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**Item No. 13.2.2**  
**Halifax and West Community Council**  
**June 11, 2019**

**TO:** Chair and Members of Halifax and West Community Council

**-Original Signed-**

**SUBMITTED BY:** \_\_\_\_\_  
For Jenny Lugar, Chair, Heritage Advisory Committee

**DATE:** June 6, 2019

**SUBJECT:** **Case 20218: Amendments to the Halifax Municipal Planning Strategy and Land Use By-law for Halifax Peninsula for lands fronting Spring Garden Road, Robie Street and Carlton Street, Halifax**

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**ORIGIN**

- Application by Dixel Developments Limited to enable a high-density mixed-use development at lands fronting Spring Garden Road, Robie Street and Carlton Street.
- Motion from the June 5, 2019 meeting of the Heritage Advisory Committee, Item 9.3.

**LEGISLATIVE AUTHORITY**

HRM By-law No. H-200 - Heritage Property By-law:

4. The [Heritage Advisory] Committee shall, within the time limits prescribed by Council or the [Heritage Property] Act, advise the Region respecting:  
.....  
(h) applications for heritage agreement, development agreements or amendments to a Land Use Bylaw which may affect a registered heritage property or amendments to a Municipal Planning Strategy affecting heritage policies;

**RECOMMENDATION**

It is recommended that Halifax and West Community Council recommend that Halifax Regional Council:

1. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy and Land Use By-law for Halifax Peninsula, as set out in Attachments A and B of the staff report dated May 24, 2019, to permit by development agreement, a mixed-use development on lands fronting Spring Garden Road, Robie Street and Carlton Street, Halifax, and schedule a public hearing; and
2. Adopt the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law, as set out in Attachments A and B of the staff report dated May 24, 2019.

## **BACKGROUND**

The Heritage Advisory Committee received a staff recommendation report dated May 24, 2019, and a staff presentation on Case 20218, at their June 5, 2019 meeting

For further information on the background of this item, refer to the staff report dated May 24, 2019 (Attachment 1).

## **DISCUSSION**

The Heritage Advisory Committee considered the May 24, 2019 staff report at their June 5, 2019 meeting. Following a discussion with members and staff, the Committee approved a motion to forward the recommendation to Halifax and West Community Council, as outlined in the 'Recommendation' section of this report.

For further information, please refer to the staff report dated May 24, 2019 (Attachment 1).

## **FINANCIAL IMPLICATIONS**

Refer to the May 24, 2019 staff report (Attachment 1) for information on financial implications.

## **RISK CONSIDERATION**

Refer to the May 24, 2019 staff report (Attachment 1) for information on risk consideration.

## **COMMUNITY ENGAGEMENT**

Meetings of the Heritage Advisory Committee are open to the public. The agenda, reports, and minutes of the Committee are posted online at Halifax.ca.

For further information on Community Engagement as it relates to Case 20218, refer to the staff report dated May 24, 2019 (Attachment 1)

## **ENVIRONMENTAL IMPLICATIONS**

None identified.

## **ALTERNATIVES**

The Committee did not provide alternatives.

Refer to the May 24, 2019 staff report (Attachment 1) for further information on alternatives.

## **ATTACHMENTS**

**Attachment 1** – Staff recommendation report dated May 24, 2019

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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.

Report Prepared by: David Perusse, Legislative Assistant, Office of the Municipal Clerk 902-490-6732

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P.O. Box 1749  
Halifax, Nova Scotia  
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**Item No. 9.3**  
**Heritage Advisory Committee**  
**June 5, 2019**

**TO:** Chair and Members of Heritage Advisory Committee

**-Original Signed-**

**SUBMITTED BY:**

\_\_\_\_\_  
Kelly Denty, Director of Planning and Development

**-Original Signed-**

\_\_\_\_\_  
Jacques Dubé, Chief Administrative Officer

**DATE:** May 24, 2019

**SUBJECT:** **Case 20218: Amendments to the Halifax Municipal Planning Strategy and Land Use By-law for Halifax Peninsula for lands fronting Spring Garden Road, Robie Street and Carlton Street, Halifax**

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### **ORIGIN**

- Application by Dixel Developments Limited.
- August 1, 2017, Regional Council direction to continue to process this request for site-specific municipal planning strategy amendments, subject to the proposal:
  - a) Generally aligning with the June 2017 Centre Plan document relative to Urban Structure, Height and Floor Area Ratio, and
  - b) Addressing the planning principles of transition, pedestrian-orientation, human-scale, building design, and context-sensitive as noted in Table 2 of the staff report dated July 26, 2017.

### **LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning and Development*

### **RECOMMENDATION**

It is recommended that the Heritage Advisory Committee recommend that Halifax and West Community Council recommend that Regional Council:

1. Give First Reading to consider the proposed amendments to the Halifax Municipal Planning Strategy and Land Use By-law for Halifax Peninsula, as set out in Attachments A and B of this report, to permit by development agreement, a mixed-use development on lands fronting Spring Garden Road, Robie Street and Carlton Street, Halifax, and schedule a public hearing; and
2. Adopt the proposed amendments to the Halifax Municipal Planning Strategy and the Halifax Peninsula Land Use By-law, as set out in Attachments A and B of this report.

**BACKGROUND**

Dexel Developments Limited is applying to enable a high-density mixed-use development at lands fronting Spring Garden Road, Robie Street and Carlton Street identified as civic numbers 5950, 5954, 5954A, PID 00135384, 5958A, 5958B, 5960, 5962, 5964, 5966, 5966A, 5970, 5972, 5980, 5982, 5984, 5986, 5990, 5992, and 5994 Spring Garden Road; 1403 Robie Street; 1478, 1480, 1484 and 1494 Carlton Street, Halifax. The applicant's working proposal, which cannot be considered under existing policy and regulations, includes the following features:

- A 30-storey tower facing Spring Garden Road and Robie Street and a 20-storey tower facing Spring Garden Road;
- A 6-storey podium;
- A 4-storey streetwall facing Robie Street and Spring Garden Road;
- Approximately 5,667 square metres (61,000 square feet) of office space;
- Approximately 1,951 square metres (21,000 square feet) of ground level commercial space;
- Approximately 250 residential units;
- Approximately 361 underground parking spaces; and
- Alteration of 4 heritage properties (1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street and 1494 Carlton Street) through lot subdivision and restoration of existing structures.

**Subject Property Details**

<i>Location</i>	Spring Garden Road, Robie Street and Carlton Street.
<i>Subject Site</i>	Lands fronting Spring Garden Road, Robie Street and Carlton Street as shown on Maps 1 and 2.
<i>Regional Plan Designation</i>	Urban Settlement
<i>Community Plan Designation (Map 1)</i>	MDR (Medium-Density Residential) along Carlton Street HDR (High-Density Residential) and C (Commercial) along Spring Garden Road.
<i>Zoning (Map 2)</i>	C-2A (Minor Commercial), R-3 (Multiple Dwelling) and R-2 (General Residential).
<i>Size of Site</i>	Approximately 4,961.1 square metres (53,401 square feet).
<i>Street Frontage</i>	Approximately 30.1 metres (99 feet) on Robie Street; 123.4 metres (405 feet) on Spring Garden Road; and 43.6 metres (143.2 feet) on Carlton Street.
<i>Current Land Use(s)</i>	<ul style="list-style-type: none"> <li>- 1403 Robie Street and 5970, 5972, 5980, 5982, 5984, 5986, 5990, 5992 and 5994 Spring Garden Road contain mixed-use buildings;</li> <li>- 5958-5966 Spring Garden Road contains a 13-unit apartment building. PID 00135384 is a vacant lot used as a right-of-way easement for parking purposes at 1474 Carlton Street;</li> <li>- 5954/5954A Spring Garden Road contains offices and a dwelling unit and is under development agreement;</li> <li>- 5950 Spring Garden Road / 1494 Carlton Street is under development agreement for an addition to connect the two buildings and which only permits office uses;</li> <li>- 1480 and 1484 Carlton Street is under development agreement to permit commercial offices; and</li> <li>- 1478 Carlton Street was most recently approved in 1984 to occupy a 3-unit apartment building.</li> </ul>

**Existing Site Context**

The proposed development site comprises nearly 5,000 square metres (53,820 square feet) and is bounded by Robie Street to the west, Spring Garden Road to the north, and Carlton Street to the east. The



development site includes 13 separate properties as shown on Map 1. Many of the existing buildings are either mixed-use or multi-unit residential buildings and many have heritage value but are not registered. The buildings range from 2-to-4 storeys in height. The 4 properties along Carlton Street are municipally registered heritage properties and form part of the Carlton Early Victorian Streetscape.

### **Surrounding Context**

While many of the properties within the development site and in the surrounding area contain 2 or 3-storey residential or mixed-use buildings in the Victorian or Edwardian architectural style, there are also several large high-rise buildings nearby ranging from 10 to 21 storeys in height. These buildings include the Spring Garden Professional Centre, Dalhousie Tupper Building, Spring Garden Terrace, Summer Gardens and Embassy Towers. The area has a mix of residential apartment, single-family homes, commercial and institutional uses at varying scales.

### **Surrounding Heritage Properties and Streetscape**

The site is adjacent to a municipal heritage property to the north (5945 Spring Garden Road) and abuts a heritage property to the south (5969 College Street) and several heritage properties to the east which form part of the Carlton Street Early Victorian Streetscape. The Carlton Early Victorian Streetscape is located on Carlton Street between Spring Garden Road and College Street. The Streetscape is valued as an excellent example of a Victorian era residential street and is comprised of 18 registered heritage properties. Carlton Street was originally part of the South Commons. Prior to 1818 this area was divided into four large lots that were purchased by merchants Richard Tremaine and John Staynor. The lots were again subdivided and homes were constructed between 1860 and 1906. During this period, construction materials and labour were inexpensive resulting in the construction of lavish homes, such as those on Carlton Street.

Following the end of World War I the cost of building supplies increased and there was a shortage of labour, both of which slowed the construction of elaborate and large homes. In addition, Victorian homes, such as those on Carlton Street, became too costly to maintain and were often converted to rooming houses or hotels. Some were demolished and replaced by smaller, less adorned dwellings. Today, the Carlton Early Victorian Streetscape is a rare example of an intact Victorian era street.

Architecturally, the Carlton Victorian Streetscape is valued for its sense of unity in scale, materials, and detail. These homes incorporate and blend elements of the Greek Revival, Modified Gothic, and Second Empire styles. The houses and townhomes range between two and three storeys, which allows for the human element and a sense of community to flourish. All of the houses are of wood frame construction. There is a variety in the pitch and type of roof lines, placement of the buildings, and an array of dormers, windows, bays, decoration, porches, and verandas. Each house commands its own attention while complementing its abutting, opposite, or adjacent structure.

### **Role of the Heritage Advisory Committee**

The proposed development site consists of 4 municipal heritage properties (1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street and 1494 Carlton Street). The site also abuts the Carlton Street Early Victoria Streetscape to the east and 5969 College Street to the south. Regional Plan Policy CH-16, regarding Development Abutting Registered Heritage Properties, addresses the compatibility of a proposal which abuts a heritage resource. The HAC must make a recommendation to Regional Council based on interpretation of the proposed Municipal Planning Strategy (MPS) policy (Attachment A) and its merits when evaluated against the criteria of Policy CH-16. Staff have conducted an evaluation of Regional Plan Policy CH-16. A copy of the evaluation is provided as Attachment C.

Should the proposed changes to the MPS and Land Use By-law (LUB) be approved, a separate application for development of the subject site, by development agreement, will be subject to consideration of Regional Plan Policy CH-16, regarding development abutting registered heritage properties. At that time, the HAC will make a recommendation to Community Council based on interpretation of the development proposal's merits when evaluated against the criteria of Policy CH-16.

### **Substantial Alterations, Subdivision and Deregistration of Resulting Parcels**

On January 29, 2019, Halifax Regional Council approved substantial alterations for the 4 registered heritage properties (1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street and 1494 Carlton Street) associated with the proposed development site. The substantial alterations included the following:

- Removing a portion of the rear wing of 1478 Carlton Street to facilitate the subdivision of the property and shortening of the rear yard;
- Restoring the original central chimneys of 1480 and 1484 Carlton Street;
- Replacing modern windows at the rear of 1480 and 1484 Carlton Street with new windows in-keeping with the building's character;
- Removing modern dormer windows on the front and rear of 1480 and 1484 Carlton Street, and restoration of original two-over-two single hung windows;
- Removing an attached dwelling and breezeway at 1494 Carlton Street to allow construction of a commercial access and construction of a new building podium; and
- Undertaking a complete restoration of 1494 Carlton Street to its original form and configuration based on photographic and archival evidence.

The applicant is proposing to subdivide all 4 subject properties to allow for a larger development site. When a heritage property is subdivided, the registration remains on title for all resulting parcels. Following subdivision approval, the resulting parcels will need to be deregistered. The rear yards are not considered character defining elements in their own right, and so the subdivision is not considered to be a substantial alteration. Subsections 1(c) and 1(d) of the proposed MPS policy requires that the proposed substantial alterations and deregistration (following subdivision) be completed as part of a development agreement.

### **MPS and LUB Context**

The subject site is zoned R-2 (General Residential), R-3 (Multiple Dwelling), and C-2A (Minor Commercial) under the Halifax Peninsula Land Use By-law. The R-2 Zone permits single-detached dwellings, semi-detached dwellings, and residential buildings with a maximum of four units. The R-3 Zone permits R-1, R-2, and R-2T uses, as well as apartment houses, lodging or rooming houses, and boarding houses. The C-2A Zone permits a wide array of minor commercial uses, such as retail, personal services, entertainment uses, banks, offices, and restaurants. As such, the applicant's proposed development is not permitted as an as-of-right use.

The site has several different designations under the Peninsula Centre Secondary Planning Strategy (SPS). These include Medium Density Residential along Carlton Street and High Density Residential, Commercial, and Residential Commercial Mix along Spring Garden Road. The proposed development site also falls under the Spring Garden Road Sub Area. Both the Sub Area and the Peninsula Centre SPS contain no enabling policy to consider the proposed development.

Maximum permitted heights are 35 feet along the 4 heritage properties (1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street and 1494 Carlton Street) fronting on Carlton Street and are measured between the highest point of the building, exclusive of any non-habitable roof, and the mean grade of the finished ground adjoining the building. The remaining properties, fronting on Spring Garden Road and Robie Street are also restricted to a maximum height of 35 feet. However, in this case, height is measured between the commencement of the top storey of a building and the mean grade of the finished ground adjoining the building between the building and the fronting street.

### **Regional Plan & Centre Plan**

The Halifax Regional Municipal Planning Strategy (Regional Plan) identifies the Halifax Peninsula and Dartmouth (between Halifax Harbour and the Circumferential Highway) as the Regional Centre. A central goal of the Regional Plan is to grow the population of the Regional Centre. The Regional Plan expresses a clear objective to adopt a Regional Centre Plan. The process to adopt the Regional Centre Plan is well underway and is commonly known as the Centre Plan.

In June of 2017, as part of the Centre Plan process, Regional Council authorized the direction contained within the June 2017 Centre Plan document as a framework for amending existing planning documents and

developing new planning documents in the Regional Centre.

### **Regional Council Direction for this Application**

On August 1, 2017, Regional Council determined that 14 requests for site specific MPS amendments inside the Regional Centre area should proceed, subject to considerations related to the June 2017 Centre Plan document. Specifically, Regional Council directed staff to continue to process this application, subject to the proposal:

- (a) Generally aligning with the June 2017 Centre Plan document, relative to Urban Structure, Height and Floor Area Ratio, and
- (b) Addressing the planning principles of transition, pedestrian-orientation, human-scale, building design, and context-sensitive.

The June 2017 Centre Plan document classifies the majority of the subject site (approximately 70%) as part of the Spring Garden Road Centre. The Centre classification applies to areas with significant redevelopment potential. The June 2017 Centre Plan document identified the subject site with a 16 to 20 storey height range but did not set specific Floor Area Ratios for Centres. The remaining portion of the subject site (approximately 30%) is classified as an Established Residential Area. These areas have lower densities and are largely characterized by detached homes. Unlike Centres, Established Residential Areas will accommodate growth through gentle density, which means the addition of housing forms, such as garden suites and secondary suites, which do not significantly change community appearance and built character.

The planning principles noted in Regional Council's August 1, 2017 direction are further described and reviewed in the Discussion section of this report.

### **Incentive or Bonus Zoning**

Incentive or bonus zoning is a process that provides additional public benefits for additional development rights such as additional height. This tool is currently used through the Downtown Halifax Secondary Municipal Planning Strategy. The HRM Charter enables the Municipality to use the incentive or bonus zoning tool to allow an increase in built area in exchange for public amenities or benefits. While originally limited to Downtown Halifax, in 2014 the Province extended HRM's ability to use this tool in the Regional Centre. At the time, the Province also required a portion of the bonus (outside of Downtown Halifax) to be provided in the form of affordable housing. In December 2016, Regional Council considered this tool and directed staff to develop an incentive or bonus zoning program for the Regional Centre, to capture affordable housing benefits. This includes policies, planning document amendments, and financial tools. This work is underway as part of the Centre Plan.

To date, Regional Council has not directed the use of incentive or bonus zoning for site specific MPS amendments, except for the MPS amendment proposal by APL Properties at the corner of Robie Street and Quinpool Road (Case 18966). Regional Council also directed staff to consider the use of incentive or bonus zoning for an active site-specific amendment application at the corner of Bedford Highway and Flamingo Drive (Case 21730). When Council initiated the subject application, it did not direct staff to consider incentive or bonus zoning.

### **Approval Process**

The remaining process for this proposal involves three steps:

- a) First, subject to a public hearing process, Regional Council must consider and, if deemed appropriate, approve proposed amendments to the MPS and LUB;
- b) Second, staff will negotiate a development agreement based on the approved MPS and LUB amendments; and

- c) Third, when the MPS and LUB amendments are in effect, subject to a public hearing process, Halifax and West Community Council may consider and, if deemed appropriate, approve a development agreement.

A decision on proposed MPS and LUB amendments is not appealable to the Nova Scotia Utility and Review Board (Board). However, any future decision on a development agreement is appealable to the Board.

## **COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy, the HRM Charter, and the Public Participation Program approved by Council for this application on August 1, 2017. The level of community engagement was consultation, which was achieved by providing information through the HRM website, by posting signs on the subject property, by mailing letters to residents within the notification area and by hosting a public meeting on June 11, 2018. Attachment C contains a copy of the minutes from the meeting. The public comments included the following:

- Several attendees were strong supporters of the proposed development;
- Several attendees indicated that the towers were too high for the area and the development did not complement or respect the surrounding heritage buildings on Carlton Street. Further, several attendees want to ensure the heritage buildings are protected;
- A few attendees want HRM to consider this application and the abutting application (20761) on Robie Street, College Street, and Carlton Street in tandem;
- A few attendees are concerned about shadowing, wind, and traffic that will come from both developments on this block; and
- A few attendees did not support the development at all because it is not artistically interesting, the towers are too high, the design is not at a human scale, and the existing buildings on the block are still usable and create a sense of community.

Additionally, since this application falls within the Regional Centre, it was part of an Open House held on December 7, 2016. Planning staff held this meeting to seek public feedback on 18 MPS amendment proposals, as part of the analysis for those proposals and as part of the Centre Plan process. An overview of Open House comments was provided as part of the staff report presented to Regional Council on August 1, 2017. An overview of Open House comments as they relate directly to the working proposal is provided below. At the December 2016 Open House, the applicant was proposing a 30 storey tower and 16 storey tower on an 8 storey podium with a 4 storey streetwall.

