

Appeal Hearing
SPA-2023-01543

Site Plan Approval Application
1591 Granville St and 1568 Hollis St, Halifax
Halifax Regional Council

Downtown Halifax SMPS

- Adopted in 2009 and provided a new policy and regulatory framework for guiding development in the downtown core of Halifax.
- Site Plan Approval was introduced to replace the use of development agreements in downtown Halifax.
- Under Site Plan Approval, the approval of any development application occurs in two parts:
 1. quantitative elements, subject to approval based on the prescriptive criteria in the Land Use By-law.
 2. qualitative elements, subject to approval on a design review process.

Downtown Halifax Land Use By-law

1. Quantitative (LUB)

Regulations relating to land use and building envelope (height, tower dimensions, streetwall setbacks and stepbacks, etc.)

LUB controls the massing and scale of a building



Development Officer

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Downtown Halifax Land Use By-law

2. Qualitative (Design Manual)

Guidelines relating to building design
(architectural design, streetscape details,
building materials, lighting, etc.)

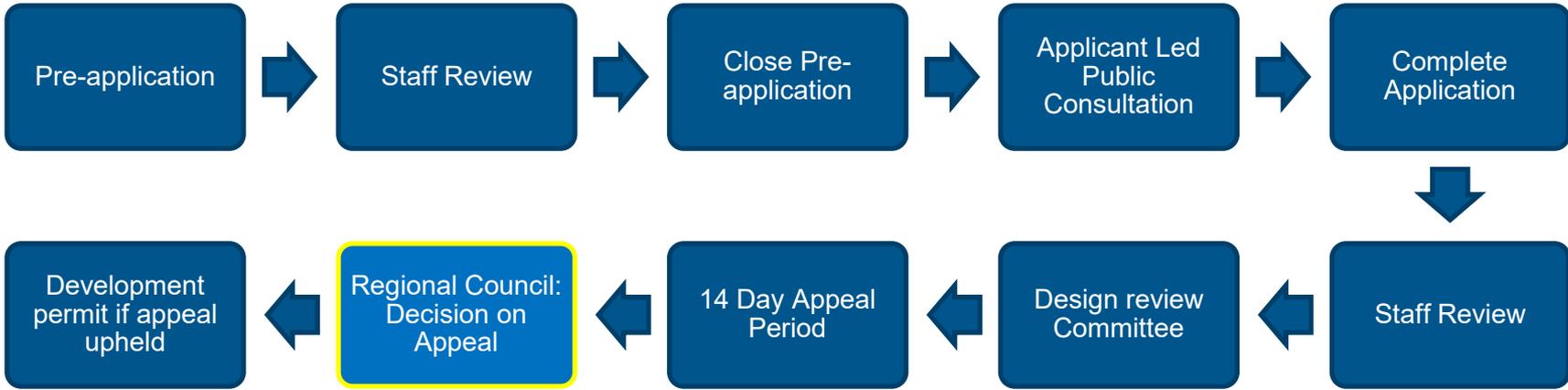
Variances to LUB regulations



Design Review
Committee



Site Plan Approval Process



We Are Here

Design Review Committee

The building design was refused by Design Review Committee on December 18, 2023. The following is the motion from the draft minutes of that meeting:

1. Refuse the qualitative elements of the substantive site plan approval application for a 21-storey mixed-use development at 1591 Granville Street and 1568 Hollis Street, Halifax as shown in Attachment A of the staff report dated November 21, 2023, as the proposal does not comply with Sections 2.4, 3.2.1, 3.3.1, and 3.3.4 of the Design Manual, as noted in Attachment D of the staff report dated November 21, 2023; and

2. Refuse the requested variances to the Land Use By-law requirements regarding streetwall width, upper storey streetwall setback, and maximum tower width and separation, as contained in Attachment B of the staff report dated November 21, 2023, as the proposal does not comply with Sections 3.6.4, 3.6.5 and 3.6.7 of the Design Manual, as noted in Attachment D of the staff report dated November 21, 2023.

