideline**	**Complies**	**Discussion**	**N/A**
	of parking areas, vehicular circulation aisles, ramps, pedestrian accesses, and all entrances.			
3.5.2l	Maintain continuous public access to parking at all hours and in all seasons.		•	
3.5.2m	Minimize the width and height of vehicular access points to the greatest practical extent.	•		
3.5.2n	Provide clear sightlines for vehicles and pedestrians at sidewalks, by setting back columns and walls, and providing durable low-maintenance mirrors.	•		
3.5.2o	Bicycle parking must be provided in visible at-grade locations, and be weather-protected.		•	
3.5.3	**Surface Parking** *(not applicable)*			
3.5.4	**Lighting**			
3.5.4a	Attractive landscape and architectural features can be highlighted with spot-lighting or general lighting placement.	•		
3.5.4b	Consider a variety of lighting opportunities inclusive of street lighting, pedestrian lighting, building up- or down-lighting, internal building lighting, internal and external signage illumination (including street addressing), and decorative or display lighting.	•		
3.5.4c	Illuminate landmark buildings and elements, such as towers or distinctive roof profiles.			•
3.5.4d	Encourage subtle night-lighting of retail display windows.	•		
3.5.4e	Ensure there is no light trespass onto adjacent residential areas by the use of shielded Afull cutoff fixtures.	•		
3.5.4f	Lighting shall not create glare for pedestrians or motorists by presenting unshielded lighting elements in view.	•		
3.5.5	**Signs -** *(not applicable - Subject to Non-Substantive Site Plan Approval by the Development Officer)*			
3.6	**Site Plan Variance**			
3.6.4	**Streetwall Width Variance:** Streetwall widths may be varied by Site Plan Approval where:			
3.6.4a	the streetwall width is consistent with the objectives and guidelines of the Design Manual; and		•	
3.6.4b	the resulting gap in the streetwall has a clear purpose, is well-designed and makes a positive contribution to the streetscape.		•	

HALIFAX
Halifax, Nova Scotia
Canada B3J 3A5

Downtown Halifax Site Plan Approval Process

Substantive Applications



Halifax Regional Municipality
Municipal Clerk
PO Box 1749
Halifax, Nova Scotia
Canada B3J 3A5

Dear Municipal Clerk,

This is a formal notice of opposing and appealing the approval of case 20227 Margaretta development by:

Mrs. C. Lillian Breckenridge [redacted] Clyde St.), Ms. Patricia Cassels and Ms. Teresa Cassels [redacted] Clyde St.) as well as HCCC#122 which is a 14 unit condo building at [redacted] Dresden Row), Halifax, Nova Scotia as homeowners and residents of these addresses, we are opposed to the Halifax Regional Municipality and the Design Review Committee approving the Margaretta development. Our concerns are varied and we believe this development will have far reaching effect on our neighbourhood as well as our home.

The overall mass and architecture of the building is not in keeping with this historic urban form/grain of Schmidtville. There are no setbacks for Birmingham Street or Dresden Row. This area will be dwarfed by the structure and will have lost both connectivity and human scale. Up until the 1960's, this land space contained family dwelling and shops that are part of the original Schmidtville lands. This seems to be forgotten in the discussion surrounding the building site and design.

The wind impact study cited in the documentation does not take into account the changes to the street and local area by the Mary Ann site building nor the new building at the corner of Spring Garden Road and Birmingham Street which now houses the bank of Montreal. The wind strength in the area has been altered by new construction. These changes are currently felt along Clyde Street from Queen Street to Brenton Street. The addition of the new Halifax library on Queen Street as well as the vacant lot which connects to the Dalhousie university residence, factor into the shift in wind strength in the local area. Given these changes in the community landscape, the Margaretta development will certainly alter the wind force in Schmidtville. Given the current wind related conditions at the corner of South Park Street and Brenton Place, further information is necessary in order to judge the wind factors related to this specific development. It is concerning that Clyde St. will become a wind tunnel.