- **Form** – Many respondents agree that this development is too tall and out of scale for the neighbourhood. Alternative heights of 18, 20, and 25 storeys were suggested. The design of the towers is found to be imposing, and the irregularly shaped rooftop elements were noted as needing improvement. Some suggested that more attention be paid to using quality building materials and improving the relationship between this building and the others on the street. A few participants noted that they liked the design, noting the atrium, green elements, and brick base as appealing. It was also noted that growth/building density is good for Halifax
- **Character** – A significant number of comments noted that this development does not fit with the character of the surrounding neighbourhood and are eager to protect this heritage stretch of Spring Garden Road and Carlton Street.
- **Impact on Neighbours** – Participants identified concerns with potential shadows and wind tunnels created by this development. Some respondents are also worried about the impact on traffic on what is perceived to be an already congested area.

- **Process** - Comments urge that Council wait for the Centre Plan and stick to the height rules. Several respondents felt this proposal should be considered together with the proposal for Robie, College, and Carlton Streets (Case 20761).

A public hearing must be held by Regional Council before they can consider approving the proposed MPS and LUB amendments. Should Regional Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, residents within the notification area shown on Map 2 will be notified of the hearing by regular mail.

The proposal will potentially impact residents, property owners, and local businesses.

### **Halifax Peninsula Planning Advisory Committee**

On August 20, 2018, the Halifax Peninsula Planning Advisory Committee (PAC) considered this proposal. At their meeting, PAC considered a 30 storey tower and 16 storey tower on an 8 storey podium with a 4 storey streetwall. The PAC recommended Council continue with the approval of this proposal, subject to considerations. Comments included that PAC:

- Appreciates angled design elements, and design forms on Spring Garden Road;
- Values increased density development in this area;
- Has concerns about shadow impacts of an 8 storey podium, and recommends a reduction in height;
- Has concerns about the 30 storey tower height, and recommends the tower heights conform to current and emerging Centre Plan guidelines;
- Appreciates design elements to improve sidewalk/pedestrian experience;
- Appreciates parking access planning, but has concerns about high number of parking spaces being allocated within an active public transit zone and encourages a reduction in parking spaces in favour of active and public transit infrastructure;
- Would value a more complete access plan for resident pick-up and drop-off, and active transportation use;
- Recommends that internal amenity space for residents be incorporated;
- Appreciates promised effort to restore adjacent heritage buildings and community park;
- Values environmental aspects and considerations in design;
- Encourages the construction of two proposals (case 20218 and case 20761) be coordinated and happen together if both are approved;
- Recommends a quantitative wind study and joint shadow and traffic study be done for impacts of both proposals combined;
- Encourages efforts to move utilities and wiring underground during construction;
- Recommends that the CH-16 elements be considered by the Heritage Advisory Committee; and
- Recommends that a number of affordable housing units sufficient to replace the units lost be incorporated into the proposal.

A report from the HPPAC to Community Council is provided under separate cover.

### **Revisions**

The applicant first proposed a 30 storey tower and 16 storey tower on an 8 storey podium with a 4 storey streetwall, which Regional Council considered on August 1, 2017. This same proposal was presented to members of the public as part of the public meeting held on June 11, 2018, and members of the HPPAC on August 20, 2018. During the August 20<sup>th</sup> meeting of HPPAC, staff presented perspective drawings of the applicant's working proposal and the abutting working proposal (Case 20761) to the south, which proposes the development of a mixed-use building consisting of a 26-storey tower and a 20-storey tower on a building podium and streetwall which varies between 3 and 4 storeys in height. Since the August 20<sup>th</sup>

meeting of HPPAC, the applicant has made revisions to their working proposal in an effort to better align with Regional Council's planning principles. The most notable changes are as follows:

- Separation distance has increased (from a total of 31.4 metres (103 feet) to 38.4 metres (126 feet)) between the proposed 30 storey tower and the Carlton Street streetline;
- The height of the 16 storey tower has increased by 4 storeys for a total of 20 storeys;
- The 8 storey building podium has been reduced from 8 storeys to 6 storeys;
- An analysis of Citadel Ramparts requirements has been conducted which identifies that no portion of the proposed development would be visible from any of the applicable sightlines identified in the Halifax Peninsula LUB.

## **DISCUSSION**

The MPS is a strategic policy document that sets out the goals, objectives and direction for long-term growth and development in the municipality. Amendments to an MPS are significant undertakings. Council is under no obligation to consider such requests. In this case, staff recommend that amendments to the MPS are warranted. The following subsections review the rationale and content of the proposed MPS and LUB amendments.

### **Applicant's Rationale**

The applicant has provided reasons they believe the proposed development should be considered, which are summarized as follows:

- The proposed development is located within one of the five Centres proposed by Centre Plan for intensive growth; and
- The large site area of 1.2 acres can support greater height and enables a true mixed-use project with two striking towers that will be the slimmest to date in HRM, a vibrant pedestrian streetscape, and new public amenity spaces, while also enabling the restoration of four heritage buildings within the significant Carlton Street Victorian streetscape.

Attachment E contains a copy of the applicant's rationale letter.

### **Staff Review**

#### **Regional Plan Context**

As noted in the Background section of this report, the Regional Plan expresses a clear objective to adopt a Regional Centre Plan. The process to adopt the Regional Centre Plan is well underway, and is commonly known as the Centre Plan. A focus of the Centre Plan is 'growth and change', which is identified in the Regional Plan as a guiding principle for the purposes of adopting a Regional Centre Plan. The Regional Plan's growth and change principle directs change and intensification to areas that will benefit from growth.

#### **Centre Plan 2017 Context**

In keeping with the Regional Plan, the June 2017 Centre Plan document outlined a vision for strategic growth. It outlined how and where the Regional Centre should grow through the land use and form classification shown on the Urban Structure Map, including Downtowns, Centres, Corridors and Future Growth Nodes.

The June 2017 Centre Plan document identified 5 Centres (Gottingen, Spring Garden, Wyse, Young, and Quinpool). It envisioned these Centres playing an important role in managing growth in the Regional Centre and proposed that Centres accommodate 28% of new Regional Centre residents. Medium to high density development is appropriate for growth areas. This concentrates people, jobs, and services. New

development can add vitality to these areas, but must transition well to existing residential and commercial areas. The overall, long-term framework for new development in the Regional Centre will be finalized through adoption of a Regional Centre Secondary Municipal Planning Strategy and a Land Use By-law.

The June 2017 Centre Plan document identifies the Spring Garden Centre as the smallest of the five Centres, running along Spring Garden Road from Robie Street to Cathedral Lane. The area is characterized by apartment buildings setback from the street, and 2-3 storey single detached buildings with residential and commercial uses. A number of heritage properties along Carlton Street are not included in the Centre.

When situated appropriately, additional moderate and tall infill buildings can be accommodated that are in keeping with the apartment style character of this Centre. Redevelopment along Spring Garden Road should also include at-grade commercial storefronts to draw additional pedestrian activity and active uses into the Centre. The June 2017 Centre Plan document proposes building heights up to 20 storeys within all portions of the Spring Garden Centre. Regional Council will also review an MPS amendment for a 26 storey and 20 storey mixed-use development on the same block as this proposal (Case 20761).

#### Centre Plan Package A

On April 10, 2019, Centre Plan Package A was presented to the Community Design Advisory Committee (CDAC) for review. Package A includes a draft Secondary MPS and LUB for Centres, Corridors, Higher Order Residential, and Future Growth Node classifications in the Regional Centre. Package A proposes the following regulations for portions of the property which are classified as a Centre:

- FAR (floor area ratio): 8.0;
- Maximum building height: 90 metres (295 feet), subject to floor area ratios;
- Maximum streetwall height of 11 metres (36.1 feet);
- Stepback above streetwall: 4.5 metres (14.76 feet);
- Minimum separation distance between towers: 25 metres (82 feet);
- Maximum building dimension: 64 metres (210 feet) by 64 metres (210 feet);
- Minimum building setback from Transition Lines<sup>1</sup>: 6.0 metres; (19.7 feet); and
- Minimum stepback from a building wall facing a Transition Line: 6.0 metres (19.7 feet).

Package A does not include draft Secondary MPS policy and LUB regulations for Established Residential Areas. These areas will be addressed in the future release of Package B. As such, no further direction is provided for portions of the subject site which are classified as Established Residential Areas. These areas include the 4 properties fronting Carlton Street (1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street and 1494 Carlton Street).

#### Regional Council Direction

Regional Council directed staff to process this application, subject to it generally aligning with the June 2017 Centre Plan document, relative to urban structure, height and floor area ratio. The subject property is placed mostly within a Centre classification (Spring Garden Road Centre). The June 2017 Centre Plan places the property in a 16 to 20-storey height range (for the portion within the Centre classification). The June 2017 Centre Plan document did not set specific floor area ratios for Centres. Staff advise the

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<sup>1</sup> Centre Plan Package A has proposed the use of Transition Lines as a means of ensuring adequate transition is provided between mid-rise/high-rise developments and adjacent low-rise residential areas. This is accomplished through the use of established regulations for transitions to lower heights. Centre Plan Package A identifies a Transition Line on the subject site which generally follows the rear lot lines of each heritage property located along the western side of Carlton Street.

applicant's working proposal of a 30-storey tower and 20-storey tower on a 6-storey building podium aligns with the urban structure, however it does not generally align with heights outlined in the June 2017 Centre Plan document.

#### Proposed Site-Specific MPS Policy

Staff are proposing a site-specific MPS policy (Attachment A) that generally aligns with the June 2017 Centre Plan and emerging Centre Plan guidelines for the Spring Garden Road Centre. As proposed, the applicant's working proposal (Attachment E) does not meet all the requirements of the proposed MPS policy. As such, the working proposal will require revisions to satisfy the proposed MPS policy. Further detail on building elements that still require adjustment can be found in the sections that follow.

#### Urban Structure

The June 2017 Centre Plan document states that *Centres* are targeted for significant growth, with an emphasis on creating mixed-use main streets and accommodating moderate-to-tall buildings that provide appropriate transitions. *Centres* are the preferred destination for growth due to their: proximity to major streets, existing commercial uses, varying residential density, and underutilized land; and ability to create complete communities and enhance transit ridership.

The proposed MPS policy ensures that a mixed-use building, which requires ground-floor commercial uses, will be developed along two HRM transit priority corridors as identified under the Integrated Mobility Plan. The policy states that any proposed development shall have a maximum height of 90 metres (295 feet), and a maximum FAR value of 8.0, which provides ample opportunity to increase residential density and transit ridership near the Spring Garden Road / Robie Street intersection. The policy also requires that any proposed development shall adhere to minimum streetwall, setback, and stepback requirements to facilitate an effective transition to abutting lower scale development (see Planning Principles subsection). As proposed, the applicant's working proposal includes a 30-storey tower, approximately 99 metres (324.8 feet) in height, and a 4 storey streetwall (approximately 17.5 metres in height). As such, to ensure compliance with the proposed MPS policy, these building elements will require adjustments at the development agreement stage.

The registered heritage properties fronting on Carlton Street that form part of the proposed development site (1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street, and 1494 Carlton Street) are classified under the Centre Plan as an *Established Residential Area* and are intended to support low-density residential uses (e.g., detached dwellings, duplexes, townhouses, etc.). These registered heritage properties support building typologies that are compatible with the *Established Residential Area* designation. Subsection 1(c) of the proposed MPS Policy (Attachment A) requires that these buildings be altered as outlined in the staff report dated November 9, 2018, titled *Case H00461: Substantial Alteration to municipally registered heritage properties at 1478, 1480, 1484 and 1494 Carlton Street, Halifax, and as approved by Regional Council on January 29, 2019*. This will ensure the existing properties are restored, maintained and remain compatible with the Established Residential designation.

#### Height

The June 2017 Centre Plan document identifies a height range of 16 to 20-storeys for development located within the Spring Garden Road *Centre*, provided that appropriate transitions to the neighbouring context, especially to low scale established residential areas, is provided. Subsection 1(f) of the proposed policy permits a maximum building height of 90 metres (or approximately 26 to 29-storeys). While this maximum exceeds the document's height framework, subsections 1(l) and 1(m) of the proposed policy ensure that any proposed development's podium and streetwall heights are a maximum of 13 and 16 metres (42.7 and 52.5 feet), thus facilitating a natural step down to established residential properties. Further, subsections 1(i) and 1(k) require minimum building setbacks and stepbacks that provide adequate separation distance between any proposed development and abutting development. The applicant's working proposal maintains a separation distance of approximately 36.5 metres (119.8 feet) between the tower (portion of development located above streetwall) and the Carlton Street streetline. The proposed MPS policy requires



a minimum separation of 39.5 metres (129.6 feet) between any tower and the Carlton Street streetline. As such, under a development agreement, the proposed tower location will require increased separation from the Carlton Street streetline.

The June 2017 Centre Plan document does not specify a desired height for *Established Residential Areas*, though detached, semi-detached, and townhouse dwellings typically range between one-and-three storeys. As previously noted, clause 1(c) requires that the registered heritage properties, which contain two-to-three storey buildings, are maintained in accordance with the substantial alterations approved by Regional Council on January 29, 2019.

**Floor Area Ratio (FAR)**

The June 2017 Centre Plan document states that within a *Centre*, density shall be controlled through the use of maximum building envelope and FAR regulations; however, no specific FAR values were provided in Centres to guide the development of said regulations. Further, there is no FAR direction for *Established Residential Areas*. The proposed policy offers a maximum building envelope for the site’s future development and utilizes the Centre Plan – Package A’s maximum FAR requirement (8.0) for the *Centre* portion of the subject site.

**Planning Principles**

The second evaluative criteria for the proposed MPS amendment are the planning principles of transition, pedestrian-oriented, human-scale, building design and context-sensitive, which are outlined in Table 1:

**Table 1. Planning Principles**

<b>Planning Principles</b>	<b>Description</b>
<b>Transition</b>	The proposed building design recognizes surrounding development, especially adjacent low-scale residential buildings, through built form and landscape transitions. This can include setting proposed buildings back from property lines and stepping down the height of proposed buildings as they approach low-rise buildings. Landscaping can be used as a buffer between properties and to soften building elements.
<b>Pedestrian-Oriented</b>	Pedestrian-oriented means that the proposed building and site design prioritizes the needs and comfort of pedestrians. The intent is to create safe, comfortable, and more enjoyable environments for people of all ages and abilities. Pedestrian-oriented design elements include buildings that are oriented to the street, with safe and inviting pedestrian connections through larger sites. Streetwalls should respond to the rhythm and variety of walking speed. Buildings should provide frequent and prominent entrances, transparent windows, weather protection using awnings and recesses, and be designed to mitigate the impact of required parking accesses and utility features.
<b>Human-Scale</b>	Human-scale means the impression of a building when seen in relation to its surroundings, or the size and proportion of parts of a building or its details in relation to its surroundings, that relates in a positive way to the visual and physical experience of a pedestrian. Moderately sized buildings, as well as taller buildings with lower scale podiums and architectural detailing, work together with narrow streets, plazas and small parks to create an intimate environment and comfortable experience. Human scale design makes urban environments more interesting, encourages exploration and draws more people to local shops and services.
<b>Building Design</b>	Design means the overall architectural composition of a building and its orientation on the site. Proposed buildings should provide visual interest from all vantage points, and especially from the street. The building’s façade should be articulated vertically and horizontally using a combination of windows, changes to materials and material treatments and other architectural façade elements. Coordinated building elements (like lighting and signage) and site elements (like landscaping) contribute to the overall quality of the design.
<b>Context-sensitive</b>	The proposed building’s design respects the character of the surrounding neighbourhood. The scale, form, and materials used respond to the architectural character of the neighbourhood. Next to heritage buildings or streetscapes, the proposed building complements and enhances the heritage features.

### **Analysis of the Planning Principles**

The proposed MPS and LUB amendment is generally consistent with the planning principles set out above.

#### Transition

The proposed MPS policy limits future streetwalls to a maximum of four storeys along Robie Street and three storeys along Spring Garden Road, in an effort to reinforce traditional building heights / rooflines. The policy also facilitates an effective southward transition. The southern building podium is limited to a maximum height of four storeys, and above the streetwall, the building shall be setback a minimum of 11.5 metres (37.7 feet) from the southern lot line.

The eastward transition is more sensitive, as the future development will abut the *Established Residential Area* designation and registered heritage properties. As such, the policy requires: a maximum building podium height of three storeys along the eastern lot line; a minimum 28 metre (91.7 feet) setback from the Carlton Street streetline; a minimum setback of 6 metres (19.6 feet) from the eastern lot line; and a minimum stepback of 11.5 metres (37.7 feet) of the building podium's eastern edge. The eastward transition is further enhanced by a landscape buffer and fence, which is required along any lot line that abuts a registered heritage property.

#### Pedestrian-Oriented

The proposed MPS policy requires that development be oriented towards both Spring Garden Road and Robie Street. The policy allows a minimum building setback of 0.5 metres (1.6 feet) from the Spring Garden Road streetline and 1.5 metres (4.9 feet) from Robie Street streetline, which is consistent with the neighbourhood. Subsection 1(o) requires ground-floor commercial units facing both streets. Pedestrian oriented design is critical on Spring Garden Road and Robie Street. The MPS policy requires storefronts to have large windows and entrances that open onto the sidewalk. The policy provides guidance so that ground floors create an inviting place to walk past or stand near. Subsection 1(l) restricts streetwall heights to a maximum of 4 storeys along Robie Street and a portion of Spring Garden Road. As the development approaches Carlton Street the maximum streetwall height is reduced to 3 storeys. Subsection 2(f) requires that shadow and wind impacts are considered as part of the development and that proposed impacts are suitable for the intended use of the site. Subsection 1(t) ensures that external building design, at-grade features, signage, etc. are regulated within the development agreement. Together these requirements enable a human-scale building, especially at the sidewalk level, and provide opportunities for a positive interface between the pedestrian environment and future development.

#### Human-Scale

The proposed MPS policy accommodates a building that is larger than its surroundings, however, several clauses reduce the building's potential impacts on the pedestrian environment. A maximum streetwall of three storeys must be provided along Spring Garden Road and above the streetwall, a minimum setback of 5 metres (16.4 feet) must be provided from the Spring Garden Road streetline. The Robie Street building elevation must have a maximum streetwall height of four storeys, while all storeys above the fourth shall be setback a minimum of 6 metres (19.7 feet) from the Robie Street streetline. The policy limits the size and placement of on-site towers to reduce the development's presence from sidewalks and abutting streets. Towers will be separated by at least 23 metres (75.4 feet) and shall have a maximum area of 750 square metres (8,072.9 square feet) per floor. As previously noted, subsection 1(t) ensures consideration is given to the regulation of streetwall massing and external building design, which will further enhance the urban environment.

### Building Design

The proposed MPS policy effectively provides a building envelope to guide the subject site's future development. As such, staff note that the building design principle cannot be accurately assessed at this time because numerous design options are possible. In light of this consideration, subsection 2(a) of the proposed policy states that Council shall assess all principles, including building design, when considering a development agreement for the subject site.

