

FOR SITE PLAN
PRE-APPLICATION

Tony Gossen Oxford Apartments

TG1901

25 AUGUST 2020



INTERNATIONAL INC.

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SHEET LIST

G000	Cover Sheet (Letter Size)
G001	Summary of Submission
G700-769	LUB Package A Bylaw Review
GA000	Cover Sheet (Arch D Size)
L100	Landscaping Demolition
L101	Landscaping At Grade
L102	Rooftop Landscaping
L103	Private Terrace Landscaping
L501	Class B Bicycle Parking
A101	Site Plan
A102	Level 0 Floorplan
A103	Level 0.5 Floorplan
A104	Level 1 Floorplan
A105	Level 1.5 Floorplan
A106	Level 2 Floorplan
A107	Level 3 Floorplan
A108	Level 4 Floorplan
A109	Level 5 Floorplan
A110	Level 6 Floorplan
A111	Roof Plan
A112	Penthouse Roof Plan
A201	West Elevation
A202	South Elevation
A203	East Elevation
A204	North Elevation
A501	Class A Bicycle Room
A601	Cladding Diagram and Schedule
A602	Exterior Mechanical and Electrical Features
A901	Streetline Renderings

Tony Gossen Oxford Apartments

25 August 2020

G000
(sheet 1 of 105)

SUMMARY OF SUBMISSION

25 August 2020

Dear Ms. Francis,

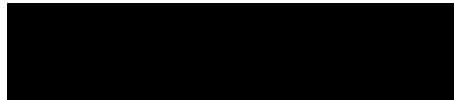
The following files comprise this revised submission:

- 09 - HRM 22940 - 25 August 2020 – cover letter
- 10 - HRM 22940 - Building Proposal A (Letter).pdf
- 11 - HRM 22940 - Building Proposal B (Arch D).pdf
- 12 - HRM 22940 - Preapplication Form - Level III Site Plan Approval.pdf
- 13 - HRM 22940 - Design Criteria Checklist - Part VI.pdf
- 14 - HRM 22940 - C-100 Servicing Schematic.pdf
- 15 - HRM 22940 - Tony Gossen Oxford Apartments Traffic Impact Statement.pdf
- 16 - HRM 22940 - Gmail - 22940-SPA Pre-App Requests.pdf
- 17 - HRM 22940 - Gmail - FW_ Case 22940 - Traffic Impact Statement.pdf
- 18 - HRM 22940 - signed letter to HRM (Sarah Rodger) - tree replacement to go to community engagement.pdf

To avoid any confusion, I resubmitted earlier files to keep the file numbers in order. Files numbered 12 – 15 are identical to files from earlier submissions.

Please email me at Charles.Studioworks@gmail.com or call me at 902 429 3359 with any questions.

Best,



Charles Freeman,
MRAIC, NSAA Intern Architect

Application of LUB Schedules to the Proposal

	TOPIC	APPLICATION	NOTE
Schedule 1	LUB Boundary	Yes	The proposed site is a "Package A" property within the Centre Plan Area.
Schedule 2	Site Approval	Yes	The proposed project requires site plan approval.
Schedule 3	Zone	COR	The proposed project sits entirely in zone COR - Corridor
Schedule 4	Special Area	TC	Part of the proposed site is within the boundaries of the "TC - Transit Corridor" special area. The remainder of the site is not within a special area (SEE Sheet A101).
Schedule 5	View Terminus	No	The proposed site is not a view terminus site and does not adjoin a view line.
Schedule 6	Ped. Oriented	No	The proposal does not adjoin a Pedestrian Oriented Commercial Street.
Schedule 7	Building Height	20m	The proposed site is entirely within a building height precinct with a maximum building height of 20 metres.
Schedule 8	Max FAR	No	The proposal is not within a Maximum Floor Area Ratio Precinct (FARs).
Schedule 9	Front & Flank MAX	1.5m	Both streetlines abutting the proposed building site require a minimum setback of 1.5 metres for flanking and front yards.
Schedule 10	Front & Flank MIN	3m & 0m	The building setback from the Young Street streetline does not have a maximum limit; the Oxford Street streetline limits setbacks to a maximum of 3 metres.
Schedule 11	Citadel View Plane	No	The proposed site does not sit beneath or within a Citadel View Plane
Schedule 12	Citadel Rampart	No	The proposed building will not be visible above designated Citadel ramparts from designated view positions within the Citadel Grand Parade.
Schedule 13 - Schedule 23	Dartmouth Views	No	The proposed building and site do not fall within any Dartmouth view planes and view corridors.
Schedule 24	Bonus	"3"	The proposed site is within bonus rate district number 3, "North End Halifax."
Schedule 25	Wind Zone	R	The proposed site is in a restricted (R) wind energy overlay zone.
Schedule 26	Transition Lines	1 of 6	Of the six (6) lot lines of the proposed site, one (1) interior lot line is a designated transition line.
Schedule 27	Shadow Assessment	No	The proposed site will not shade an identified area under the Shadow Impact Assessment Protocol
Schedule 28	Dundas Reserve	No	No part of the proposed site falls within the Dundas Street Transportation Reserve

REVIEW OF PROPOSAL AGAINST *REGIONAL CENTRE LAND USE BYLAW (PACKAGE A)*

Part I, Chapter 1: General Administration

Sections 1-7 Interpretation— The proposal requires a development permit that conforms to the *Regional Centre Land Use Bylaw (Package A)* as well as other government laws and regulations. A development officer will administer the bylaw.

Part I, Chapter 2: Development Permit

Section 8 Interpretation— This section exempts some developments, but not this proposal, from the development permit process.

Subsection 9(a) Compliant— This application includes:

- Floor Plans (sheets A102 to A111)
- Elevation Drawings (sheets A201 to A204)
- Roof Plans (sheets L102, L103, A111, & A112)
- Relevant architectural details (sheets A501, L501)

Subsection 9(b) Compliant— This application includes:

- lot dimensions (see sheet A101)
- lot lines (visible on all plan views, except for callouts)
- the location of all proposed structures and uses, including setbacks (see below**)

** Proposed structures include the building as well as those structures that form part of the landscaping, including rooftop features allowed by Section 86. The locations of

these features, including setbacks, are fully detailed over the many sheets of this submission.

Subsection 9(c)	Compliant—	This application includes the locations of and dimensions for: <ul style="list-style-type: none">- all parking areas (internal to building – see sheet A102)- driveways (only one on Young St. – see sheet A104)- driving aisles (visible on sheets A102 to A104)- parking lot entrances/exit (only one on Young St. – see sheet A104)- waste management areas (internal to building – see sheet A104)- off-street loading spaces (only one – see sheet A102)- landscaping (sheets L100 to L501)- snow storage areas (none required – see Section 193 on sheet G762762)
Subsection 9(d)	Not Applicable—	The proposed building has a building height of 19.9 metres and does not require a pedestrian wind impact assessment.
Subsection 9(e)	Not Applicable—	The proposed building does not require a shadow study or shadow diagram.
Subsection 9(f)	Not Applicable—	Section 116 indicates that there is no need for this proposal to have a surveyor stamp the site plans and elevation drawings. Please refer to the Section 116 rationale on sheet G741.
Subsection 9(g)	Interpretation—	The development officer may require other information to determine if this proposal complies with this By-law.
Section 10	Interpretation—	The development officer will issue a development permit when the proposal meets the requirements of the <i>Regional Centre Land Use Bylaw (Package A)</i> , and the terms of an approved site plan.
Sections 11-13	Interpretation—	The permit requires an application fee, will expire 24 months after the date of issue, and may be revoked for a number of reasons.

Part I, Chapter 3: Site Plan Approval

Sections 14	Interpretation—	This proposal requires site plan approval (see Schedule 2).
Sections 15	Interpretation—	Site plan approval only concerns the requirements of Part VI as well as those in section 28
Section 16	Interpretation—	This section exempts some developments, but not this proposal, from the site plan approval process.
Subsection 17(1)	Interpretation—	The site plan approval application requires the same documents as the development permit application does. Section 9 describes these documents.
Subsection 17(2)	Compliant—	<p>This proposal includes plans that show:</p> <ul style="list-style-type: none">(a) - setbacks (see elevations- A201-A204) - streetwall heights (see elevations- A201-A204) - streetwall stepbacks (see elevations- A201-A204)(b) - external cladding material type (Schedule B, sheet A601) - external cladding material detail (Schedule A and B, sheet A601) - renderings (sheet A901)(c) - the location of building utilities (sheet A602) - motor vehicle access routes (sheets A102 to A104) - pedestrian walkways (sheets A102 to A105, A111, , L101, L102) - all motor vehicle parking areas (sheet A102) - all Class A bicycle parking areas (sheets A103, A501) - all Class B bicycle parking areas (sheets L101, L501) - lighting (sheet A602 and elevations)

Subsection 17(3)	Compliant—	This proposal includes a completed <i>Part VI Design Criteria Checklist</i> , provided by the planning office. The same information, but with diagrams, appears on sheets G737 – G745.
Subsection 17(4)	Not Applicable—	This proposal does not include registered heritage properties and it is not within a heritage conservation district.
Subsection 17(5)	Not Applicable—	This proposal does not about any registered heritage properties or heritage conservation districts.
Subsection 17(6)	Compliant—	This proposal requires a Level III site plan approval and includes a landscape plan that meets the requirements of Section 192 as explained in a rationale beginning on sheet G760.
Subsection 17(7)	Compliant—	This proposal includes a request for variation in accordance with Section 28. The rationale for this variance appears under Section 84 on sheet G720.
Subsection 17(8)	Compliant—	<p>All required elevations show the first 15.0 metres of buildings on abutting lots. This additional context can be found on sheets A201 to A204.</p> <p>All required renderings show at least the first 15.0 metres of buildings on abutting lots. This additional context can be found on sheet A901.</p>
Subsection 17(9)	Compliant—	<p>This proposal requires a Level III site plan approval and includes:</p> <p style="padding-left: 40px;">Two daylight renderings, one for each streetline (sheet A901). Two nighttime renderings, one for each streetline (sheet A901).</p>
Subsection 17(10)	Forthcoming—	Before receiving site plan approval, a <i>public consultation report</i> will confirm that the application meets the public information and consultation requirements of Sections 21 to 27. This report will include a summary of public feedback with corresponding responses.

Sections 18-20	Interpretation—	This proposal requires a level III site plan approval.
Sections 21-27	Forthcoming—	A separate <i>public consultation report</i> will contain all public consultation procedures and feedback.
Section 28	Request—	The proposal requests a single variation for maximum streetwall height, as a part of site plan approval. See the rationale for this variance in Section 84 on sheet G720.
Section 29	Compliant—	This proposal includes a design rationale on sheets G737 – G745 as well as on the <i>Part VI Design Criteria Checklist</i> provided from the planning office. The design rationale on sheets G737 – G745 has diagrams.
Sections 30-32	Interpretation—	The development officer will alert all property owners within 100 metres of the proposal in the event of a successful site plan approval. Site plan approvals are open to appeals and may require the involvement of an ad-hoc special advisory committee, under extraordinary circumstances.

Part I, Chapter 4: Non-Conforming Structures and Uses

Sections 33 and 34	Compliant—	The proposal does not include non-conforming structures or non-conforming uses.
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Part I, Chapter 5: Interpretation of this By-law

Sections 35 – 37	Interpretation—	This section describes how to interpret the <i>Regional Centre Land Use By-Law (Package A)</i> .
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Part I, Chapter 6: Schedules and Appendices

Section 38 Interpretation— 28 Schedules and 3 Appendices form part of the *Regional Centre Land Use By-Law (Package A)*.

Part II, Chapter 1: Establishment of Zones and Special Areas

Sections 39 Interpretation— The *Regional Centre Land Use By-Law (Package A)* establishes 8 zones and 6 special areas.

Section 40 Compliant— The proposal consolidates four smaller lots, all of which are within the bounds of an existing zone. The proposal includes no movement of streetlines or zone boundaries.

Sections 41 – 42 Interpretation— These sections explain how to read Table 1. The proposal must comply with the entire bylaw and not just uses permitted in Table 1.

Section 43 Not Applicable— The proposal is not in CDD or TR zones

Section 44 Interpretation— Obnoxious uses are not permitted.

Section 45 Not Applicable— The proposal does not abut any pedestrian-oriented commercial streets identified on Schedule 6.

Table 1	Compliant –	<p>The proposal only includes premises with uses permitted in zone “COR.” These premises include the following uses:</p> <ul style="list-style-type: none"> 1) Multi-Unit Dwelling Use 2) Commercial Uses 3) Parking Structure Use
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Part III, Chapter 1: General Land Use Requirements

Section 46	Not Applicable—	The proposal sits entirely within one zone.
Section 47	Compliant—	All exterior lighting uses full cut-off light fixtures, none of which are directed toward abutting lots or streets. To confirm, please refer to Table 2 on sheet A602.
Section 48	Not Applicable—	The proposal includes no outdoor storage areas in the site plan or landscaping plans.
Section 49	Not Applicable—	The proposal includes no parking capable of holding recreational vehicles.
Section 50	Not Applicable—	The proposal does not include Cannabis-Related Uses.
Subsection 51(1)	Not Applicable—	The proposal includes no Temporary Construction Uses.
Subsections 51 (2-7)	Compliant—	The proposal will not involve the use of a rock crusher.
Section 52	Not Applicable—	The proposal is not near a railway.
Section 53	Compliant—	The proposal includes one solid waste management area located entirely inside the building. This area is visible on the Level 1 plan (sheet A104)

Part III, Chapter 2: Residential Use Requirements

Sections 54-56 Not Applicable— The proposal does not include any of the following uses: Home Occupation, Home Office, Bed and Breakfast, Secondary Suite, and Backyard Suite.

Subsection 57(1) Compliant— 43% of the residential units contain at least two bedrooms, in excess of the required 25%.

CALCULATION:

N_T = total number of residential units
 N_2 = number of two bedroom units
 P = percentage of two bedroom units

$$\begin{aligned}
 P &= N_2 / N_T \times 100\% \\
 &= 26 \text{ units} / 61 \text{ units} \times 100\% \\
 &= 0.43 \times 100\% \\
 &= 43\%
 \end{aligned}$$

Subsection 57(2) Not Applicable— The proposal is not in an HR1 or HR2 zone.

Section 58 Compliant— The proposal includes 333 m² of amenity space, in excess of the required 305 m² (3300 SF) required (61 units x 5 m²/unit). The proposal includes 172 m² of indoor amenity space, more than 50% of the total required area (152.5 m²).

All amenity spaces and their dimensions are visible in Diagram LUB 58 on sheet G710. Each amenity space exists in a contiguous area of at least 30 square metres (323 SF) with all linear dimensions 3.0 metres (9' - 11") or greater.

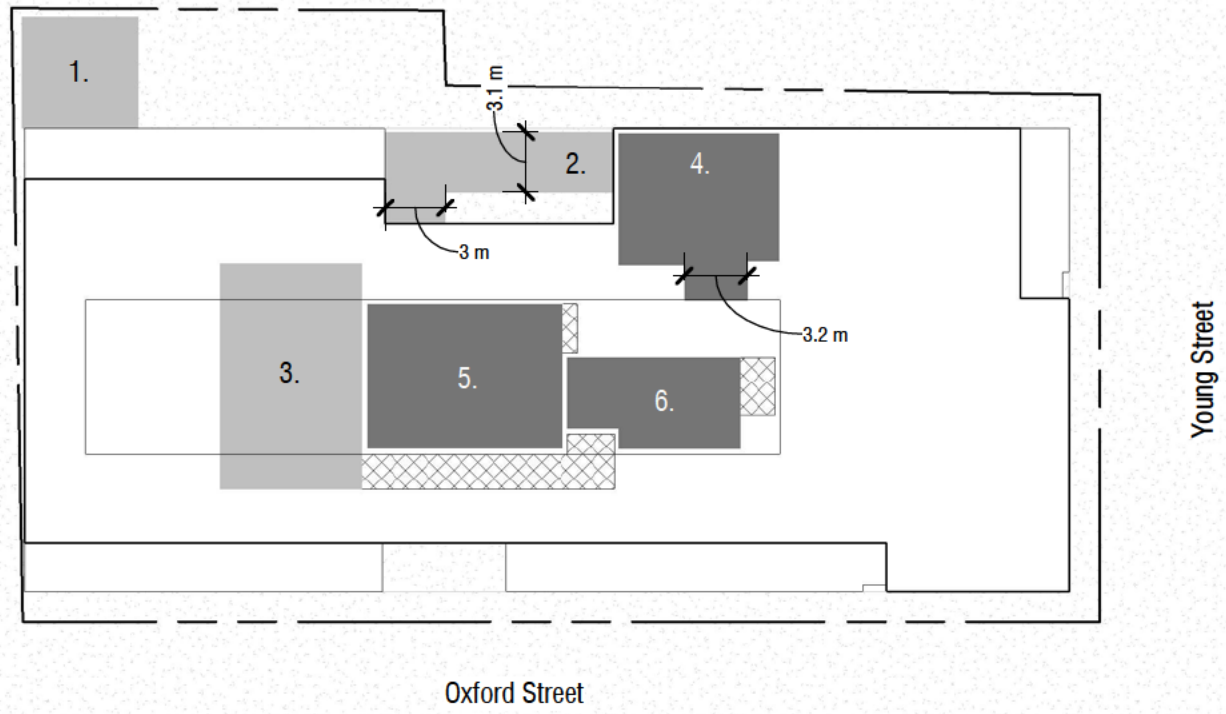
All amenity spaces allow barrier free access to all residents. For the sake of clarity, the Bicycle Room Patio has barrier free access via the bicycle room. The walkway from the Upper Courtyard to the Bicycle Room Patio is not barrier free.