The plan for the site provided in the graphic renderings appears to be devoid of on-street parking or parking meters and boasts 260 new parking spaces. The plan also speaks about the existing parking supply but may have missed the requirements of homeowners in the area who have no driveways, parking spaces or direct access to their homes. If this on-street parking on Clyde Street were to disappear, as it has in the visuals in the submission, numerous residents and homeowners would be denied access to their homes. In addition to the issues surrounding parking, the plan shows an absence of overhead electrical wiring. Are we to presume that this too

was merely an artist's rendering error or does it have other implications? Furthermore, the building plans discuss the pedestrianization of Clyde St. and the Margaretta being landscaped with permeant sidewalk benches. We are opposed to these benches on grounds of security and sidewalk traffic flow. In a recent poll done for the Heritage Conservation District for Schmidtville showed that benches are not desired. In regards to security it is to be noted that on numerous occasions both homeowners have found beer bottles and other items left outside their doorstep. Permanent benches will only encourage negative activity in the evening and block a clear path for disabled pedestrians.

Further concern is the lack of consideration during construction on residents' livability. The construction of the Mary Ann has dragged on for many more years then first announced and contrary to the Margaretta plan questionnaire is months away from completion. The noise and air pollution caused by construction has had negative effects to us and our property. The dust from the Mary Ann construction has covered our homes and damaged our vehicles. Therefore, dust and construction needs to be better managed so as not to encumber the homeowners. How long will the Margaretta take to complete and how will we be compensated? There should be a time restriction on construction. Also, the noise pollution in being so close to the construction site is high. The building of the Mary Ann has led to many pre – 7A.M. awakenings and late nights with no advisement.

We are concerned about the implications of this development on our home and community and seek the opportunity to have our concerns heard.

Regards,

Mrs. C. Lillian Breckenridge
[redacted] Clyde St.
Halifax, NS
[redacted]

Ms. Patricia Cassels and Ms. Teresa Cassels
[redacted] Clyde St.
Halifax, NS
[redacted]

HCCC#122
[redacted] Dresden Row
Halifax, NS, [redacted]

HALIFAX

DESIGN REVIEW COMMITTEE
MEETING MINUTES
December 10, 2015

PRESENT:	Kourosh Rad, Chair Steve Murphy, Vice Chair Catherine Courtney Kevin Conley Rob LeBlanc Malcolm Pinto Anna Sampson
REGRETS:	Rick Buhr Jared Dalziel Noel Fowler
STAFF:	Dali Salih, Planner Karen Brown, Solicitor Sherryll Murphy, Deputy Clerk Cailin MacDonald, Legislative Support

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to the Committee are available online: http://www.halifax.ca/boardscom/drc/151210DRCAgenda.php

The meeting was called to order at 4:05 p.m. and adjourned at 5:10 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 4:05 p.m.

2. APPROVAL OF MINUTES – November 12, 2015

Mr. Murphy noted a correction to the November 12, 2015 minutes, stating that Mr. Lemoine served on the Committee for two years rather than four.

MOVED by Mr. Murphy seconded by Mr. LeBlanc

THAT the minutes of November 12, 2015 be approved as amended. MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The Chair commented that he would like to discuss the inclusion of applicants during staff report presentations.

MOVED by the Chair seconded by Mr. LeBlanc

THAT the agenda for December 10, 2015 be approved as amended. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CONSIDERATION OF DEFERRED BUSINESS – NONE

6. CORRESPONDENCE, PETITIONS & DELEGATIONS

6.1 Correspondence

6.1.1 Various Correspondence regarding Case 20126 (Oct. 8, 2014 Agenda) and the Preliminary Presentation Redevelopment of the Block Bounded by Spring Garden Road, Doyle, Brunswick, and Queen Streets, Halifax (Nov. 12, 2014 Agenda)

Emails from Janet Khattar, Geralynn Hirsch, Margaret Kowalski, Deborah Vandewater, Sophie Nemeth, Rosalind Belitsky, Hamzeh Afani, Andrea Arbic and William Breckenridge regarding Case 20126, as well as emails from Peggy Cameron, Steve Parcell on behalf of Willow Tree Group, Barbara Darby, Marlene Melanson, Sara MacColloch, Colleen Ashworth, Sam Fraser, Sara Campbell, Joseph Gnemmi, Meghan Marentette, David Greenberg, Mahta Safavi, Avon Brophy, Pam Cooley, Dorothy Haley, Tom and Marilyn White, Brenda Conroy, Mary McDaid, David Cullen and Beth Abbott regarding the redevelopment of the block bounded by Spring Garden Road, Doyle, Brunswick and Queen Streets were distributed to the Committee.