### Context-Sensitive

Staff have taken several measures to ensure future development respects the surrounding context. The proposed MPS policy's inclusion of maximum building podium heights along the eastern and southern lot lines provides a transition to abutting properties. This requirement, in addition to minimum setback and stepback requirements, directs future building mass toward Spring Garden Road and Robie Street, away from these lot lines. The policy requires that all portions of the development located above the building podium are setback at least 11.5 metres (37.7 feet) from the southern lot line and 18.5 metres (60.7 feet) from the eastern lot line. These minimum building podium and setback requirements, along with requirements for landscaping and buffering, provide adequate separation between the proposed development and abutting heritage properties. Further, requirements for the consideration of exterior building design and materials, along with consideration of Regional Plan Policy CH-16, regarding development abutting registered heritage properties, allows for development that complements and enhances the heritage features of abutting heritage resources.

### **Proposed MPS and LUB Amendments**

To draft the proposed MPS and LUB amendments, staff considered Regional Plan policy, public feedback and the proposed direction from the June 2017 Regional Centre Plan. Staff also note that Centre Plan – Package A was also utilized as a general guideline in some instances. Attachments A and B contain the proposed MPS and LUB amendments. A summary of the proposed MPS amendments are as follows:

- requires a development agreement;
- enables mixed-use buildings with residential, commercial, and office uses;
- limits building height to a maximum of 90 metres;
- limits development of the subject site to a maximum Floor Area Ratio of 8.0;
- requires a mix of residential unit types;
- limits streetwall height and requires side setbacks above the streetwall height;
- requires the development agreement to regulate setbacks, signage, amenity space and landscaping; and
- requires that substantial alterations to heritage properties be carried out in accordance with approvals provided by Regional Council on January 29, 2019 and as proposed in the staff report dated November 9, 2018.

The proposed amendments enable mixed-use, high density development on main streets in the Regional Centre. Spring Garden Road and Robie Street are walkable, contain many services and have frequent, all-day transit service on weekdays. Increasing density on the subject site supports the Regional Plan policy by directing growth to the Regional Centre. Increasing density supports the goals of the Integrated Mobility Plan by directing growth to an area with sustainable transportation options.

The proposed MPS policy will enable a development that meets the five planning principles. Staff recommends regulating the proposed development through a development agreement. Based on the policy presented in this report, staff is finalizing a development agreement for this proposal. A decision on the development agreement may be considered by Halifax and West Community Council after MPS and LUB amendments come into effect. If Community Council approves the development agreement before Centre Plan Package A is adopted, those development rights will continue after the existing MPS is replaced.

Centre Plan Package A contains Policy 10.25. As proposed, this policy would allow Regional Council to consider completed development agreement applications under the MPS policy in place before Council's first notice of intention to adopt Package A. In other words, Council would be able to consider completed development agreement applications using MPS policy that predates Centre Plan. The applicant has submitted a complete application.

A development agreement will allow development rights to continue after the existing MPS is replaced by a new MPS as part of Centre Plan.

### **Conclusion**

Staff have followed Council's direction provided when initiating this MPS amendment, by considering the request against the policies of the Regional Plan and against the June 2017 Centre Plan document. Staff advised that the proposed MPS policy is generally consistent with Regional Council's direction for this application, relative to height and urban structure. The proposed MPS policy also requires that any future development meet the 5 planning principles of pedestrian-oriented, transition, human-scale, building design and context-sensitive. Staff recommends new MPS and LUB policy to enable, by development agreement, a mixed-use development on Spring Garden and Robie Streets, along with the retention of existing registered heritage properties located along Carlton Street.

### **FINANCIAL IMPLICATIONS**

There are no financial implications. The applicant will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred to satisfy the terms of a proposed development agreement. The administration of a proposed development agreement can be carried out within the approved 2019-20 budget with existing resources.

### **RISK CONSIDERATION**

There are no significant risks associated with the recommendations in this report. This application involves proposed MPS amendments. Such amendments are at the discretion of Regional Council and are not subject to appeal to the N.S. Utility and Review Board. A development agreement is subject to appeal to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendments are contained in the Discussion section of this report.

### **ENVIRONMENTAL IMPLICATIONS**

No additional concerns were identified beyond those raised in this report.

### **ALTERNATIVES**

The Heritage Advisory Committee may recommend that Regional Council:

1. Modify the proposed amendments to the Halifax MPS and Halifax Peninsula LUB, as set out in Attachments A and B of this report. If this alternative is chosen, specific direction regarding the requested modifications is required. Substantive amendments may require another public hearing to be held before approval is granted. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

2. Refuse the proposed amendments to the Halifax MPS and the Halifax Peninsula LUB. A decision of Council to approve or refuse the proposed amendments is not appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

## **ATTACHMENTS**

Map 1	Generalized Future Land Use Map
Map 2	Zoning Map and Notification Area
Attachment A	Proposed Amendments to the Municipal Planning Strategy for Halifax
Attachment B	Proposed Amendments to the Land Use By-law for Halifax Peninsula
Attachment C	Policy Evaluation of CH-16 Development Abutting Heritage Properties
Attachment D	Public Meeting Minutes June 11, 2018
Attachment E	Applicant's Rationale Letter

## **RELATED REPORTS**

**Initiation Report:** August 1, 2017, Regional Council, Item 14.1.10. [Site-Specific Secondary Municipal Planning Strategy \(SMPS\) Amendment Requests within the Regional Centre Boundary.](#)

Substantial Alteration Report: January 29, 2019, Regional Council Item 9.2, [Case H00461 – Substantial Alteration to municipally registered heritage properties at 1478, 1480, 1484 and 1494 Carlton Street, Halifax.](#)

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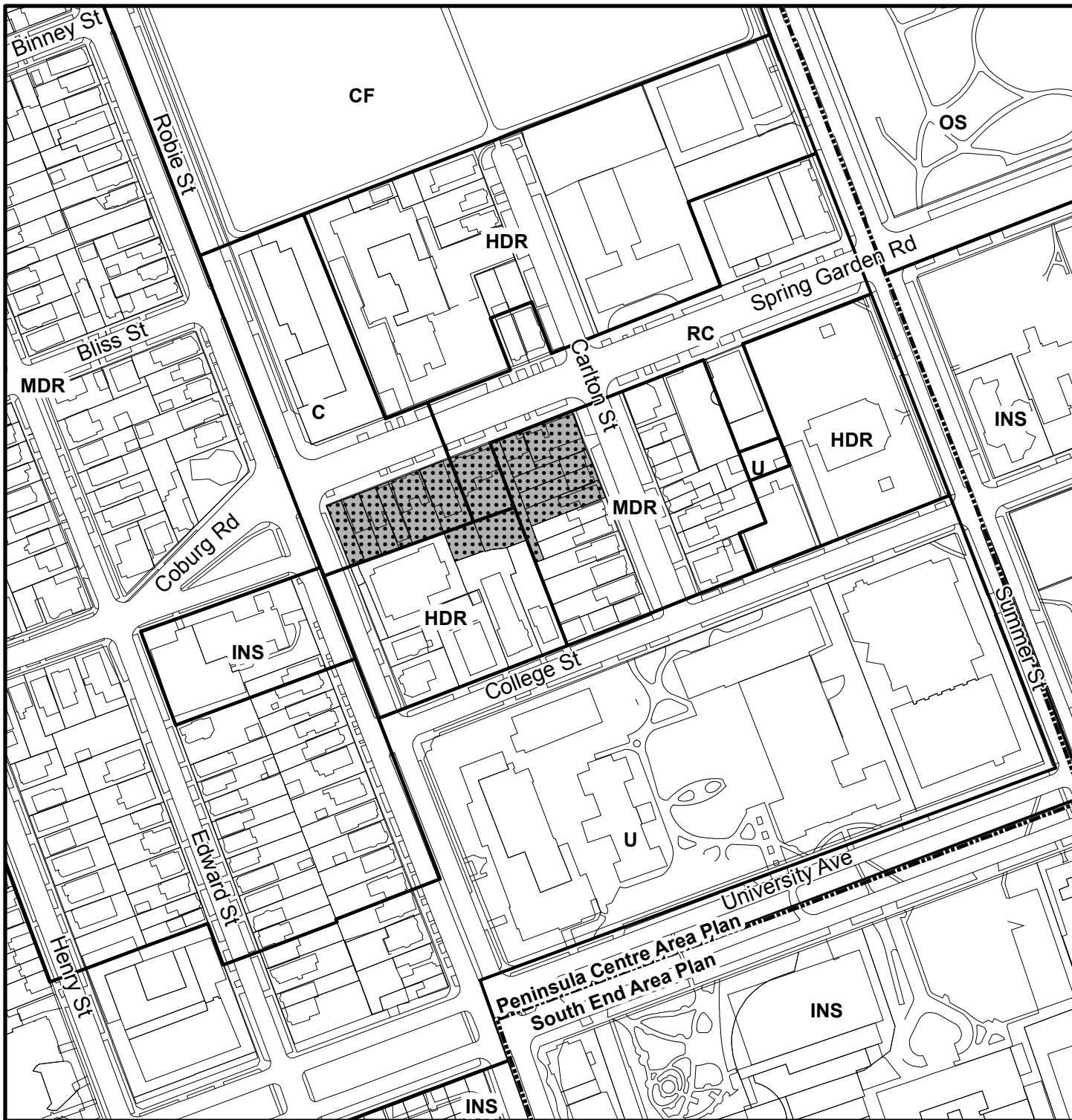
A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Tyson Simms, Planner III, 902.490.6983

***-Original Signed-***

Report Approved by: \_\_\_\_\_  
Eric Lucic, Regional Planning Manager, 902.430.3954

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**Map 1 - Generalized Future Land Use**

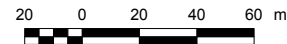
Spring Garden Rd. and Robie Street,  
Halifax



 Subject Properties

**Peninsula Centre Designation**  
 MDR Medium Density Residential  
 HDR High Density Residential  
 RC Residential Commercial Mix  
 C Commercial  
 CF Community Facility  
 U University

**South End Designation**  
 INS Institutional  
 OS Open Space

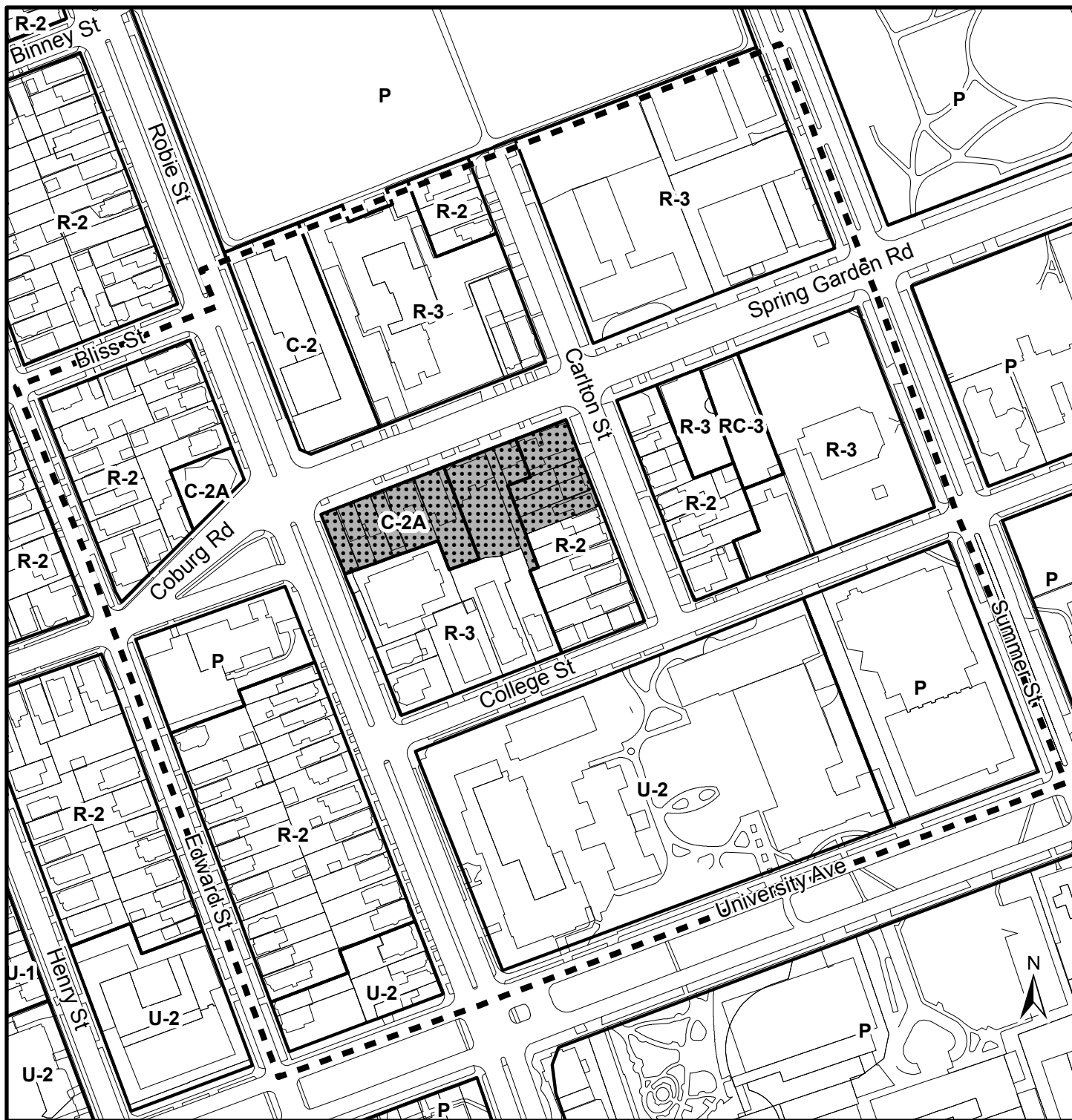


Halifax Plan Area  
 Peninsula Centre Area Plan Area

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

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





### Map 2 - Zoning

Spring Garden Rd. and Robie Street,  
Halifax

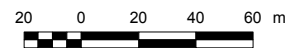
 Subject Properties

#### Zone

- R-2 General Residential
- R-3 Multiple Dwelling
- RC-3 High Density Residential Minor Commercial
- C-2 General Business
- C-2A Minor Commercial
- U-1 Low-Density University
- U-2 High-Density University
- P Park and Institutional

Halifax Peninsula  
Land Use By-Law Area

# HALIFAX



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.

**ATTACHMENT A:**  
**Proposed Amendments to the Municipal Planning Strategy for Halifax**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Municipal Planning Strategy for Halifax is hereby further amended as follows:

1. By amending the TABLE OF CONTENTS to add the following text shown in bold immediately before the text "IMPLEMENTATION POLICIES", and renumbering the page numbers for the TABLE OF CONTENTS as applicable:

SECTION XVI                      SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT

1. Background
2. The Planning Principles
3. Development at Robie Street / Pepperell Street / Shirley Street
4. Development at Chebucto Road / Elm Street / Beech Street

**12. Development at Spring Garden Road / Robie Street / Carlton Street**

2. By amending Section XVI, to add the following text shown in bold and delete the text shown in ~~strikeout~~ as follows:

SECTION XVI    SITE-SPECIFIC POLICIES IN KEEPING WITH THE JUNE 2017 CENTRE PLAN DOCUMENT

2. THE PLANNING PRINCIPLES

Regional Council directed that five planning principles be used to evaluate the following requests for new Municipal Planning Strategy policy:

- a) Development at Robie Street / Pepperell Street / Shirley Street, as identified in Section 3;
- b) Development at Chebucto Road / Elm Street / Beech Street, as identified in Section 4;
- j) Development at Spring Garden Road / Robie Street / Carlton Street as identified in Section 12.**

These planning principles are described as:

Planning Principles	Description
(a) Transition	The proposed building design recognizes surrounding development, especially adjacent low-scale residential buildings, through built form and landscape transitions. This can include setting proposed buildings back from property lines and stepping down the height of proposed buildings as they approach low-rise



Planning Principles	Description
	buildings. Landscaping can be used as a buffer between properties and to soften building elements.
(b) Pedestrian-oriented	Pedestrian-oriented means that the proposed building and site design prioritizes the needs and comfort of pedestrians. The intent is to create safe, comfortable, and more enjoyable environments for people of all ages and abilities. Pedestrian-oriented design elements include buildings that are oriented to the street, with safe and inviting pedestrian connections through larger sites. Streetwalls should respond to the rhythm and variety of walking speed. Buildings should provide frequent and prominent entrances, transparent windows, weather protection using awnings and recesses, and be designed to mitigate the impact of required parking accesses and utility features.
(c) Human-Scale	Human-scale means the impression of a building when seen in relation to its surroundings, or the size and proportion of parts of a building or its details in relation to its surroundings, that relates in a positive way to the visual and physical experience of a pedestrian. Moderately sized buildings, as well as taller buildings with lower scale podiums and architectural detailing, work together with narrow streets, plazas and small pocket parks to create an intimate environment and comfortable experience. Human scale design makes urban environments more interesting, encourages exploration and draws more people to local shops and services.
(d) Building Design	Design means the overall architectural composition of a building and its orientation on the site. Proposed buildings should provide visual interest from all vantage points, and especially from the street. The building's façade should be articulated vertically and horizontally using a combination of windows, changes to materials and material treatments and other architectural façade elements. Coordinated building elements (like lighting and signage) and site elements (like landscaping) contribute to the overall quality of the design.
(e) Context-sensitive	The proposed building's design respects the character of the surrounding neighbourhood. The scale, form, and materials used respond to the architectural character of the neighbourhood. Next to heritage buildings or streetscapes, the proposed building complements and enhances the heritage features.

3. By amending Section XVI to add the following text shown in bold after Subsection 4.2.1:

**4. DEVELOPMENT AT CHEBUCTO ROAD / ELM STREET / BEECH STREET**

The properties having street frontage on Chebucto Road, Elm Street, and Beech Street (6482 Chebucto Road, 2586 Beech Street and 2585 Elm Street) is the subject site of a proposal for site-specific planning policy amendments to allow for a 5-storey mixed-use building. This proposal is one of the twelve policy requests noted in Section 1. On August 1, 2017, Regional Council chose to continue processing the 5-storey proposal subject to specific considerations.

**4.1 Specific Considerations**

The June 2017 Centre Plan Document identifies this property as a Corridor, which is envisioned to support approximately 21% of new Regional Centre residents. Corridors are an appropriate destination for low (three storey) to moderate (four-to-six storey) development that, depending on local conditions, should include ground floor commercial spaces. Specifically, building heights shall only exceed 4-storeys if there is sufficient lot depth to accommodate up to 6-storeys through appropriate design transitions to adjacent buildings.

The Chebucto Road / Elm Street / Beech Street 5-storey proposal was given Regional Council direction to continue, subject to the proposal generally aligning with the June 2017 Centre Plan Document relative to urban structure, height, and floor area ratio. Regional Council also directed the 5-storey proposal to address the planning principles noted in Section 2.

#### 4.2 Regulating Development

To achieve a development form on the Chebucto Road / Elm Street / Beech Street site that generally aligns with the urban structure and heights identified in the June 2017 Centre Plan Document, and ensure the five planning principles noted in Section 2 are addressed, development will be permitted by development agreement, as described below.

##### 4.2.1 Development Agreement Provisions

The Land Use By-law for Halifax Peninsula shall be amended to identify that mixed-use development may be considered by development agreement for the properties located at the intersections of Chebucto Road, Elm Street, and Beech Street.