Appeal Notice & Process

- Refused at DRC on December 18, 2023
- Notice of refusal letter sent December 22, 2023
- Applicant appealed on December 22, 2023

In hearing an appeal, Regional Council may make any decision that the DRC could have made on the qualitative aspects of the building (Design Manual).

Regional Council may not substitute its decision for that of the Development Officer – quantitative aspects of the building (LUB).

History

- November 14, 2019: Site Plan Approval granted.
- Staff recommended refusal but DRC approved the proposal, subject to several conditions.
- Applicant has a demo permit and a building permit to allow the commencement of sub-grade work.

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History

- Adjustments to the design were needed to accommodate mechanical and structural considerations.
- At the same time, overall design of the building was reevaluated.
- Cannot amend an approved site plan approval. Any change, even minor, requires a new approval.

Repeal of Downtown Halifax Plan

- On May 9, 2023, Regional Council initiated a process to repeal the Downtown Halifax Plan Area and bring the lands into the Regional Centre Plan Area.
- Downtown Halifax Plan was allowed to remain until the Downtown Halifax HCD is approved and in effect.
- 5 transition sites were also allowed to remain to allow time to receive site plan approval and permits.

Subject Site

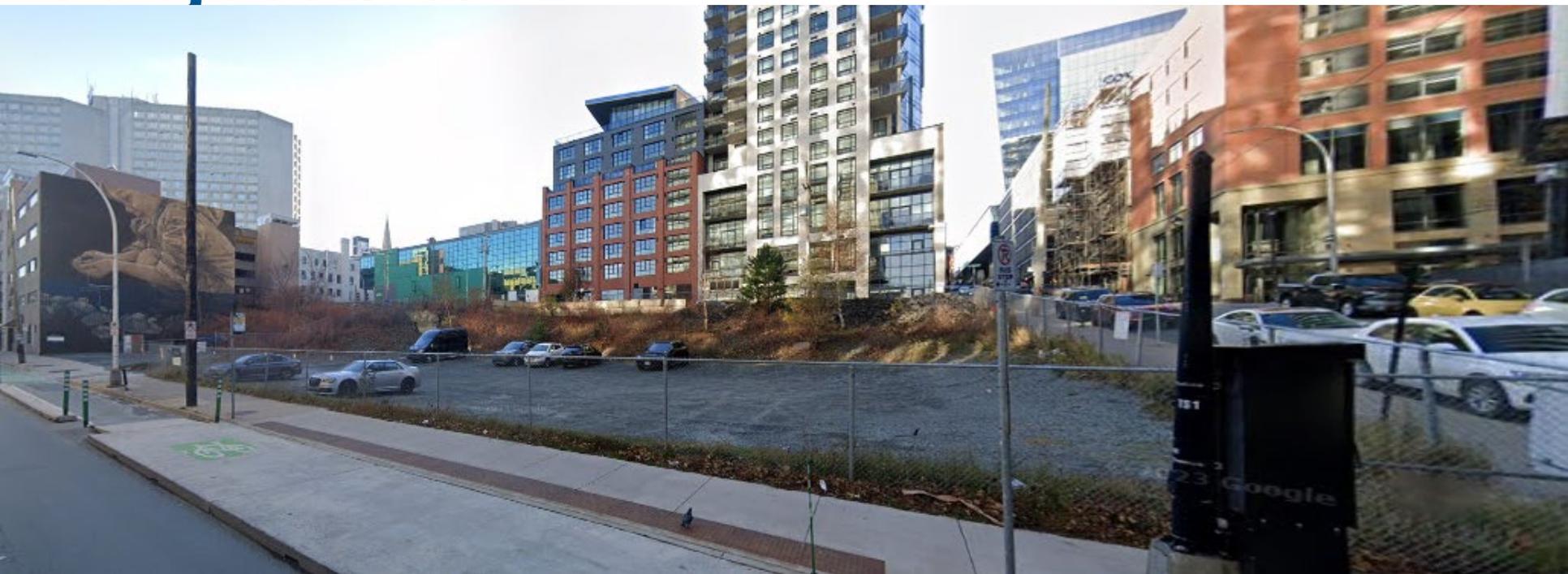


Site Boundaries in Red

SPA-2023-01543

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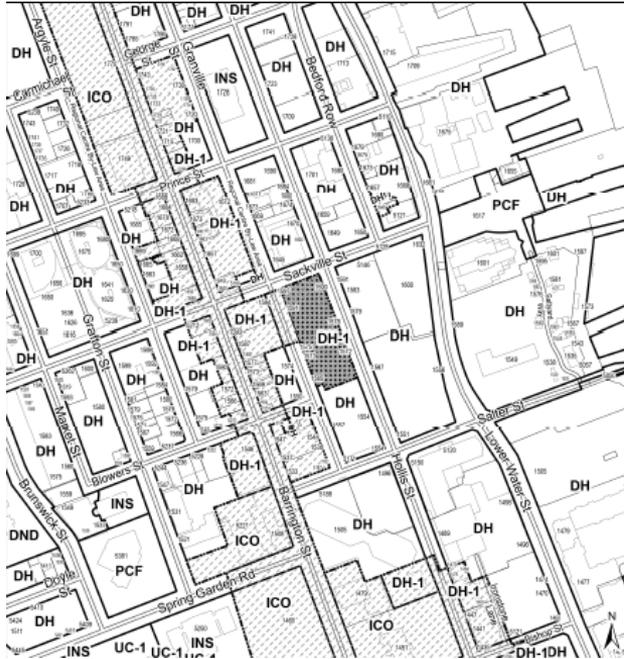
Subject Site



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Downtown Halifax Land Use By-law



- **Zone:** DH-1
- **Precinct 4** – Lower Central Downtown
- **Height:** Pre-bonus **51m**, post-bonus **66m**
- **Viewplane #6:** SW corner
- **Streetwall Setback:** 0-1.5m
- **Streetwall Height:** 18.5m maximum, 11m minimum
- Prominent Civic/Cultural Frontage

Proposal Details

- 21-Storey Mixed Use Development
- Hotel & retail uses;
- Residential units in both towers;
- U/G parking (5 levels), access off Hollis Street