The Chair asked whether the committee had questions or comments. Mr. LeBlanc noted that a significant amount of correspondence cited concerns related to regulations set forth by the municipality and are outside of the Committee's mandate. The Committee briefly discussed with staff their role in acknowledging and responding to correspondence.

The correspondence was noted as being received by the Committee.

6.2 Petitions

6.3 Presentation

7. REPORTS

7. 1 STAFF

7.1.1 Case 20227: Substantive Site Plan Approval – Mixed-use Development at 1447 Dresden Row, Halifax

The Chair opted to first discuss item 8.1 while the Committee waited for additional members to arrive.

The following was before the Committee:

- A staff recommendation report dated November 26, 2015.

Mr. Pinto and Mr. LeBlanc each declared a conflict of interest and took seats in the gallery.

The Chair declared a 15 minute recess for the Committee to wait for additional members to arrive.

Ms. Sampson arrived at approximately 4:25 p.m.

The meeting resumed and the Chair invited Ms. Dali Salih, Planner, to present Case 20227: Substantive Site Plan Approval – Mixed-use Development at 1447 Dresden Row, Halifax.

Ms. Salih shared that the proposed application, received from WM Fares Group Architects on behalf of Clyde Street Developments Ltd., is for the development of a 9-storey mixed-use development at 1447 Dresden Row, Halifax, known as the “Margaretta” site. She noted that the Committee must consider the application relative to the Design Manual within the Downtown Halifax Land Use By-law (LUB).

Ms. Salih further described the site’s existing context. She remarked that the site is approximately 3,968 square metres in area and has been used as a commercial parking lot for approximately four decades. She shared that it is one of two former HRM-owned parking lots on Clyde Street that were the subject of a Request for Proposal and sold in 2011.

Ms. Salih shared that the site is one of three development parcels that have been branded as the “Sister Sites” in reference to the three daughters of the Schmidt family, who lived in the Schmidtville neighbourhood. She continued by stating that the “Mary Ann” site is located at the adjacent block, bounded by Queen, Clyde and Birmingham Streets, and is currently under construction, and that the third site, the “Rosina”, is located on Queen Street (the site of the former Halifax Infirmary hospital) and remains undeveloped.

Ms. Salih went on to note that the proposed “Margaretta” site will be commercial at grade with 8 storeys of multi-unit residential above along with three levels of underground parking consisting of 260 spaces for public and private use.

Ms. Salih showed the Committee aerial views of the site and noted that surrounding the site there are commercial uses along Spring Garden Road to the north as well as the Halifax Central Library, and a 9-storey mixed use building (the “Mary Ann”) to the east. She went on to note that there are medium density residential uses to the south and a mixture of residential and commercial uses to the west.

Ms. Salih shared that the site falls within the DH1 zone and presented a rendering provided by the developer showing the different materials and facades. She continued by reviewing the proposed varying elevations with the Committee.

Ms. Salih described the areas for discussion as outlined in the staff report. In reference to the proposed sloping conditions, she noted that the Design Manual indicates that split level or sunken retail entrances should be avoided. She remarked that it also stipulates that pedestrian entrances on sloping streets

should be provided where possible. Ms. Salih shared that in this case, a sloping condition exists along the Dresden Row and Birmingham Street frontages. She continued that in response, the applicant is proposing that the ground-floor retail entrances along those streets be located at the same grade level as the abutting section of sidewalk while a landing and ramp/lift will be provided inside the building. As well, she noted that the proposed height of the ground floor will stay at 5.2 metres and that the proposed scenario meets the intent of Design Manual.

In reference to access to the site, Ms. Salih shared that the Design Manual calls for visual impacts in parking and service areas to be minimized. She continued by stating that the entrance to the underground parking would be along Birmingham Street and that there would be a loading bay along Dresden Row. Ms. Salih concluded that given these entrances were relatively concealed the intent of the Design Manual has been met.