INDOOR AMENITIES:

Courtyard Lounge	(645 SF) (see sheet A105)
Event Room	(791 SF) (see sheet A111)
Penthouse Lounge and Public Washrooms	(417 SF) (see sheet A111)
Total	1,853 SF = 172 m ²

OUTDOOR AMENITIES:

Sunken Courtyard	(389 SF) (see sheet A103, etc)
Bicycle Room Patio	(434 SF) (see sheet A105)
Rooftop Terrace	(906 SF) (see sheet A111)
Total	1,729 SF = 161 m ²



X-RAY PLAN
 (through all floors, showing all amenity spaces)

- | | | | |
|---|---------|----|--|
| ● | Outside | 1. | Bicycle Room Patio |
| | | 2. | Upper Courtyard |
| | | 3. | Rooftop Terrace |
| ● | Inside | 4. | Courtyard Lounge |
| | | 5. | Event Room |
| | | 6. | Penthouse Lounge + WC |
| ⊗ | N/A | | amenity areas with linear measurements under 3 m |

Section 59

Not Applicable—

The proposal includes no residential use that exceeds more than 50% of the width of the ground floor facing a streetline. Residential uses on Oxford Street take up 7% of its ground floor width, while they take up 18% on Young Street. Since the 5-stream waste management area is shared by commercial and residential users, this calculation is conservative and includes that premises as a residential use. The Parking Structure Use on Young is distinct from commercial and residential uses according to TABLE 1 in the LUB.

The widths of these uses are visible in diagram LUB 90 on sheet G735.

CALCULATION:

W_R = width of residential use on ground floor facing the streetline.

W_S = Width of the building facing a street line

P = percentage width of a ground floor facing a streetline

OXFORD STREETLINE:

$$\begin{aligned} P &= W_R / W_S \times 100\% \\ &= 3.4 \text{ m} / 53.1 \text{ m} \times 100\% \\ &= 0.07 \times 100\% \\ &= 7\% \end{aligned}$$

YOUNG STREETLINE:

$$\begin{aligned} P &= W_R / W_S \times 100\% \\ &= 4.2 \text{ m} / 23.6 \text{ m} \times 100\% \\ &= 0.18 \times 100\% \\ &= 18\% \end{aligned}$$

Section 60

Not applicable—

The proposal includes no Work-Live Units

Part III, Chapter 3: Urban Agriculture Use

Sections 61-63 Not applicable— The proposal includes no chickens, bees or Urban Agriculture Uses.

Part III, Chapter 4: Environmental Requirements

Sections 64-63 Not Applicable— The proposal does not abut the Atlantic Ocean, any watercourses, or any wetlands.

Part III, Chapter 5: Heritage Requirements

Sections 67-69 Not Applicable— The proposal does not include or abut any registered heritage properties. It is not within or adjacent to any heritage conservation districts.

Part IV, Chapter 1: Lot Requirements

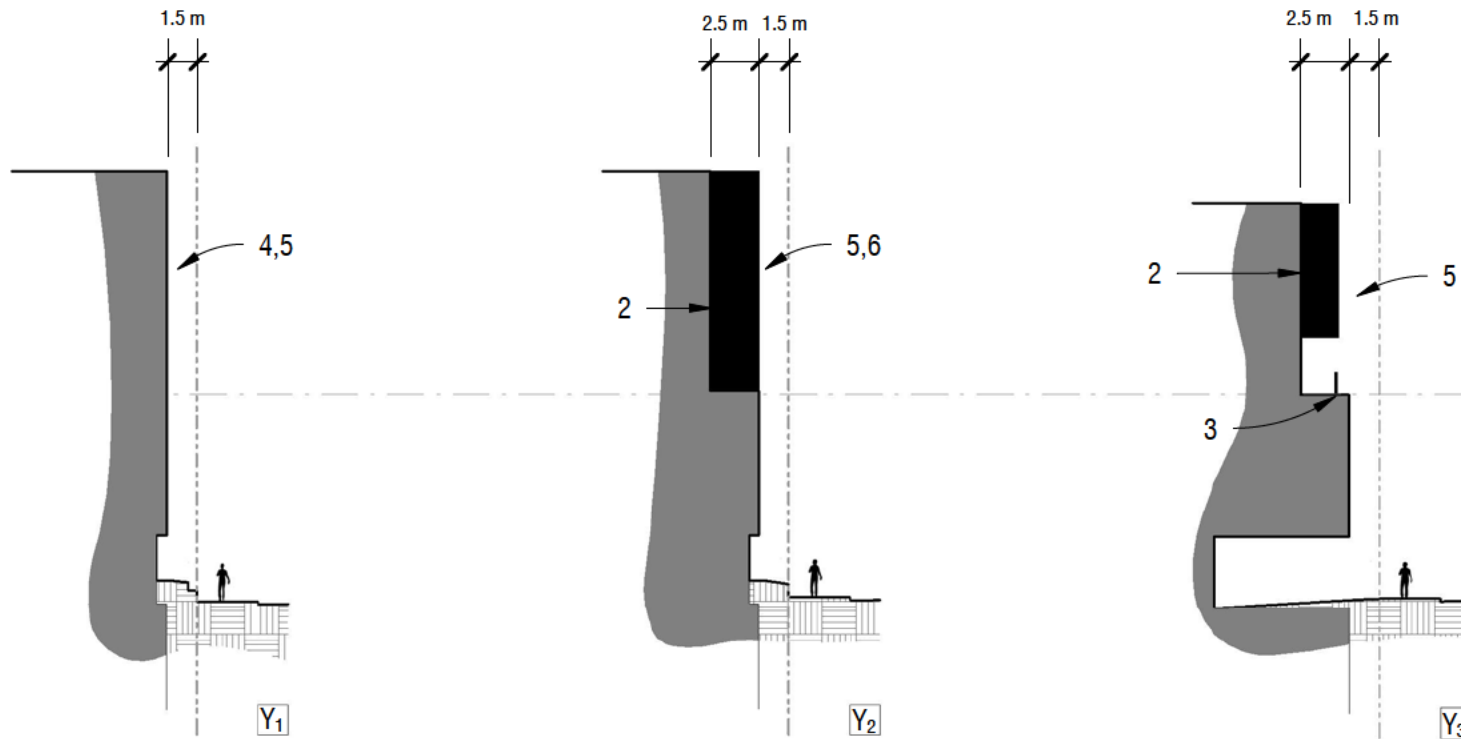
Section 70 Not Applicable— The proposal does not subdivide land.

Section 71 Compliant— The new lot, consolidated from four smaller lots, abuts both Young and Oxford Streets.

Sections 72-74 Compliant— The proposal's building lot has an area of 1,579.3 m² (16,999 SF), more than the required minimum of 371 m². The lot has a frontage on Young Street of 26.8 m (88'), more than the required minimum of 12.2 m. (Dimensions on sheet A101)

Part V, Chapter 1: General Built Form Requirements

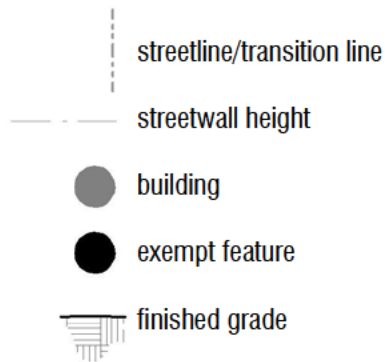
Section 75	Compliant—	The proposal includes a single building that sits entirely within the bounds of a single lot.
Clause 76(1)(a)	Compliant—	As a part of the landscaping, the proposal includes walkways, steps, clear glass guards and patios. These featured are visible on sheet L101. The clear glass guards are also visible in Diagrams LUB 76-Y, 76-O, and 76-T on sheets G714-G716. Except for bicycle racks, all other landscape features form a part of the finished grade. As a part of the building, the proposal includes glass guards for all protruding balconies, winter gardens, and terraces. These guards are visible in Diagrams LUB 76-Y, 76-O, and 76-T on sheets G714-G716 as well as in the architectural plans and elevations.
Clause 76(1)(b)	Compliant—	Door and window sills are not yet detailed, but will be well within the 0.6 metre limit, following best practice in architectural design. Rain water management will be internal to the building structure.
Clause 76(1)(c)	Not Applicable—	The proposal includes no window bays or solar collectors.
Clause 76(1)(d)	Compliant —	The proposal includes no balconies on a ground floor. All other balconies comply with subclause (ii) and are visible in visible in Diagrams LUB 76-Y, 76-O, and 76-T on sheets G714-G716 as well as in the architectural plans and elevations.
Subsection 76 (2)	Interpretation—	Underground parking is regulated in Sections 91 and 92.
Subsection 76 (3)	Compliant—	The required transition setback and stepback are both free of balconies, unenclosed porches, verandas, canopies, or awnings. Please refer to section T ₁ in Diagram LUB 76-T on sheet G716. Sheet A204 is the most helpful architectural drawing, although compliance with this section is visible on every other applicable sheet.



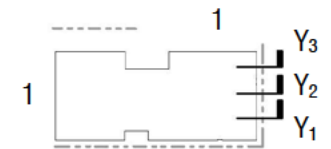
LUB
76-Y

front yard, setback, stepback (Young Street)

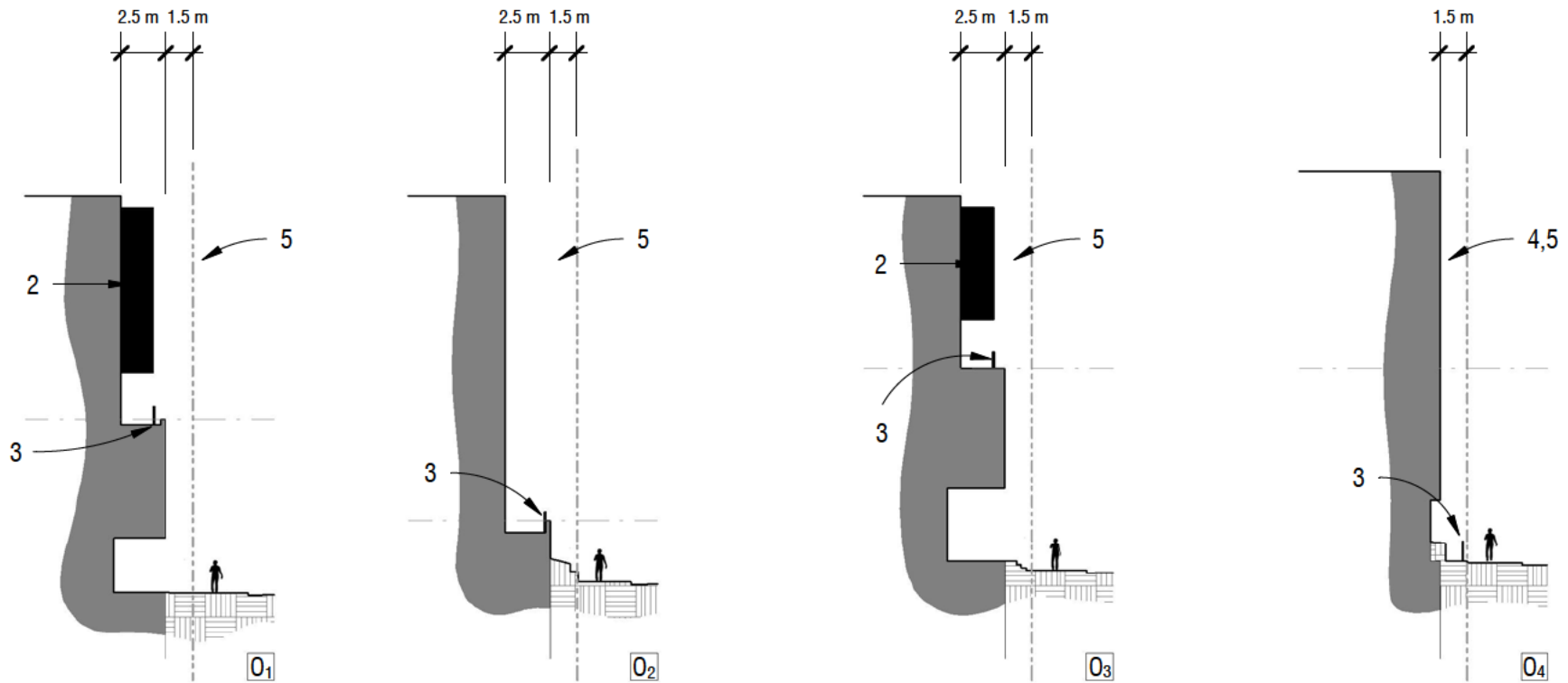
1/32" = 1'-0"



1. no setback or stepback required [s. 94(1)]
2. unenclosed balcony [s. 76(1)(d)(ii)]
3. clear glass guard [s. 76(1)(a)]
4. no stepback required [s. 93(5)]
5. above streetwall, no part of building violates setback [s. 80(5)]
6. These unenclosed balconies project less than 2 metres from adjacent projecting walls. Please refer to balcony on Sheets A108-A110.



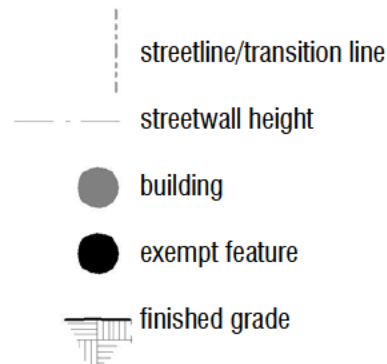
Key Plan (1" = 2000')



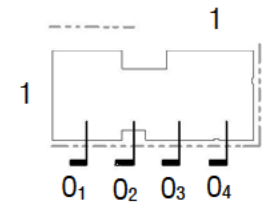
LUB
76-0

flanking yard, setback, stepback (Oxford Street)

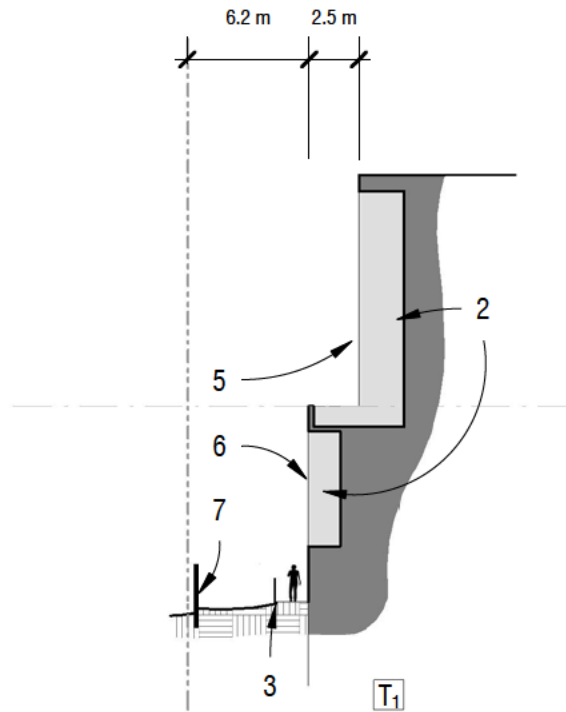
1/32" = 1'-0"



1. no setback or stepback required [s. 94(1)]
2. unenclosed balcony [s. 76(1)(d)(i)]
3. clear glass guard [s. 76(1)(a)]
4. no stepback required [s. 93(5)]
5. above streetwall, no part of building violates setback [s. 80(5)]








Key Plan (1" = 2000')



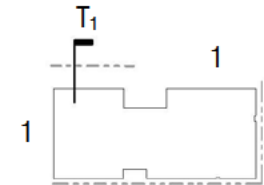
LUB
76-T

transition yard, setback, stepback

1/32" = 1'-0"

-  streetline/transition line
-  streetwall height
-  building
-  exempt feature
-  finished grade

1. no setback or stepback required [s. 94(1)]
2. unenclosed balcony
3. clear glass guard [s. 76(1)(a)]
4. no stepback required [s. 93(5)]
5. no part of building violates stepback [s. 76(3)]
6. no part of building violates stepback [s. 76(3)]
7. masonry wall over 1.8 m in height [s. 191(2)]



Key Plan (1" = 2000')

Section 77	Request—	The proposal includes Class B Bicycle Parking that encroaches on HRM property. This request is detailed in the rationale for Subsection 212(4) on sheet G768.
Section 78	Not Applicable—	The proposal does not abut a TR zone.
Section 79	Compliant—	The proposal includes no prohibited cladding materials. To confirm, please review Schedule B on sheet A601.
Subsection 80 (1)	Not Applicable—	The proposal includes no registered heritage buildings.
Subsection 80 (2)	Compliant—	The recessed portions of each streetwalls do not exceed 30% of each streetwall's width. Please refer to the calculation below as well as Diagram LUB 80 on sheet G719, and the architectural drawings on sheets A103-A108, A201 and A202.