Proposal Details

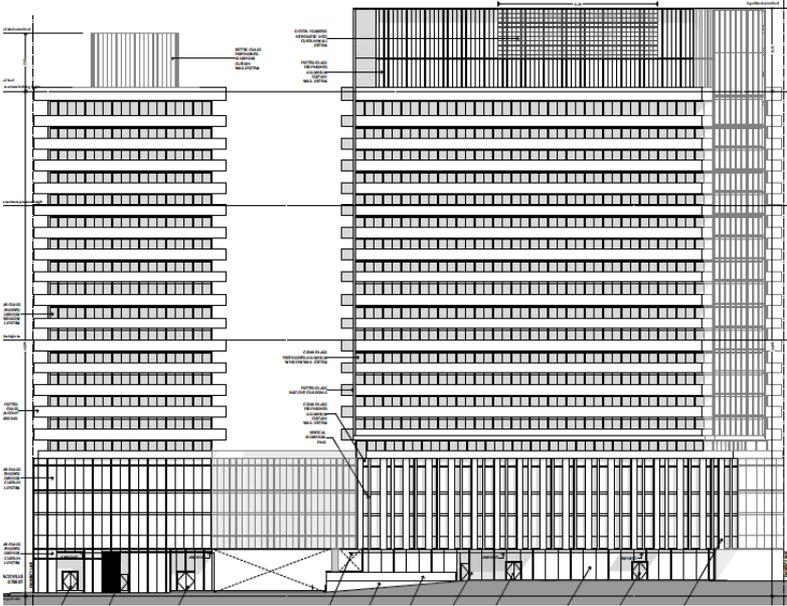


Corner of Sackville and Granville

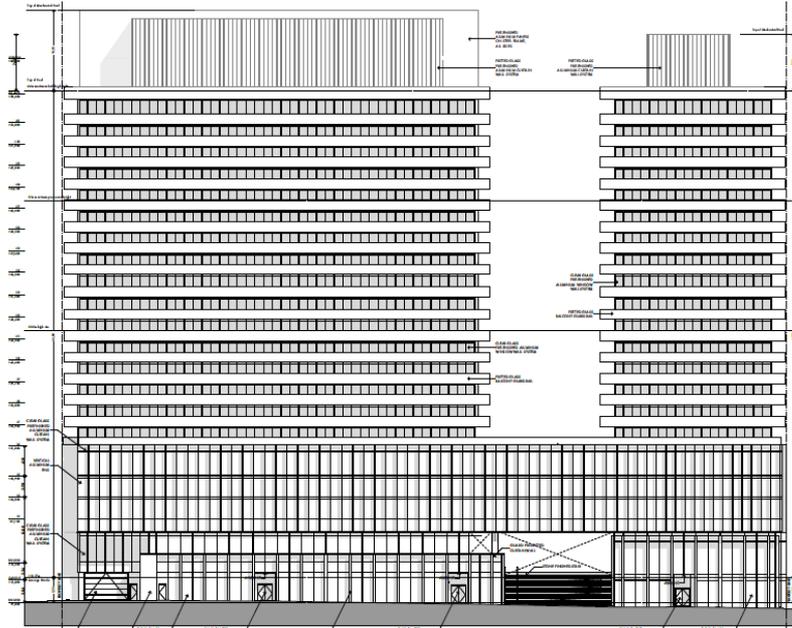


Corner of Sackville and Hollis

Proposal Details



Granville St. Elevation



Hollis St. Elevation

Items Cited in Refusal

1. Refuse the qualitative elements of the substantive site plan approval application for a 21-storey mixed-use development at 1591 Granville Street and 1568 Hollis Street, Halifax as shown in Attachment A of the staff report dated November 21, 2023, as the proposal does not comply with **Sections 2.4, 3.2.1, 3.3.1, and 3.3.4** of the Design Manual, as noted in Attachment D of the staff report dated November 21, 2023; and

2. Refuse the requested variances to the Land Use By-law requirements regarding streetwall width, upper storey streetwall stepback, and maximum tower width and separation, as contained in Attachment B of the staff report dated November 21, 2023, as the proposal does not comply with **Sections 3.6.4, 3.6.5 and 3.6.7** of the Design Manual, as noted in Attachment D of the staff report dated November 21, 2023.

Design Manual

Building Articulation/ Roofscapes

- Base of building – coincides with the streetwall and displays a high degree of transparency and quality materials;
- Middle – clearly distinguished from the base as the towers are horizontal in their articulation as a result of the repetition of the continuous balconies that wrap around the towers;
- Top - The south tower top is clearly distinguishable from the middle. However, the north tower top lacks interest and distinguishing characteristics and does not contribute to the visual quality of the skyline.

Overall – the “top” of the north tower does not meet the requirements of the Design Manual



Requested Variances

Of the 6 variances requested, DRC identified 3 that did not meet the evaluation criteria of the Design Manual.

The Design Manual lists potential conditions under which variances to the requirements of the LUB should be permitted.

It is those conditions listed in the Design Manual that staff base their recommendation on.

Requested Variances

Variance – Streetwall Width

- Proposed gaps in streetwall width for thru-block plaza.
- Refusal based on the following:
 - thru-block plaza is located too close to the street intersection to achieve its intended (“clear”) purpose.
 - plaza should be located further south along the block.
 - concern with lack of engaging pedestrian experiences and entries/ connections



