



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

Item No. 9.1.4
Heritage Advisory Committee
February 27, 2024

TO: Chair and Members of the Heritage Advisory Committee

-ORIGINAL SIGNED-

SUBMITTED BY:

Cathie O'Toole, Chief Administrative Officer

DATE: February 23, 2024

SUBJECT: **Case 24619: Development Agreement for 53 Queen Street, Dartmouth for a 90m mixed-use addition to a registered heritage property.**

ORIGIN

An application by RHAD Architects on behalf of the property owner, for a development agreement on the registered heritage property at 53 Queen Street, Dartmouth, known as the former Dartmouth Post Office.

LEGISLATIVE AUTHORITY

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

RECOMMENDATION

It is recommended that the Heritage Advisory Committee recommend that the Harbour East – Marine Drive Community Council:

1. Give notice of motion to consider the proposed development agreement, as set out in Attachment A, to enable the construction of a 90m mixed-use addition to the registered heritage property located at 53 Queen Street, and schedule a public hearing;
2. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A; and
3. Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise, this approval will be void and obligations arising hereunder shall be at an end.

BACKGROUND

RHAD Architects, on behalf of the property owner, has applied to enter into a development agreement to permit a 90m mixed-use addition to a registered heritage property at 53 Queen Street, Dartmouth. If approved, the existing Edwardian Baroque style heritage building will be rehabilitated and preserved. The heritage building consists of a circa 1914 former Dartmouth Post Office with a 1947 addition, and a 1961 annex (hereby referred to as the Historical Annex).

This application is being considered under Policy CHR-7 of the Regional Centre Secondary Municipal Planning Strategy (SMPS) which allows Council to consider a development agreement on any lot containing a registered heritage building that exceeds the requirements of the underlying zone to encourage the preservation and adaptive re-use of registered heritage properties.

Subject Site	53 Queen Street, Dartmouth (registered heritage property)
Location (Map 1)	The subject property is located on Queen Street, with frontage on Wentworth and King Streets.
Regional Plan Designation	Urban Settlement
Regional Centre SMPS Designation (Map 2)	Downtown
Zoning (Map 3)	DD – Downtown Dartmouth
Size of Site	2,740.1 s/m
Street Frontage	Queen Street – 74.4m
Current Land Use(s)	Commercial – currently vacant – and surface parking
Surrounding Use(s)	Downtown and Established Residential

PROPOSAL DETAILS

In the proposal, the heritage building at 53 Queen Street (former Dartmouth Post Office) will be rehabilitated and preserved. The historical annex, built in 1961 along Queen Street, will be reconstructed to contain townhouse-style residential units and a 90m tower containing mainly residential units with ground-floor commercial space will be located on the southwest corner of the property, connected to the historical annex. Publicly accessible landscaped open space will be maintained along the Queen Street, with underground parking access from King Street. The 1947 addition along Wentworth Street will also be retained.

Rehabilitation of the heritage building will include retention and conservation of the circa 1914 former Dartmouth Post Office and 1947 Wentworth elevation for commercial use; retention of the masonry cladding on the historical annex; relocation of the war memorial; and rehabilitation of open space and landscape features along Queen Street, including accessibility upgrades. Staff discussed with the applicant the potential to restore the original 1914 clock tower; however, due to cost this option was determined to be unfeasible. The original clock faces, owned by HRM, will be loaned to the developer to be integrated into the open space within the proposed development.

The new 90m tower addition will connect to the heritage building through a glass passageway which will require a current window opening on the second storey be modified to a door. The glass material will ensure the masonry cladding of the Dartmouth Post Office is minimally impacted. All character-defining elements of the Dartmouth Post Office are proposed to be retained, and significant conservation efforts has already been undertaken to restore the sandstone cladding. An informal open space plaza will be introduced along the Queen Street elevation to activate the street frontage.

Heritage Planning

The Dartmouth Post Office is listed on the Registry of Heritage Property for the Halifax Regional Municipality and is protected under the *Heritage Property Act of Nova Scotia*. The heritage building on the site is an Edwardian Baroque style building constructed circa 1914 by John Ewart, Chief Architect of the Department of Public Works (1897-1914). The character-defining elements are identified in Schedule C of the Development Agreement (Attachment A).

Staff processed a concurrent application for a substantial alteration to the registered municipal heritage property. In accordance with the *Heritage Property Act*, this application (H00560¹) was reviewed by the Heritage Advisory Committee (HAC) and approved by Regional Council on December 12, 2023. Regional Council approved the following alterations to the registered heritage property:

- Removal and reconstruction of the existing 1961 Annex addition for new townhouse use;
- Public open space and accessibility upgrades;
- Relocation of the war memorial to the open space on the property;
- Modifications of existing window openings and one new door opening at the second-storey of the circa 1914 former post office northwest elevation to accommodate residential use; and,
- Infill of the parking lot and alteration of the property to construct a 90m mixed-use development.

The proposed development agreement requires ongoing maintenance in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd Ed.* for the rehabilitated heritage building to preserve its heritage value and integrity.

A staff evaluation of the proposal against the *Standards and Guidelines* can be found in Attachment B. The proposal retains all character-defining elements of the post office while allowing for a new active use. Minimal intervention approaches have been applied, with a glass breezeway connecting the New Addition to the Post Office at the second storey. One new opening is required to be constructed within the sandstone façade; however, this will be located at the rear and is not overly visible from the public right-of-way. This intervention allows for a new use and could be reversed in the future if needed.

All character-defining elements will be rehabilitated and repaired if necessary. If replacement is needed it will be in-kind and based on documentary evidence. The new addition has the same setback as the heritage building which allows activation of open space. Limestone masonry cladding is proposed on the King Street elevation for the new construction, in similar colour and tone as the post office. Black and white metal composite panels will provide contrast from the existing heritage resource. Based on the conservation of character-defining elements, setbacks, and materials, the proposed development satisfies Standards 1 through 12.

ENABLING POLICY AND LUB CONTEXT

This proposal is being considered under Policy CHR-7 of the Regional Centre Secondary Municipal Planning Strategy (SMPS). This policy allows owners of registered heritage properties to apply for a development agreement to permit a development or use not otherwise permitted by the underlying zone. In this case, the number of additional residential units on the property and the floor area ratio (FAR) is greater than would be permitted under the existing zoning. The property is located within the Historic Dartmouth Precinct of the Regional Centre SMPS. To retain the historic nature of this precinct, most of the area enables maximum FAR values and regulations that support low-rise buildings. Streetwall design and articulation will assist in supporting the historic nature.

The property is designated Downtown Dartmouth (DD) and does not require maximum front or flanking setback requirements. As a registered heritage property, it has a maximum FAR of 2.25, and maximum

¹ <https://cdn.halifax.ca/sites/default/files/documents/city-hall/regional-council/230822rcminsdraft.pdf>

height of 90 metres under the Regional Centre Land Use By-law (LUB). The existing heritage building is currently vacant but was formerly used for commercial purposes (post office).

DISCUSSION

Staff have reviewed the proposal relative to all relevant policies and advise that it is consistent with the intent of the Regional Centre SMPS. Attachment B provides an evaluation of the proposed development agreement in relation to the relevant SMPS policies.

Proposed Development Agreement

Attachment A contains the proposed development agreement for the subject site and the conditions under which the development may occur. The proposed development agreement addresses the following matters:

- The use and form of the 90m mixed-use addition, Historical Annex and Post Office;
- Requirements for design and materiality of the proposed new construction and the location on the site;
- Requirements for the rehabilitation of the heritage building; and
- Requirements for landscaping, lighting, parking, signage, environmental protections, solid waste, and maintenance of the site, including the heritage building.