The calculation below excludes recesses for pedestrian entrances as well as ground floor recesses of 0.5 metres or less.

CALCULATION:

- P = percentage of streetwall recessed or cantilevered
- S = streetwall width
- R = sum of recessed or cantilevered segments in a streetwall

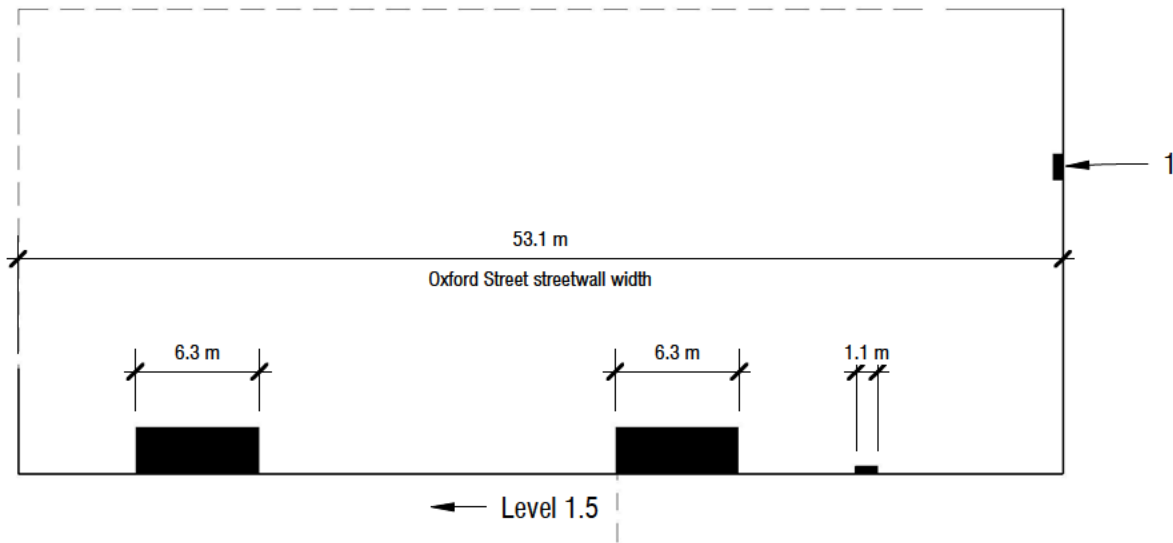
OXFORD STREET CALCULATION

$$\begin{aligned}
 P &= (R / S) \times 100\% \\
 &= (6.3 \text{ m} + 6.3 \text{ m} + 1.1 \text{ m}) / 53.1 \text{ m}) \times 100\% \\
 &= (13.7 \text{ m}) / 53.1 \text{ m}) \times 100 \% \\
 &= 0.26 \times 100\% \\
 &= 26 \%
 \end{aligned}$$

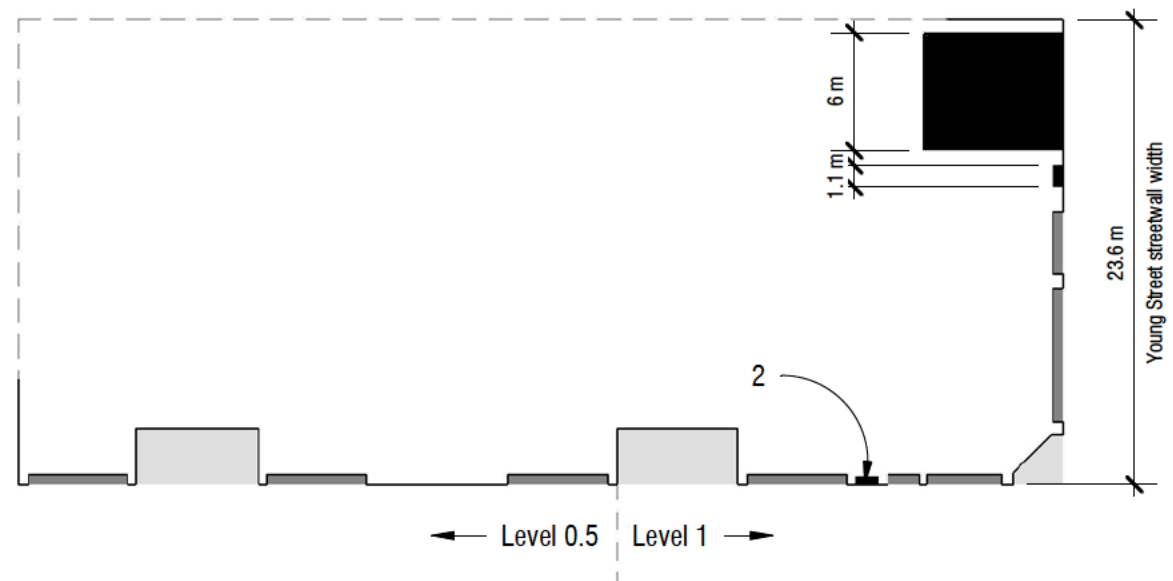
YOUNG STREET CALCULATION

$$\begin{aligned} P &= (R / S) \times 100\% \\ &= (6.0 \text{ m} + 1.1 \text{ m}) / 23.6 \text{ m}) \times 100\% \\ &= (7.1 \text{ m}) / 23.6 \text{ m}) \times 100 \% \\ &= 0.30 \times 100\% \\ &= 30 \% \end{aligned}$$

Subsection 80 (3)	Compliant—	Portions of the ground floor are recessed by 0.5 metres, as allowed by this section. These recesses are visible in plan on sheets A103 and A104 as well as in Diagram LUB 80 on sheet G719
Subsection 80 (4)	Not Applicable—	The proposal does not make use of Subsection 91(2).
Subsection 80 (5)	Compliant—	No portion of the building above the streetwall stepback violates the vertical plane of the streetwall. To demonstrate this fact, please refer to the sections in Diagrams LUB 76-Y and 76-O on sheets G713 and G714. Compliance with this section is also visible by reading sheets A201 to A204.



UPPER STREETWALL (Levels 1.5, 2, and 3)



STREETWALL AT GROUND FLOORS (Levels 0.5 and 1)

- recesses exempt for entrances [s. 80(2)]
- 0.5 m recesses exempt on ground floor [s. 80(3)]
- other recesses

1. recess continues to bottom of streetwall
2. recess continues to top of streetwall

Section 81	Compliant—	The proposal includes no pedways.
Section 82	Compliant—	The proposal includes no drive-throughs.
Section 83	Not Applicable—	The proposal includes no Self-Storage Facility Uses.
Section 84	Compliant—	The streetwall height calculation is a geometric calculation shown in Diagram LUB 84 on sheet G722. The maximum allowable streetwall height is 11 metres as described in Clause 93(1)(d). Please note that the Oxford Street Façade exceeds the maximum height of 11 metres in two of the measurement portions. These portions will require a variance under Section 160.

Section 160, Full Text:

Where a variation to a maximum streetwall height is required to address sloping conditions, the maximum streetwall height may be increased by a maximum of 5% through site plan approval.

For the sake of convenience, here is the variance request for Section 160:

The Oxford Street Streetline for this proposal has a significant slope. Granting a variance under Section 160 would allow for a gentle stepping down of the streetwall that is more amenable to the human experience of the street. We respectfully ask that this variance be granted.

Only two streetwall measurement portions exceed the maximum streetwall height of 11 metres. The heights of these portions are 11.5 metres and 11.4 metres. Section 160 would increase the maximum allowable height to 11.55 metres, which would bring all

streetwall measurement portions into compliance with maximum streetwall heights (Section 93).

Please refer to diagram LUB 84 on sheet G722 for these measurements.

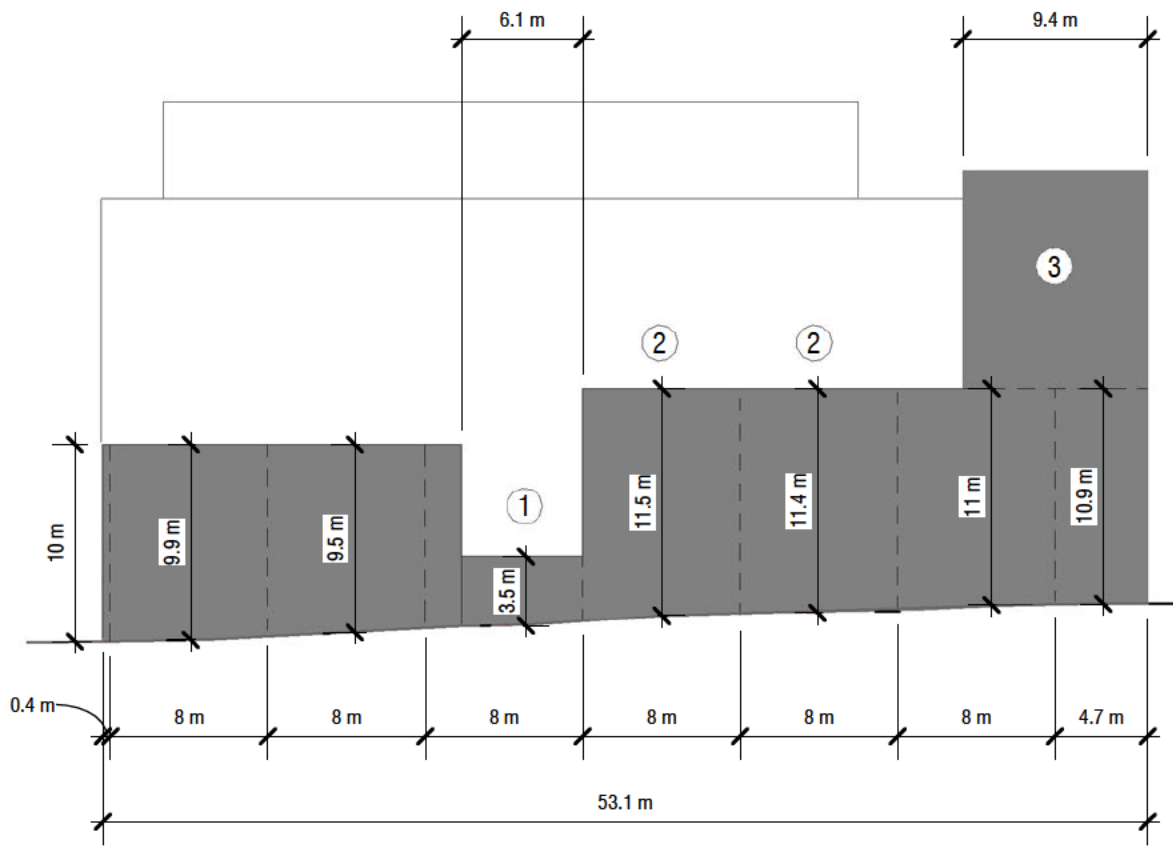
SECTION 160 CALCULATION:

H_M = Maximum streetwall height from Clause 93(1)(d)

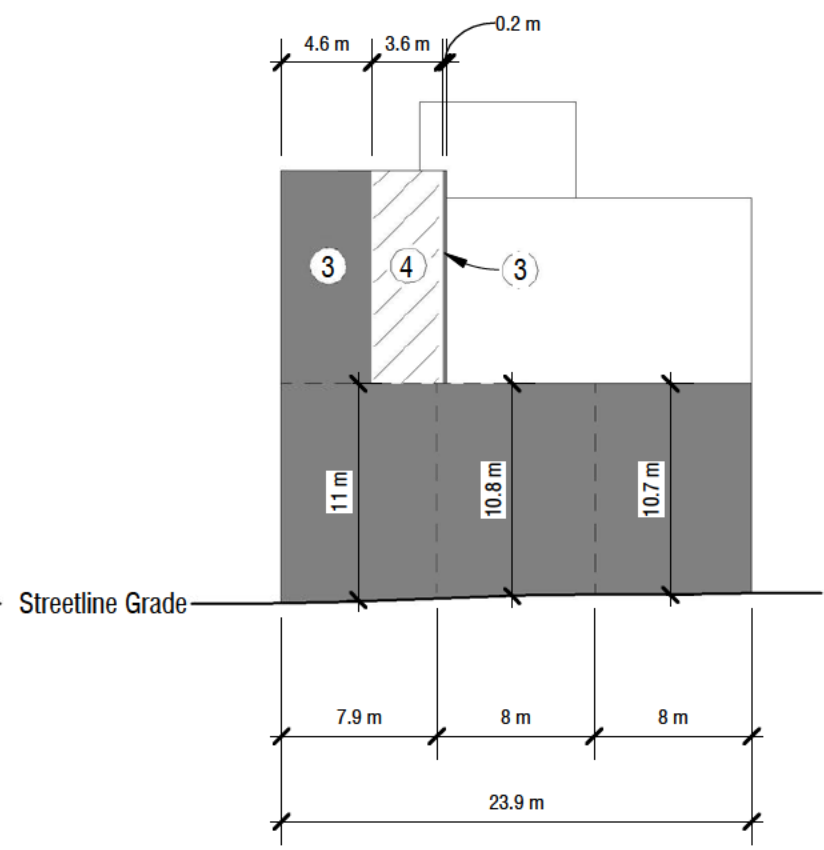
H_V = Maximum streetwall height allowed by a variance for sloping conditions

P_V = Percentage increase in streetwall height allowed for sloping conditions [s. 160]

$$\begin{aligned} H_V &= (H_M) \times (P_V + 100\%) \\ &= (11 \text{ metres}) \times (5\% + 100\%) \\ &= (11 \text{ metres}) \times (105\%) \\ &= 11.55 \text{ metres} \end{aligned}$$



OXFORD STREET FACADE



YOUNG STREET FACADE

1. Streetwall can be 3.5 metres tall for up to 20% of streetwall width [s. 93(3)].
2. These two streetwall segments require a height variance [s. 160].
3. No streetwall setback is required for 20% of streetwall width [s. 93(5)].
4. These unenclosed balconies do not violate streetwall setbacks [s. 78(d)].

Part V, Chapter 2: Maximum Height and Floor Area Ratio

Section 85

Compliant—

The proposal has a building height of 19.8 metres, which does not exceed the maximum building height of 20 metres (Schedule 7). Diagrams LUB 85-N 85-E, 85-S and 85-W, on Sheets G726-and G727 illustrate the building height calculation below.