Requested Variances

Variance – Streetwall Stepback

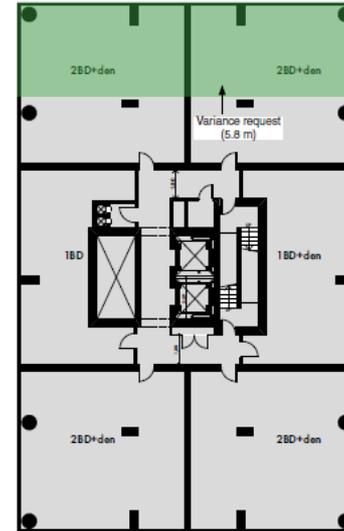
- Proposed reduction in required streetwall setbacks:
 - for the north tower, from 3m (mid-rise) and 4.5m (high-rise) setback to 2m and 1.5m at various locations.
 - for the south tower, from 3m (mid-rise) and 4.5m (high-rise) setback to 2.62m for the south tower
 - balconies will have no setbacks
- Refusal based on the following:
 - inconsistent with the built form (base/ middle/ top) objectives of the DHSMPS, LUB and DM;
 - north tower is needlessly close to all abutting streets;
 - south tower is located too close to Hollis Street and too far away from Granville St.;
 - there is no resulting “positive benefit”. A redesign with alternate floor plates could resolve variance issues



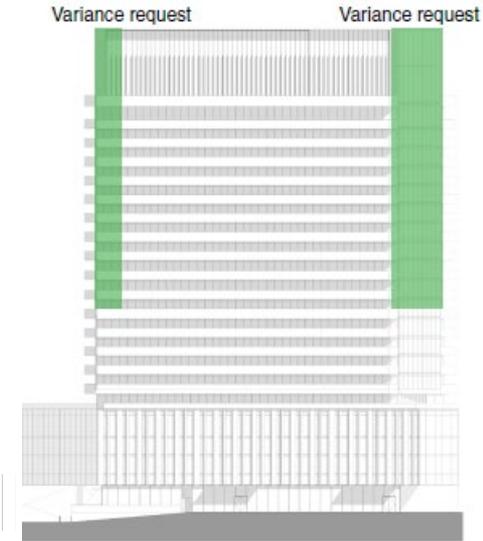
Requested Variances

Variance – Tower Width and Separation

- **North Tower:** Proposed tower depth increase of 5.8m
- **South Tower:** Proposed tower width of ~54m (~57m with balconies incl.) instead of 38m & Proposed separation distance of 18.9m (15.3m with balconies) instead of 23m;
- Refusal as the increased south tower width directly results in an undesirable separation distance between the north and south towers. In addition, the large width of the south tower goes against the Plan's objectives of providing sunlight penetration and sky view at street level.



North Tower



South Tower

Design Review Committee

The DRC had reviewed proposal, and the staff report, and decided to refuse the application as several elements of the design did not meet the qualitative elements of the Design Manual, and several variances did not meet the evaluation criteria of the Design Manual.

The following is an excerpt from the draft minutes of that meeting:

1. Refuse the qualitative elements of the substantive site plan approval application for a 21-storey mixed-use development at 1591 Granville Street and 1568 Hollis Street, Halifax as shown in Attachment A of the staff report dated November 21, 2023, as the proposal does not comply with Sections 2.4, 3.2.1, 3.3.1, and 3.3.4 of the Design Manual, as noted in Attachment D of the staff report dated November 21, 2023; and

2. Refuse the requested variances to the Land Use By-law requirements regarding streetwall width, upper storey streetwall setback, and maximum tower width and separation, as contained in Attachment B of the staff report dated November 21, 2023, as the proposal does not comply with Sections 3.6.4, 3.6.5 and 3.6.7 of the Design Manual, as noted in Attachment D of the staff report dated November 21, 2023.

Appeal Process

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Recommendation

In accordance with Administrative Order One, the following motion shall be placed on the floor:

That the appeal be allowed.

Halifax Regional Council approval of the appeal will result in approval of the Substantive Site Plan Approval Application.

Halifax Regional Council denial of the appeal will result in refusal of the Substantive Site Plan Approval Application.

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Staff recommend that Halifax Regional Council deny the appeal.

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Thank You