- (1) Notwithstanding other policies of this Municipal Planning Strategy except 4.2.1(2), a development agreement for the property located at the intersections of Chebucto Road, Elm Street, and Beech Street shall:
  - (a) permit a mixed-used (residential and commercial) building;
  - (b) permit a range of commercial uses, including, cultural, daycare, office, restaurant, retail, and work-live uses;
  - (c) require a mix of residential unit types;
  - (d) restrict building height to a maximum of 5 storeys, plus penthouse(s);
  - (e) require that the 4<sup>th</sup> and 5<sup>th</sup> storeys and penthouse(s) are orientated towards Chebucto Road;
  - (f) restrict streetwall height to a maximum of 4 storeys along Chebucto Road;
  - (g) restrict streetwall height to a maximum of 3 storeys along both Elm Street and Beech Street;
  - (h) restrict the building's podium height to a maximum of 3 storeys along the southern lot line;
  - (i) restrict development to a minimum setback, both above and below grade, of 1.5 metres from the Chebucto Road lot line;
  - (j) require a landscaped buffer and fencing along the rear lot line;
  - (k) require indoor and outdoor amenity space for on-site residents;
  - (l) regulate streetwall massing, external building design, cladding materials, design of at-grade residential units, landscaping, outdoor storage, signage, and the planting and retention of vegetation; and
  - (m) permit underground parking.
- (2) In addition to meeting the requirements of Policy 4.2.1(1) a) to m) inclusive, when considering a development agreement for the property located at the intersections of Chebucto Road, Elm Street, and Beech Street, Halifax, Council shall consider:
  - (a) the planning principles of transition, pedestrian-oriented, human-scale, building design and context sensitive, as described in Section 2; and
  - (b) the provision of appropriate changes in building size and massing, to create appropriate transitions to surrounding built forms.

## **12. DEVELOPMENT AT SPRING GARDEN ROAD / ROBIE STREET / CARTLON STREET**

The properties identified as: 5950 Spring Garden Road; 5954 Spring Garden Road; 5954A Spring Garden Road; PID 00135384; 5958A Spring Garden Road; 5958B Spring Garden Road; 5960 Spring Garden Road; 5962 Spring Garden Road; 5964 Spring Garden Road; 5966

Spring Garden Road; 5966A Spring Garden Road; 5970 Spring Garden Road; 5972 Spring Garden Road; 5980 Spring Garden Road; 5982 Spring Garden Road; 5984 Spring Garden Road; 5986 Spring Garden Road; 5990 Spring Garden Road; 5992 Spring Garden Road; 5994 Spring Garden Road; 1403 Robie Street; 1478 Carlton Street; 1480 Carlton Street; 1484 Carlton Street and 1494 Carlton Street, Halifax, are subject to a site-specific planning policy request to allow high density mixed-use development. This proposal is one of the twelve policy requests noted in Section 1. On August 1, 2017, Regional Council chose to continue processing this proposal subject to specific considerations.

### 12.1 Specific Considerations

The June 2017 Centre Plan Document identifies these properties as a Centre and Established Residential. Centres are identified for targeted growth and play an important role in managing growth within the Regional Centre. These areas are envisioned to support approximately 28% of new residents within the Regional Centre. A number of heritage properties along Carlton Street, which form part of the Carlton Street Heritage Streetscape, are not included in the Centre. These heritage properties are identified as Established Residential and are characterized by detached homes and lower density development.

This proposal was given Regional Council direction to continue, subject to the proposal generally aligning with the June 2017 Centre Plan Document relative to urban structure and height. Regional Council also directed the proposals to address the planning principles noted in Section 2. Also, given the proposal includes, and abuts, municipally registered heritage properties, the proposal must address applicable heritage policies in the Regional Plan.

### 12.2 Early Victorian Streetscape (Carlton)

The Carlton Street Early Victorian Streetscape is an area comprised of seventeen registered heritage buildings constructed between 1860 and 1906 that include examples of a variety of Victorian styles. This area lies on what was once part of the South Common which was subdivided in 1818 into lease holds, and subsequently sold as smaller lots for residential development in 1871. The streetscape is located on Carlton Street between Spring Garden Road and College Street.

#### 12.2.1 Heritage Value of Carlton Early Victorian Streetscape

The Carlton Early Victorian Streetscape is valued as an excellent example of a Victorian era residential street. Originally Carlton Street was part of the South Commons in Halifax. Prior to 1818 this area was divided into four large lots that were purchased by merchants Richard Tremaine and John Staynor. The lots were again subdivided and houses began to be built in 1860 and continued until 1906. During this period construction materials and labour was inexpensive. Those who had money built lavish houses, such as those on Carlton Street, employing many workers.

Following the end of World War I the cost of building supplies increased and there was a shortage of labour, both of which slowed the construction of elaborate and large homes. In addition, Victorian homes, such as those on Carlton Street, became too costly to maintain and were often converted to rooming houses or hotels. Some were demolished and replaced by smaller, less adorned dwellings. Today, the Carlton Early Victorian Streetscape is a rare example of an intact Victorian era street, consisting of seventeen large and lavish homes.

Architecturally, the Carlton Early Victorian Streetscape is valued for its sense of unity in scale, materials, and detail. These homes incorporate and blend elements of the Greek

Revival, Modified Gothic, and Second Empire styles. The houses and townhomes range between two and three storeys, which allows for the human element and sense of community to flourish. All of the houses are of wood frame construction. There is a variety in the pitch and type of roof lines, placement of the buildings offer a vast array of dormers, windows, and bays, decoration, porches, and verandas. Each house commands its own attention while complementing its abutting, opposite, or adjacent structure.

### 12.3 Regulating Development

Given the Carlton Street / Robie Street / Spring Garden Road area contains the Carlton Early Victorian Streetscape, and one other municipally registered heritage property on College Street (5969 College Street), the development agreement process provides the most appropriate planning tool to protect heritage value while also allowing for new development. The development agreement process also allows for development to be regulated on Carlton Street, Robie Street and Spring Garden Road in keeping with applicable heritage policies in the Regional Plan. Lastly, the development agreement process allows for development to be regulated in a detailed manner, to ensure development generally aligns with the urban structure and heights identified in the June 2017 Centre Plan Document and ensures the five planning principles noted in Section 2 are addressed.

#### 12.3.1 Development Agreement Provisions

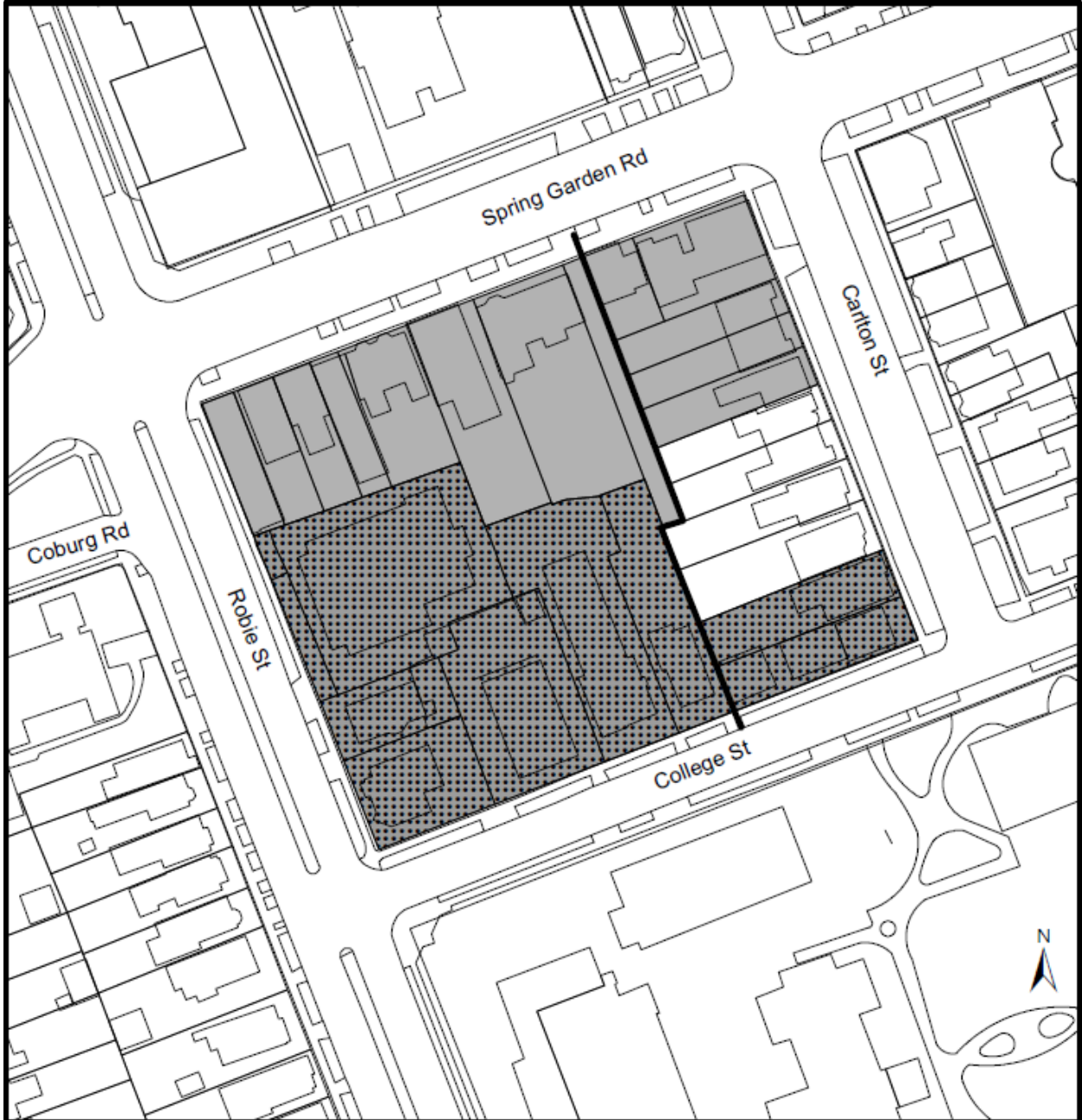
The Land Use By-law for Halifax Peninsula shall be amended to identify that mixed-use development may be considered by development agreement for the properties on Spring Garden Road, Robie Street and Carlton Street, that are shown as Site A on Map A of this Section.

- (1) Notwithstanding other policies of this Municipal Planning Strategy except 12.3.1(2), a development agreement for the lands identified as Site A on Map A of this Section shall:
  - (a) permit a mixed-used (residential, commercial and office) building;
  - (b) require that a proposal is a comprehensive plan for the development of all lands identified as Site A (Case 20218), as shown on Map A, and includes phasing of the development;
  - (c) in accordance with the approval of substantial alterations granted by Regional Council on January 29, 2019, the properties identified as 1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street and 1494 Carlton Street, shall be altered and subdivided, as proposed in the staff report dated November 9, 2018, titled *Case H00461: Substantial Alteration to municipally registered heritage properties at 1478, 1480, 1484 and 1494 Carlton Street, Halifax*;
  - (d) following subdivision of 1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street and 1494 Carlton Street, require that resulting parcels (parcels which contain no heritage buildings) be deregistered;
  - (e) restrict development of the subject site (Site A as shown on Map A) to a maximum Floor Area Ratio of 8.0, however any lot area(s) containing registered heritage properties shall not be included as part of the total lot area calculation;
  - (f) restrict building height to a maximum of 90 metres, excluding rooftop features;
  - (g) notwithstanding Policy 12.3.1(1)(f), require that the development conforms with the Citadel Rampart requirements;

- (h) restrict the height, coverage and setback of building rooftop features;
  - (i) require that the proposed building podium and streetwall be setback a minimum of:
    - i. 6 metres from any property boundary associated with 1474 Carlton Street;
    - ii. 28 metres from the Carlton Street streetline;
    - iii. 1.5 metres from the Robie Street streetline; and
    - iv. 0.5 metres from the Spring Garden Road streetline.
  - (j) require that any portion of the mixed-use development, located above the streetwall or building podium, be located west of the Heritage Line, as identified on Map A, and be setback a minimum of 11.5 metres from the edge of the building podium facing East (Carlton Street);
  - (k) require that any portion of the mixed-use development, located above the streetwall or building podium, be setback a minimum of:
    - i. 11.5 metres from the south property line; and
    - ii. 4.5 metres from the edge of any streetwall.
  - (l) restrict streetwall height to a maximum of:
    - i. 16 metres along Robie Street;
    - ii. 13 metres along Spring Garden Road; and
    - iii. notwithstanding Policy 12.3.1(1)(l)(ii), 16 metres along Spring Garden Road, for a total distance of 35 metres travelling northeast from Robie Street, however no portion of the 16 metre streetwall, along Spring Garden Road, shall be located between two towers;
  - (m) restrict building podium heights to a maximum of:
    - i. 13 metres facing East (Carlton Street); and
    - ii. 16 metres facing South (College Street);
  - (n) require a minimum separation distance of 23 metres between any towers;
  - (o) require that any proposed towers, located above the streetwall, not exceed a floor area of 750 square metres per floor;
  - (p) require a mix of residential unit types;
  - (q) permit a range of ground-floor commercial land uses;
  - (r) require a landscaped buffer and fencing along the east lot line or any property boundaries which abut a registered heritage property;
  - (s) require indoor and outdoor amenity space for on-site residents;
  - (t) regulate streetwall massing, external building design, building materials, design of at-grade residential units, front yard landscaping, outdoor storage, signage, and the planting of vegetation so that it complements any abutting registered heritage property in a manner that respects its heritage value; and
  - (u) permit indoor / underground parking.
- (2) In addition to meeting the requirements of Policy 12.3.1(1) a) to u) inclusive, when considering a development agreement for the property located on Carlton Street, Robie Street and Spring Garden Road, Halifax, Council shall consider:
- (a) the planning principles of transition, pedestrian-oriented, human-scale, building design and context sensitive, as described in Section 2;
  - (b) the provision of appropriate changes in building size and massing, to create appropriate transitions to surrounding built forms;
  - (c) that the proposed development is oriented toward Spring Garden Road and Robie Street and that the design complements a commercial streetscape, through the provision of commercial

- units with large, transparent windows and at-grade entrances opening onto the sidewalk;
- (d) that the design of driveways and garage entrances minimizes their impact on pedestrians and on the streetscape, by minimizing their size, by setting garage doors back from the street and by using screening or architectural finishes as appropriate;
  - (e) environmental factors, including sun/shadow and wind conditions are suitable for the intended use of the site;
  - (f) the implementation of controls to reduce conflict with any adjacent or nearby land use(s) by reason of traffic generation, access to and egress from the site and parking; and
  - (g) Policy CH-16 of the Regional Municipal Planning Strategy, which provides guidance for development abutting heritage properties, and all applicable heritage policies as may be amended from time to time.


4. By amending Section XVI to add the following Map A immediately after Subsection 12.3.1(2):





**Map A**

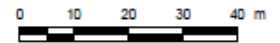
Spring Garden Road, Robie Street, College Street and Carlton Street,  
Halifax

**HALIFAX**

 Site B (Case 20761)

 Site A (Case 20218)

 Heritage Line



Halifax Peninsula Land Use By-Law Area

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

I, Kevin Arjoon, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the [INSERT COUNCIL NAME] held on [DATE], 201[#].

---

Kevin Arjoon  
Municipal Clerk



**ATTACHMENT B:**  
**Proposed Amendments to the Land Use By-law for Halifax Peninsula**

BE IT ENACTED by the Halifax Regional Council of the Halifax Regional Municipality that the Land Use By-law for Halifax Peninsula is hereby further amended as follows:

1. Amend the section under the heading PENINSULA CENTRE - DEVELOPMENT AGREEMENTS by inserting the following sub-heading and subsection 95(9) immediately following Subsection 95(8):

**Spring Garden Road, Robie Street and Carlton Street**

**95(9) Council may, by development agreement, pursuant to Policy 12.3.1 Section XVI of the Halifax Municipal Planning Strategy, permit a mixed use development at 5950 Spring Garden Road; 5954 Spring Garden Road; 5954A Spring Garden Road; PID 00135384; 5958A Spring Garden Road; 5958B Spring Garden Road; 5960 Spring Garden Road; 5962 Spring Garden Road; 5964 Spring Garden Road; 5966 Spring Garden Road; 5966A Spring Garden Road; 5970 Spring Garden Road; 5972 Spring Garden Road; 5980 Spring Garden Road; 5982 Spring Garden Road; 5984 Spring Garden Road; 5986 Spring Garden Road; 5990 Spring Garden Road; 5992 Spring Garden Road; 5994 Spring Garden Road; 1403 Robie Street; 1478 Carlton Street; 1480 Carlton Street; 1484 Carlton Street and 1494 Carlton Street, Halifax.**

I, Kevin Arjoon, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the [INSERT COUNCIL NAME] held on [DATE], 201[#].