Key Definitions:	
Building Height	means the vertical distance between a structure's <i>average finished grade</i> and the structure's highest point. [s. 248 (29)]
Average Finished Grade	means the elevation of the finished ground abutting a structure, averaged around the perimeter of the <i>structure</i> . [s. 248 (18)]
Building	means every continuous enclosed area within exterior walls on a lot, built, erected, and framed of a combination of materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals, or property above or below grade. [s. 248 (27)]
Structure	means everything that is erected, built, or constructed of parts joined together, and includes a building [s. 226 (18)]

BUILDING PERIMETER CALCULATION:

P_B = building perimeter

W_N = width of north elevation

W_E = width of east elevation

W_S = width of south elevation

W_W = width of west elevation

$$\begin{aligned} P_B &= W_E + W_N + W_S + W_W \\ &= (174' 3") + (77' 5") + (174' 3") + (77' 5") \\ &= (503' 4") \end{aligned}$$

AVERAGE FINISHED GRADE CALCULATION:

E_A = average finished grade

E_2 = absolute elevation of level 2

A_N = for the north elevation, the area formed between finished grade at the building perimeter and the elevation of level 2

A_E = for the east elevation...

A_S = for the south elevation...

A_W = for the west elevation...

A_T = total ($A_N + A_E + A_S + A_W$)

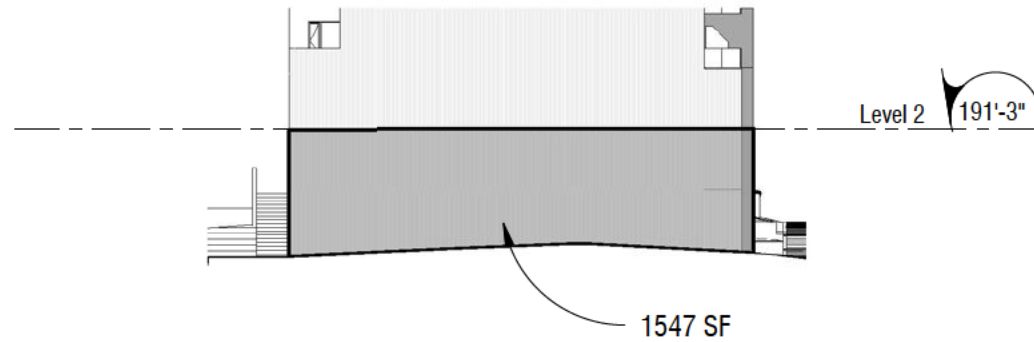
$$\begin{aligned} E_A &= E_2 - (A_T / P_B) \\ &= E_2 - (A_N + A_E + A_S + A_W) / P_B \\ &= (191' 3") - [(1547 \text{ SF}) + (2466 \text{ SF}) + (998 \text{ SF}) + (2720 \text{ SF}) / (503' 4")] \\ &= (191' 3") - [(7731 \text{ SF}) / (503' 4")] \\ &= (191' 3") - (15' 4") \\ &= (175' 11") \end{aligned}$$

MAXIMUM BUILDING HEIGHT:

E_{MAX} = absolute elevation of maximum building height

H_{MAX} = maximum building height specified in Schedule 7

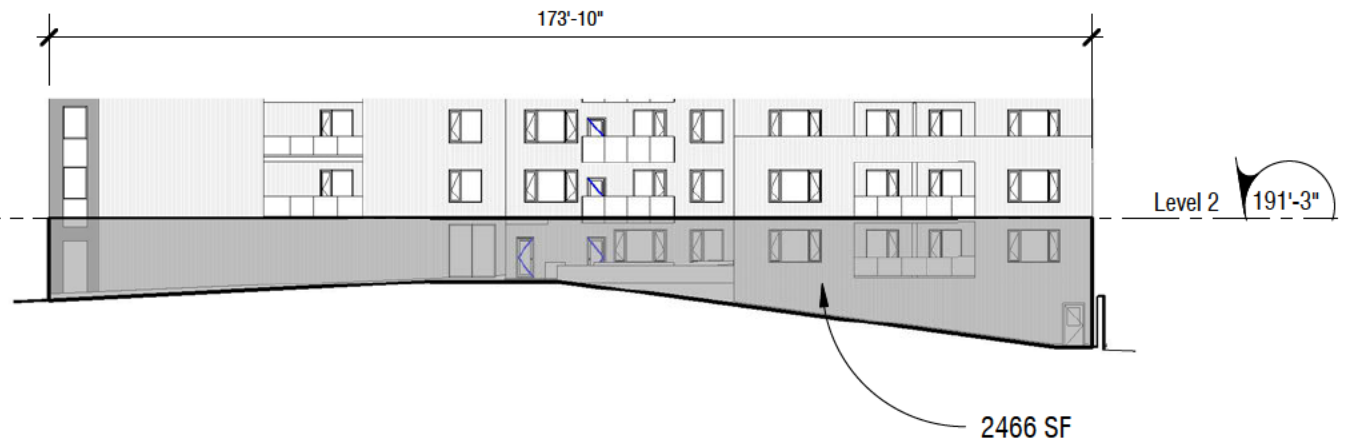
$$\begin{aligned} E_{MAX} &= E_A + H_{MAX} \\ &= (175' 11") + (20 \text{ metres}) \\ &= (175' 11") + [(20 \text{ metres})(1' 0" / 0.3048 \text{ metres})] \\ &= (175' 11") + (65' 8") \\ &= (241' 9") \end{aligned}$$



LUB
85-N

Finished Grade - North Elevation

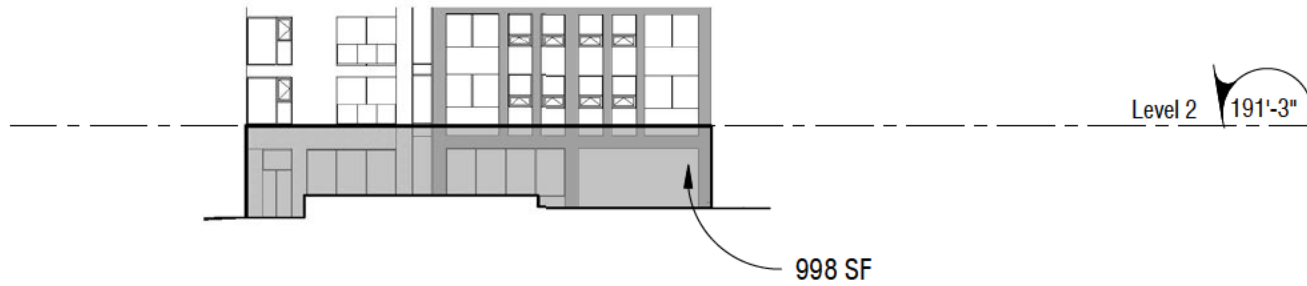
1/32" = 1'-0"



LUB.
85-E

Finished Grade - East Elevation

1/32" = 1'-0"



LUB.
 85-S Finished Grade - South Elevation
 1/32" = 1'-0"



LUB
 85-W Finished Grade - West Elevation
 1/32" = 1'-0"

Table 4 permits all proposed building features above the roof deck level. The proposal covers the 27.5% of the roof with features that are subject to limited coverage, which is under the 30% allowed. Diagram LUB 86 on sheet G730 illustrates the rooftop features including their coverage area, heights above the roof deck, and minimum setbacks from the roof edge.

CALCULATION FOR PERMITTED ROOF DECK COVERAGE:

- P_L = Percentage coverage of limited features.
- A_T = Total Area of roof deck
- A_{30} = Area of features limited to 30% coverage
- A_U = Area of features with unlimited coverage
- A_P = Area covered by parapet
- A_L = Area covered by landscaping

$$\begin{aligned} A_U &= A_P + A_L \\ &= 472 \text{ SF} + 7,509 \text{ SF} \\ &= 7,981 \text{ SF} \end{aligned}$$

$$\begin{aligned} A_{30} &= A_T - A_U \\ &= 11,015 \text{ SF} - 7,981 \text{ SF} \\ &= 3,034 \text{ SF} \end{aligned}$$

$$\begin{aligned} P_L &= (A_{30} / A_T) \times 100\% \\ &= (3,034 \text{ SF} / 11,015 \text{ SF}) \times 100\% \\ &= 27.5 \% \end{aligned}$$

This calculation considers the entire extensive green roof assembly to be “soft landscaping” because it “covers” the roof deck with “soft material and vegetation” [s. 248 (241)]. The green roof includes membranes, drainage planes, tapered XPS, growing

medium and vegetation, which are all exempt from roof edge setbacks and maximum coverage requirements. Key definitions appear below.

Key Definitions:

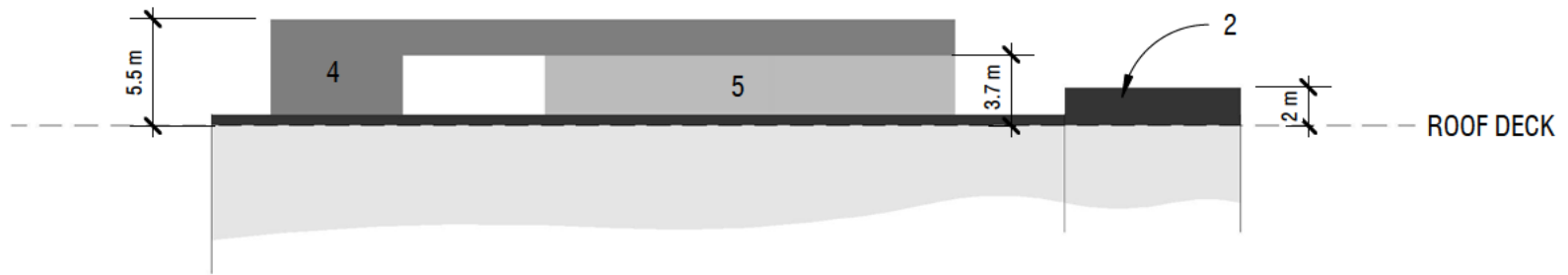
Hard Landscaping means covered by hard or impermeable material such as outdoor furniture, planters, decorative concrete, stonework, bricks, gravel, tiles, pavers, boardwalks, or wood decking, but does not include parking lot surfaces or areas used for access to parking areas. [s. 248 (97)]

Soft Landscaping means covered by soft or water-permeable material and vegetation such as trees, hedges, shrubs, flowers, grass, fruit and vegetable plants, sod, or other vegetative groundcover. A water feature is considered soft landscaping. [s. 248 (241)]

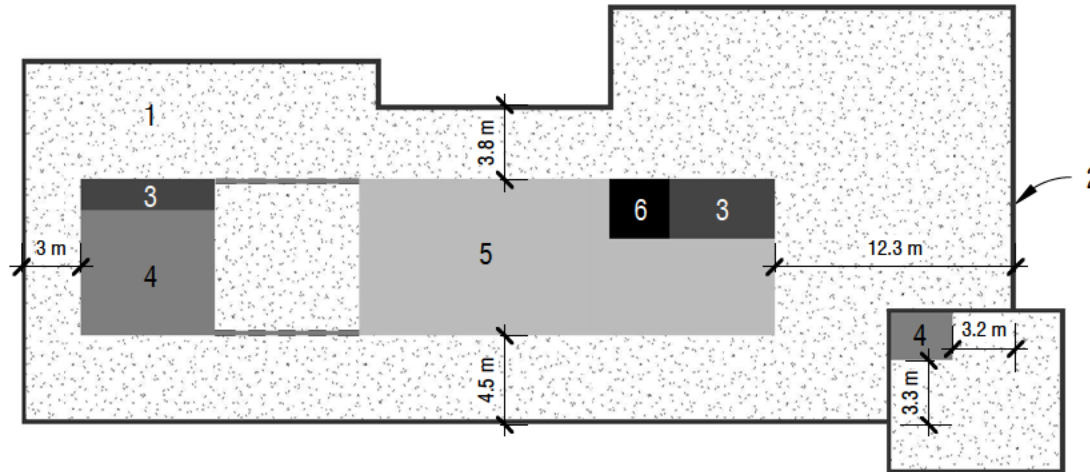
All soft landscaping specified in a landscape plan shall comply with the latest edition of the *Canadian Landscape Standard*. [s. 192 (3)]

Green Roof means “landscaping on roof slabs or in contained planters.” [*Canadian Landscape Standard* 11.1.1]

Its components consist of vegetation, growing medium, thermal insulation, filtering layers, vegetation free zones, drainage systems, and waterproof membranes, etc. [*Canadian Landscape Standard* 11.1.5]



WEST ELEVATION



ROOF PLAN

Unlimited Coverage

- 1. extensive green roofing
- 2. parapet

30% Coverage Max.

- 3. staircase enclosure
- 4. mechanical enclosure
- 5. penthouse
- 6. elevator enclosure

Section 87 Compliant— The proposal has no maximum FAR (Schedule 8).

Part V, Chapter 3: Built Form Requirements for D, CEN-2, CEN-1, COR, HR-2, and HR-1 Zones

Section 88 Interpretation— The proposal is a “mid-rise building” because it has a building height of 19.9 metres.

Section 89 Interpretation— The proposal is not subject to a prescribed maximum lot coverage.

Subsection 90(1) Compliant— A ground floor abuts the two streetlines. Please refer to Diagram LUB 90 on sheet G735.

A ground floor abuts Young Street because, for 88% of its width, Level 1 is within 0.6 metres of the streetline grade.

A ground floor abuts Oxford Street because, for 71.1% of its width, either levels 0.5 or Level 1 are within 0.6 metres of its streetline grade.

Key Definition:

Ground Floor means, for each streetline, the first floor level that:

- (a) abuts the streetline; and
- (b) for at least 70% of each streetline:
 - (i) commences no lower than 0.6 metres below the streetline grade, and
 - (ii) does not commence any higher than 0.6 metres above the streetline grade.

[LUB s. 248(95)]

Subsection 90(2)	Compliant—	All ground floors have a floor-to-floor height of at least 3.5 metres. Level 0.5 has a floor-to-floor height of exactly 3.5 metres. Level 1 has a floor-to-floor height of 4.73 metres. These floor-to-floor heights are visible in on the streetline elevation drawings on sheets A201 and A202.
Subsection 90(3)	Not Applicable—	The proposal does not abut a pedestrian oriented commercial street.
Subsection 90(4)	Not Applicable—	The proposal does not include grade-related units as defined in subsection 248(92).
Subsection 90(5)	Compliant—	The proposal provides the required minimum number of grade-oriented premises per streetline.

NOTE: “premises” can be singular, plural, or uncountable. Please pardon any confusion.

The ground floor on Young Street has the required minimum of two (2) premises; the ground floor on Oxford street has the required minimum of five (5) premises. These premises are labeled on Diagram LUB 90 on sheet G735 and visible in plan on sheets A103 and A104.

- Oxford:
1. Commercial Premises A
 2. Commercial Premises B
 3. Lobby for Multi-Unit Residential
 4. Commercial Premises C
 5. Commercial Premises D (left leaf of double door)

- Young:
1. Commercial Premises D (right leaf of double door)
 2. Five-Stream Waste Room

To avoid confusion, the Five-Stream Waste Room counts as a grade-oriented premises because it is a *premises* with a *use* that sits on a *ground floor* and has a pedestrian entrance that fronts and faces a streetline. Key definitions appear on the next sheet.