The proposed development agreement also identifies amendments that would be considered non-substantive and may be amended by a decision of the Development Officer. In this case, non-substantive amendments include:

- Changes to Schedules B, D, and E provided that the changes do not conflict with the text of this Agreement;
- Changes to the parking, amenity, outdoor lighting, landscaping requirements, and/or signage as identified in Sections 3.8, 3.9, 3.10, and 3.12 of the Agreement;
- The granting of an extension to the date of commencement of construction as identified in 7.3 of this Agreement; and
- The granting of an extension to the length of time for the completion of the development as identified in 7.4 of this Agreement.

Land Use Impacts

The Regional Centre SMPS recognizes the important role that heritage buildings and sites have in defining HRM's character and identity. To support the retention, preservation, and rehabilitation of heritage buildings in Dartmouth, Policy CHR-7 of the Regional Centre SMPS allows for the consideration of land uses and density which are not permitted by the underlying zone for municipally registered heritage properties, subject to certain criteria. HRM staff have evaluated the level of conservation effort proposed for the Post Office and have found it to be proportionate to the increased density.

One of these criteria is that any development does not unduly disrupt adjacent uses, especially residential uses. The neighbourhood around the subject site is zoned DD and contains a mixture of buildings with varying heights, street frontages, lot sizes, and age of construction. The proposal is characteristic of a downtown development. The new construction has been designed to be compatible with the existing neighbourhood through design, materiality, and form, while reducing the overall impact of the additional density on adjacent land uses through:

- Maintaining the existing setback of the Dartmouth Post Office;
- Setback after the fourth storey of the podium;
- Using existing easements for utility access; and,
- Planting of tree stands within the public right-of-way and other open space and accessibility improvements.

At the public open house, held on April 13, 2023, and through subsequent correspondence (see Attachment C), members of the public expressed concerns regarding:

- increased traffic congestion; and,
- the proposed height of the development.

Two levels of underground parking will be provided for the proposed development, with sixty-four parking spaces, in addition to four surface level parking spaces and sixteen bicycle parking spaces. The Traffic Impact Study completed for this proposal did not identify any major issues and did not require improvements to the design to accommodate additional vehicle or pedestrian traffic resulting from the proposed development. The current 90m height proposed for the new construction is within the height limit for the DD zone. The applicant will be required to meet all relevant policies pertaining to construction noise and circulation during the construction of the development.

Relevant Regional Plan Policies

Policy CH-16 of the Regional Municipal Planning Strategy requires that applications for development agreements consider a range of design solutions and architectural expressions that are compatible with the abutting municipally registered heritage properties. Attachment B contains an evaluation of the proposed development agreement in relation to the Policy CH-16, which includes the following:

- The proposed new addition references the heritage resource on the site through materiality; and,
- The setbacks complement and ensure prominence of the heritage resource.

Relevant Policies of the Regional Centre SMPS

Section 2: Residential Environments of the Regional Centre SMPS includes objectives and policies which encourage:

- A variety of high-quality, affordable housing choices;
- Development to accommodate future growth where there is existing services;
- New construction relates to the needs or characteristics of the neighbourhood;
- The retention of existing residential character and any change will be compatible with these neighbourhoods; and,
- Redevelopment at a scale compatible with those neighbourhoods.

The subject site is located within downtown Dartmouth which is a serviced community containing a high level of services, infrastructure and transit. The construction was designed to minimally impact the heritage building in terms of its physical connection, setbacks, materials, and massing. The setback of the new addition will be consistent with the setback of the post office, to provide a continuous open space area along the Queen Street frontage. The surrounding area is mixed-use, with residential and commercial uses of varying scale, setbacks, and massing. The site offers access to the transit network on Ochterloney and King Streets, with proximity to the Transit Priority Corridor on Alderney Drive and the Alderney Ferry Terminal. The site also is well-situated within established pedestrian and active transportation networks, and various parks (i.e., Dartmouth Commons, Martins Park).

As discussed previously, a substantial alteration application was recommended by the Heritage Advisory Committee and approved by Regional Council in accordance with the *Heritage Property Act*, for the purpose of rehabilitating the heritage building, reconstructing the 1961 historical annex, and constructing a 90m mixed-use addition.

Conclusion

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is reasonably consistent with the intent of the Regional Centre SMPS. The main intent of Policy CHR-7 is to encourage the retention and restoration of heritage properties through additional land use flexibility beyond the permitted uses and densities in the underlying zone. In this case, the proposed development represents infill mixed-use development in an urban downtown core that will be compatible with the heritage character of the subject site and the surrounding neighbourhood. HRM staff have also evaluated the level of

conservation effort proposed for the Post Office and have found it to be proportionate to the increased density being proposed. Therefore, staff recommend that the Heritage Advisory Committee recommend that Harbour East – Marine Drive Community Council approve the proposed development agreement as contained in Attachment A.

FINANCIAL IMPLICATIONS

The applicant will be responsible for all costs, expenses, liabilities, and obligations imposed under or incurred to satisfy the terms of this proposed development agreement. The administration of the proposed development agreement can be carried out within the approved 2023-2024 budget with existing resources under Cost Centre C-340 – Culture, Heritage and Planning Information Services.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application is being considered under existing SMPS policies. Community Council has the discretion to make decisions that are consistent with the SMPS, and such decisions may be appealed to the Nova Scotia Utility and Review Board. Information concerning risks and other implications of adopting the proposed development agreement are contained within the discussion section of this report.

COMMUNITY ENGAGEMENT

The community engagement process for this application is consistent with the intent of the SMPS and the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners to advise them of the public open house, and the public open house which was held on April 13, 2023. Attachment C provides a summary of engagement related to Case 24619.

Harbour East – Marine Drive Community Council must hold a public hearing before it can consider approval of the proposed development agreement. If Community Council decides to proceed with a public hearing, staff will send a mail out for the hearing to property owners within the notification area (as shown on Map 3) by regular mail.

ENVIRONMENTAL IMPLICATIONS

No environmental implications have been identified.

ALTERNATIVES

1. The Heritage Advisory Committee may recommend that the Harbour East – Marine Drive Community Council approve the proposed development agreement subject to modifications. Such modifications may require further negotiation with the applicant.
2. The Heritage Advisory Committee may recommend that the Harbour East – Marine Drive Community Council refuse the proposed development agreement.