Further to the discussion points, Ms. Salih commented that while Clyde Street has not yet been designated a pedestrian-oriented street, the Design Manual calls for it to evolve into one. She then presented renderings of the proposed installation of landscaping along Clyde Street and commented that these improvements promote linkages between the Halifax Central Library and Victoria Park.

In reference to parking, Ms. Salih indicated that the Design Manual and Land Use By-law require that a minimum of 210 parking spaces be retained for public use in both the Mary Ann and Margaretta sites in addition to any parking required for private use. As well, she shared that the applicant is proposing to go beyond the pre-bonus height of 22 metres to a maximum height of 28 metres, and therefore will be required to provide a public benefit. In this case, Ms. Salih noted that the applicant is proposing 104 spaces be dedicated for public parking and that a contribution of 9 spaces satisfy the post-bonus height public benefit. She shared that the post-bonus height value is calculated as greater or equal to $4.68 per .1 square metres, as derived from the Nova Scotia Consumer Price Index, of habitable space that exceeds the 22 metres.

Ms. Salih remarked that the Margaretta site includes 3 levels of underground parking with a total of 260 parking spaces dedicated to private and public parking. She continued by stating that Levels P1 and P2 include 104 spaces dedicated for public parking with 96 spaces going towards meeting the LUB total requirement, and 9 spaces, at $25,000 per space, to satisfy the post-bonus height public benefit. Ms. Salih further commented that the value of the post-bonus height public benefit for this proposal will be a total of $214,625.

Ms. Salih reviewed the variance request along Clyde Street for the streetwall width being sought by the applicant. She continued by sharing that according to the LUB the streetwall shall extend the full width of a lot abutting a streetwall and noted that the Design Manual calls for the streetwall to occupy 100 per cent of the property's frontage along streets.

Ms. Salih continued by noting that the By-law allows for some flexibility, citing that the streetwall may be reduced to no less than 80 per cent of the width of a lot abutting a streetline, provided that the streetwall is continuous. She shared that the proposed design of the Clyde Street façade includes a gap in the streetwall that is measured at 32 per cent and that it does not comply with the LUB, although noted that the Design Manual allows for a variance to the Streetwall Width subject to meeting certain conditions. Ms. Salih noted that the proposed design is designed in the form of a landscaped open space with a landscaped courtyard which is engaging and inviting to the pedestrian streetscape. She showed renderings of the proposed design and commented that the gap in the streetwall is well designed with a clear purpose, makes a positive contribution to the streetscape and is consistent with the intent of the Design Manual.

Ms. Salih outlined that it is recommended that the Design Review Committee:

1. Approve the qualitative elements of the substantive site plan approval application for the mixed-use development on the "Margaretta" site bounded by Dresden Row, Clyde Street and Birmingham Street, Halifax, as shown on Attachment A of the November 26, 2015 staff report;

2. Approve the requested variance to the Streetwall Width, as shown on Attachment B of the November 26, 2015 staff report;
3. Accept the findings of the Qualitative Wind Impact Assessment as contained in Attachment D; and
4. Recommend that the Development Officer accept, as the Post-Bonus Height Public Benefit for the development, the provision of public parking facilities.

A copy of the presentation is on file.

The Chair thanked Ms. Salih for her presentation and opened the floor to questions and comments from the Committee.

Mr. Murphy asked for clarification on the value of the post-bonus height value of $4.68 per .1 square metres. Ms. Salih responded that the value is derived from the province's Consumer Price Index and that it is figure which is set year over year. Ms. Salih went on to say that the value of the post-bonus height public benefit is calculated by the amount of habitable space that exceeds the 22 metres and that this area is then multiplied by $4.68.

The Chair asked for clarification on the value of the public benefit to be provided by the developer and whether staff is asking the Committee to accept this as the post-bonus height public benefit. Ms. Salih clarified that this value would be greater or equal to $214,625 and that the developer is proposing 9 public parking spaces at a value of $225,000 and that staff is recommending the Committee accept this provision.

Mr. Murphy asked whether the municipality would receive the revenue from public parking spaces. Ms. Salih believed that this revenue would be connected to municipal facilities.