Key Definitions:

Grade-Oriented Premises means premises on a ground floor of a building that are accessible by pedestrians from, and front and face, a streetline. A grade-related unit use may occupy grade-oriented premises. [LUB s. 248(91)]

Grade-Related Unit Use means a dwelling unit within a multi-unit dwelling use that is accessible by pedestrians from a private entrance that fronts and faces a streetline. [LUB s. 248(92)]

Premises means the lot or that portion of the lot that contains a use, including a structure or portions of a structure occupied by the use. [LUB s. 248(174)]

Use means:
(a) the purpose for which a premises is used or occupied, or intended to be or designed to be used or occupied; or
(b) the conduct of an activity, or the performance of a function or operation, on a site or in a building or facility. [LUB s. 248(242)]

CALCULATION FOR NUMBER OF GROUND FLOOR PREMISES:

N_p = required number of premises

R_s = required rate of length per premises [LUB s. 90(5)(b)]

L_s = length of streetline

L_A = required addend for each streetline [LUB s. 90(5)(a)]

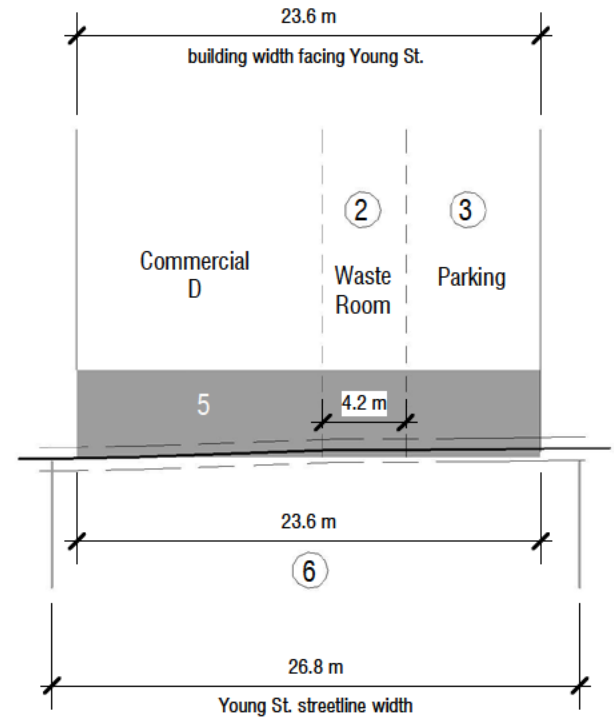
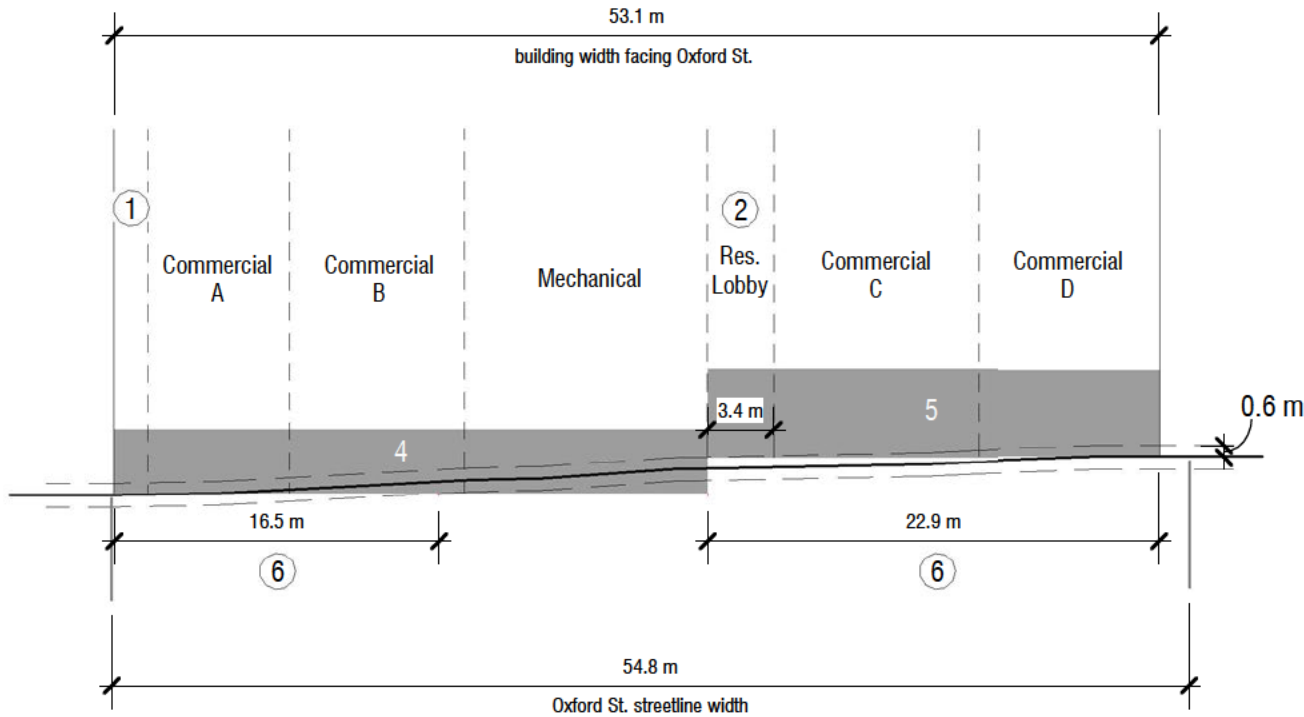
$\lfloor x \rfloor$ = floor of x (round answer "x" down to the nearest whole number)
[LUB s. 90(5)(c)]

OXFORD ST. STREETLINE

$$\begin{aligned} N_p &= \lfloor (L_s + L_A) / R_s \rfloor \\ &= \lfloor (54.8 \text{ m} + 6.0 \text{ m}) / (12 \text{ m per premises}) \rfloor \\ &= \lfloor (60.8 \text{ m}) / (12 \text{ m per premises}) \rfloor \\ &= \lfloor 5.07 \text{ premises} \rfloor \\ &= 5 \text{ premises} \end{aligned}$$

YOUNG ST. STREETLINE

$$\begin{aligned} N_p &= \lfloor (L_s + L_A) / R_s \rfloor \\ &= \lfloor (26.8 \text{ m} + 6.0 \text{ m}) / (12 \text{ m per premises}) \rfloor \\ &= \lfloor (32.8 \text{ m}) / (12 \text{ m per premises}) \rfloor \\ &= \lfloor 2.73 \text{ premises} \rfloor \\ &= 2 \text{ premises} \end{aligned}$$



- 1. exit discharge, not an entrance
- 2. residential uses
- 3. not a pedestrian entrance
- 4. Level 0.5 in elevation
- 5. Level 1 in elevation
- 6. ground floor within 0.6m of streetline grade

LUB
90

Ground Floor Requirements

1/32" = 1'-0"

Subsection 91(1)	Compliant—	The proposal includes a front and flanking yard of 5'-0" (1.524 metres) which is more than the required minimum of 1.5 metres for both yards, and less than the required maximum of 3 metres for the flanking yard on Oxford Street.
Subsection 91(2)	Not Applicable—	The proposal never exceeds the maximum flanking yard of 3 metres on Oxford street (Schedule 10). Young Street does not have a maximum front yard setback (Schedule 10). These setbacks are visible on sheet L101, among others.
Subsection 91(3)	Not Applicable—	The proposal does not make use of Subsection 91(2).
Subsection 91(4)	Not Applicable—	The proposal does not include a registered heritage property.
Subsections 91(5-6)	Not Applicable—	Underground parking does not violate the required front or flanking yards, above or below grade. The building footprint below grade is visible on sheet L101, showing that it is set back from both the Young and Oxford streetlines by 5'- 0", exceeding the minimum yard setback of 4'-11" (1.5 metres) required by Schedule 9.
Subsections 92(1-3)	Not Applicable—	The proposal is does not include any land in D, CEN1, CEN-2, HR1, or HR-2 zones.
Subsection 92(4)	Compliant—	The proposal includes a side yard of 6.0 metres along its singular transition line. This transition yard is visible in the landscape plan on sheet L101 as well as in the North Elevation on sheet A204.
Subsection 92(5)	Not Applicable—	Underground parking does not violate the required front or flanking yards, above or below grade. Please see the previous rationale for Subsections 91(5-6).
Subsection 93(1)	Compliant—	The proposal is allowed a maximum streetwall height of 11.0 metres. The proposal's streetwall does not exceed this maximum height except for one area that which requires a variance. For the streetwall height calculation and variance, please refer to the Section 84 rationale on sheet G720.

Subsections 93(2-3)	Compliant—	All streetwalls have a height of at least 8.0 metres, except for a short section of 6.0 metres on Oxford Street in which the streetwall height is reduced to 3.5 metres. To confirm this compliance, please refer to diagram LUB 84 on sheet G722.
Subsections 93(4-5)	Compliant—	<p>The proposal includes setbacks of 2.5 metres above streetwall. 20% of the width of each streetwall does not have a streetwall setback. These 20% exemptions form the landmark tower on the corner of Young and Oxford.</p> <p>To be clear, unenclosed balconies and their supports can violate the streetwall setback according to Clause 76(1)(d). These features are not included in the 20% figure. This fact comes into play most noticeably on the young street façade. On this façade, some of the landmark tower consists of unenclosed balcony above the height of the streetwall. Please refer to diagram LUB 84 on sheet G722 as well as the elevation on sheet A202.</p>
Subsection 94(1)	Compliant—	The only required side yard is along the proposal’s singular transition line. Its width is variable, but is always in excess of the required minimum of 6.0 metres. This side yard is visible on sheet A201. All other side yards and rear yards are voluntary or fulfil requirements for other sections in the LUB.
Subsections 94 (2-4)	Not Applicable—	The proposal is not a “tall mid-rise” or a “high-rise building” according to Subsection 88(2).
Subsection 94 (5)	Compliant—	The proposal includes a side yard of 6.0 metres along its singular transition line. This side yard is visible in the landscape plan on sheet L101 as well as in the north elevation on sheet A204.
Section 95	Not Applicable—	<p>Minimum separation distances do not apply to separation distances between midrise typologies, including between two midrise portions of the same building.</p> <p>For the sake of clarity, separation distances under the <i>Nova Scotia Building Code</i> will apply when the project proceeds to later stages of permitting.</p>

Section 96	Compliant—	At its largest, the building is 23.4 metres (77'-4 1/4") by 53.0 metres (174'-2 7/8"), falling under the maximum building size of 64 metres by 64 metres. These dimensions are visible on sheet A102.
Section 97	Compliant—	The proposal's streetwalls meet the articulation requirements contained in part VI. Please refer to the rationales for Sections 111 to 165 on sheets G737 to G745

Part V, Chapter 4: Built Form Requirements for Other Zones and Buildings

Sections 98 – 103	Not Applicable—	These sections do not apply to the proposal because it is entirely within zone "COR."
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Part V, Chapter 5: Accessory Structures, Backyard Suite Uses, and Shipping Containers

Sections 104 – 110	Not Applicable—	The proposal includes no accessory buildings or shipping containers.
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Part VI, Chapter 1: General Site Plan Approval Design Requirements

NOTE	—	<p>The text for Part VI, which begins here, satisfies the requirement for a "Design Rationale" as defined in Section 29. The design rationale is a required part of a Level III site plan approval [s. 17(3)].</p> <p>This proposal also includes a completed <i>Part VI Design Criteria Checklist</i> provided by the planning office. This form repeats the same information as here without accompanying diagrams.</p>
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Section 111	Interpretation—	Since this proposal is subject to site plan approval, it must meet the applicable design requirements of Part VI.
Section 112	Interpretation—	The Development Officer shall grant site plan approval when she or he determines the proposal has met the design requirements of Part VI.
Section 113	Compliant—	<p>The proposal includes two at-grade private open spaces, an upper courtyard and a patio for the Bicycle Room. Both contribute to the Regional Centre’s network of open spaces by “abutting an existing mid-block at-grade private open space” [s. 113(c)].</p> <p>Diagram LUB 113 on sheet G739 shows these connections, which are also visible on the landscaping plan on sheet L101.</p>
Section 114	Not Applicable—	The proposal includes no at grade private open spaces abutting a sidewalk. The walkway to Young Street, visible in diagram LUB 113 on this sheet G739, is too narrow to be considered such a space, following the criteria of section 115.



- 1. established mid-block open space
- 2. Bicycle Room Patio/sunken garden
- 3. Upper Courtyard
- 4. walkway access to street
- 5. proposed building

Section 115	Compliant—	<p>The proposal includes two at-grade private open spaces that are greater than 15 square metres and exceed dimensions of 3.0 x 5.0 meters, the Upper Courtyard and the Bicycle Room Patio. Please refer to the landscape plan on sheet L101 as a companion to the text below.</p> <p>The Upper Courtyard measures 5.54 metres (19'-9 3/4") by 5.29 metres (18'-7 7/8") with an area of 29.3 m². It has barrier free access via a walkway to Young Street and via a building entrance. A permanent bench is situated within the courtyard and the floor of this outdoor room is partly concrete pavers, and partly grass.</p> <p>The Bicycle Room Patio measures 5.54 metres (19'-9 3/4") by 5.29 metres (18'-7 7/8") with an area of 29.3 m². It provides barrier free access through the Bicycle Room, with a sloped walkway that is too steep to be barrier free, but is better than stairs for cyclists to walk their bikes up and down to the Bicycle Room. A permanent bench forms a part of the masonry wall that partitions the property from the backyards of neighbours. The floor of the outdoor room is partly concrete pavers, and partly salt tolerant groundcover. Please refer to the landscape plan on sheet L101.</p>
Section 116	Compliant—	Both at-grade private open spaces provide compliant weather protection. An existing tree, 500 mm caliper and hardwood, shelters the bicycle room patio. A canopy shelters the residential entrance in the upper courtyard. Both features are visible on sheet L101.
Section 117	Not Applicable—	The proposal includes no at grade large-scale private open spaces.
Section 118	Not Applicable—	The proposal does not abut any public open spaces.
Section 119	Not Applicable—	The proposal includes no “grade-related units” as defined in Section 248(92).
Section 120	Compliant—	All walkways on the site plan are hard surfaced, and none are asphalt. Please refer to the landscape plans on L101 and L102.

Part VI, Chapter 3: Building Design Requirements

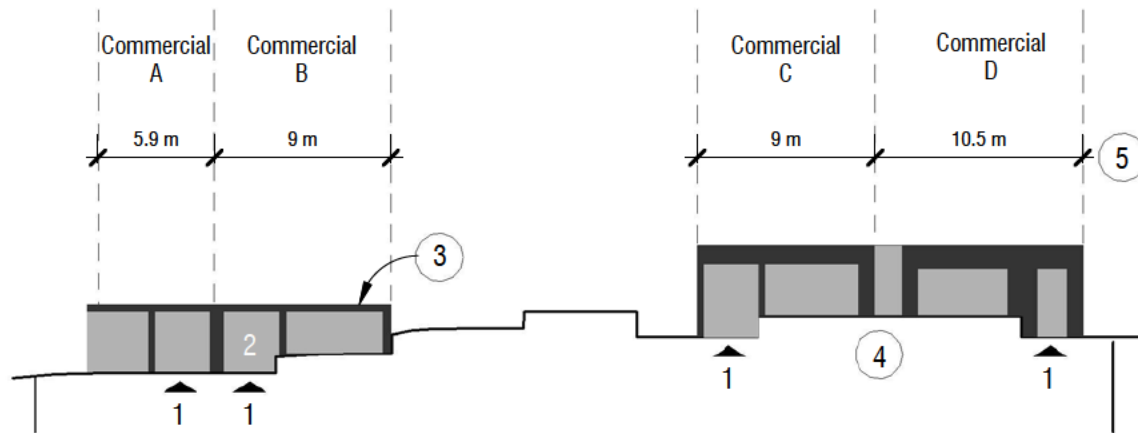
Section 121	Compliant—	All streetwalls are divided into sections between 0.3 metres to 8.0 metres in width that vary in at least two of the listed criteria: colour, material, projection/recession. To confirm compliance, please review the diagrams, tables and schedules on sheet A601.
Section 122	Not Applicable—	Besides its streetwalls, the proposal includes no exterior walls that front at grade private spaces abutting public rights-of-way.
Section 123	Compliant—	<p>The streetwall articulation on Young Street continues into the side yard by 8'-3" (see sheet A203) in excess of the required 5'-9", which is the width of the side yard measured at the street line (see sheet A105).</p> <p>The streetwall articulation on Oxford Street continues into the side yard by 2'-0" (see sheet A204) in excess of 0'-8", which is the width of the side yard measured at the street line (see sheet A103).</p>
Section 124	Compliant—	The pedestrian entrances for the commercial premises differentiate themselves from the surrounding streetwall by all three criteria. For materials, the entrances are glass panel and aluminum extrusions, while the predominant streetwall material is ceramic (brick or ceramic tile). For colours, the entrances are the colour of anodized aluminum and clear glass, while the ceramic materials have a different coloured clay body or glaze covering. The pedestrian entrances are also recessed (see sheets A201 and A202). The residential entrance on Oxford differentiates itself just as the commercial entrances, but with an additional differentiator of clear-stained wood (see sheet A201). The waste room entrance is less conspicuous, differentiating itself by being deeply recessed and metal, in contrast to the dominant brick (see sheet A104).

Section 125	Compliant—	The proposal includes two pedestrian entrances in at-grade private open spaces. The entrance in upper courtyard is sheltered by a metal canopy finished in an epoxy paint of a contrasting colour to the surrounding corrugated metal. The bicycle room door is metal painted in an epoxy paint of a contrasting colour to the surrounding corrugated metal, and includes a security glass lite as a material contrast.
Section 126	Compliant—	Every storefront has one pedestrian entrance and no storefronts exceed 24 metres in width. Please refer to storefront measurements on Diagram LUB 127 on sheet G744.
Section 127	Compliant—	63% of the ground floor façade dedicated to commercial uses consists of clear glass glazing, which falls between 50% and 80% as required by this section. Please refer to diagram LUB 127 on sheet G744.