ATTACHMENTS

Map 1: Location Map
Map 2: Generalized Future Land Use Map
Map 3: Zoning and Notification Map

Attachment A: Proposed Development Agreement
Attachment B: Policy Review
Attachment C: Public Engagement Strategy

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Elizabeth Cushing, Heritage Planner II, 902.478.2586

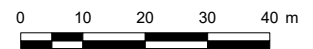


Map 1 - Location Map

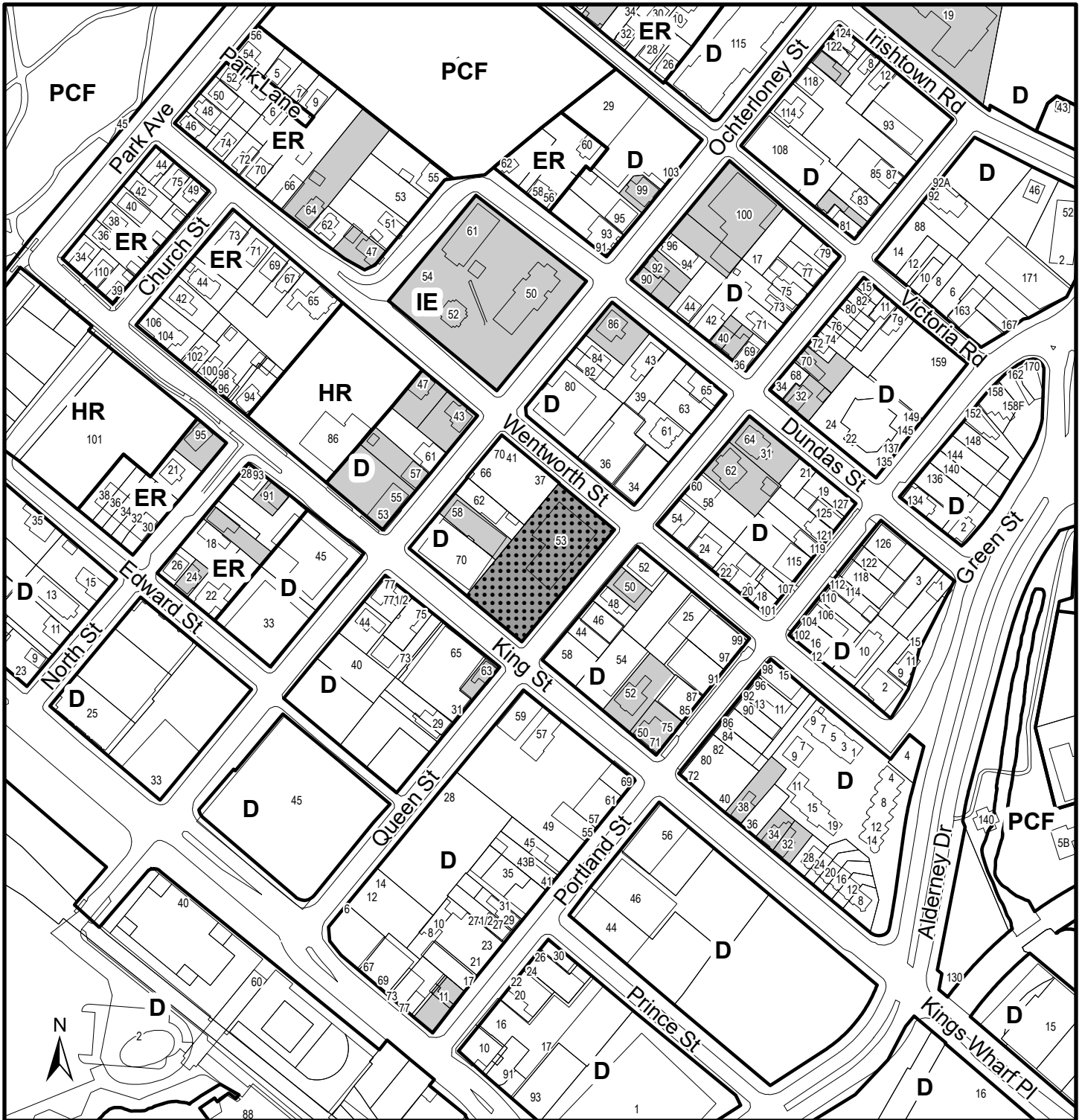
53 Queen Street,
Dartmouth

- Registered Heritage Property
- Subject Property
- Proposed Downtown Dartmouth Heritage Conservation District Boundary

HALIFAX





HRM does not guarantee the accuracy of any representation on this plan.

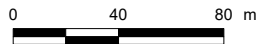


Map 2 - Generalized Future Land Use

53 Queen Street,
Dartmouth

-  Subject Property
-  Heritage Property

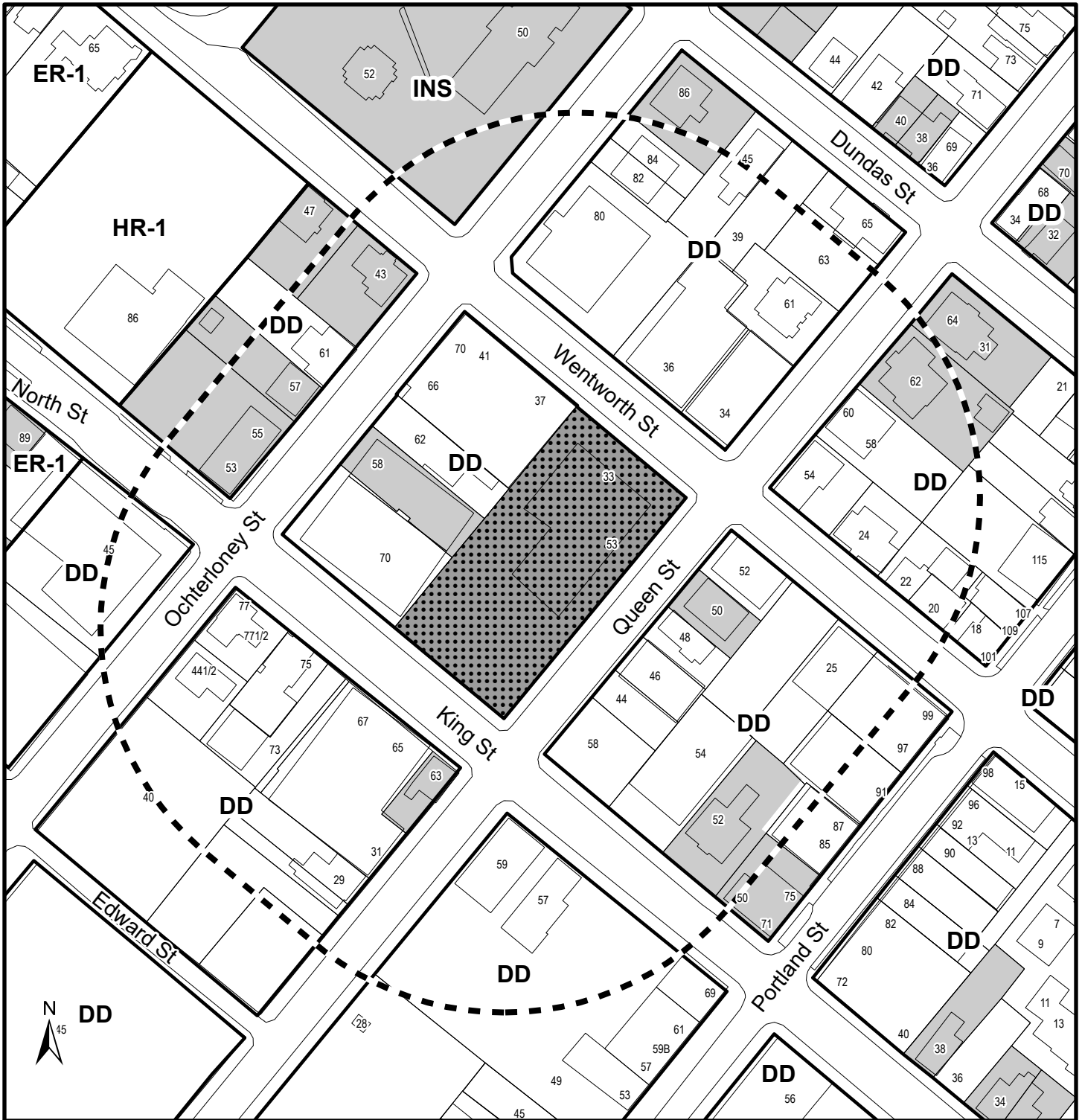
- Designation**
- D Downtown
 - ER Established Residential
 - HR Higher-Order Residential
 - IE Institutional Employment
 - PCF Park and Community Facility