Mr. Murphy inquired whether there was a requirement for the developer to complete a traffic assessment. Ms. Salih responded that this was a requirement and was provided as part of the application. She continued that its findings were reviewed by development and engineering, and deemed acceptable.

Mr. Murphy asked how far setback the proposed mechanical vent is on Birmingham Street. Ms. Salih responded that along Birmingham Street and Dresden Row the setback is 1.5 metres. Mr. Murphy noted that the vent appeared close to the street and he recalled that the Design Manual recommended that these vents not occur at or close to street level. Ms. Salih noted that this area is connected to the loading bay and clarified that this area is not located along the street.

The Chair asked Mr. Roberto Menendez of WM Fares Architects to clarify the public and private access to the building. Mr. Menendez responded that there would be separate elevators with access to the public parking levels and that there are three entrances proposed on Clyde Street.

Mr. Conley noted that on the Clyde Street side of the development it appeared that many of the amenities are located on public space and asked whether there were concerns from a staff perspective. Ms. Salih responded that the proposed area is within the 5 metre setback and therefore is not within HRM's right of way. Mr. Conley commented that some of amenities appear split between the developers' and public property. Ms. Salih commented that later on during the building permit stage, plans would need to be submitted by the developer to be approved by development and engineering which would clarify this appearance. Mr. Conley expressed his concerns with whether or not the renderings accurately reflected the finished streetscape. Ms. Salih shared that all of the plans and renderings included in the staff report the applicant will need to comply with.

Mr. Menendez shared that the rendering is a reflection of what is planned. Ms. Sampson remarked that she understands that while this may be the developer's intent, it will require coordination with HRM. Mr. Menendez shared that at the public consultation session a member of the public was concerned about homelessness in the area and the proposed design of the benches at ground level, and commented that the plans may change to address their concerns.

The Chair asked whether the Committee had any further questions and hearing none, he opened the floor to debate.

MOVED by Mr. Murphy, seconded by Ms. Sampson

THAT the Design Review Committee:

1. **Approve the qualitative elements of the substantive site plan approval application for the mixed-use development on the "Margaretta" site bounded by Dresden Row, Clyde Street and Birmingham Street, Halifax, as shown on Attachment A;**
2. **Approve the requested variance to the Streetwall Width, as shown on Attachment B;**
3. **Accept the findings of the Qualitative Wind Impact Assessment as contained in Attachment D; and**
4. **Recommend that the Development Officer accept, as the Post-Bonus Height Public Benefit for the development, the provision of public parking facilities.**

Mr. Murphy commented that while he liked the design, he was concerned that 9 parking spaces are being proposed as the public benefit for the development. The Chair echoed Mr. Murphy's concerns and shared that he also appreciated the building's design. Ms. Sampson agreed with the concerns regarding the 9 parking spaces. Ms. Salih remarked that parking facilities are included in the list of acceptable public benefits and commented that this list is currently being reviewed as part of the Downtown Halifax Five Year Review.

Ms. Brown clarified that the Committee may choose not to recommend the provision of public parking facilities to the Development Officer and shared that the final decision of whether to accept the public benefit that is being proposed would be up to the Development Officer.

Ms. Sampson commented that she believes that the proposed gap does improve the streetscape.

Mr. Murphy commented on the materiality of the underground parking and service entrances, suggesting that the Committee may wish to see these made of a translucent material and asked for clarification on what material is being proposed by the applicant. Ms. Salih clarified that the proposed material does not appear to be translucent and shared that the Committee may wish to include this as a condition of the approval.

The Chair commented that he disagrees with the views expressed at the public consultation session regarding homelessness and the benches at the ground level, sharing that he would like to see them be maintained. Mr. Conley and Ms. Sampson echoed the Chair's comments, and Ms. Sampson further clarified so long as the proposed benches do not implicate traffic flow and safety.

Mr. Conley commented that the orientation of the Margaretta site seemed to be a better than that of its sister site given the courtyard is south facing.

Mr. Murphy asked whether the Committee would like to consider an opportunity for public art as the public benefit as opposed to the 9 parking spaces being proposed. Ms. Sampson agreed with Mr. Murphy's comment, citing the rationale that it is a pedestrian-friendly street.