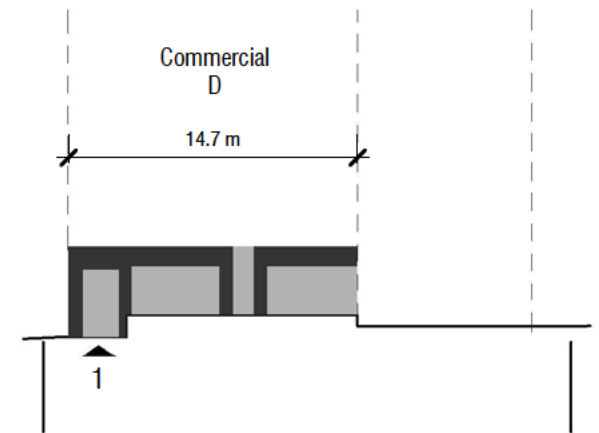
CALCULATION

P = percentage of glazing on ground floor façade for commercial uses
 A_T = total area of ground floor façade for commercial uses
 A_G = total area of glazing for ground floor commercial uses

$$\begin{aligned}
 P &= (A_G / A_T) \times 100\% \\
 &= (1235 \text{ SF} / 1975 \text{ SF}) \times 100\% \\
 &= 0.63 \% \\
 &= 63\%
 \end{aligned}$$



OXFORD STREET FACADE



YOUNG STREET FACADE

- 1. storefront entrance
- 2. glazing
- 3. facade of ground floor commercial
- 4. finished grade at building perimeter
- 5. storefront widths

Section 128	Not Applicable—	The proposal includes no “grade-related units” as defined in Subsection 248(92).
Section 129	Not Applicable—	The proposal includes no “ramps”, as defined in the <i>Nova Scotia Building Code</i> , in the front or flanking yards.
Section 130	Compliant—	The proposal provides weather protection by recessing all pedestrian entrances in the streetwall for commercial and multi-unit residential uses. To confirm, please review floorplans for levels 0.5, 1, and 1.5 as well as the elevation drawings
Section 131	Not Applicable—	No foundation walls or underground parking structures exceed 0.6 metres above grade.
Section 132	Compliant—	Two features differentiate the upper third of the building. A 0.5 metre cap flashing caps the corrugated metal cladding. Its colour is of a similar hue and saturation to the corrugated metal, but with a tone that is perceptibly darker. The landmark tower differentiates its upper third with an extending parapet that emphasizes the distinction of the tower and its colourful cladding material from the more subdued corrugated metal. To confirm compliance, please review the diagrams, tables and schedules on sheet A601.
Section 133	Compliant—	<p>During the daytime, the penthouse visually integrates into the building by being clad in the same corrugated metal that dominates the façade of the building. The colour of the penthouse will be a colour of similar hue and saturation but of a noticeably lighter tone so that the penthouse blends into the sky rather than looming over the street.</p> <p>During the nighttime, the penthouse will catch little stray light from the street and will have receive no external illumination from the proposed lighting scheme. Illumination will be directed at the walkways, specifically. Please refer to sheet A601 for the cladding materials schedule as well as the illumination scheme on sheet A602.</p>

Section 134 Compliant— Rooftop mechanical features will be located within interior of the mechanical penthouse, within the open-roofed enclosure on top of the penthouse or within the extended parapet of the landmark tower. All of these features visually integrate into the overall design of the building in compliance with Section 133. Please refer to diagram LUB 86 on sheet G730.

Part VI, Chapter 4: Parking, Access, and Utilities Design Requirements

Section 135 Compliant— A pedestrian connection follows the side yard from Young Street (a public street) to two at-grade private spaces. This connection is visible on sheet L101.

Section 136 Not Applicable— The proposal includes no accessory surface parking lots.

Subsection 137(1) Compliant— The motor vehicle access door on Oxford Street will be painted to match “Colour A” which is the dominant storefront colour. Please refer to the schedules, diagrams, and tables on sheet A601.

Subsection 137(2) Compliant— The motor vehicle access on Young Street forms a part of the ground floor and has a height of 10'-0" or 3.05 metres. This height does not exceed the ground floor-to-floor height of 4.7 metres. Please refer to the elevation on sheet A202.

Section 138 Not Applicable— No parking internal to the building is located in the streetwall because all parking is below grade.

Section 139 Compliant— sheet A602 details the concealment of exterior mechanical features from the streetline.

Section 140 Not Applicable— The proposal includes no heat pumps or other HVAC equipment on balconies.

Part VI, Chapter 5: Heritage Conservation Design Requirements

Sections 141-153	Not Applicable—	The proposal includes no registered heritage buildings and it abuts no such buildings. The proposal is not within nor does it abut any heritage conservation districts.
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Part VI, Chapter 6: Other Design Requirements

Section 154	Compliant—	The proposal illuminates all common entrances, walkways and accessible at-grade private open spaces. It includes no parking lots or odd street loading spaces. To confirm compliance, please refer to sheet A602 to review the luminaires intended for the applicable areas.
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Sections 155-156	Not Applicable—	The proposal does not sit on a view terminus site.
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Part VI, Chapter 7: Variation Criteria

Sections 157-159	Not Applicable—	The proposal does not include requests for these variances.
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Section 160	Request—	For the sake of convenience, the variance request appears in the rationale for Section 84 on sheet G720, with the other streetwall height calculations.
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Sections 161-164	Not Applicable—	The proposal does not include requests for these variances.
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Part VII, Chapter 1: General View Plane, Ramparts and Waterfront View Corridor Requirements

Subsection 165(1)	Not Applicable—	Plans stamped by a surveyor are unnecessary for this subsection. The proposal could not potentially protrude into view plane because its site is not near any view planes. Please refer to the view planes in Schedule 11.
Subsection 165(2)	Not Applicable—	Plans stamped by a surveyor are unnecessary for this subsection. The proposal could not potentially protrude into a protected rampart view. The proposal is 19.9 metres tall and is on a site that is over 2 km from the Citadel. A person standing on the Grand Parade of the Citadel will be not be able to see the proposal. The proposal would need to a few hundred metres tall to be seen.
Subsection 165(3)	Not Applicable—	Plans stamped by a surveyor are unnecessary for this subsection. The proposal could not potentially protrude into waterfront view corridors because its site is not near any such corridors. Please refer to the view corridors on Schedules 13 to 23.
Subsection 165(4)	Compliant—	The proposal will not protrude into any view planes, rampart views, or view corridors.

Part VII, Chapter 2: View Planes and Ramparts

Section 166-167	Compliant—	The proposal does not interfere with any view planes or rampart views (see Section 165 justifications above).
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Part VII, Chapter 3: Waterfront View Corridors

Section 168	Compliant—	The proposal does not interfere with any Dartmouth waterfront view corridors (see Section 165 justifications above).
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Part VIII: Wind Energy Facilities

Sections 169-176	Not Applicable—	The proposal includes no wind energy facilities.
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Part IX, Chapter 1: General Landscaping Requirements

Section 177	Interpretation—	Existing trees count as 2.0 trees if they are protected during construction and meet minimum caliper requirement. Other existing soft landscaping can count for new landscaping requirements as well.
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Section 178	Interpretation—	Vegetative landscaping must be healthy. Should any plants die, they must be replaced at the beginning of the next growing season.
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Section 179	Not Applicable—	The LUB expressly requires only five trees and zero shrubs (see Section 191). This number does not meet the threshold of 10 trees or shrubs for this section to apply.
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Section 180	Compliant—	No required landscaping in this proposal is designated for outdoor storage or the loading, parking, and movement of motor vehicles. Please refer to the landscaping plans on sheets L101 and L102.
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Section 181	Not Applicable—	The proposal includes no outdoor off-street loading spaces, outdoor storage, or dealership uses.
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Section 182

Compliant—

137 % of all required landscaping is soft landscaping in excess of the required 50%. Landscaped areas are visible on Diagram LUB 184 on sheet G752, Diagram LUB 185 on sheet G758, as well as in the landscape plans on sheets L101-L103.

CALCULATION:

P = percentage of required landscaping that is soft landscaping
R_T = total area of required landscaping, hard or soft
R_G = area of required landscaping at grade [s. 185(1)]
R_R = area of required soft landscaping on flat roofs [s. 185(1)(b)]
S_T = total area proposed soft landscaping
S_G = area of proposed soft landscaping at grade [s. 185(1)]
S_R = area of proposed soft landscaping on flat roofs [s. 185(1)(b)]

$$\begin{aligned} P &= (S_T / R_T) \times \%100 \\ &= ((S_G + S_R) / (R_G + R_R)) \times \%100 \\ &= ((2104 \text{ SF} + 7,725 \text{ SF}) / (1966 \text{ SF} + 5,190 \text{ SF})) \times \%100 \\ &= (9829 \text{ SF} / 7156 \text{ SF}) \times \%100 \\ &= 1.37 \times 100\% \\ &= 137 \% \end{aligned}$$

Section 183

Not Applicable—

The proposal is not a vacant lot.

Section 184

Compliant—

42-62% of each flat roof consists of soft landscaping, in excess of the required 40%. Each area of soft landscaping exists in areas of at least 10 contiguous square metres with one linear dimension exceeding 2.0 metres. These landscaped areas are visible Diagram LUB 184 on sheet G752 as well as in the landscape plans on sheets L102-L103.

P = percentage of flat roof that is soft landscaping
A_R = area of flat roof
A_S = area of soft landscaping on flat roof

MAIN ROOF:

$$\begin{aligned} P &= (A_S / A_R) \times 100\% \\ &= (6663 \text{ SF} / 10770 \text{ SF}) \times 100\% \\ &= 0.62 \times 100\% \\ &= 62 \% \end{aligned}$$

TERRACE FOR UNIT 1506:

$$\begin{aligned} P &= (A_S / A_R) \times 100\% \\ &= (107 \text{ SF} / 167.5 \text{ SF}) \times 100\% \\ &= 0.63 \times 100\% \\ &= 63 \% \end{aligned}$$

TERRACE FOR UNITS 3002 AND 3003:

$$\begin{aligned} P &= (A_S / A_R) \times 100\% \\ &= (271 \text{ SF} / 643 \text{ SF}) \times 100\% \\ &= 0.42 \times 100\% \\ &= 42 \% \end{aligned}$$

TERRACE FOR UNITS 3004 AND 3005:

$$\begin{aligned} P &= (A_S / A_R) \times 100\% \\ &= (216 \text{ SF} / 468 \text{ SF}) \times 100\% \\ &= 0.46 \times 100\% \\ &= 46 \% \end{aligned}$$

TERRACE FOR UNITS 4006 AND 4007:

$$P = (A_S / A_R) \times 100\%$$

$$\begin{aligned}
 &= (269 \text{ SF} / 519 \text{ SF}) \times 100\% \\
 &= 0.52 \times 100\% \\
 &= 52 \%
 \end{aligned}$$

TERRACE FOR UNITS 4009 AND 4010:

$$\begin{aligned}
 P &= (A_S / A_R) \times 100\% \\
 &= (199 \text{ SF} / 407 \text{ SF}) \times 100\% \\
 &= 0.49 \times 100\% \\
 &= 49 \%
 \end{aligned}$$

CALCULATIONS FOR USE IN SECTION 182

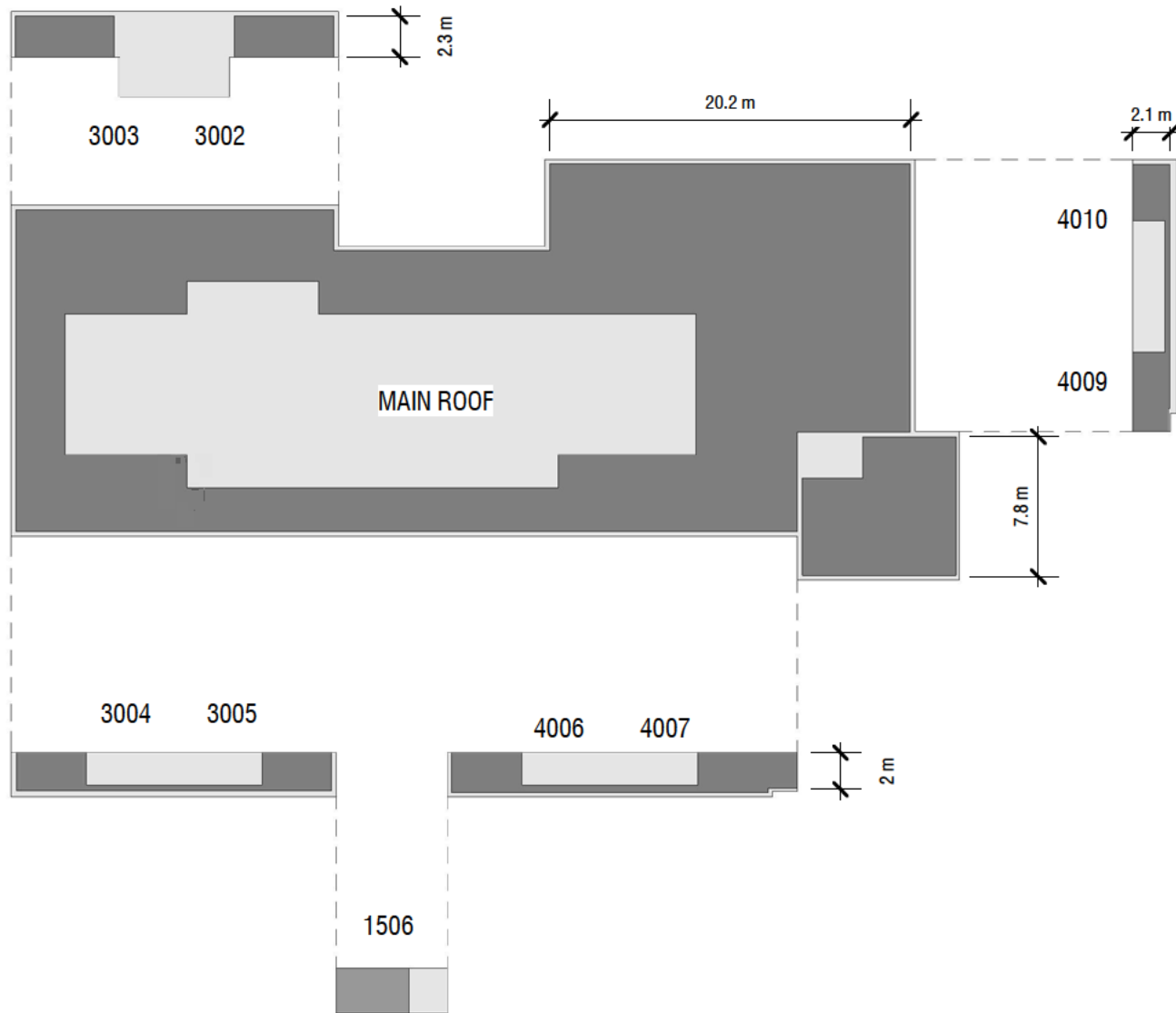
R_R = combined area of required soft landscaping on flat roofs

A_R = combined area of flat roofs

S_R = combined area of proposed soft landscaping on flat roofs

$$\begin{aligned}
 R_R &= A_R \times 40\% \\
 &= (10770 \text{ SF} + 167.5 \text{ SF} + 643 \text{ SF} + 468 \text{ SF} + 519 \text{ SF} + 407 \text{ SF}) \times 40 \% \\
 &= 12,974.5 \text{ SF} \times 40\% \\
 &= 5,190 \text{ SF}
 \end{aligned}$$

$$S_R = 6663 \text{ SF} + 107 \text{ SF} + 271 \text{ SF} + 216 \text{ SF} + 269 \text{ SF} + 199 \text{ SF} = 7,725 \text{ SF}$$



- soft landscaping
- remaining roof

LUB
184

Landscape Coverage on Roofs

1/32" = 1'-0"

Part IX, Chapter 2: Specific Landscaping Requirements

Clause 185(1)(a)

Request—

We request that the proposal be considered compliant for this clause, even though it fails in the strictest sense. In the strictest sense, 41 % of the front yard and 43% of the flanking yard consists of soft landscaping where this clause requires 60% coverage for each yard.