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




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

Regional Centre
Plan Area



Map 3 - Zoning and Notification Area

53 Queen Street,
Dartmouth

-  Subject Property
-  Area of Notification
-  Heritage Property

- Zone**
- DD Downtown Dartmouth
 - ER-1 Established Residential 1
 - HR-1 Higher-Order Residential 1
 - INS Institutional



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

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

Regional Centre
Land Use By-Law Area

ATTACHMENT A - PROPOSED DEVELOPMENT AGREEMENT

THIS AGREEMENT made this day of [Insert Month], 20_,

BETWEEN:

[INSERT PROPERTY OWNER NAME]

a body corporate, in the Province of Nova Scotia
(hereinafter called the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY, a municipal body corporate, in
the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the Developer is the registered owner of certain lands located at 53 Queen Street, Dartmouth and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer has requested that the Municipality enter into a Development Agreement to allow for a 90-metre mixed-use addition on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to Policy CHR-7 of the Regional Centre Secondary Municipal Planning Strategy and Section 485 of the Regional Centre Land Use By-law;

AND WHEREAS the **Harbour East-Marine Drive Community Council** approved this request at a meeting held on **[Insert - Date]**, referenced as Municipal Case **24619**;

AND WHEREAS the Lands have been registered as a Municipal Heritage Property pursuant to the provisions of the Municipality's Heritage Property By-law (By-law H-200) and the *Heritage Property Act* as amended from time to time;

AND WHEREAS the Developer has requested approval by the Municipality to undertake substantive alterations to the Lands;

AND WHEREAS the Regional Council for the Municipality granted the substantial alteration request under the *Heritage Property Act of Nova Scotia* at a meeting held on December 12, 2023;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION

1.1 Applicability of Agreement

- 1.1.1 The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

1.2 Applicability of Land Use By-law and Subdivision By-law

- 1.2.1 Except as otherwise provided for herein, the development, use and subdivision of the Lands shall comply with the requirements of the applicable Land Use By-law and the Regional Subdivision By-law, as amended from time to time.
- 1.2.2 Variances to the requirements of the Land Use By-law for Regional Centre shall not be permitted.

1.3 Applicability of Other By-laws, Statutes and Regulations

- 1.3.1 Further to Section 1.2, nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner or any other person from complying with the requirements of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement), or any statute or regulation of the Provincial/Federal Government and the Developer or Lot Owner agree(s) to observe and comply with all such laws, by-laws and regulations, as may be amended from time to time, in connection with the development and use of the Lands.
- 1.3.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer. All design drawings and information shall be certified by a Professional Engineer or appropriate professional as required by this Agreement or other approval agencies.

1.4 Conflict

- 1.4.1 Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.
- 1.4.2 Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

1.5 Costs, Expenses, Liabilities and Obligations

- 1.5.1 The Developer shall be responsible for all costs, expenses, liabilities, and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all Federal, Provincial and Municipal laws, by-laws, regulations and codes applicable to the Lands.

1.6 Provisions Severable

- 1.6.1 The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

1.7 Lands

- 1.7.1 The Developer hereby represents and warrants to the Municipality that the Developer is the owner of the Lands and that all owners of the Lands have entered into this Agreement.

PART 2: DEFINITIONS

2.1 Words Not Defined under this Agreement

- 2.1.1 All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law and Subdivision By-law, if not defined in these documents their customary meaning shall apply.

2.2 Definitions Specific to this Agreement

- 2.2.1 The following words used in this Agreement shall be defined as follows:
- (a) "Architect" means a professional, full member in good standing with the Nova Scotia Association of Architects;
 - (b) "Canada Coat of Arms" refers to the Crest on the Annex addition to be relocated within the New Addition vestibule;
 - (c) "Character Defining Elements" means the materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value and that must be sustained in order to preserve heritage value;
 - (d) "Clock Face" refers to the historic clock faces from the original 1914 Post Office, to be reinstated at the northeast corner of the Lands;
 - (e) "Heritage Building" means the original 1914 portion of the Post Office, the 1947 addition and 1961 Annex addition;
 - (f) "Historical Annex" means the 1961 addition along Queen Street elevation to be dismantled and rebuilt;
 - (g) "Landscape Architect" means a professional, full member in good standing with the Canadian Society of Landscape Architects;
 - (h) "New Addition" means the new mixed-use high-rise structure to be constructed at the south portion of the Lands and integrated with a municipally registered heritage building, pursuant to this Development Agreement;
 - (i) "Open Space" refers to the informal public space along the Queen Street elevation of the Heritage Building and New Addition;
 - (j) "Professional Engineer" means a professional, full member in good standing with the Association of Professional Engineers of Nova Scotia;
 - (k) "Substantial Alteration" means any action that affects or alters the character-defining elements of a property;

- (l) "Surveyor" means a land surveyor who is a registered member in good standing of the Association of Nova Scotia Land Surveyors; and,
- (m) "War Memorial" refers to the First World War Memorial to be restored and relocated from the Annex addition to between the Historical Annex and Heritage Building on the Lands.

PART 3: USE OF LANDS, SUBDIVISION AND DEVELOPMENT PROVISIONS

3.1 Schedules

- 3.1.1 The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, conforms with the following Schedules attached to this Agreement **and filed in the Halifax Regional Municipality as Case Number 24619;**

Schedule A	Legal Description of the Lands
Schedule B	Site Plan, Elevations and Materials
Schedule C	Heritage Building Summary
Schedule D	Renderings
Schedule E	Landscape Plan

3.2 Requirements Prior to Approval

- 3.2.1 Prior to the issuance of any site work on the Lands, the Developer shall provide the following to the Development Officer:
 - (a) Post securities in accordance with Section 3.10.7 of this Agreement;
 - (b) Prior to the issuance of a Construction Permit affecting the exterior of the Heritage Building, the Developer shall provide the Development Officer and Heritage Planner with a maintenance and repair plan prepared by an Architect, in accordance with the requirements of Section 3.4.4 and 3.4.5 of this Agreement;
 - (c) Based on the sensitivity of the Heritage Building, the Developer is required to provide the following information to the Inspector in addition to the general requirements of Blasting By-law B-600 prior to a Blasting Permit being issued:
 - i. Engage a professional engineer to complete a structural analysis of the neighbouring Heritage Property and determine its structural integrity.
 - ii. Engage a professional engineer to determine and propose limits for Frequency of Ground Vibration and Maximum Allowable Particle Velocity in mm/s such that blasting operations will cause no damage to the adjacent Heritage Property.
 - iii. Engage a professional engineer to prepare and monitor a detailed blast plan for the proposed blasting on the Lands; and
 - iv. Engage a professional engineer to prepare and monitor a detailed blast plan for the proposed blasting site.
- 3.2.2 Prior to the issuance of a Development Permit, the Developer shall provide the following to the Development Officer, unless otherwise permitted by the Development Officer:
 - (a) A Landscape Plan stamped by a certified Landscape Architect in accordance with Section 3.10 of this Agreement;
 - (b) An Outdoor Lighting Plan in accordance with the requirements of Section 3.9 of this Agreement; and,
 - (c) An incentive or bonus zoning agreement in accordance with the Land Use By-law; and

- (d) Confirmation from an Architect that the plans meet the architectural requirements of Sections 3.6.2, 3.6.3, 3.6.4, and 3.6.5.