---

Kevin Arjoon  
Municipal Clerk

## Attachment C

### Policy Evaluation of CH-16 Development Abutting Heritage Properties

**Policy CH-16:** *For lands abutting federally, provincially or municipally registered heritage properties, HRM shall, when reviewing applications for development agreements, rezonings and amendments pursuant to secondary planning strategies, or when reviewing the provision of utilities for said lands, consider a range of design solutions and architectural expressions that are compatible with the abutting federally, provincially or municipally registered heritage properties by considering the following:*

Policy Criteria	Comment
<p><i>(a) the careful use of materials, colour, proportion, and the rhythm established by surface and structural elements should reinforce those same aspects of the existing buildings;</i></p>	<p>Subsection 2(b) of the proposed MPS policy (Attachment A of this report) requires that Council consider, through a development agreement, the provision of appropriate changes in building size and massing, to create appropriate transitions to surrounding forms.</p>
<p><i>(b) ensuring that new development is visually compatible with yet distinguishable from the abutting registered heritage property. To accomplish this, an appropriate balance must be struck between mere imitation of the abutting building and pointed contrast, thus complementing the abutting registered heritage property in a manner that respects its heritage value;</i></p>	<p>Subsection 1(t) of the proposed MPS policy requires the regulation of streetwall massing, external building design, cladding materials, design of at-grade residential units, front yard landscaping, outdoor storage, signage and the planting and retention of vegetation so that it complements any abutting registered heritage property in a manner that respects its heritage value.</p>
<p><i>(c) ensuring that new developments respect the building scale, massing, proportions, profile and building character of abutting federally, provincially or municipally registered heritage structures by ensuring that they:</i></p> <ul style="list-style-type: none"> <li><i>(i) incorporate fine-scaled architectural detailing and human-scaled building elements.</i></li> <li><i>(ii) reinforce, the structural rhythm (i.e., expression of floor lines, structural bays, etc.) of abutting federally, provincially or municipally registered heritage properties; and</i></li> <li><i>(iii) any additional building height proposed above the pedestrian realm mitigate its impact upon the pedestrian realm and abutting registered heritage properties by incorporating design solutions, such as stepbacks from the street wall and abutting registered heritage properties, modulation of building massing, and other methods of massing articulation using horizontal or vertical recesses or projections,</i></li> </ul>	<p>Subsection 2(a) of the proposed MPS policy requires that any proposal for development of the subject site, by development agreement, consider the planning principles of transition, pedestrian-orientated, human-scale, building design and context sensitive. Consideration of the human-scale principle requires consideration of a building and site design which prioritizes the needs and comfort of pedestrians. The context-sensitive principle requires that consideration be given to the proposed building's design and that it respects the character of the surrounding neighbourhood. That the scale, form and materials used respond to the architectural character of the neighbourhood. Further, next to heritage buildings or streetscapes, that the proposed building complements and enhances the heritage features.</p> <p>Subsections 1(f) through 1(m) restricts: the maximum height of the proposed development; minimum setbacks for building podiums and streetwalls from the streetline; interior lot lines and heritage properties; minimum stepbacks for portions of the development located above the streetwall/podium; and maximum heights of streetwalls and podiums.</p>

<p><i>datum lines, and changes in material, texture or colour to help reduce its apparent scale;</i></p>	
<p><i>(d) the siting of new developments such that their footprints respect the existing development pattern by:</i></p> <ul style="list-style-type: none"> <li><i>(i) physically orienting new structures to the street in a similar fashion to existing federally, provincially or municipally registered heritage structures to preserve a consistent street wall; and</i></li> <li><i>(ii) respecting the existing front and side yard setbacks of the street or heritage conservation district including permitting exceptions to the front yard requirements of the applicable land use by-laws where existing front yard requirements would detract from the heritage values of the streetscape;</i></li> </ul>	<p>Subsection 2(d) requires that the proposed building be oriented towards Spring Garden Road and Robie Street, and that the design complements a commercial streetscape, through the provision of commercial units with large, transparent windows and at-grade entrances opening onto the sidewalk. Subsection 1(l) restricts streetwall height to a maximum of 13 metres along a portion of Spring Garden Road. This allows for a consistent streetwall between the proposed development and existing buildings along Spring Garden Road.</p> <p>Section 1(i) of the proposed MPS policy requires a minimum streetwall setbacks of 0.50 metres and 1.5 metres from the Spring Garden Road and Robie Street streetlines. This allows for consistent setbacks along both streetlines.</p>
<p><i>(e) not unreasonably creating shadowing effects on public spaces and heritage resources;</i></p>	<p>Subsection 2(f) of the proposed MPS policy requires that consideration be given to environmental factors, including sun/shadow and wind conditions and that such conditions are suitable for the intended use of the site.</p>
<p><i>(f) complementing historic fabric and open space qualities of the existing streetscape;</i></p>	<p>The proposed MPS policy does not permit new portions of the mixed-use development along Carlton Street. Subsection 1(c) of the proposed MPS policy requires that the properties identified as 1478 Carlton Street, 1480 Carlton Street, 1484 Carlton Street and 1494 Carlton Street, shall be altered and subdivided, as proposed in the staff report (Case H00461) dated November 9, 2018, and approved by Regional Council on January 29, 2019. These alterations allow for the restoration of the subject heritage buildings and help to maintain qualities of the existing Carlton Streetscape.</p>
<p><i>(g) minimizing the loss of landscaped open space;</i></p>	<p>The proposed MPS policy does not enable the loss of existing landscaped open space. Further, subsection 1(r) of the proposed MPS policy requires a landscape buffer along the east lot line or any property boundaries which abut a registered heritage property.</p>
<p><i>(h) ensuring that parking facilities (surface lots, residential garages, stand-alone parking and parking components as part of larger developments) are compatible with abutting</i></p>	<p>Subsection 1(w) permits indoor and/or underground parking as part of the development. As previously noted, subsection 1(r) of the proposed MPS policy also requires a landscape buffer along the east lot line or any property</p>

<p><i>federally, provincially or municipally registered heritage structures;</i></p>	<p>boundaries which abut a registered heritage property.</p>
<p><i>(i) placing utility equipment and devices such as metering equipment, transformer boxes, power lines, and conduit equipment boxes in locations which do not detract from the visual building character or architectural integrity of the heritage resource;</i></p>	<p>Subjection 1(t) of the proposed MPS policy regulates external building design so that it complements abutting registered properties. As proposed, the policy allows future development whereby such equipment is required to be placed in locations which do not detract from the visual character or architectural integrity of the heritage resource.</p>
<p><i>(j) having the proposal meet the heritage considerations of the appropriate Secondary Planning Strategy, as well as any applicable urban design guidelines; and</i></p>	<p>The objective of the Heritage Policies under the Halifax MPS is “<i>The preservation and enhancement of areas, sites, structures, streetscapes and conditions in Halifax which reflect the City’s past historically and/or architecturally.</i>” The policy criteria speaks to preserving heritage properties through heritage designation, and ensuring development that will impact heritage resources is sensitive and complementary.</p> <p>The anticipated impact of the proposed MPS policy on the heritage context is limited. The proposed MPS policy enables the protection of abutting heritage properties by: requiring appropriate separation between any proposed development; restricting overall building height; regulating streetwall massing, external building design, building materials, landscaping and buffering; and enabling the restoration and retention of heritage properties which form part of the proposed development site.</p> <p>There are no urban design guidelines for this area.</p>
<p><i>(k) any applicable matter as set out in Policy G-14 of this Plan.</i></p>	<p>Policy G-14 (pertaining to Regional Plan amendments requiring subsequent amendments to other planning documents for consistency), does not apply in this case.</p>

## Attachment D - Public Meeting Minutes June 11 2018



### HALIFAX PENINSULA PLANNING ADVISORY COMMITTEE PUBLIC MEETING MINUTES June 11, 2018

PRESENT: Sarah MacDonald, Chair  
Grant Cooke  
Jason Cooke  
Ashley Morton  
Mathew Novak  
Margo Grant  
Councillor Lindell Smith  
Deputy Mayor Wayne Mason

REGRETS: Jeana MacLeod, Vice Chair  
Houssam Elokda

STAFF: Tyson Simms, Planner III, Planning and Development  
Sharon Chase, Legislative Assistant

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

*The agenda, reports, supporting documents, and information items circulated to the Halifax Peninsula Planning Advisory Committee are available online at [halifax.ca](http://halifax.ca).*

*The meeting was called to order at 7:01 p.m., the Committee adjourned at 8:51 p.m.*

## **1. CALL TO ORDER**

The Chair called the meeting to order at 7:01 p.m. at St. Andrews United Church, 6036 Coburg Road, Halifax.

## **2. PUBLIC INFORMATION MEETING**

**Case 20218:** Application by Dixel Developments to change the Halifax Municipal Planning Strategy and Halifax Peninsula Land Use By-law to allow two towers, 30 and 16 floors, on a shared base, with a mix of retail uses, commercial uses and residential units, at the corner of Spring Garden Road and Robie Street.

The Chair invited Tyson Simms, Planner III, to present Case 20218. Simms reviewed the steps in the planning process and the role and opportunity for public engagement. He reminded the audience that no decisions will be made at this meeting and that he would provide his contact information if there were any further questions regarding the case.

Tyson Simms outlined the details of the development proposal which covers 1.2 acres and includes 250 residential units, commercial and office space, and underground parking. There are also three (3) registered heritage properties on Carleton Street, which will come to the Heritage Advisory Board under a separate proposal. This proposal falls under a Spring Garden Road Sub Area of the Peninsula Centre Plan Area. The specific considerations for this sub area were explained. The site context was reviewed: commercial, mixed residential surrounded by both medium and high density residential buildings. It is zoned C-2A, minor commercial zone, with an R2 zone on Carleton Street and is surrounded by R3 zoning. Height maps of the area were also shared, noting 35 feet maximum as of right. The Centre Plan guidelines and planning principles were explained.

Louis Lawen, Dixel Developments, introduced his company reviewing its history and highlighting other recent development projects. They shared the concept for the Spring Garden West development noting the importance of its central/gateway location. Lawen reviewed the timeline of this project from May 2105-now; highlighting their focus on public engagement throughout the process. They also noted some partnerships that have been formed as a result of this consultation and emphasized that this type of engagement would continue. Lawen noted that there would be a full restoration of the three (3) heritage homes and that the company had developed a heritage impact statement. They highlighted how this development addresses the key planning principles: transition, pedestrian orientation, human scale and context sensitive giving specific examples for each.

The Chair reviewed the ground rules for the public participation portion of the meeting and invited the audience to share their feedback.

**Gerry Post**, Dresden Row, provided written correspondence, dated June 11, 2018, endorsing the project which was distributed to Committee members.

**Elaine MacEachern**, Spring Garden Road, asked whether any existing buildings will be a part of this development.

**Margo Christie**, Spring Garden Road, noted that the area was not just getting these two buildings but potentially four large buildings. The existing high rises have large setbacks and green space around them giving a more residential feel. They felt the heights suggested were too high.

**Dawn F**, South Park Street, was excited by a creative development that has given consideration to liveability, noting in particular the four-season public atrium and public spaces.

**L Toomey**, College Street, quoted from past Mayor's remarks concerning densifying the city while maintaining green space. They felt the two massive proposed projects need to be considered in their

entirety as the area will become very crowded. Summer Gardens was given as an example of a large building which does fit without overpowering the neighbourhood. People choose a neighbourhood for the lifestyle it provides.

**Alan Ferguson**, Saint Mary's University, noted the impact of developments on the building trades. They felt that Dexel is a responsible developer who creates high quality buildings.

**Chris P**, Dartmouth, stated that they had worked with Dexel on this project. They noted the extensive public consultation process and that the community was being represented and listened to. A vibrant community will be the outcome of density in the area.

**Adam Conter**, North End Halifax, noted that this is an opportunity to test how we can change development and take it to the next level. This is an opportunity to build density at a key intersection which can become a defining factor of our city. The development is creative and well thought out and the developer is willing to spend private capital for the public good.

**Wes Campbell**, Summer Gardens resident, loves their neighbourhood and fully supports the concept being presented and welcomes more people living in the area. They noted there are lots of public spaces in the neighbourhood and that development has to take place on what is remaining.

**Kristina McMillan**, Allan Street, asked if there is a need or demand for more office space. The heritage look and feel of the city is important and is what makes this city unique and attractive to young professionals and new residents.

**Alan Hayman**, Spring Garden Area, stated that the two large planned developments must be treated equally. These are impressive, massive and significant developments that should be supported. They align with the Centre plan documents. They noted two concerns, 30 storeys is out of character for the area and it will be very important to have a rodent control program in place during construction.

**Madge Skinner**, Victoria Road, commended the project and asked for clarification on what the restoration of the heritage buildings would entail. They did have concerns with the height of 30 storeys.

**Beverley Miller**, South Street, felt that outdated planning strategies were being used. They shared their experience living through two construction projects and detailed what is involved: length of time, traffic, blasting, noise. They noted that the Stantec Report pointed out that there was enough existing vacant land for 30 years of development.

**Tim Margolian**, South Park Street, would love to live in this development. They noted the obvious thought taken in the design for this scale of development and pointed out the high quality of this developer's projects. Margolian would like to see the two developments considered together.

**Ann Wachter**, Proctor Sacred Heart School, is delighted in the increase in density and feels the public spaces are a wonderful addition. They are happy to see affordable housing included. They are impressed by the openness and approach taken by the developer to be forward thinking.

**Dennis Philips**, Carleton Street, sees no reason or evidence for this project to be done. They feel it is not human scale or context sensitive; the podium is too large with no setback; it will create years of disruption; there will be a loss of sunlight and create a wind tunnel. As these issues would be imposed on residents they asked whether there would be compensation provided to individuals.

**Resident** of Allan Street, asked if this development is needed. The existing buildings are still usable and create a small community. Once they are gone they cannot be replaced.

**Alan Ruffman**, Ferguson's Cove, stated that the two developments need to be considered together. Shadow, wind and traffic studies should also reflect both projects done together. They felt that there is a

history of giving developers whatever they want and that this is an example of jumping the queue ahead of the Centre Plan. They highlighted the Robie Street corridor and its impact on development.

**Dennis**, Spring Garden Road, feels the architectural uniqueness of Halifax is being undermined and destroyed and would like to see more detail of the preservation of the heritage buildings.

**Ella Dodson**, north of Spring Garden Road, applauds the engagement that has been solicited but feels there are issues being missed: losing small businesses and the time it takes to develop these; historic culture is being impacted in neighbourhoods; and taking into consideration community values.

**Chris Annand**, Wellington Street, shared her experience living with noise and construction and suggested that amendments might be made to noise by-laws. There have been recent examples where developers have worked with residential neighbourhoods and set specific guidelines around noise which worked well and might be considered with this development.

**Graham Reid**, Armdale, feels that a 30-storey building is not context sensitive and that building design should be interesting from all angles and there is not much artistry found in Halifax developments. They noted that it is wasting resources when the existing buildings are still useful but being demolished.

The Chair called for any other speakers and as there were none closed the public feedback portion of the meeting.

Tyson Simms, Planner III, addressed some of the questions asked by members of the public.

- Staff have acknowledged that there is merit in looking at the proposals at the same time
- The site is 1.4 acres in size
- The 2017 draft Centre Plan noted 11.3 % office vacancies and encourages an office space cycle in the next 15 years
- Construction timelines can be stipulated in development agreements with construction mitigation plans put in place. Activity is then considered against what is submitted and must be followed.
- HRM has no program for affordable housing units at this time
- Wind and traffic studies have been submitted separately for each proposal and will be analyzed.
- Development agreements approved by local Community Councils are appealable.
- The heritage impact study has been submitted by the developer and is available to the public. It will be tabled along with the staff report to the Heritage Advisory Committee.
- The Carleton Street buildings will be retained but all other buildings would be removed and the lots consolidated.

Louis Lawen, Dixel Developments, explained that the heritage buildings would be restored to the original construction detail. It would include a full renewal of the buildings and site.

The public was thanked for their attendance and participation at both recent public meetings. Contact information for any further questions was shared.

### **3. ADJOURNMENT**

The meeting adjourned at 8:51 p.m.

Sharon Chase  
Legislative Assistant





March 8th , 2019

Tyson Simms, Planner III  
Urban Plan Amendments Team  
HRM Planning & Development  
2<sup>nd</sup> floor, 40 Alderney Drive  
Dartmouth, NS

**Re: Case 20218, Spring Garden West, Carlton Street/Spring Garden Road/Robie Street**

Dear Tyson,

This is in response to our earlier correspondence and discussions regarding this plan amendment application.

Inclusion of Heritage Properties within Policy Set for SGW Project

As you are aware, Regional Council has approved our requested substantial alterations to the four registered heritage properties on Carlton Street. Relative to the planning framework that will be applied to our new buildings, Dexel suggests that our Carlton Street properties be included within the development agreement policy set. This would reflect the fact that the entire Spring Garden West project with buildings both new and old will remain under one ownership and as such is being comprehensively planned as a whole. This unified approach will allow the development agreement to deal with use and maintenance of the heritage buildings, and also address detailed design of rear yard amenity spaces and provision of property line buffers such as fences and plantings between the heritage buildings and the new project.

Revisions to Project

Several changes have been made to the massing of the project based on public comments and review by design and planning professionals. These are reflected in the attached drawings, which show an updated heights and massing framework. The changes are:

- The mid-rise section of the building (floors 6 to 8) has been reduced to lessen the heavy visual prominence of the base of the building, to emphasise the slender nature of the towers, and to increase sunlight penetration to Spring Garden Road. This is achieved by a reduction in height of the project between the two towers to 6 floors and by reducing the overall footprint of the mid rise floors.
- In order to maintain the needed FAR for this project and to continue to enable the extensive proposed public benefits, the displaced mid-rise floor area noted above has been relocated by adding 4 floors of height to the narrow tower at Spring Garden/Robie.
- The massing of the building adjacent to the registered heritage property at 1494 Carlton Street has been reduced to create a more appropriate relationship between old and new. The height of the building has been reduced from 3 floors to 2, to carry the roof line of the heritage building along Spring Garden Road. The cornice line of the heritage building will also be continued along

Spring Garden Road by the top of the first floor. Floors 3 and above are then setback 11.5 m from the rear property line of the heritage buildings to create a strong transition.

- Setbacks of certain parts of the project have been increased in order to ensure appropriate separations from proposed development on the adjacent land assembly.

## Community Engagement

The proposal for Spring Garden West has been developed and continually refined based on extensive public feedback. Dexel hired the best engagement team possible and sought to come up with the best project using a process similar to that used by HRM for design of the new Spring Garden Road library. This was the first pre-application engagement process by a private developer in the HRM. This has been a long process (6 months, 6 meetings, 1000s of hours and it continues today), far exceeding HRM's own requirements for community engagement on either public or private development proposals. We have been able to consider and incorporate hundreds of ideas and suggestions and to address reasonable concerns that have been raised, and to garner broad public support for the project as it now stands. We continue to be open to public input as we further advance and refine the design of the project. The complete process is displayed online at [www.livewellonsgw.com](http://www.livewellonsgw.com)

## Community Benefits

Dexel is committed to adding to the neighbourhoods in which we build. Our projects are always designed to create the best fit possible. In the case of Spring Garden West, the project has been not only carefully designed to fit the site, respect surrounding neighbourhoods, and contribute to lively pedestrian-oriented streets but to provide substantive and meaningful community benefits unlike any other development to date in HRM. Dexel is proposing to provide, in return for approval of a project with the needed FAR to make the project feasible, community benefits across nine categories:

- Restoration and maintenance of 4 registered heritage buildings in the historic Carlton Street streetscape,
- Provision of new public space in an atrium at the corner of Spring Garden/Robie,
- Provision of public living room, inspired by the Halifax Central Library, overlooking Spring Garden/Robie,
- Contributions to the improvement of Balcom Park at the corner of Robie/Coburg,
- Undergrounding of utilities adjacent to the project on Spring Garden Road and Robie Street, and undergrounding of overhead service wires to the 4 Carlton Street properties,
- Provision of affordable and social housing units over an extended period of time,
- Provision of subsidized office space for non-profits and NGO,
- Public underground vehicle parking,
- Free public underground bike parking as well as bike parking areas integrated into the streetscape,
- Streetscape improvements in the form of a integrated linear park, and
- Universal design with the guidance of universal design architect, Anne Sinclair, and the Rick Hanson Accessibility Standards

- Public streetscape safety improvements - 24/7 lite sidewalk and snowmelt sidewalk system.

The value of these public benefits has been determined to be \$5.7 million (2016), far exceeding that which would normally be required by HRM through a bonusing program based on additional FAR above 5.0 to reach the desired FAR of 8.72. Please see Attachment A for further detail.

### Alignment with Centre Plan Parameters

The Spring Garden West project is within one of the five Centres proposed by Centre Plan for intensive development. The size of our land assembly at 1.2 acres enables a true mixed use project with two striking towers that will be the slimmest to date in HRM, a vibrant pedestrian streetscape, and new public amenity spaces, while also enabling the restoration of four heritage buildings within the significant Carlton Street Victorian streetscape. At the same time the proposal meets current best practices for massing and urban design for large scale projects. The community benefits of the project are wide-ranging across numerous categories, which is unprecedented in Halifax.

The draft Centre Plan documents initially identified a maximum building height of 20 floors within the Centres, which is an arbitrary and artificial limit for those sites with the size and context that can support greater height. At Dexel we firmly believe, as HRM begins to enable the next generation of taller and slender structures, that exemplary design must be demonstrated. Our proposal demonstrates the type of design and massing that allows taller forms to work and contribute to active, vibrant pedestrian environments. It is our understanding that the next draft of Centre Plan will not contain any height limits in the Centres but will instead use FAR. This approach is more reasonable and allows us to work the massing needed to create a feasible project into the best form for this site. Lower height maximums would necessitate heavier massing for the low rise podium and mid-rise floors and require larger tower floor plates, with the results of negative effects on the Carlton Street historic streetscape, greater shadow impacts on sidewalks and public spaces, and would have implications for development of the adjacent College Street land assembly. Our proposed FAR is 8.57 (not including the heritage properties), which is reasonable given the site's location within a major Centre as identified under Centre Plan and given the broad scope of public benefits that we are proposing.