The Chair called for a split vote dealing first with recommendations 1, 2, and 3 and then recommendation 4:

MOVED by Mr. Murphy seconded by Ms. Sampson

THAT the Design Review Committee:

1. **Approve the qualitative elements of the substantive site plan approval application for the mixed-use development on the "Margaretta" site bounded by Dresden Row, Clyde Street**

and Birmingham Street, Halifax, as shown on Attachment A of the November 26, 2015 staff report with the following conditions:

- **That the Applicant make the service entrance as well as the underground parking entrance of a translucent material; and**
- **That the Applicant maintains the benches in the streetscape as presented in the application, Building Rendering 3 – Sidewalk, provided there are no implications with traffic flow and safety.**

2. **Approve the requested variance to the Streetwall Width, as shown on Attachment B of the November 26, 2015 staff report; and**
3. **Accept the findings of the Qualitative Wind Impact Assessment as contained in Attachment D of the November 26, 2015 staff report.**

MOTION PUT AND PASSED.

4. **Recommend that the Development Officer accept, as the Post-Bonus Height Public Benefit for the development, the provision of public parking facilities.**

MOTION PUT AND DEFEATED.

MOVED by Ms. Sampson, seconded by Mr. Murphy

THAT the Development Officer accept, as the Post-Bonus Height Public Benefit for the development, the provision of public art. MOTION PUT AND PASSED.

The Motion now reads:

THAT the Design Review Committee:

1. **Approve the qualitative elements of the substantive site plan approval application for the mixed-use development on the "Margaretta" site bounded by Dresden Row, Clyde Street and Birmingham Street, Halifax, as shown on Attachment A; with the following conditions:**
    - **That the Applicant make the service entrance as well as the underground parking entrance of a translucent material; and**
    - **That the Applicant maintains the benches in the streetscape as presented in the application, Building Rendering 3 – Sidewalk, provided there are no implications with traffic flow and safety.**
2. **Approve the requested variance to the Streetwall Width, as shown on Attachment B;**
3. **Accept the findings of the Qualitative Wind Impact Assessment as contained in Attachment D.**
4. **Recommend that the Development Officer accept, as the Post-Bonus Height Public Benefit for the development, the provision of public art.**

7.1.2 2016 Meeting Schedule

MOVED by Mr. Pinto, seconded by Mr. LeBlanc

THAT the 2016 Meeting Schedule be accepted as presented. MOTION PUT AND PASSED.

7.2 COMMITTEE MEMBERS

8. ADDED ITEMS

8.1 Preliminary discussion regarding the inclusion of applicants in the process at the approval stage.

The Chair reviewed the current process and shared that he would like to see applicants be included as part of the staff presentation. He continued that while the applicant presents to the Committee during the

preliminary application phase of the development, he acknowledged that there is a role for the applicant to play in these discussions and believed that the applicant should present again along with staff. The Chair invited the Committee to share their comments.

Mr. Pinto commented that this would also be an opportunity to ask questions as well. He continued that he would appreciate knowing the rationale of why Committee's recommendations from the pre-application phase may not have been accommodated in the final design.

The Chair shared that in discussion with Ms. Sherryll Murphy, it was decided to ask staff to review this item and have the Committee re-look at it in January.

The Chair suggested that a copy of the previous minutes from the preliminary presentation be included in the agenda package as a reference item for the Committee. The Committee concurred with this suggestion.

Ms. Karen Brown, Solicitor, agreed that it was a good idea to discuss this topic further in January and that staff will come prepared to provide guidance to the Committee on this matter. She also noted that this is not a public hearing session and that the previous Committee decided to incorporate a pre-application stage to better understand the development proposal. Ms. Brown continued by sharing that there needed to be caution around having the developer come into speak without allowing representation from the public which has been part of past processes. She shared that the process of this Committee is a different legislative process than a public hearing and that staff will be prepared to provide guidance on the process and a staff recommendation in January.

9. DATE OF NEXT MEETING – January 14, 2015 beginning at 4:00 p.m.

10. ADJOURNMENT

The meeting adjourned at 5:10p.m.

Cailin MacDonald
Legislative Support