3.2.3 Prior to the issuance of an Occupancy Permit, the Developer shall provide the following to the Development Officer, unless otherwise permitted by the Development Officer:

- (a) Written confirmation from a certified Landscape Architect which the Development Officer may accept as sufficient record of compliance with the Landscape Plan provided in Schedule E;
- (b) Written confirmation from an Architect confirming that construction has been completed in accordance with Section 3.6 of this Agreement, and HRM's Substantial Alteration report approved on December 12, 2023;
- (c) Written confirmation and photographs demonstrating the Annex sandstone was dismantled, documented, safely stored, and reused for the reconstruction in accordance with Schedule B approved by HRM Development Officer and HRM Heritage staff; and,
- (d) Written confirmation from the Heritage Planner that the conservation work proposed to the Heritage Building and landscape, as identified in Schedules B, D, and E, has been completed.

3.2.4 The Developer may occupy the Post Office prior to completion of the New Addition if an Occupancy Permit has been issued by the Municipality.

3.2.5 Notwithstanding any other provision of this Agreement, the Developer shall not occupy or use the New Addition for any of the uses permitted by this Agreement unless an Occupancy Permit has been obtained. No Occupancy Permit shall be issued by the Municipality for the New Addition unless and until the Developer has complied with all applicable provisions of this Agreement and the Land Use By law (except to the extent that the provisions of the Land Use By law are varied by this Agreement) and with the terms and conditions of all permits, licenses, and approvals required to be obtained by the Developer pursuant to this Agreement.

3.3 General Description of Land Use

3.3.1 The use(s) of the Lands permitted by this Agreement are the following:

- (a) Residential and ground-floor commercial uses as permitted within the applicable zone of the Land Use By-law, as amended from time to time, are permitted within the New Addition and Heritage Building;
- (b) Townhouse dwelling use is permitted in the Historical Annex;
- (c) Landscaping and open space as generally shown on Schedule E; and,
- (d) Any uses permitted within the zone applied to the Lands subject to the provisions contained within the applicable Land Use By-law as amended from time to time.

3.4 Heritage

Rights to Alter or Demolish

3.4.1 In the event that an application for a substantial alteration or demolition is denied by the Municipality, the Developer agrees not to alter the exterior appearance of or demolish the Heritage Building, as provided for under Sections 16, 17, and 18 of the *Heritage Property Act*.

Character Defining Elements

3.4.2 All Character Defining Elements shall be maintained and/or repaired, but not removed without approval from the Municipality. The character defining elements of the Heritage Building include, but are not limited to:

- (a) Edwardian Baroque architectural style designed by John Ewart, Chief Architect of the Department of Public Works (1897-1914);
- (b) Cornice line that wraps the heritage building;

- (c) 5-bay symmetrical façade with large voussoirs;
- (d) Large window sills;
- (e) Brick string course that separates the building's base from the upper storey;
- (f) Sandstone "POST OFFICE" signage above inflated keystones;
- (g) Moulded lintels and brackets above the entryways;
- (h) Masonry granite foundation; and,
- (i) Architectural importance as a unique example of an Edwardian Baroque civic building constructed of sandstone.

Substantial Alterations

3.4.3 Any alterations to the character defining elements of the Lands shall be consistent with the staff report dated December 5, 2023, for 53 Queen Street, that was approved by Regional Council as a substantial alteration under the *Heritage Property Act*, including but not limited to:

- (a) The War Memorial shall be located in accordance with Schedules B, D and E; and
- (b) The Canada Coat of Arms shall be relocated and reintegrated into the New Addition's vestibule and shall be visible from the street.

Non-Substantial Alterations

3.4.4 All Character-Defining Elements of the Heritage Building as identified in Schedule C shall be maintained, repaired, or replaced as generally shown in Schedule D, using historical documentation and traditional materials.

3.4.5 Any non-substantial alteration to the exterior appearance of the Heritage Building in accordance with the requirements of the *Heritage Property Act* and the Municipal Heritage Property By-law (By-law H-200), shall be submitted to the Development Officer for review and approval in consultation with a HRM Heritage Planner.

Maintenance and Preventative Measures

3.4.6 All maintenance and repair of the character defining elements of the Heritage Building shall be conducted with the approval of the HRM Heritage Planner at the time of permitting, and in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd ed.*, and shall be generally consistent with Schedule D.

Archaeological Monitoring and Protection

3.4.7 The Lands fall within the High Potential Zone for Archaeological Sites identified by the Province of Nova Scotia. The Developer shall contact the Coordinator of Special Places of the Nova Scotia Department of Communities, Culture and Heritage prior to any disturbance of the Lands and the Developer shall comply with the requirements set forth by the Province of Nova Scotia in this regard.

3.5 Building Siting & Scale

3.5.1 The New Addition shall be sited on the Lands as shown on Schedule B.

3.5.2 The New Addition shall be setback a minimum of 6.3m from the property line fronting on Queen Street and aligned with the Heritage Building. No portion of the New Addition shall extend past Heritage Building's east setback, along Queen Street.

3.5.3 The maximum height of the New Addition, excluding the mechanical penthouse, shall be 90m above the average finished grade as generally shown on Schedule B.

3.5.4 The New Addition's mechanical penthouse shall not exceed 4.5 metres in height above roofline.

3.5.5 Rooftop mechanical features shall be required to be visually integrated into the overall design of the building top and screened.

3.5.6 The New Addition's minimum setbacks from the side lot lines (at-grade and above the midrise portion of the tower) shall be as generally shown on Schedules B and D.

3.6 Architectural Requirements

3.6.1 Architectural form, treatment and materials of the New Addition shall be as shown on Schedules B, D and E.

3.6.2 Exterior building materials shall be as shown on Schedule B.

3.6.3 All vents, down spouts, flashing, electrical conduits, metres, service connections, and other functional elements shall be screened and treated as integral parts of the design. Where appropriate these elements shall be painted to match the colour of the adjacent surface, except where used expressly as an accent.

3.6.4 All roof mounted mechanical or telecommunication equipment shall be visually integrated into the roof design or screened from view from the public right-of-way.

3.7 Subdivision of the Lands

3.7.1 Subdivision to create additional new lots shall not be permitted.

3.8 Parking, Circulation, and Access

3.8.1 Subject to Sections 3.8.2 and 3.8.3, underground vehicular parking shall be provided in accordance with Schedule B.

3.8.2 Access to underground vehicular parking shall only be provided from King Street.

3.8.3 The dimensions of each vehicular parking space shall adhere to the requirements of the Land Use By-law as amended from time to time.

3.8.4 Temporary Vehicular Access and circulation areas shall be limited to the Access Easement as identified in Schedule B, accessible from Wentworth Street.

3.8.5 Bicycle parking shall be provided in accordance with the Land Use By-law as amended from time to time.

3.8.6 All loading and driveway areas shall be paved or finished with hard surface material.

3.9 Outdoor Lighting

3.9.1 Lighting shall be directed to the building entrances and walkways, townhouse entrances and walkways, or to accentuate the architectural features of the Heritage Building and New Addition.