### Compliance with Key HRM Planning Principles

The project draws heavily on its context within the Spring Garden Road Centre that is proposed under Centre Plan, and provides a clear opportunity for a signature development to drive the needed intensification of the urban core, while being designed to fit the immediate area and take adjacent proposals into consideration. The project demonstrates compliance with the key principles approved by Regional Council to guide staff's evaluation of the 22 MPS amendments in advance of Centre Plan as outlined in Attachment B

### Heritage Policy Evaluation

The Regional MPS establishes specific criteria to be met for developments adjacent to registered heritage properties. The Spring Garden West project which encompasses 13 existing properties includes 4 registered heritage properties. These properties are considered by Dexel as an integral part of the development. Alterations to the buildings and subdivision of the rear of the lots have been addressed by

the Heritage Advisory Committee pursuant to the Heritage Conservation Standards adopted under the Regional MPS, and have been approved by Regional Council. The restoration of the heritage properties will take place as one part of the larger development, once approved. The heritage buildings will remain on their own lots, but are intended to be included within the development agreement that will apply to the entire project. Attachment C provides a detailed evaluation of how the project complies with the heritage policies of the Regional Plan.

### Summary

This submission demonstrates how the Spring Garden West project meets HRM's intensification targets, urban design best practices, and standards for projects that abut registered heritage properties. Not only does the project meet the highest standards of design, it will provide clear and measurable high-value community benefits across nine categories worth millions of dollars.

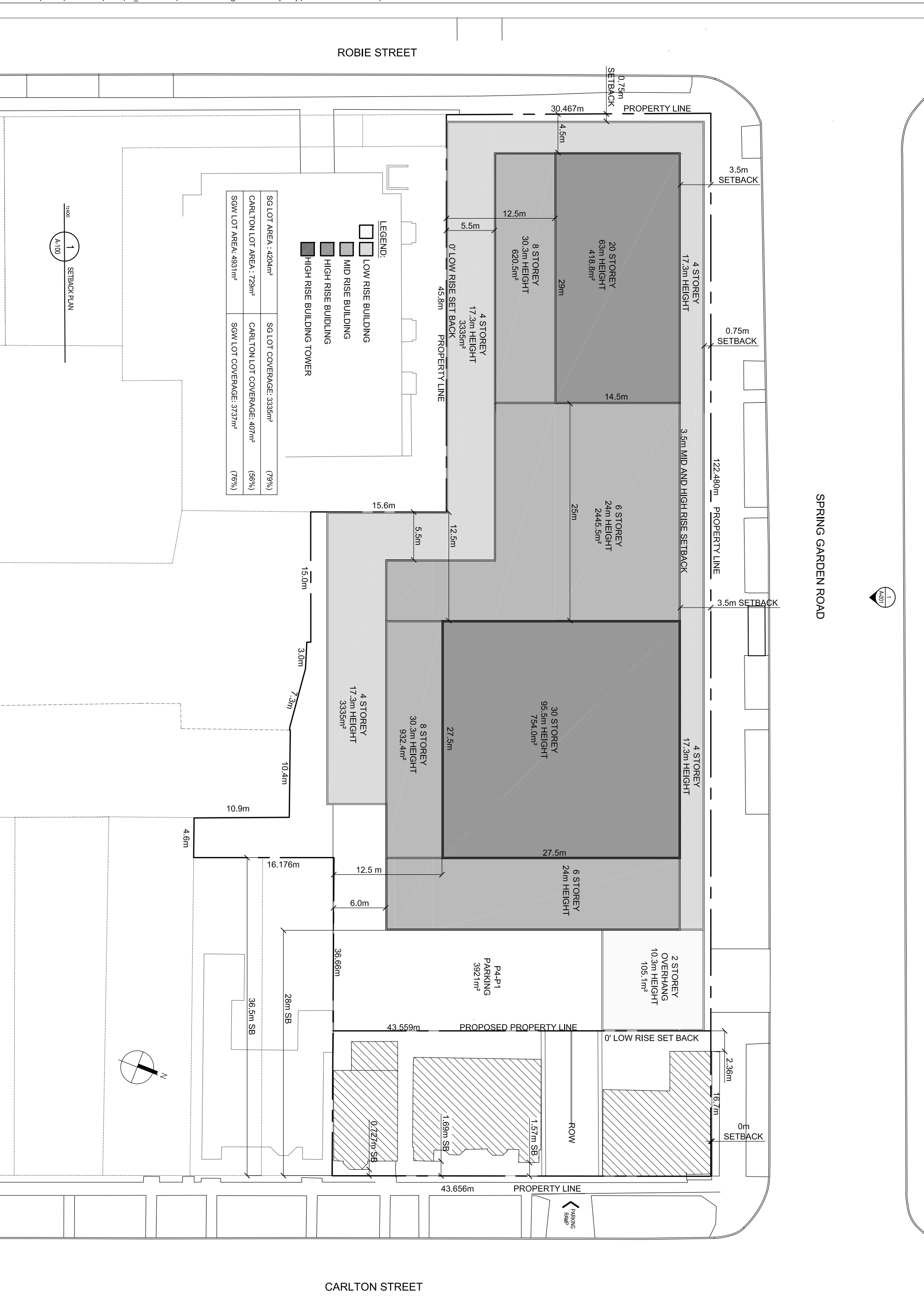
Going forward, Dexel wishes to confirm that the general parameters of the project relative to land use, massing, height and community benefits are acceptable to HRM Planning. Following that, the exterior design of the project can be further refined. It is our hope that the MPS amendment and DA processes continue to advance concurrently and in a timely manner.

We look forward to your response and confirmation of the next steps needed in order to advance this application.

Yours truly,

Original Signed

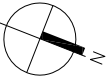
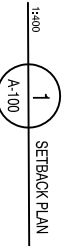
Louis Lawen  
President & CEO  
Dexel Developments Ltd.



SG LOT AREA : 4204m <sup>2</sup>	SG LOT COVERAGE: 3335m <sup>2</sup>	(79%)
CARLTON LOT AREA : 729m <sup>2</sup>	CARLTON LOT COVERAGE: 407m <sup>2</sup>	(56%)
SGW LOT AREA: 4931m <sup>2</sup>	SGW LOT COVERAGE: 3737m <sup>2</sup>	(76%)

**LEGEND:**

- LOW RISE BUILDING
- MID RISE BUILDING
- HIGH RISE BUILDING
- HIGH RISE BUILDING TOWER



SPRING GARDEN ROAD

ROBIE STREET

CARLTON STREET

<p><b>PROJECT</b></p> <p><b>SPRING GARDEN WEST</b></p>	<p><b>SCALE</b></p> <p>1:400</p>	<p><b>DATE</b></p> <p>2019-02-28</p>	<p><b>TITLE</b></p> <p><b>SETBACK PLAN</b></p>	<p><b>SHEET</b></p> <p><b>A-100</b></p>	<p>0 inches = 1 foot</p> <p>HALF SCALE IF 11x17</p>																																	
<p><b>DRAWN BY</b></p> <p>KD</p>	<p><b>CHECKED BY</b></p> <p>LL</p>																																					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>ISSUE #</th> <th>DESCRIPTION</th> <th>Y/M/D</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>						ISSUE #	DESCRIPTION	Y/M/D																														
ISSUE #	DESCRIPTION	Y/M/D																																				
<p><b>DEVEL ARCHITECTURE</b></p> <p>1245 Barrington Street Halifax, NS B3J 1Y2 F. 902.444.6609 E. info@dexel.ca T. 902.446.9916</p>																																						



**Attachment A**  
**Detailed Evaluation of Public Benefits of the Spring Garden West Project**





Cantwell & Company  
Consulting Ltd.

Real Estate Consulting  
Property Management  
Development

5845 Point Pleasant Drive  
Halifax, Nova Scotia  
Canada B3H 1B7

Cell (902) 497 7338

August 17<sup>th</sup>, 2016

Mr. Louie Lawen, P.Eng, President  
Dexel Developments Ltd  
1245 Barrington Street  
Halifax, NS  
B3J 1Y2

Re: Review of Public Benefits: Spring Garden West

Dear Mr. Lawen:

As requested, we have reviewed the proposed development concept for Spring Garden West (SGW) and have quantified the public benefits associated with this project. The intent of this letter report is to help the Halifax Regional Municipality quantify the value of the public amenity benefits being proposed by Dexel Developments for the site at 5958 Spring Garden Road.

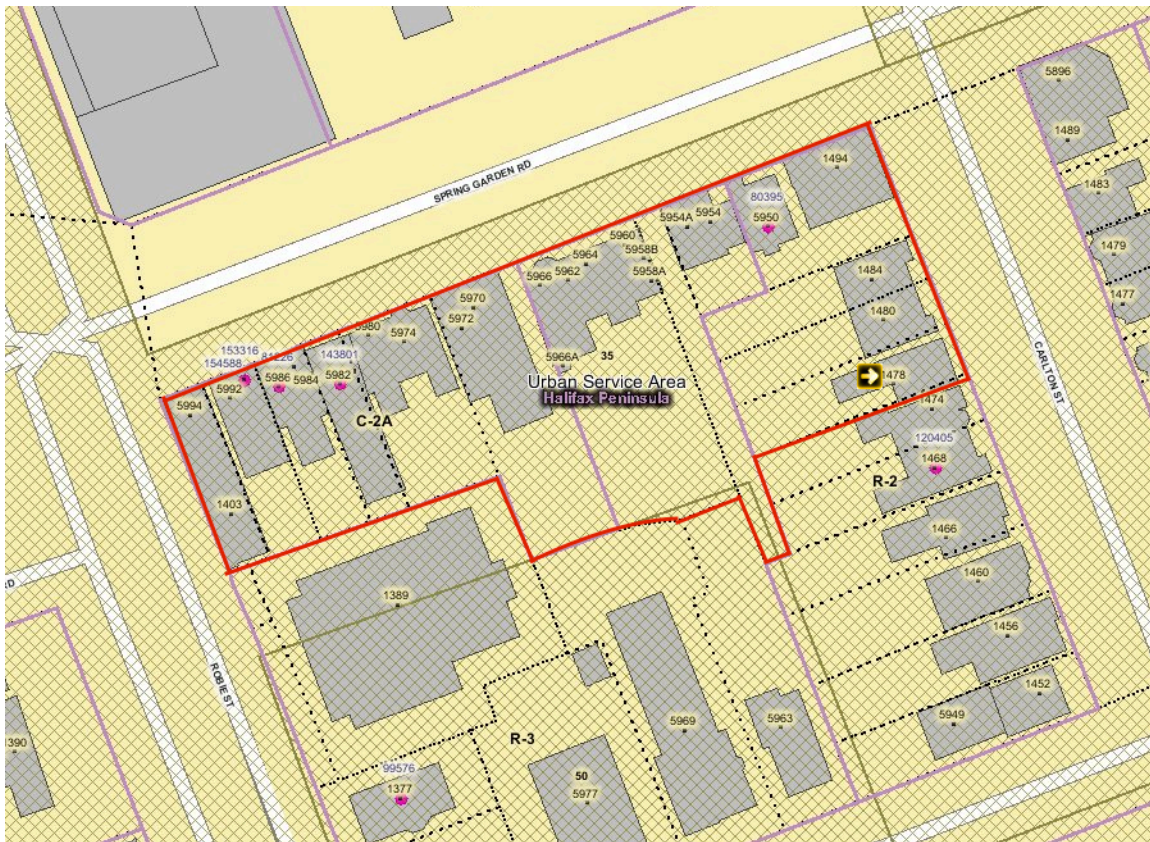
#### **AS OF RIGHT DEVELOPMENT**

The following graphic illustrates the location of the subject properties (outlined in red), as well as their current zoning. The property includes all frontage on Spring Garden Road from Carleton to Robie Street. The western portion of the site, including the first six buildings from Robie Street heading east, are presently zoned C-2A. Several buildings in the middle of the site are zoned R-3 while the eastern portion of the site along Carleton Street is zoned R-2.

As there are half a dozen high-rises (12 to 16 to 20 floors) in the immediate area surrounding this property (e.g., Spring Garden Professional Centre, Dalhousie Medical School, Embassy Towers, Spring Garden Terrace, Garden Crest and Summer Gardens), the C2-A zone doesn't seem to be congruent with the surrounding neighbourhood, which is predominantly zoned for R-3 or RC-3 uses. The exception would be the older homes on Carleton Street, as this is an intact streetscape with several buildings having municipal heritage designation.

While there is currently a 35 foot height limit on this property, a draft growth scenario prepared by HRM staff for the Centre Plan indicates that this corner is being designated as a Primary Growth Area, which will be deemed to be appropriate for moderate and tall building options.





Although the final Centre Plan is not yet available to help us fully assess an “as of right development option”, the area has been identified as a Primary Growth Area that would allow tall buildings, therefore we have made the assumption that a floor area ratio (FAR) of about 5.0 would be used as a baseline, or “pre-bonus height”.

<b>ESTIMATE OF PRE-BONUS DENSITY</b>	<b>Sq. Ft</b>	<b>Sq. M</b>
Spring Garden West - Gross Site Area	53,110	4,934
Times Floor Area Ratio (FAR)	5.0	5.0
<b>Equals Allowable Pre-Bonus Density</b>	<b>265,550</b>	<b>24,670</b>

Applying an FAR of 5.0 to the site of the assembled property (53,110 SF or 4,934 Sq. Meters) indicates that approximately 265,550 SF of building (24,670 SM) would be allowed “as of right”. This is the baseline that any future public amenities should be measured against.

**PROJECT DESCRIPTION.**

The following plans illustrate the proposed project as described to Cantwell & Company for the preparation of this letter report. The plans include two towers (16 and 29.5 floors) over a common podium with a four story street wall along Spring Garden Road. The existing older buildings on Carleton Street are retained and restored. The park on the western side of Robie Street is upgraded as a public amenity for the neighbourhood.





Site Plan for Spring Garden West



Corner of Spring Garden Road and Robie Street - Facing South





In total, the plan includes 372,118 SF of total space (34,572 SM), including 21,200 SF of retail (1,970 SM), 61,500 SF of office space (5,714 SM), 251,230 SF of residential space (23,340 SM), 10,730 SF of residential amenity space (997 MS), and 17,587 SF of circulation space (1,634 SM). The three older buildings on Carleton Street are renovated, which provide another 9,871 SF of mixed use space (917 SM).

**CALCULATION OF POST BONUS DENSITY AMENITY VALUE.**

The theory of bonus density incentives is that the developer shares the incremental value created with the community by provide public amenities such as parks, affordable housing, etc. In calculating the post bonus density for this site we are not using the current zoning as HRM is in the process of amending and consolidating all the secondary plans on the Halifax Peninsula and Downtown Dartmouth (i.e., the Centre Plan) and therefore some increase in density will be provided regardless of how this site is developed. As mentioned previously, while we do not know the final FAR that the Municipality will assign to this property, based on our review of adjacent properties as well as preliminary feedback from HRM (i.e., this area was designated as a Primary Growth Area), it would appear that a value of 5.0 is reasonable.

The following table calculates the value of the post bonus density for this site assuming that the pre-bonus density is an FAR of 5.0.

<b>CALCULATION OF POST BONUS DENSITY - SPRING GARDEN WEST</b>			
<b>Cantwell &amp; Company Consulting</b>			
<b>Space Description</b>	<b>Proposed</b>	<b>As of Right</b>	<b>Difference</b>
Retail Space	1,970		
Office Space	5,714		
Residential Space	23,340		
Amenity Space for Residential	997		
Circulation Space	1,634		
Total New Floor Area	33,655		
Heritage Buildings - Carlton Street	917		
Total Gross Floor Area in Sq. M	34,572	24,670	9,902
Gross Site Area	4,934	4,934	
Floor Area Ratio	7.0	5.0	
<b>VALUE OF INCREMENTAL SPACE</b>			
Incremental Sq. M of Buildable Space		Sq. M	9,902
Value per Sq. M		Sq. M	\$430.49
Times Land Value Coefficient			67%
<b>Value for Bonus Density Agreement</b>			<b>\$2,841,828</b>

The development has a proposed 34,572 square meters, which is 9,902 square meters more than an as of right scenario (24,670 SM). Applying a market value of \$40 per buildable square foot (\$430 per SM) and then applying a 67% value coefficient, produces a value of \$2,841,828 for the buildable space that is in excess of the as of right scenario.

This is the cumulative amount of public amenity benefits that the developer should provide to the community in order for the trade off to be considered a fair bargain. The following report sections calculate the value of specific features that the developer is proposing in order to meet their obligations under the bonus density program. These public amenities have been identified based on the community consultation program that was implemented for Spring Garden West

#### **1. AFFORDABLE HOUSING.**

Housing affordability is a growing problem in most major cities, and Halifax is no exception. Although the Province of Nova Scotia (through Housing Nova Scotia) is responsible for the creation of affordable housing, the problem is so complex that it has had a limited impact in Halifax over the past several decades. To date, most of the affordable housing that is being created by Housing Nova Scotia is contract based, typically for a set period of time. This might include Rental Supplements (issued by Housing Nova Scotia) that help write down the cost of rental housing, or through a capital contribution that creates 15 years of housing affordability. While both programs can help create affordable housing, they don't provide a long-term solution. In addition, the most acute need for affordable housing tends to be in urban locations on the Halifax Peninsula, yet very few of the contracts entered into by Housing Nova Scotia are for areas such as the Spring Garden Road corridor.

As part of its amenity contribution to the Spring Garden neighbourhood, Dixel Developments has proposed the creation of 16 units of affordable housing, which would be made available to households earning 80% or less of the median income for the area. These units would be affordable in perpetuity (i.e., for the life of the project, not just for a 15 year timeframe) and as such, would create high quality affordable units in a high demand location. The rent of \$1,275 per month would be affordable (30% of income) to a family making \$51,000 per year; this is 60% of median income for Halifax in 2014<sup>1</sup>. The following table calculates the value of these affordable units to the community, by discounting the net rental differential (market rental rate minus the affordable rental rate) over the life of the project.

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<sup>1</sup> . <http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/famil107a-eng.htm>



**CALCULATION OF VALUE - AFFORDABLE HOUSING**

Description	Market	Affordable	Difference
Monthly Rental Rate	\$ 1,700	\$ 1,275	\$ 425
Times 12	12	12	12
Annual Rental Rate	\$ 20,400	\$ 15,300	\$ 5,100
Times Number of Units			16
Equals Annual Lost Revenue			\$ 81,600
Less Reduced Property Taxes	16	\$ 500	(\$8,000)
Net Annual Cashflow Reduction			\$ 73,600
Divided by Valuation Cap Rate			4.75%
Equals Reduction in Project Value	16	\$ 96,842	\$ 1,549,474

**Assumptions:** All units are 850 SF Two Bedrooms

Market Rent is \$2 per SF per Month, Affordable Housing is \$1.50 per SF per month

**2. AFFORDABLE OFFICE SPACE.**

While the concept of affordable housing is fairly well known, there has been a limited amount of discussion about the need for affordable office space in gentrifying neighbourhoods. This is starting to change as development pressure on the Halifax Peninsula is causing large increases in commercial property tax assessments, which force landlords to further increase their rental rates in order to recover the additional property taxes. The growing shortage of affordable commercial space negatively impacts small local businesses and nonprofit organizations, and reinforces a trend towards national caliber tenants who can pay the increased rental rates.