True compliance is made unfeasible by competing regulations and requirements:

- 1) Section 194 requires a 6.0 metre-wide driveway for two-way traffic.
- 2) Section 90 requires a combined total of six premises abutting the street
- 3) Section 3.8.2.2 in the building code requires all of these exits to be barrier free
- 4) The sloped grade on Oxford requires a ramp-like path for barrier free access to Commercial Premises C and the Residential Lobby
- 5) The public realm would suffer by obstructive soft landscaping on the street corner
- 6) the building code requires a second exit to the street
- 7) The Fire Marshal and Halifax water require a Siamese connection on the street, which must be fronted by a hard surface

We have drawn zero-edge planters to maximize the surface area of soft garden beds. We have also requested that class B bicycle parking be placed on the boulevard in the Young Street right of way. We could remove the three benches that recess into the planters, but at a loss to the public realm.

Within the RMPS and the Design Manual, there surely must be a reason to relax this clause. As an aside, we are communicating the unfeasibility of this situation to the Alderney staff who are drafting Package B. If you are able to mention it as well, please do.

As a way out, we propose a more generous: If we add the soft landscaping in the recesses, which are not a part of the yards (see definitions), the front yard coverage becomes 58% and the flanking yard becomes 68%.

These landscaped areas are visible Diagram LUB 185 on sheet G758 as well as in the

landscape plans on sheets L102.

CALCULATION FOR FRONT AND FLANKING YARD

- P = percentage of flat yard that is soft landscaping
- P_B = percentage with boost from soft landscaping in recesses
- A_Y = area of yard
- A_S = area of soft landscaping in yard
- A_R = area of soft landscaping in a recess adjoining yard.

FRONT

$$\begin{aligned} P &= (A_S / A_Y) \times 100\% \\ &= (360 \text{ SF} / 872 \text{ SF}) \times 100\% \\ &= 0.41 \times 100\% \\ &= 41 \% \end{aligned}$$

$$\begin{aligned} P_B &= ((A_S + A_R) / A_Y) \times 100\% \\ &= ((360 \text{ SF} + 142 \text{ SF}) / 872 \text{ SF}) \times 100\% \\ &= (503 \text{ SF} / 872 \text{ SF}) \times 100\% \\ &= 0.58 \times 100\% \\ &= 58 \% \end{aligned}$$

FLANKING

$$\begin{aligned} P &= (A_S / A_Y) \times 100\% \\ &= (205 \text{ SF} / 480 \text{ SF}) \times 100\% \\ &= 0.42 \times 100\% \\ &= 43 \% \end{aligned}$$

$$\begin{aligned} P_B &= ((A_S + A_R) / A_Y) \times 100\% \\ &= ((121 \text{ SF} + 205 \text{ SF}) / 480 \text{ SF}) \times 100\% \end{aligned}$$

$$\begin{aligned}
 &= (326 \text{ SF} / 480 \text{ SF}) \times 100\% \\
 &= 0.58 \times 100\% \\
 &= 68 \%
 \end{aligned}$$

Clauses 185(1)(b and c)

Compliant—

100% of the side yard consists of landscaping, hard and soft, in excess of the required 53% (see calculation below). To avoid confusion, the LUB defines walkways as hard landscaping, but then removes them from as required areas of landscaping in side and rear yards. This peculiarity has some effect on the soft landscaping calculation in Section 182.

The rear yard is so narrow that its size is negligible. 100% of the rear yard will be graded for ideal drainage, and covered in non-vegetative soft landscaping.

These landscaped areas are visible Diagram LUB 185 on sheet G758 as well as in the landscape plans on sheets L102.

CALCULATION FOR SIDE AND REAR YARDS

- P = percentage of yard that is landscaping
- A_Y = area of yard
- A_E = area of yard exempt from landscaping
- A_L = area of landscaping provided in yard

SIDE

$$\begin{aligned}
 P &= (A_L / (A_Y - A_E)) \times 100\% \\
 &= (2110 \text{ SF} / (2110 \text{ SF} - 999 \text{ SF})) \times 100\% \\
 &= (2110 \text{ SF} / 1111 \text{ SF}) \times 100\% \\
 &= 1.90 \times 100\% \\
 &= 190 \%
 \end{aligned}$$

REAR

No Calculation: 100% of rear yard is landscaping

CALCULATIONS FOR USE IN SECTION 182

R_G = combined area of required landscaping in at grades

R_{FR} = required landscaping in front yard = 872 SF x 60% = 258 SF

R_{FL} = required landscaping in flanking yard

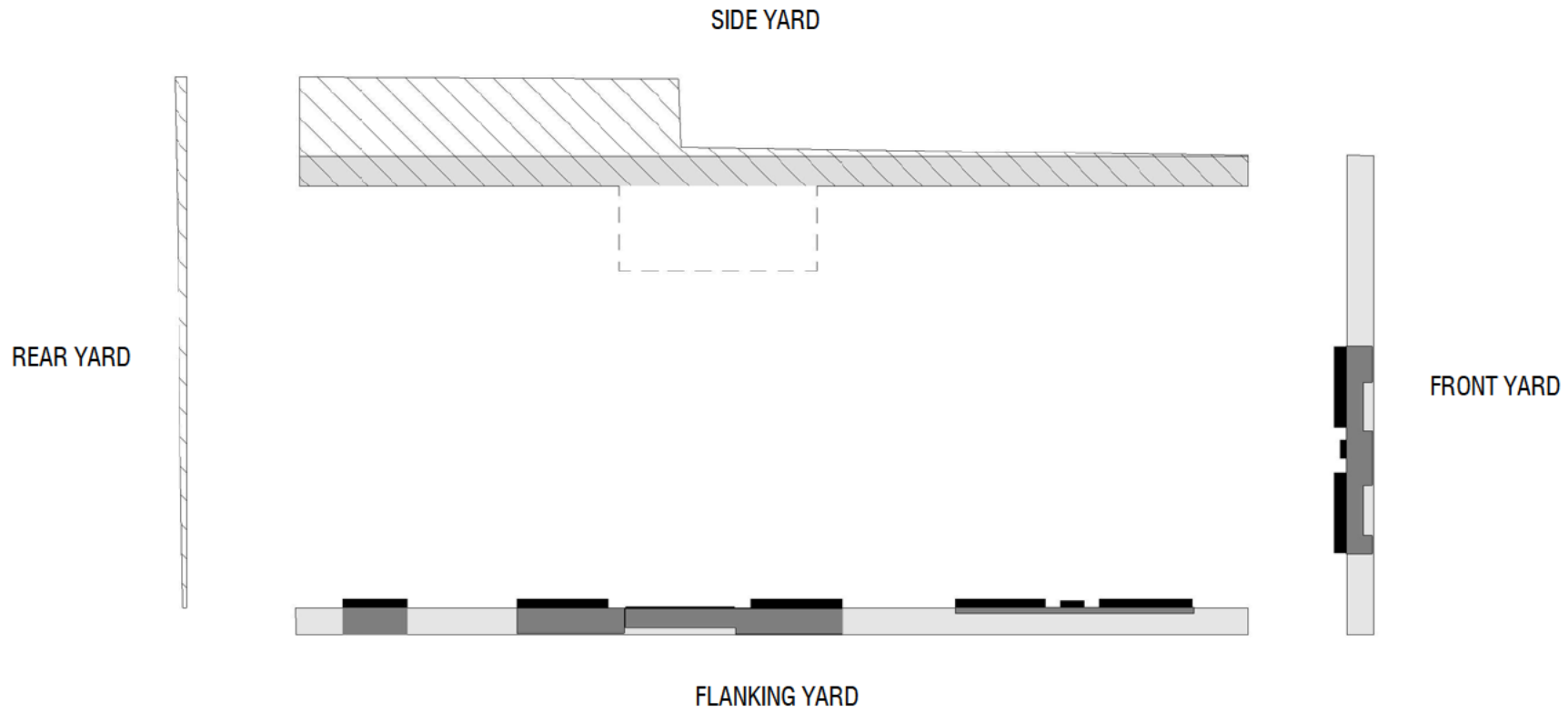
R_S = required landscaping in side yard = $A_Y - A_E = 2110 \text{ SF} - 999 \text{ SF} = 1111 \text{ SF}$

R_R = required landscaping in rear yard = 157 SF x 50% = 76 SF

$$\begin{aligned} R_G &= R_{FR} + R_{FL} + R_S + R_R \\ &= 258 \text{ SF} + 523 \text{ SF} + 1109 \text{ SF} + 76 \text{ SF} \\ &= 1966 \text{ SF} \end{aligned}$$

$$\begin{aligned} S_G &= \text{combined area of proposed soft landscaping at grade} \\ &= 216 \text{ SF} + 552 + 1334.47 \text{ SF (rear side and court)} \\ &= 2104 \text{ SF} \end{aligned}$$

Subsections 185(2-3)	Not Applicable—	The proposal is not in D, CEN-2, or CEN-1 zones.
Subsection 185(2-4)	Not Applicable—	The proposal includes no fences in the front yard or flanking yard.



- FRONT AND FLANKING
 - soft landscaping
 - remaining yard
 - soft landscaping in recesses

- REAR AND SIDE
 - landscaping, hard and soft
 - exempt from landscaping
 - upper courtyard (not in yard)

Part IX, Chapter 3: Screening Requirements

Section 186	Not Applicable—	The only solid waste management area is located entirely inside the building as required by Section 53(1).
Section 187	Not Applicable—	The proposal includes no outdoor off-street loading spaces, outdoor storage, or dealership uses.

Part IX, Chapter 4: Landscaped Buffers

Section 188	Not Applicable—	This proposal requires site plan approval and does not qualify for exemptions to landscape buffers.
Section 189	Compliant—	The proposal requires an L2 buffer with a depth of 2.5 metres from the singular transition line abutting the site. No proposed structures exist within this buffer except for the masonry walls required by Section 191. This buffer is visible on sheet L101.
Section 190	Not Applicable—	This proposal requires no L1 general landscape buffers.
Section 191	Compliant—	<p>This proposal provides an L2 buffer that includes a masonry wall that is at least 2.2 metres tall, exceeding the minimum requirement of 1.8 metres.</p> <p>Forthcoming work with a landscape architect will ensure that all ground cover is salt-tolerant.</p> <p>The L2 buffer includes two existing trees and one new tree. Taken together, these trees count as 5 trees, which is the number requires by the bylaw. The new tree is specified as being 50mm caliper or greater on sheet L101.</p>

CALCULATION:

N = Number of trees required by this section.

L_B = Length of L2 buffer [from sheet L101]

R_B = Rate of length per required tree [s. 191(1)(b)]

$\lceil x \rceil$ = ceiling of x (round answer “x” up to the nearest whole number)

$$\begin{aligned} N &= \lceil L_B / R_B \rceil \\ &= \lceil (22.0 \text{ metres}) / (4.5 \text{ metres per tree}) \rceil \\ &= \lceil 4.9 \text{ trees} \rceil \\ &= 5 \text{ trees} \end{aligned}$$

Part IX, Chapter 5: Landscape Plan Requirements

Subsection 192(1)	Forthcoming—	A landscape architect will review and stamp all landscaping drawings beginning on sheet L100. We expect design revisions from the pre-application as well as the landscape architect’s review of the proposal.
Clause 192(2)(a)	Compliant—	<p>The existing topography is visible on sheet L100. The proposed topography is visible on sheet L101.</p> <p>On both sheets, the absolute elevation in feet above sea level appears at every corner of the consolidated lot for the proposed building. All gradients appear in one of two ways: contour lines marked in 1’-0” intervals for undisturbed earth and slope markers for landscaping, both hard and soft.</p>
Clause 192(2)(b)	Compliant—	The footprint of the proposed building is visible on sheet L101. The footprint is a rectangle, but above grade, the footprint is irregular. Heavy dotted lines show where the rectangular building footprint continues below grade.

The proposal includes the demolition of three houses and two sheds. The footprints of these buildings are visible on sheet L100.

The footprints of buildings on neighbouring lots are visible on both sheets L100 and L101.

Clause 192(2)(c)	Forthcoming—	The proposal for pre-application includes trees, areas of ground cover and hard landscaping. It does not yet specify the exact plant species as this process will require consultation with the landscape architect.
Clause 192(2)(d)	Compliant—	Two existing trees will be retained to meet landscaping requirements. These trees are visible in the top left corner of both sheets L100 and L101.
Clause 192(2)(e)	Compliant—	Please refer to the roof landscaping plan on sheet L102 for all soft landscaping required by Section 184.
Clause 192(2)(f)	Compliant—	Hoardings will protect two existing trees on site as well as two HRM trees on the boulevard of Young Street. These hoardings are visible on sheet L100.
Clause 192(2)(g)	Forthcoming—	Collaboration with a landscape architect will result in construction details for all hard-landscaped areas, including design specifications, and dimensions.
Clause 192(2)(h)	Forthcoming—	Collaboration with a landscape architect will result in manufacturers' specifications for all required hard landscaping, including exterior lighting standards.
Clause 192(2)(h)	Compliant—	The only publicly accessible landscaped spaces are in the front and flanking yards. These public spaces are visible on sheet L101. The Young Street side yard is private, and is controlled by a locked pedestrian gate for the use of building tenants only. This gate is visible on sheet L101.
Clause 192(2)(i)	Forthcoming—	Upon reviewing and revising the landscaping sheets, the landscape architect will attest that all soft landscaping complies with the latest edition of the <i>Canadian Landscape Standard</i> .

Part X, Chapter 1: Motor Vehicle Parking

Section 193	Not Applicable—	<p>The proposal does not include any accessory surface parking or unroofed motor vehicle parking areas.</p> <p>NOTE: This section in the bylaw is the only part of the bylaw that requires snow storage areas. The proposal, therefore, does not specify any snow storage areas.</p>
Section 194	Compliant—	<p>All motor vehicle parking spaces are 5.5 metres long and 2.4 metres wide, with additional room where spaces abut building columns. The proposal includes no parallel spaces.</p> <p>All motor vehicle traffic on the site is two-way with 6.0-metre-wide aisles, ramps, and driveways. On HRM property, the driveway and drop curb widen to 8.0 metres to conform to the design requirements in the bylaw S-300.</p> <p>All required dimensions are visible on sheets A102, A103 and A104.</p>
Section 195	Compliant—	<p>The number of required motor vehicle spaces calculation in section 196 is rounded down to the nearest whole number.</p>
Section 196	Compliant—	<p>The proposal provides 26 motor vehicle parking spaces where, at most, 3 motor vehicle parking spaces will be required.</p> <p>The proposal likely requires zero motor vehicle parking spaces. Motor Vehicle Parking will only be required if any of the commercial premises are leased for office use or financial institution use. In a COR zone no motor vehicle parking is required for multi-unit dwelling use and most commercial uses (Restaurant Use, Fitness Centre Use, Local Commercial Use, Any Other Commercial Use)</p>

CALCULATION IF 100% OF COMMERCIAL IS OFFICE OR FINANCIAL INSTITUTION USE:

N = Number of Required Spaces
 A = Area of Office/Financial Use
 R = Rate of Required Spaces per Area [from LUB Table 7]
 [x] = floor of x (round answer “x” down to the nearest whole number) [s. 195]

$$\begin{aligned} N &= [A/R] \\ &= [(6117 \text{ SF}) \times (1 \text{ space per } 150 \text{ m}^2)] \\ &= [((6117 \text{ SF}) \times (0.0929 \text{ m}^2 \text{ per SF})) \times (1 \text{ space per } 150 \text{ m}^2)] \\ &= [(568.29 \text{ m}^2) \times (1 \text{ space per } 150 \text{ m}^2)] \\ &= [3.78 \text{ spaces}] \\ &= 3 \text{ spaces} \end{aligned}$$

Section 197 Compliant— The proposal sits within a single building lot. All motor vehicle parking will be internal to the building on that lot.

Section 198 Compliant— 30% of the width of the front yard and 0% of the width of the flanking yard are used for the maneuvering of motor vehicles. A maximum of 40% is permitted for each yard. HRM *Bylaw S-300* requires a 7m - 10 m drop curb and paved driveway [s. 34(1)(c)].