3.9.2 All exterior lighting shall be arranged to divert the light away from streets, adjacent lots and buildings.

3.10 Landscaping

- 3.10.1 All plant material shall conform to the Canadian Nursery Landscape Association's Canadian Nursery Stock Standard (ninth edition).
- 3.10.2 All portions of the Lands not included in the building footprints, walkways or driveways be grassed or landscaped and shall be consistent with Schedule E.
- 3.10.3 Prior to the issuance of a Development Permit, the Developer agrees to provide a Landscape Plan which comply with the provisions of this section and generally conforms with the overall intentions of the Preliminary Landscape Plan shown on Schedule E. The Landscape Plan shall be prepared by a Landscape Architect and comply with all provisions of this section.
- 3.10.4 The Developer agrees to work with HRM Urban Forestry and provide a compensation plan for the street trees to be removed.
- 3.10.5 All disturbed areas of the Lands shall be reinstated to original condition or better.
- 3.10.6 Prior to issuance of the first Occupancy Permit the Developer shall submit to the Development Officer a letter prepared by a Landscape Architect certifying that all landscaping has been completed according to the terms of this Agreement.
- 3.10.7 Notwithstanding Section 3.10.5, where the weather and time of year do not allow the completion of the outstanding landscape works prior to the issuance of the Occupancy Permit, the Developer may supply a security deposit in the amount of 110 percent of the estimated cost to complete the landscaping. The cost estimate is to be prepared by a member in good standing of the Canadian Society of Landscape Architects. The security shall be in favour of the Municipality and shall be in the form of a certified cheque or automatically renewing, irrevocable letter of credit issued by a chartered bank. The security shall be returned to the Developer only upon completion of the work as described herein and illustrated on the Schedules, and as approved by the Development Officer. Should the Developer not complete the landscaping within twelve months of issuance of the Occupancy Permit, the Municipality may use the deposit to complete the landscaping as set out in this section of the Agreement. The Developer shall be responsible for all costs in this regard exceeding the deposit. The security deposit or unused portion of the security deposit shall be returned to the Developer upon completion of the work and its certification.
- 3.10.8 The historic Clock Face shall be located at the northeast corner of the Lands in accordance with Schedules B, D, and E, and shall be installed and maintained in accordance with a License Agreement executed between the Developer and the Municipality.
- 3.10.9 All landscape areas designed to be installed upon any portion of the building must be supported by documentation from a Structural Engineer indicating that the building design is able to support any required drainage or additional weight caused by the landscaped area.

3.11 Maintenance

- 3.11.1 The Developer shall maintain and keep in good repair all portions of the development on the Lands, including but not limited to, the exterior of the Heritage Building and New Addition, walkways, open space including the Clock and War Memorial, shared parking access and driveways, and the maintenance of all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow and ice control, salting of walkways and driveways.

3.12 Signs

- 3.12.1 The sign requirements shall be accordance with the Land Use By-law as amended from time to time.

3.13 Temporary Construction Building

- 3.13.1 A building shall be permitted on the Lands for the purpose of housing equipment, materials and office related matters relating to the construction and sale of the development in accordance with this Agreement. The construction building shall be removed from the Lands prior to the issuance of the last Occupancy Permit.

3.14 Screening

- 3.14.1 Propane tanks, oil tanks, natural gas meters and mechanical equipment (including HVAC) shall be located on the Lands in such a way as to ensure minimal visual impact from any public right-of-way, especially as viewed from Queen, King, and Wentworth Streets, and where necessary, shall be visually screened from neighbouring properties and the public right-of-way by opaque fencing or real masonry walls or landscape elements.
- 3.14.2 Propane tanks, oil tanks, natural gas meters and mechanical equipment (including HVAC) shall not be placed on the Queen and Wentworth Street elevations of the Heritage Building.

3.15 Hours of Operation

- 3.15.1 Deliveries to the building, and the collection of refuse and recyclables, shall occur only between the hours of 7:00am and 10:00pm.
- 3.15.2 Hours of operation shall conform with all relevant Municipal and Provincial legislation and regulations, as may be amended from time to time.

3.16 Reinstatement

- 3.16.1 All disturbed areas shall be reinstated to original condition or better.

PART 4: STREETS AND MUNICIPAL SERVICES

4.1 General Provisions

- 4.1.1 All design and construction of primary and secondary service systems shall satisfy the most current edition of the Municipal Design Guidelines and Halifax Water Design and Construction Specifications unless otherwise provided for in this Agreement and shall receive written approval from HRM Development Engineering prior to undertaking the work.

4.2 Off-Site Disturbance

- 4.2.1 Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer, in consultation with the HRM Development Engineer.

4.3 Undergrounding Services

- 4.3.1 All secondary or primary (as applicable) electrical, telephone, and cable service to the building shall be underground installation.

4.4 Solid Waste Facilities

- 4.4.1 Refuse and recycling containers and waste compactors shall be located on the Lands, confined to the loading areas or within the building, and shall be fully screened from public view (streets and

sidewalks) where necessary by means of opaque fencing or real masonry walls with suitable landscaping. This designated space for waste containers shall be shown on the building plans and approved by the Development Officer and Building Inspector in consultation with HRM Solid Waste Resources.

PART 5: ENVIRONMENTAL PROTECTION MEASURES

5.1 Private Storm Water Facilities

5.1.1 All private storm water facilities shall be maintained in good order to maintain full storage capacity by the owner of the lot on which they are situated.

5.2 Stormwater Management Plans and Erosion and Sedimentation Control Plan

5.2.1 Prior to the commencement of any site work on the Lands, including earth movement or tree removal other than that required for preliminary survey purposes, or associated off-site works, the Developer shall:

(a) Have been issued a Grade Alteration Permit in accordance with By-law G-200 Respecting Grade Alteration and Stormwater Management Associated with Land Development, as amended from time to time.

5.3 Sulphide Bearing Materials

5.3.1 The Developer agrees to comply with the legislation and regulations of the Province of Nova Scotia with regards to the handling, removal, and disposal of sulphide bearing materials, which may be found on the Lands.

PART 6: AMENDMENTS

6.1 Non-Substantive Amendments

6.1.1 The following items are considered by both parties to be non-substantive and may be amended in a matter consistent with the *Halifax Regional Municipality Charter*.

- (a) Changes to Schedules B, D, and E provided that the changes do not conflict with the text of this Agreement;
- (b) Changes to the parking, amenity, outdoor lighting, landscaping requirements, and/or signage as identified in Sections 3.8, 3.9, 3.10, and 3.12 of the Agreement;
- (c) The granting of an extension to the date of commencement of construction as identified in 7.3 of this Agreement; and
- (d) The granting of an extension to the length of time for the completion of the development as identified in 7.4 of this Agreement.

6.2 Substantive Amendments

6.2.1 Amendments to any matters not identified under Section 6.1 or the HRM Substantial Alteration Report shall be deemed substantive and may only be amended in accordance with the approval requirements of the *Halifax Regional Municipality Charter*.

PART 7: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

7.1 Registration

7.1.1 A copy of this Agreement and every amendment or discharge of this Agreement shall be recorded at the Registry of Deeds or Land Registry Office at Halifax, Nova Scotia and the Developer shall incur all costs in recording such documents.

7.2 Subsequent Owners

7.2.1 This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the Lands which are the subject of this Agreement until this Agreement is discharged by the Chief Administrative Officer for the Municipality.

7.2.2 Upon the transfer of title to any lot(s), the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot(s).

7.3 Commencement of Development

7.3.1 In the event that development on the Lands has not commenced within five years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Lands shall conform with the provisions of the applicable Land Use By-law.