As part of its amenity contribution to the Spring Garden neighbourhood, Dixel Developments has proposed allocating 3,750 SF (348 SM) of the 61,500 SF (5,714 SM) of commercial space (6% of the total) as affordable office space for local businesses and nonprofit organizations. This space would remain affordable in perpetuity and would allow interesting local businesses to occupy what would otherwise be corporate offices.

The following table calculates the value of this affordable office space to the community, by discounting the net rental differential (market rental rate minus the affordable rental rate) over the life of the project.

**CALCULATION OF VALUE - AFFORDABLE OFFICE SPACE**

Description	Market	Affordable	Difference
Net Rental Rate per SM	\$ 258.33	\$ 172.22	\$ 86.11
Times SM of Affordable Office Space			348.39
Equals Annual Lost Revenue			\$ 30,000
Less Reduced Property Taxes per SM	348	\$ 21.53	(\$7,500)
Net Annual Cashflow Reduction	SM		\$ 22,500
Divided by Valuation Cap Rate			6.00%
Equals Reduction in Project Value			\$ 375,000

Assumptions: Rent does not include operating costs

The calculation assumes that the net rent is reduced by 33% from \$258 per SM to \$172 per SM. This reduces the gross revenue from this space by \$30,000 per year, although this would be offset by a reduction in operating expenses (i.e., property taxes) of \$7,500. Once capitalized at 6%, the net present value of this benefit is \$375,000 over the life of the project.

**3. PUBLIC ATRIUM AND LIVING ROOM**

Dexel Developments envisions providing a four (4) storey atrium entrance to the professional offices with views to the surrounding streetscape. As part of the public consultation for this project, the public requested that the development be a year-round destination, and that the atrium provide public space to host public performances and cultural events, health related presentations, a healthy food market, a speaker's corner and community group gatherings. This space will be available to the public 365 days a year.

The atrium is roughly 4,400 SF (409 SM) and will cost \$500 per SF (\$5,379 per SM) to construct, or \$2,200,000 in total. As roughly half of this space is required as part of the development, the developer will only claim half of the cost (\$1,100,000) as a public benefit.

**4. INDOOR PUBLIC BIKE PARKING.**

The development plan includes a 400 SF (37 SM) indoor bike storage facility with shower for use by the general public. This is in addition to the bike facilities that will be provided the building's tenants. The intent of including this bike storage facility is to provide additional bike infrastructure that can be used by the surrounding neighbourhood, thus helping to promote alternative forms of active transit. The estimated cost of this improvement is \$100,000.

**5. PARK (SW CORNER OF ROBIE AND COBURG)**

Public greenspace can be a highly used and valued amenity to the local community. While the municipality recognizes the benefits of new parks and open space in suburban areas (e.g., most subdivision bylaws require a greenspace contribution), there is typically not such a requirement for urban developments. For this project, Dexel Developments would like to change this by funding the creation of a park at the corner of Robie and Coburg Streets.

There is currently a small (6,706 SF, 623 SM) orphaned triangle of land/grass at the western corner of Coburg and Robie Streets, which receives very little - if any - public use. One of the reasons this space isn't used is that its cut off from the sidewalk by a small section of Coburg Road that allows cars heading east on Coburg to turn south on Robie without waiting for traffic lights. Research on this area indicates an elevated level of pedestrian incidents in this small section of street, and ideally this section would be closed to increase the size and functionality of the park. By including the street right of way (5,899 SF / 548 SM) with the existing green space, the combined area is 12,605 SF or 1,171 SM.

The plan calls for the closure of this short section of street, and the creation of a new park, which is linked directly to the regional sidewalk system. Based on estimates prepare by the developer, the value of this project is estimated to be \$630,250 (12,605 SF of space at \$50 per SF).

#### **6. STREETScape IMPROVEMENTS.**

New development in an urban environment typically requires removing the sidewalk during construction and re-instating the same sidewalk once construction is complete. The municipality has no specific streetscape requirements other than reinstating a brushed concrete sidewalk.

For this project, Dixel Developments is proposing to add a number of streetscape improvements along both Spring Garden Road and Robie Street, including: planter boxes for trees; street furniture (e.g., benches) and high quality light standards. Dixel would also add inground heating under the new sidewalk to keep this free of snow and ice all winter (including the on-going cost of maintaining that system), as well as sidewalk lighting. The value of these amenities has been estimated to be worth \$787,808 (12,840 square feet of sidewalk at \$56 per SF OR 1,307 SM at \$603 per SM).

#### **7. PUBLIC PARKING.**

In an urban environment, as vacant or under utilized properties are redeveloped, the demand for public parking can increase. On the eastern end of Spring Garden Road (i.e., near Queen Street), parking is at a premium, and demand will continue to increase as additional vacant lots are redeveloped. Although the western end of Spring Garden Road (e.g., at Robie Street) is a minor retail destination at the present time, this will increase in response to new development like the proposed building.

Dixel Developments has anticipated the future need for public parking in the immediate area and has proposed approximate 300 parking stalls for the commercial space and general public. Assuming a ratio of 2 spaces per 1,000 SF of office and retail space, about half of these spaces are needed by the developer, while the remainder (approximately 150 spaces) would be available as public parking.

As the proposed parking will generate operating revenue, most of the cost will be self-sufficient. The major cost to the developer in providing this additional space is the need to adjust the structural column grid from a cost effective 20 by 20, to a more functional (for public parking) 30 by 30 foot grid. This will also necessitate increasing the concrete floor form 8" to 10" in order to transfer the additional loads. The cost of



these upgrades has been estimated at \$5 per SF for 120,000 SF (\$54 per SM for 11,148 SM) or \$600,000. The developer is looking for a credit of 50% of this amount, as half of the space will be used by commercial tenants (at least during days times), or \$300,000.

#### **8. HERITAGE RESTORATION.**

The site includes four old buildings on Carleton Street that are part of a significant heritage streetscape. The development plan does not propose removing these buildings, but rather fully restoring them to their original condition. To achieve this goal, Dixel Developments is working with noted heritage expert and developer Hal Forbes (Forbes Restoration). The plan is to strip the exterior of these buildings down to their original clapboards, and to then rebuild/restore the windows, doors, shingles, frieze boards, corbels, etc. to their original condition. Dixel Developments estimates that the four structures have 11,250 SF of exterior façade (1,045 Sq. Meters) and that the cost of restoration is \$105 per SF (\$1,130 per Sq. M) for a total cost of \$1,181,250. As approximately 50% of this work would have been done as regular renovation regardless of the density of the proposed development, the developer is only claiming 50% of the value of this work (\$590,625) as a public benefit.

#### **9. CONTRIBUTION TO UNDERGROUND WIRING.**

After Hurricane Juan, there was a large amount of damage to the power lines throughout the city. This damage included the cost to replace power poles and power lines, as well as the productivity losses associated with going without power for 2 to 3 days. As a result of Hurricane Juan, the Municipality has indicated that it is interested in seeing more power lines buried beneath the street. For a well-known retail street such as Spring Garden Road, the undergrounding of power lines has an additional benefit as it improves the aesthetics of the street, which benefits both residents and visitors to the area.

The cost of undergrounding the power infrastructure around the property has been estimated to be worth approximately \$1,425 per foot (\$4,673 per linear meter) or \$1,000,000. Although Dixel Developments is not looking to pay for the full cost of this amenity, they would commit to funding one third (1/3) of this cost (\$333,000) with Nova Scotia Power paying for the wiring and HRM picking up the rest of the cost.

#### **SUMMARY OF DEVELOPER CONTRIBUTIONS.**

The following table provides a summary of the proposed contributions by the developer, which total \$5.766 million.

<b>SUMMARY OF PUBLIC AMENITIES - SPRING GARDEN WEST</b>							
<b>Prepared by Cantwell &amp; Company Consulting Ltd</b>							
<b>August 2016</b>							
<b>Item</b>	<b>Description</b>	<b>Quantity</b>	<b>Units</b>	<b>Rate</b>	<b>Total Cost</b>	<b>Public Amenity Component</b>	<b>Amenity Value</b>
1	Affordable Housing	16	units	\$96,842	\$ 1,549,474	100%	\$ 1,549,474
2	Affordable Office Space	348	SM	\$1,078	\$ 375,000	100%	\$ 375,000
3	Public Atrium & Living Room	409	SM	\$ 5,379	\$ 2,200,000	50%	\$ 1,100,000
4	Free Indoor Public Bike Parking	37	SM	\$ 2,703	\$ 100,000	100%	\$ 100,000
5	Public Park Improvements	1,171	SM	\$ 538	\$ 630,250	100%	\$ 630,250
6	Streetscape Improvements	1,307	SM	\$ 603	\$ 787,808	100%	\$ 787,808
7	Creation of Public Parking	11,148	SM	\$ 54	\$ 600,000	50%	\$ 300,000
8	Heritage Façade Restoration	1,045	SM	\$ 1,130	\$ 1,181,250	50%	\$ 590,625
9	Contribution to Underground Power	214	Lin M	\$ 4,673	\$ 1,000,000	33%	\$ 333,000
<b>TOTAL CONTRIBUTIONS</b>							<b>\$5,766,157</b>

As the proposed public benefits exceed the value of the incremental land value provided to the developer, this should be considered a good deal for the municipality and the general public.

If you have any further questions, please do not hesitate to contact me at 902-497-7338,

Sincerely,  
 Cantwell & Company  
 Original Signed

Ross A. Cantwell, M.Sc., President

# HOW CAN WE LIVE LIFE WELL?

## BUILDING SPRING GARDEN WEST SPRING GARDEN ROAD / ROBIE TO CARLTON STREET



### ACCESSIBILITY FOR EVERYONE

Easy throughfare for traffic with enough room for everyone - vehicles, pedestrians, cyclists as well as following the Rick Hansen Accessibility Standards.



### COMMUNITY MEETING SPACE

The public atrium located on the corner of Robie St. & Spring Garden Rd., will offer a unique meeting space as well as a public performance space.



### RESTAURANTS & BUSINESSES

Local shops, services and restaurants to explore and enjoy. Retail sizes will vary allowing, small local business to set up shop. Office spaces will be designed to support medical practices, down the street from Nova Scotia's largest hospital



# SGW BENEFITS

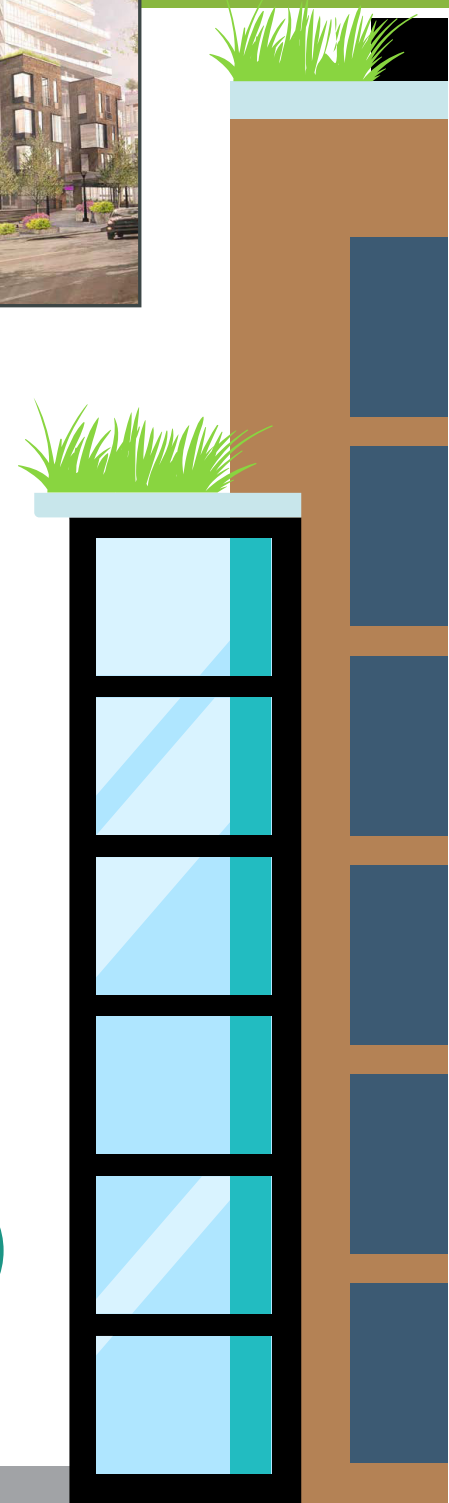
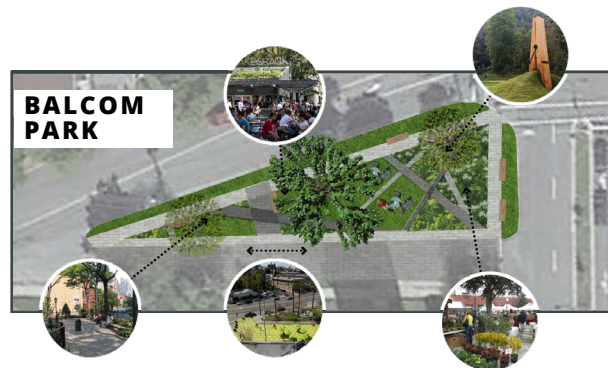
## BUILDING BENEFITS

- Green energy efficient building
- Public Atrium at the corner of Robie St. & Spring Garden Rd.
- 4th floor public living room overlooking the corner of Spring Garden Rd. and Robie St.
- Public performance space
- 24/7 well-lit sidewalk with security
- 3 fully restored heritage properties on Carlton St.
- 24/7 underground, heated public parking
- Underground, heated bike parking
- 5% affordable housing
- 1% social housing
- 5% affordable office space for NGOs
- Off street loading & garbage area

## PUBLIC REALM BENEFITS

- Revitalization of Balcom Park
- Improved streetscape with wider sidewalk and 643 ft of linear park
- Heated sidewalk to melt the snow and ice
- Undergrounding of power lines with the assistance of the HRM & NS Power

Head to [www.livewellongw.com](http://www.livewellongw.com) to learn more about Spring Garden West (SGW), as well as Dixel's ongoing public engagement to help build SGW.



**Attachment B**  
**Compliance with HRM’s Key Planning Principles**

<p><b>Transition:</b></p> <p><i>The proposed building design recognizes surrounding development, especially adjacent low-scale residential buildings, through built form and landscape transitions. This can include setting proposed buildings back from property lines and stepping down the height of proposed buildings as they approach low-rise buildings. Landscaping can be used as a buffer between properties and to soften building elements.</i></p>	<p>The site is centrally located within an area that already accommodates numerous residential, commercial, and institutional towers, while being at the intersection of two wide principal streets. The size of the site and the nature of the streets allows massing to be pulled away from Carlton Street to provide two well-spaced, slender towers on a shared podium, while also allowing at grade landscaped open space, streetwalls that are appropriate for the road widths, and separation from and transition to a heritage streetscape, with lot coverage of only 76%. As well, the design and massing allow for another major development on another portion of the block.</p> <p>Integral to the proposal is the full restoration of 4 registered heritage properties on Carlton Street, and the provision of landscaped open space that is dedicated to those buildings. In addition there are substantial at grade setbacks from these low rise buildings, which are to be enhanced through the provision of privacy fences and tree plantings. Adjacent to 1494 Carlton Street at the corner of Spring Garden the project is limited to two floors to provide a transition to the two-storey character of Carlton Street, and floors 3-6 are setback a minimum of 11.5 m from the rear property line of 1494 Carlton. There is an at-grade setback of 11.5 m from the rear property lines of the other 3 heritage properties. The tall tower is setback 20 m from the rear lot line of the heritage properties, and a full 36.5 m from the sidewalk on Carlton Street . Together, these measures provide an appropriate transition for the project to the heritage buildings and low rise character of Carlton Street.</p> <p>A low-rise four storey streetwall is provided on both Spring Garden Road and Robie Street to transition into and maintain a comfortable pedestrian realm. This low rise section of the building is extended along internal lot lines adjacent to the abutting College Street land assembly to match the proposed height of that project. Mid-rise floors 5-8 are set back 3.5 m from the edge of the Spring Garden streetwall and 4.5 m from that on Robie, and the height between the two towers has been reduced to 6 floors from the previous 8 in order to reduce the massing and shadows along Spring Garden Road. Tower floors are further set back, while the towers are extremely slender with very small floorplates that help enable appropriate transitions both within and without the site. The taller square tower has a maximum floorplate of 756 sq m, while the corner tower is only 421 sq m per floor. Overall the combined tower footprints represent only 28% lot coverage, which enables excellent transitions to the streets and abutting properties through the provision of at-grade setbacks of low rise floors and through setbacks of mid rise floors. An internal service courtyard and ground floor for the service area is provided.</p>
<p><b>Pedestrian Oriented:</b></p> <p><i>Pedestrian-oriented means that the proposed building and site design prioritizes the needs and comfort of</i></p>	<p>The development site with frontage on 3 streets (Carlton, Spring Garden, Robie) is already a busy pedestrian precinct, and the proposal builds on and enhances this character. It maintains and improves the heritage streetscape on Carlton by fully restoring 4 heritage buildings and providing attractive, quality rear yard landscaped space for these buildings where none now exists. The unattractive gravel parking lot that can be seen behind the heritage buildings from the</p>

<p><i>pedestrians. The intent is to create safe, comfortable, and more enjoyable environments for people of all ages and abilities. Pedestrian oriented design elements include buildings that are oriented to the street, with safe and inviting pedestrian connections through larger sites. Streetwalls should respond to the rhythm and variety of walking speed. Buildings should provide frequent and prominent entrances, transparent windows, weather protection using awnings and recesses, and be designed to mitigate the impact of required parking accesses and utility features.</i></p>	<p>sidewalk will be replaced by landscaping and appropriately-designed visual barriers along the new property lines.</p> <p>An appropriately scaled streetwall of 4 storeys is provided along most of the Spring Garden Road and Robie Street frontages, stepping down near property boundaries. The 4 storey height is comfortable for the pedestrian realm given the width of the streets, while mid-rise and tower floors are stepped back further from the streetwall in order to maintain a comfortable environment for pedestrians on the sidewalks and to maximize sunlight penetration. At the corner of Spring Garden/Robie there will be an easily accessible and highly visible public atrium that blends indoor and outdoor pedestrian environments, helping to create a sense of connection with Balcom Park across the street.</p> <p>The block faces are highly permeable as the building provides numerous, well defined entry points to the proposed commercial spaces, public spaces, and lobby areas. Smaller commercial units front on the sidewalk, while larger units are internal to the block to maintain great visual interest. The streetwall provides variations in massing and materials, with a rhythm of recesses while there is continuous landscaping in the 0.75 minimum setback along the building front and along the sidewalk. This will encourage spill out activity from retailers and service and continually invite pedestrians to pause. There is a very high proportion of windows at grade to allow easy visibility into the internal spaces, and awnings will be used to provide visual interest and protection. Landscaping will be integrated into the building design and provided along both street frontages.</p> <p>There is only one driveway entrance along a principal street (on Spring Garden), for service and delivery vehicles, which will reduce pedestrian/vehicle conflicts while helping keep delivery vehicles and goods off the streets and sidewalks. This driveway replaces three that currently exist on the frontage and will be integrated into the building design and landscaped on each side, while loading bay doors will not be visible from the sidewalks.</p>
<p><b>Human Scale:</b>  <i>Human-scale means the impression of a building when seen in relation to its surroundings, or the size and proportion of parts of a building or its details in relation to its surroundings that relates in a positive way to the visual and physical experience of a pedestrian. Moderately sized buildings, as well as taller buildings with lower scale podiums and architectural detailing, work together with narrow streets, plazas and small</i></p>	<p>The low four storey podium with its low lot coverage of 76%, careful design and incorporation of detailed design elements, recesses, landscaping and numerous entrances ensures that the SGW project creates a comfortable and attractive human scaled environment.</p> <p>The entire streetwall faces are designed to relate to the widened sidewalk and the heavy foot traffic that passes by. Narrow store frontages and landscape planters ensure constant change in the commercial environment.</p> <p>Overhead wires along the abutting sides of both Robie Street and Spring Garden Road will be relocated underground, providing a much more appealing and comfortable streetscape for those adjacent to the site and those approaching. Landscaping along the top of much of the streetwalls and on upper floors helps define and soften the pedestrian realm and add additional visual interest in all seasons.</p>