P = percentage of front yard used for the maneuvering of motor vehicles
 W_M = width of front yard use for the maneuvering of motor vehicles
 W_Y = width of front yard

$$\begin{aligned} P &= (W_M / W_Y) \times 100\% \\ &= (8.0 \text{ m} / 26.8 \text{ m}) \times 100\% \\ &= 0.30 \times 100\% \\ &= 30\% \end{aligned}$$

Section 200	Compliant—	Except for its entrance, the parking structure is entirely underground. The parking structure entrance conforms to the building articulation requirements of Part VI.
Sections 201-203	Not Applicable—	The proposal includes no surface parking.
Section 204	Not Applicable—	The proposal includes no electric vehicle charging stations.
Sections 205-206	Not Applicable—	The proposal includes no autonomous vehicle parking systems.

Part X, Chapter 2: Bicycle Parking

Section 207	Not Applicable—	The proposal includes no uses that are exempt from required bicycle parking spaces.
Subsection 208(1)	Not Applicable—	The proposal does not abut a designated cycle thoroughfare in the <i>Active Transportation Priorities Plan</i> .
Subsection 208(2)	Compliant—	All bicycle parking racks are constructed from stainless steel and are tamper resistant. They are firmly secured to the ground, a floor, or a wall. Rack specifications are Visible on sheets L501 and A501.
Subsection 208(3)	Compliant—	All bicycle parking area are lighted. These specifications are visible on sheets L501 and A501.
Subsection 208(4)	Compliant—	All indoor Class A bicycle parking areas are on a ground floor, namely level 0.5 (see sheets A102, and A501)
Subsection 208(5)	Compliant—	All bicycle racks provide at least two points of contact for each bicycle, and allow each bicycle to be individually supported and lockable. These details are visible on sheets L501 and A501.
Section 209	Compliant—	The calculations in section 210 rounded final answers down to the nearest whole number.

Section 210

Compliant—

The proposal provides 31 class A bicycle parking spaces, in excess of the 24 required spaces. It provides 8 class B bicycle parking spaces, which is the required minimum. The Class A parking is detailed on sheet A501. The Class B bicycle parking is detailed on sheet L501. Calculations appear below.

CALCULATION FOR RESIDENTIAL UNITS ONLY:

N_T = Total number of required spaces

N_A = Number of required Class A spaces

N_B = Number of required Class B spaces

U = Number of Residential Units

R_U = Rate of Required Spaces per Unit [from LUB Table 8]

$[x]$ = floor of x (round answer "x" down to the nearest whole number) [s. 209]

$$\begin{aligned} N_T &= U \times R_U \\ &= (61 \text{ units}) \times (1 \text{ space per 2 units}) \\ &= 30.5 \text{ spaces} \end{aligned}$$

$$\begin{aligned} N_A &= [N_T \times 80\%] \\ &= [30.5 \text{ spaces} \times 80\%] \\ &= [24.4 \text{ spaces}] \\ &= 24 \text{ spaces} \end{aligned}$$

$$\begin{aligned} N_B &= [N_T - N_A] \\ &= [30.5 \text{ spaces} - 24 \text{ spaces}] \\ &= [6.5 \text{ spaces}] \\ &= 6 \text{ spaces} \end{aligned}$$

CALCULATION FOR COMMERCIAL IF 100% IS OFFICE OR FINANCIAL INSTITUTION USE:

N_T = Total number of required spaces

N_A = Number of required Class A spaces

N_B = Number of required Class B spaces

A_O = Area of Office/Financial Use

R_O = Rate of Required Spaces per area of Office/Financial Use [from LUB Table 8]

$[x]$ = floor of x (round answer "x" down to the nearest whole number) [s. 209]

$$\begin{aligned} N_T &= A_O/R_O \\ &= (6117 \text{ SF}) \times (1 \text{ space per } 500 \text{ m}^2) \\ &= ((6117 \text{ SF}) \times (0.0929 \text{ m}^2 \text{ per SF})) \times (1 \text{ space per } 500 \text{ m}^2) \\ &= (568.29 \text{ m}^2) \times (1 \text{ space per } 500 \text{ m}^2) \\ &= 1.14 \text{ spaces total} \end{aligned}$$

$$\begin{aligned} N_A &= [N_T \times 50\%] \\ &= [1.14 \text{ spaces} \times 50\%] \\ &= [0.57 \text{ spaces}] \\ &= 0 \text{ spaces} \end{aligned}$$

$$\begin{aligned} N_B &= N_A \\ &= 0 \text{ spaces} \end{aligned}$$

$$N_B \geq 2 \text{ [LUB Table 8]} \quad \therefore \quad N_B = 2 \text{ spaces}$$

CALCULATION IF 100% OF COMMERCIAL IS RETAIL, SERVICE OR RESTAURANT USE:

N_T = Total number of required spaces

N_A = Number of required Class A spaces

N_B = Number of required Class A spaces

A_R = Area of Retail, Service or Restaurant Use

R_R = Rate of Required Spaces per Area of Retail, Service or Restaurant Use
[X] = floor of x (round answer “x” down to the nearest whole number) [s. 209]

$N_T = A_R/R_R$
= (6117 SF) x (1 space per 300 m²)
= ((6117 SF) x (0.0929 m² per SF)) x (1 space per 3500 m²)
= (568.29 m²) x (1 space per 300 m²)
= 1.89 spaces total

$N_A = [N_T \times 20\%]$
= [1.89 spaces x 20%]
= [0.38 spaces]
= 0 spaces

$N_B = [N_T \times 80\%]$
= [1.89 spaces x 80%]
= [1.51 spaces]
= 1 space

$N_B \geq 2$ [LUB Table 8] $\therefore N_B = 2$ spaces

Section 211	Compliant—	Class A bicycle racks are inside chain-link bicycle lockers, secured by padlock by the assigned user. The lockers are inside a locked bicycle room that has its own-occupant assessable building entrance in the side yard. This entrance is 30 metres from the nearest residential entrance. For the plan and specifications, please refer to sheet A501.
Subsections 212(1-3)	Compliant—	Class B bicycle parking are inverted-U racks at least .90 m high, visible from the street and within 15 metres of the nearest visitor assessable entrance. These facts can be confirmed on sheets L101 and L501.

Subsections 212(4) Request— The proposal includes a request for an encroachment license to place the class B bicycle racks on HRM property. The rationale is that too many regulations are competing for area in the front yard. Placing the racks on soft landscaping might be an option, but would present a slipping hazard. We suggest placing the racks on the boulevard with the HRM standard floating sidewalk detail. This solution is further described on sheet L501.

Section 213 Compliant— All proposed bicycle parking complies with the design requirements of this section. To confirm the compliance, please refer to bicycle parking details on sheets L501 and A501.

Part X, Chapter 3: Off-Street Loading

Subsection 214(1) Compliant— The proposal includes one loading area of more than 30 m² in area on level 0 for the multi-unit dwelling use. No loading area is required for the 5,920 SF (550 m²) of commercial uses.

Subsections 214(2-5) Compliant— The loading area is located on the same lot as the proposal, internal to the building, and surfaced with concrete just as the surrounding underground parking. Since the parking is internal to the building and below grade, no landscape screening is necessary.

Part XI, Chapter 1: General Signage Requirements

Section 215 Not Applicable— The proposal does not include any temporary signs regulated by HRM bylaw S-801.

Section 216 Compliant— The proposal includes a name and civic address sign for the building near the Residential entrance for information purposes only. This sign is visible in elevation on sheet A201 and in plan view on sheet L100. This sign does not require a development permit.

Section 217 Compliant— The proposal includes no prohibited sign types.

Section 218	Not Applicable—	The proposal includes no signs that encroach on HRM property.
Subsection 219	Compliant—	The proposal includes no illuminated signs are directed toward abutting lots. It also does not include any illuminated variable message signs.
Sections 220 – 221	Not Applicable—	The proposal includes no registered heritage buildings.

Part XI, Chapter 2: Signage Requirements for D, CEN-2, CEN-1, COR, HR-2, HR-1, and CDD Zones

Section 222	Compliant—	<p>The proposal includes five fascia signs. These signs will use flat cut lettering of a durable material. The future tenants of the building will determine the precise text, typefaces, type colour(s), and iconography. The signs will not be self-illuminated, so they will require lighting from the luminaires specified on sheet A602.</p> <p>None of these signs will extend to within 3” of the edges of the walls to which they are affixed.</p> <p>None of these signs will take up more than 10% of the streetwall segment upon which they are affixed. Please refer to the streetline elevations on sheets A602.</p>
Section 222	Not Applicable—	The proposal includes no window signs. Future tenants, in agreement with the building owner, may apply for such signs in a separate application.
Section 224	Not Applicable—	The proposal includes a single ground sign that gives the name of the building. This sign does not require a permit, according to Clause 216(a). Since the sign forms a part of the landscaping; it is visible in this application as a landscaping element, particularly on sheet A201.

Section 225	Compliant—	The proposal includes four self-illuminated projecting signs. There is one sign for each of four commercial premises. None of these signs encroach on HRM property. Sign detail drawings will appear on a forthcoming sheet (sheet A502). They will illustrate the compliance of these signs.
Section 226	Compliant—	The proposal includes no signs within 10 metres of the abutting transition line. Please refer to the Young Street elevation on sheet A201 to confirm this fact. To avoid confusion: The side lot line of the proposed building on Young Street is not a transition line. The nearest transition is the side lot line of the neighboring lot.
Section 227	Not Applicable—	The proposal includes no Home Occupation Uses, Bed and Breakfast Uses, or Work-Live Unit Uses.
Section 228	Compliant—	The proposal includes no billboards.

Part XII, Chapter 1: Incentive or Bonus Zoning Regulations

Subsection 229(1)	Compliant—	The applicant will provide bonus zoning because the new development is over 2000 square metres of floor area.
Subsection 229 (2)	Not Applicable—	The proposal is not subject to subsections 3.32,3.38, or 10.29 of the <i>Regional Centre Secondary Municipal Planning Strategy (Package A)</i> . 3.32 only applies to development permits in lands zoned “CCD.” 3.38 only applies to lots that were at least one hectare when the RMPS was adopted. 10.29 only applies to developments within the Robie Street Special Area.
Subsection 229 (3)	Compliant—	The proposal includes payment in lieu of affordable housing (see Section 237) and one or more of the public benefits in accordance with Section 236

The proposal cannot provide onsite conservation of a registered heritage building required by Clause 229(3)(b) because there are no candidate buildings on the proposed site that could be registered according to the criteria of Historic Places Canada's *Standards & Guidelines on the Conservation of Historic Places*.

Subsection 229 (4)	Interpretation—	The development officer may require the applicant to enter into a bonusing agreement. If the officer requires an agreement, it will be noted here.
Subsection 229 (5)	Not Applicable—	This proposal does not require incentive or bonus zoning in accordance with Subsection 229(2).
Subsection 229 (6)	Interpretation—	When a bonus zoning agreement is required, the development officer will not issue a development permit until it has been executed by all the parties and filed in the Provincial Land Registration Office.

Section 230

Compliant—

The proposed public benefit will have a value exceeding the required minimum of \$165,258 as determined in the calculation below.

BONUS CALCULATION

LEVEL 0.5	=	6698 SF
LEVEL 1	=	5150 SF
LEVEL 1.5	=	6401 SF
LEVEL 2	=	11,369 SF
LEVEL 3**	=	10,328 SF
LEVEL 4	=	9,467 SF
LEVEL 5	=	9,467 SF
LEVEL 6	=	9,467 SF
PENTHOUSE	=	2,595 SF
TOTAL	=	70,942 SF

$$\begin{aligned}\text{Public Benefit} &= \text{Factor 1} \times \text{Factor 2} \times \text{Factor 3} \\ &= 4,590 \text{ m}^2 \times 0.2 \times \$180 \\ &= \$ 165,258\end{aligned}$$

$$\begin{aligned}\text{Factor 1} &= \text{Floor Area} - 2,000\text{m}^2 \text{ [Clause 230(1)(a)]} \\ &= (70,942 \text{ SF})(0.0929 \text{ m}^2/\text{SF}) - 2,000\text{m}^2 \\ &= 6,590 \text{ m}^2 - 2,000\text{m}^2 \\ &= 4,590 \text{ m}^2\end{aligned}$$

$$\text{Factor 2} = 0.2 \text{ [Clause 230(1)(b)]}$$

$$\text{Factor 3} = \$180 \text{ [Section 232]}$$

Section 231 Interpretation— The applicant will remit all money in lieu before the development officer issues a development permit. The applicant will complete on-site public benefits by specified deadlines.

Section 232 Interpretation— The bonus rate for the proposal in this current fiscal year is \$180 (see Appendix 3).

CALCULATION

B_c = current bonus rate, adjusted for inflation

B_i = initial bonus rate, for the fiscal year 2019

P = percentage change in CPI from the fiscal year 2019 to the fiscal year preceding the current fiscal year (also 2019)

$$\begin{aligned} B_c &= (P \times 100\%) \times B_i \\ &= (0\% + 100\%) \times \$180 \\ &= \$180 \end{aligned}$$

Section 233 Not Applicable— The proposal is not in a future growth node according to Maps 11 to 14 of the *Regional Centre Secondary Municipal Planning Strategy (Package A)*.

Section 234 Interpretation— The adjusted bonus rate for the proposal in this current fiscal year is \$180 (see calculation above in Section 323)

Section 235 Request— We request that the development officer consider as sufficient the bonus calculation included under the rationale for Section 232 above.

We also request guidance from the development officer for how to proceed with the remittance of money in lieu in the order of \$ 99,155 for the purposes of Affordable Housing required by Clause 292(3)(a).

We finally request that the development officer accept a *public art plan* described in the Section 239 rationale instead a *public benefits proposal* for all remaining bonus zoning

under Subsection 292(3), which must meet or exceed the value of \$100,000, well above the required \$66,103 requirement remaining after affordable housing.

We are, of course, willing to present the above information in other formats at the request of the development officer.

Section 236

Compliant—

The applicant proposes to provide a second public benefit, under section 239, well above the \$66,103 remaining after affordable housing payments.

Section 237

Request—

As mentioned under section 235, we request clarification as to how we fulfil bonus requirements for affordable housing. For convenience, key provincial legislation appears below.

Key Legislation:

Halifax Charter – Clause(73)(b).

73 The Municipality may enter into and carry out agreements

(b) with

- (i) the Minister of Community Services or Canada Mortgage and Housing Corporation with respect to housing projects, or
- (ii) any body corporate or agency having similar objects to Canada Mortgage and Housing Corporation with respect to projects pursuant to the National Housing Act (Canada);

Section 238	Not Applicable—	The proposal does not include any registered heritage properties, so it cannot include on-site conservation to a heritage building.
Section 239	Request—	<p>We request guidance in submitting a bonus proposal for on-site public art. Studioworks intends to partner with a professional artist to design and install the colourful façade of the proposal’s landmark tower on the corner of Young and Oxford.</p> <p>This proposal will comply with HRM’s <i>Pubic Art Policy</i>, as adopted by Halifax Regional Council on 23 September 2008. The art policy is “Attachment 2” on the agenda of that meeting. This proposal’s compliance will be detailed in a forthcoming <i>public art plan</i>.</p> <p>The public art plan must meet the approval of the development officer, or be amended to meet her or his approval.</p> <p>The value of the public art will be in excess of the minimum required \$100,000 dollars.</p>
Section 240	Request—	<p>We request that Development Officer not require a bonusing agreement because such an agreement is redundant. It is redundant because</p> <ol style="list-style-type: none"> 1) Affordable Housing money in lieu payments must be made before the issuance of a Development Permit. 2) the Development permit will already compel the applicant to complete the public art public benefit because it forms an integral part of the building itself.

Part XIII, Chapter 1: Development Agreement Regulations

Sections 241-246	Not Applicable—	This proposal includes no requests for development agreements.
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Part XIV, Chapter 1: Definitions

Section 248 Interpretation— The definitions in this section supersede all external, or common-sense definitions.

Appendix 1: Pedestrian Wind Impact Assessment Protocol and Performance Standards

Not Applicable— This proposal does not require a wind impact assessment according to Subsection 9(d).

Appendix 2: Shadow Impact Assessment Protocol and Performance Standards

Not Applicable— This proposal does not require a shadow impact assessment according to Subsection 9(e).

Appendix 3: Incentive or Bonus Zoning Rate Adjustment Methodology

Compliant— The bonusing calculation in the rationale for Section 323 follows the methodology of this appendix.

Schedules and Maps

Interpretation— Please see the table on sheet G700 to see how each schedule affects this proposal. The applicable maps from the SMPS contain identical or similar information.