<p><i>pocket parks to create an intimate environment and comfortable experience. Human scale design makes urban environments more interesting, encourages exploration and draws more people to local shops and services</i></p>	<p>The substantial and varied setbacks of the mid-rise and tower upper floors ensures that the 4 storey streetwall is clearly defined and highly legible as part of a comfortable pedestrian realm.</p> <p>The towers have very small floorplates which ensures that the low rise portions of the building are most prominent visually. These very slender towers with their small footprints and separation thus do not overwhelm the sidewalk pedestrian experience, and allow views of the sky and substantial sunlight penetration to the streets. The cladding of the towers will be lighter in colour than the podium to further emphasise the project at ground level.</p>
<p><b>Building Design:</b>  <i>Design means the overall architectural composition of a building and its orientation on the site. Proposed buildings should provide visual interest from all vantage points, and especially from the street. The building's façade should be articulated vertically and horizontally using a combination of windows, changes to materials and material treatments and other architectural façade elements. Coordinated building elements (like lighting and signage) and site elements (like landscaping) contribute to the overall quality of the design</i></p>	<p>The design of the project fully respects best practice urban design principles. It includes a well-defined pedestrian-oriented base with varied textures, small store frontages, a rhythm of bays and recesses, well-defined entrances, and extensive landscaping that taken altogether provide excellent visual interest to passersby and create a project that blends into and complements the precinct.</p> <p>The use of traditional masonry and extensive glazing on the streetwall provides a strong base, with lighter materials and more curtain wall and ceramic panels on upper floors.</p> <p>Substantial setbacks of mid-rise and tower floors above the streetwall, accented by landscaping on top of the 4 storey podium, and at mid-rise and tower levels, provide a clear transition to the mid-rise floors while the slender towers with their small floor plates and accent landscaping are graceful and provide elegant rooflines.</p> <p>Signage bands, awnings, landscaping, and lighting of sidewalk will be consistent and coordinated along both primary street frontages while maintaining a character of smaller individual storefronts with clear accesses to public spaces.</p>
<p><b>Context Sensitive:</b>  <i>The proposed building's design respects the character of the surrounding neighbourhood. The scale, form, and materials used respond to the architectural character of the neighbourhood. Next to heritage buildings or streetscapes, the proposed building complements and enhances the heritage features.</i></p>	<p>The development responds to each of the three streets on which it has frontage, strengthening the character of each street and helping link neighbouring blocks within this designated Centre:</p> <p>On historic Carlton Street the project fully restores 4 registered heritage properties and removes an unsightly parking lot that extends to their rear walls and instead provides landscaped rear yard amenity space and strong definition of the rear property lines. Massing of the project is pulled away from the historic streetscape and gathered up into slender towers that will minimize the profile of the new building as perceived from Carlton Street. A lot coverage ratio of only 76% indicates how the project's footprint is minimized, allowing the separation from heritage properties, adjacent development, and for additional open space along Spring Garden Road and Robie Street.</p> <p>Spring Garden Road is the focus of existing high rise development to the north and east. This project asserts a much stronger main street character appropriate</p>



	<p>for the corridor through the provision of wider sidewalks, numerous small retail storefronts in a four storey podium, fine grained design and materials, and enhanced landscaping. The slender towers atop the sidewalk-oriented podium are in appropriate contrast to the wider slab character and large setbacks of older high rises, setting an appropriate tone for future renovations or redevelopments of other tower sites</p> <p>Robie Street presents a range of existing land uses and scale of development, while its wide boulevard enables a strong streetwall presence. The four storey streetwall wraps around the corner from Spring Garden, with a public atrium provided along most of the Robie frontage to help define the transition from the commercial character of Spring Garden to the more residential Robie. A very narrow tower of 14.5 m width along Robie Street with edge landscaping rises above the atrium and defines the western edge of the Centre, which with the width of Robie Street provides an appropriate transition to the park and church on the west side of the street.</p>
<p><b>Consideration of Proposal's Design Relative to Adjacent College Street Development:</b></p>	<p>The Spring Garden West project comprises over 1/3 of the block, while to the south a similar land assembly has been undertaken for a development of similar scale. Taken together the projects capitalize on this important opportunity for densification while also each respecting the heritage character of Carlton Street that also extends to Spring Garden Road and College Street.</p> <p>The SGW project and adjacent development each provide an appropriate four storey streetwall along Robie Street. A recessed residential lobby entrance is located at the south end of the SGW project on Robie Street, which will break up the shared streetwall and provide further visual entrance in a mid-block location. As the applications progress, mutual attention needs to be paid to detailed design to ensure that the projects are fully complementary within the pedestrian realm and where they met at street level, and to determine appropriate, complementary design of the reconstructed sidewalk and landscaping along the entire Robie Street block frontage.</p> <p>Above the streetwall, the mid-rise levels (floor 5 to 8) of the SGW project are set back 5.5 m (18 feet) from the shared property line to provide an adequate separation distance along the shared lot line. The proposed SGW towers are each set back 12.5 m from the shared property line, to allow the desired degree of separation from the two towers proposed there.</p>



**Attachment C**  
**Compliance With Regional Plan Heritage Policy**

Policy CH-16 For lands abutting federally, provincially or municipally registered heritage properties, HRM shall, when reviewing applications for development agreements, rezonings and amendments pursuant to secondary planning strategies, or when reviewing the provision of utilities for said lands, consider a range of design solutions and architectural expressions that are compatible with the abutting federally, provincially or municipally registered heritage properties by considering the following:

<p>(a) the careful use of materials, colour, proportion, and the rhythm established by surface and structural elements should reinforce those same aspects of the existing buildings;</p>	<p>The new development does not have a street presence on Carlton Street, and architectural matters are considered in relation to the sidewall of 1494 Carlton at the corner of Spring Garden and its relationship to the Spring Garden Road streetwall of the building. To reinforce the visual characteristics of the restored existing buildings, the SGW project incorporates several design measures to ensure their design and character are highlighted and respected:</p> <ul style="list-style-type: none"> <li>• Along the full Spring Garden Road frontage where the 4 storey tall streetwall of the new building transitions down to 1494 Carlton, brick will be used to complement the wood siding of the heritage building and reinforce the heritage elements of that building and provide a transition from the rest of the Spring Garden Road frontage</li> <li>• Traditional narrow storefront proportions along a series of bays and projections with appropriately proportioned windows, a variety of colours and emphasis on brick facades will be used to break up the full Spring Garden streetwall and reinforce the fine grained character that exists around the corner on Carlton Street</li> <li>• The side wall of the new building will be a 2 storey high green wall next to 1494 that provides a soft backdrop to the building when viewed from the streets.</li> <li>• Behind the four Carlton Street heritage buildings, the new building will be substantially setback which will allow the heritage buildings to remain highly prominent in the streetscape. Extensive landscaping will be provided behind the buildings where none currently exists and along the edge of the underground parking garage</li> </ul>
<p>(b) ensuring that new development is visually compatible with yet distinguishable from the abutting registered heritage property. To accomplish this, an appropriate balance must be struck between mere imitation of the abutting building and pointed contrast, thus complementing the abutting registered heritage property in a manner that respects its heritage value;</p>	<p>The setbacks of the SGW project behind Carlton Street, extensive landscaping, and the orientation of the massing toward Spring Garden Road provide an uncluttered backdrop to the historic Carlton streetscape and ensure visual compatibility from that perspective.</p> <p>Where the heritage building of 1494 Carlton presents its sidewall to Spring Garden Road adjacent to the new building, visual compatibility is maintained as the streetwall of the SGW project provides a transition in scale and materials from the low rise, wood-frame, 2-storey character of Carlton to the modern redevelopment that will extend along the rest of the block to Robie Street. The materials suggested for use are brick masonry facing the street and wrapping around behind Carlton Street, while a green wall will face the heritage property. The new building will be clearly new, but will reflect the roofline and cornice line of the existing heritage building. The brick provides a complementary contrast</p>

	<p>to the wood siding of the heritage building along the Spring Garden Road frontage, while the green wall provides a gently contrasting backdrop. The green wall extends the full rear width of 1494 Carlton.</p>
<p>(c) ensuring that new developments respect the building scale, massing, proportions, profile and building character of abutting federally, provincially or municipally registered heritage structures by ensuring that they:</p>	<p>The Spring Garden West project respects the heritage resources on Carlton Street by not intruding into the historic streetscape. The low lot coverage of 76% allows for extensive setbacks, at-grade landscaping and orientation of mass in slender towers along Spring Garden Road and Robie Street away from Carlton Street.</p>
<p>(i) incorporate fine-scaled architectural detailing and human-scaled building elements.</p>	<p>The new building will not abut the rear of 3 of the heritage buildings that front onto Carlton Street, but will be setback from 11.5 m behind 1478/1480/1484 Carlton Street. Behind all four heritage buildings human-scaled landscape elements will be provided that respect the character of the buildings and reflect the green nature of Carlton Street.</p> <p>Along Spring Garden Road, the four storey streetwall transitions down to two storeys adjacent to 1494 Carlton Street, and will be visually broken into small traditionally-oriented units clad with a variety of fine-scaled brick, ceramic and metal panels and accented by awnings. Both ground and upper level windows along the streetwall will be vertically proportioned to reflect the proportions of the heritage buildings. The design of the two storey section of the streetwall adjacent to 1494 Carlton appropriately references the restored roof and cornice lines of that heritage building.</p> <p>Retail space along Spring Garden Road will be reserved and designed at a fine scale for smaller shops to retain the existing human scaled character, while space for large stores will be provided internally. Planters will be provided along the front of much of the façade and in front of retail units, while sidewalk planters will be located closer to the street. Numerous building entrances break up the façade and provide well defined entry points. A strong cornice line with landscaping is established to define the edge of the pedestrian realm.</p>
<p>(ii) reinforce the structural rhythm (i.e., expression of floor lines, structural bays, etc.) of abutting federally, provincially or municipally registered heritage properties; and</p>	<p>The proposed buildings abut only one of the four heritage buildings, at the corner of Spring Garden and Carlton. 1494 Carlton presents its two storey side street wall to Spring Garden Road, where the development will provide an appropriate transition with a two storey streetwall between the heritage building and upper floors. The transition will reference the height and cornice lines established by the heritage building. The rhythm of the other 3 buildings along Carlton Street is reinforced through provision of substantial setbacks at grade of 11.5 m and through use of landscaping which provides a soft backdrop and maintains the rhythm of the heritage buildings in the larger streetscape. The building frontage on Spring Garden is broken up through bays and recesses in the streetwall and is designed with emphasis on traditional materials and proportions.</p>

<p>(iii) any additional building height proposed above the pedestrian realm mitigate its impact upon the pedestrian realm and abutting registered heritage properties by incorporating design solutions, such as stepbacks from the street wall and abutting registered heritage properties, modulation of building massing, and other methods of massing articulation using horizontal or vertical recesses or projections, datum lines, and changes in material, texture or colour to help reduce its apparent scale;</p>	<p>The pedestrian realm as established by existing buildings on both Carlton Street and Spring Garden Road is two stories, while a new streetwall of 4 storeys will be provided along Spring Garden. This streetwall will be set back 0.75 m from the Spring Garden property line to allow landscaping between the sidewalk and the new building. Along Spring Garden Road next to 1494 Carlton, the building will start at 2 floors in height directly adjacent to the heritage building, while floors 3 to 6 will be setback 11.5 m from the rear lot line of 1494 Carlton. The 2 storey section references and emphasizes the roof and cornice lines of the heritage building and carries them along the street.</p> <p>The massing of the primary tower above the pedestrian realm is designed to be very narrow at only 27.5 m wide and is generously set back 20 m from the rear lot lines of 1480, 1484, and 1496 Carlton, and over 36.6 m from the Carlton Street sidewalk. Directly behind 1478 Carlton, the height does not exceed 8 storeys. As the proposed building is set back at grade behind 1478-1484 Carlton and will not extend to or front on Carlton Street, there is no mitigation of additional height needed relative to that street other than the provision of appropriate landscaping and walls/fences behind the heritage buildings.</p> <p>Above the pedestrian realm on Spring Garden, mid-rise and tower floors are well setback from the building base on the street frontages, as per best practice. Variations in building massing and provision of varied stepbacks in a ravelin form substantially reduce the apparent effect of extra floors, as does the use of lighter tones above the pedestrian realm. The use of landscaping at grade, on top of the streetwall and on higher floors further mitigates any impacts. Utility wires will be undergrounded on all three streets along the development frontage and will help enhance the pedestrian realm. Finally, the tower profiles and footprints are very narrow which minimizes the impact of the height from Carlton Street – the width of the primary tower is only 63 percent of the total property width.</p>
<p>(d) the siting of new developments such that their footprints respect the existing development pattern by:</p>	<p>The footprint of the Spring Garden West project respects the existing development pattern as follows:</p>
<p>(i) physically orienting new structures to the street in a similar fashion to existing federally, provincially or municipally registered heritage structures to preserve a consistent street wall; and</p>	<p>The building at 1494 Carlton is built to the property line adjacent to Spring Garden Road. Along Spring Garden Road, the project will be set back 0.75 m to maintain visual prominence of the heritage building in the streetscape.</p>
<p>(ii) respecting the existing front and side yard setbacks of the street or heritage conservation district including permitting exceptions to the front yard requirements of the applicable land use by-laws where existing front yard requirements would</p>	<p>The heritage buildings at 1478, 1480 and 1484 Carlton Street have varied setbacks, averaging approximately 1.5 m from the streetline, and have minimal sideyards. The proposal does not impact the yard pattern along Carlton Street as there will be no portion of the project extending toward the Carlton Street frontage – the project is fully oriented to Spring Garden Road and Robie Street. The building at 1494 Carlton is built to the street lines at the corner. The existing driveway access to mid-block surface parking between 1484 and 1494 Carlton will continue</p>

<p>detract from the heritage values of the streetscape;</p>	<p>to be used but will instead lead to fully underground parking. The ramp leading down from Carlton Street is designed to partially expose and preserve the stone and brick foundations while maintaining small landscaped sideyards. Along Spring Garden Road, the project will be set back from the streetline by .75 m to respect 1494 Carlton and to provide additional sidewalk width.</p>
<p>(e) not unreasonably creating shadowing effects on public spaces and heritage resources;</p>	<p>There will be limited impact from shadows. The greatest impacts come from wide building faces which result in heavy, slow moving shadows. Therefore, the greatest shadow impact will be from the 4 storey podium which extends along most of the Robie Street and Spring Garden Road frontages.</p> <p>The two slender towers will cast much longer shadows, but these will be smaller due to the very narrow profile of the buildings. The shadows will accordingly be fast moving, meaning that Balcom Park at the corner of Robie and Coburg will not be shadowed unreasonably. The impact of the tower shadows on sidewalks will be less than from shorter, wider buildings as the shadows will move quickly, allowing substantial sunlight penetration to the streets. There will be late day shadows from the towers that fall across the heritage buildings and the Carlton Street streetscape but as the towers are narrow the shadowing period will be of shorter duration than from lower, wider buildings. Shadow impacts from the low/mid rise levels on the heritage properties and on Carlton Street will be negligible.</p>
<p>(f) complementing historic fabric and open space qualities of the existing streetscape;</p>	<p>The building setbacks respect and complement the existing streetscape, through an extensive setback of 11.5 m from 1478-1484 Carlton, provision of landscaped amenity areas in rear yard of heritage buildings, and solid decorative fence/wall along property line with tree plantings. Landscaping will be provided along the sides of the parking access ramp to be located between 1484 and 1494 Carlton Street, and at ground level above the parking garage doors.</p> <p>Along Spring Garden Road adjacent to 1494 Carlton, the new building provides an appropriate transition in terms of height and design between old and new. This is achieved through a two storey transitional section between the restored two storey heritage building and higher floors of the new development. This transitional section appropriately references the roof and cornice lines of the heritage building.</p> <p>Utility wires will be fully undergrounded along the Spring Garden and Robie Street frontages. Service wires to the 4 Carlton Street properties will be removed, as these buildings will be serviced from the rear via underground conduits.</p> <p>Together, these measures will contribute to the established street character which is well defined on Carlton Street and help maintain heritage character around the corner onto Spring Garden Road.</p>
<p>(g) minimizing the loss of landscaped open space;</p>	<p>There is no landscaped space being lost. A private gravel parking lot that extends to the rear walls of the existing heritage properties is being</p>

	<p>removed. New private landscaped open space will be provided behind the registered heritage buildings at 1478/1480/1484 Carlton Street. The new open space will include soft and hard landscaping and a fence to provide a clearly defined edge for the rear of the heritage properties. New landscaped open space will be created between the Robie and Spring Garden sidewalks and the new building, and on upper floors.</p>
<p>(h) ensuring that parking facilities (surface lots, residential garages, stand-alone parking and parking components as part of larger developments) are compatible with abutting federally, provincially or municipally registered heritage structures;</p>	<p>All parking is contained below grade within the proposed new building, and therefore screened from view. There is a service driveway off Spring Garden Road that provides access to 2 loading docks in the rear of the building. The paved service area allows for setbacks between existing and new buildings and will be well screened from view of the heritage properties on Carlton Street through the use of fencing and extensive landscaping.</p>
<p>(i) placing utility equipment and devices such as metering equipment, transformer boxes, power lines, and conduit equipment boxes in locations which do not detract from the visual building character or architectural integrity of the heritage resource;</p>	<p>Such equipment will be enclosed and screened either within the project or the rear service yard area. Any equipment within the rear yard will be integrated within the landscaping and not visible from public areas or the heritage properties.</p> <p>Overhead wires to the 4 Carlton Street properties will be removed, as power and comm services will be provided underground from the rear via the new building.</p>
<p>(j) having the proposal meet the heritage considerations of the appropriate Secondary Planning Strategy, as well as any applicable urban design guidelines; and</p>	<p>The restoration of four registered heritage properties on Carlton Street is an integral part The Spring Garden West project is designed bearing in mind both the Conservation Standards as adopted by Council and the 'Design in Heritage Contexts' chapter of the Downtown Halifax Design Manual. These represent current best practice standards.</p>
<p>(k) any applicable matter as set out in Policy G-14 of this Plan.</p>	<p>This policy addresses site suitability, potential impacts on historic features, area context, servicing and transportation, and overall massing and design. These are standard matters of consideration under any development agreement application and which are expected to be reflected in new land use policy that will be adopted for the Spring Garden West project. It is important to note that by designating the site as a Centre, Centre Plan raises no concerns about the principle of a large scale development on the site.</p> <p>The footprint and massing of the project fully respects and enhances the streetscape and buildings of historic Carlton Street by orienting the building toward principal streets and minimizing massing as perceived from Carlton Street.</p>