7.3.2 For the purpose of this section, Council may consider granting an extension of the commencement of development time period through a resolution under Section 6.1, if the Municipality receives a written request from the Developer.

7.3.3 For the purpose of this section, commencement of development shall be the issuance of a Development Permit.

7.4 Completion of Development

7.4.1 Upon the completion of the whole development, the Municipality may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;
- (b) negotiate a new Agreement;
- (c) discharge this Agreement; or,
- (d) discharge this Agreement and apply appropriate zoning pursuant to the applicable Municipal Planning Strategy and Land Use By law, as may be amended from time to time.

7.4.2 For the purpose of this section, completion of development shall mean issuance of an Occupancy Permit for the New Addition.

7.4.3 In the event that development on the Lands has not been completed within seven (7) years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Lands shall conform with the provisions of the applicable Land Use By-law.

7.5 Discharge of Agreement

7.5.1 If the Developer fails to complete the development after seven (7) years from the date of execution of this Agreement, the Municipality may review this Agreement, in whole or in part, and may:

- (a) retain the Agreement in its present form;
- (b) negotiate a new Agreement; or
- (c) discharge this Agreement.

PART 8: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

8.1 Enforcement

- 8.1.1 The Developer agrees that any officer appointed by the Municipality to enforce this Agreement shall be granted access onto the Lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Municipality to inspect the interior of any building located on the Lands, the Developer agrees to allow for such an inspection during any reasonable hour within twenty-four hours of receiving such a request.

8.2 Failure to Comply

- 8.2.1 If the Developer fails to observe or perform any condition of this Agreement after the Municipality has given the Developer thirty (30) days written notice of the failure or default, then in each such case:
- (a) The Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defence based upon the allegation that damages would be an adequate remedy;
 - (b) The Municipality may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the *Assessment Act*,
 - (c) The Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; or
 - (d) In addition to the above remedies, the Municipality reserves the right to pursue any other remedy under the *Halifax Regional Municipality Charter* or Common Law in order to ensure compliance with this Agreement.

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

SIGNED, SEALED AND DELIVERED in the presence of:

(Insert Registered Owner Name)

Witness

Per: _____

Print Name: _____

Date Signed: _____

=====

=====

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

HALIFAX REGIONAL MUNICIPALITY

Witness

Per: _____
MAYOR

Date signed: _____

Witness

Per: _____
MUNICIPAL CLERK

Date signed: _____

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this _____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that _____, _____ of the parties thereto, signed, sealed and delivered the same in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this _____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ the subscribing witness to the foregoing indenture who being by me sworn, made oath, and said that Mike Savage, Mayor and Iain MacLean, Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia

Schedule A - Legal Description of Lands

- 4 -

SCHEDULE "A"

PID 00108043

All that consolidated lot, piece or parcel of land situate, lying and being on Queen Street, in the Dartmouth, Province of Nova Scotia being more particularly described as follows:

Beginning at an iron spike set on the Northeastern boundary of King Street which iron spike forms the Southern corner of lands of the Trustees of Grace United Church and is distant Eighteen decimal Six Nine (18.69) feet from the Southern corner and Forty-One decimal Four Zero (41.40) feet from the Southwestern side of Grace United Church;

Thence in a Northeasterly direction on a bearing of North 62 degrees 57 minutes East a distance of Two Hundred Forty Three (243) feet, more or less, to the Western boundary of Wentworth Street;

Thence in Southeasterly direction along the Western boundary of Wentworth Street a distance of One Hundred and Twenty-One decimal Two Five (121.25) feet, more or less, to the intersection of Wentworth Street and Queen Street;

Thence in a Southwesterly direction along the Northwestern boundary of Queen Street on a bearing of South 62 degrees 57 minutes 12 seconds West a distance of Two Hundred Forty Three (243) feet, more or less, to the intersection of King Street and Wentworth Street;

Thence in a Northwesterly direction along the Southeastern boundary of King Street on a bearing of North 27 degrees 06 minutes West a distance of One Hundred and Twenty-One decimal Two Five (121.25) feet to the place of beginning.

Being and intended to be a consolidation of the lands acquired by Her Majesty the Queen in Right of Canada by deed recorded at the Registry of Deeds, Halifax County on February 23, 1960 in Book 1660 at Page 790 as Document No. 2757 and the lands acquired by His Majesty the King in Right of Canada by deeds recorded at the Registry of Deeds, Halifax County recorded on December 12, 1922 in Book 452 at Page 493 as Document No. 2870, on May 15, 1914 in Book 436 at Page 549 as Document No. 1285, on April 29, 1914 in Book 440 at Page 187 as Document No. 1083, on March 31, 1914 in Book 436 at Page 465 as Document No. 761, on December 6, 1913 in Book 433 at Page 275 as Document No. 3484 and on November 6, 1913 in Book 436 at Page 169 as Document No. 3223, respectively.

*** Municipal Government Act, Part IX Compliance ***

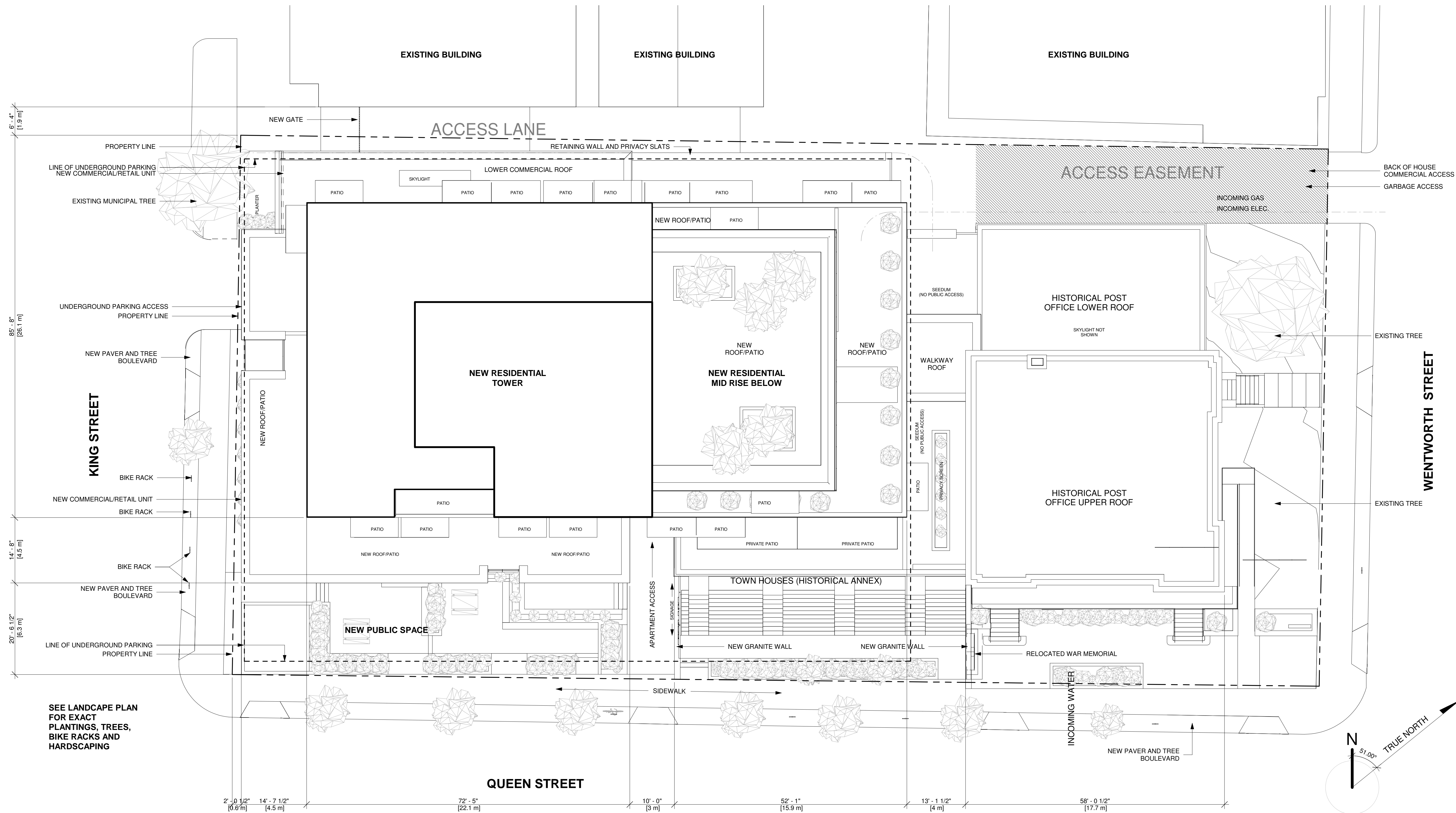
Exemption:

The parcel is exempted from subdivision approval under the Municipal Government Act because the parcel was created by a subdivision


Reason for exemption:

Section 268A that is a Deemed Consolidation - (De Facto Consolidation).

Schedule B - Site Plan, Elevations & Materials



1 SITE PLAN NEW
3/32" = 1'-0"



RHAD ARCHITECTS
DESIGN IT RHADICALLY!
RHAD CA
902-444-8085
63 KING ST.
DARTMOUTH, NS, B2Y 1R7

Copyright: The use of this drawing shall be covered by standard copyright law. This drawing may not be used for any purpose other than the stated project.
Requirements and Approvals: It is the builder's responsibility to obtain prior written approval for changes to materials or workmanship which deviates from the instructions provided by these documents.
Authorities Requirements and Approvals: All materials and workmanship must comply with the National Building Code of Canada, present edition, and with the requirements of all authorities having jurisdiction over the work. It is the builder's responsibility to gain necessary approvals and inspections from relevant authorities.
Dimensions: All dimensions must be verified on site. Do not scale off drawings. If discrepancies exist notify the designer. All minimum dimensions must comply with the National Building Code of Canada.

STAMP:

NO. DATE	ISSUED
THIS ISSUE:	
FOR D.A. COORD.	
PROJECT:	
53 QUEEN STREET MIXED USE RESIDENTIAL	
53 QUEEN ST. DARTMOUTH, NS	
DRAWING TITLE:	
NEW SITE PLAN	
DRAWN BY:	DRAWING NUMBER:
RH/DF/CG	A102
DATE:	REVISION:
NOV. 30/2023	
SCALE:	AS NOTED



RHAD ARCHITECTS
 DESIGN IT RHADICALLY!
 RHAD CA
 902-444-8085
 63 KING ST.
 DARTMOUTH, NS, B2Y 1R7

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FOR D.A. COORD.

PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

UNDERGROUND PARKING (LEVEL -02)

DRAWN BY

RH/DF/CG

DATE

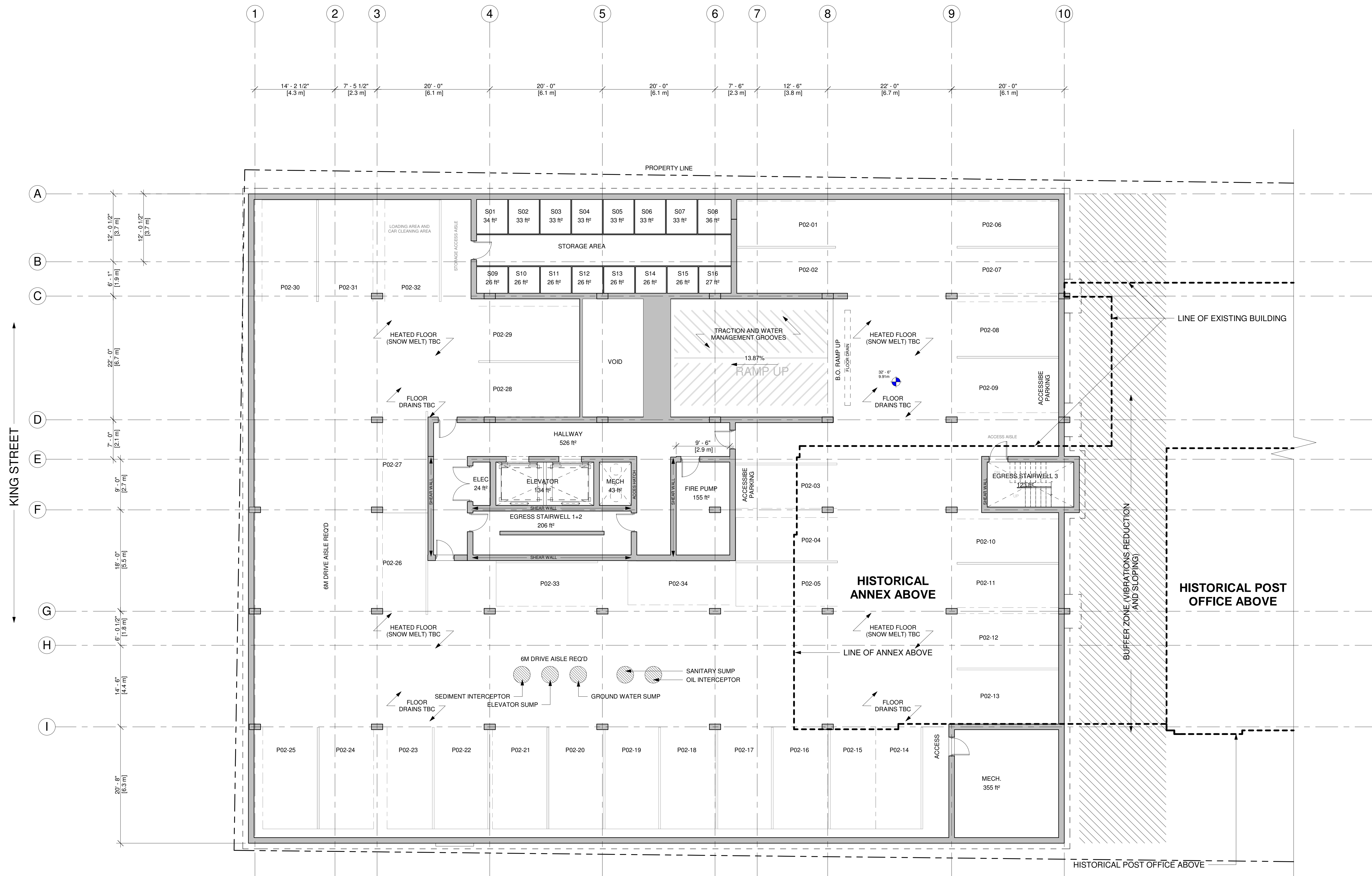
NOV. 30/2023

REVISION

SCALE

AS NOTED

A111



1 UNDERGROUND PARKING (LEVEL 02)
 1/8" = 1'-0"

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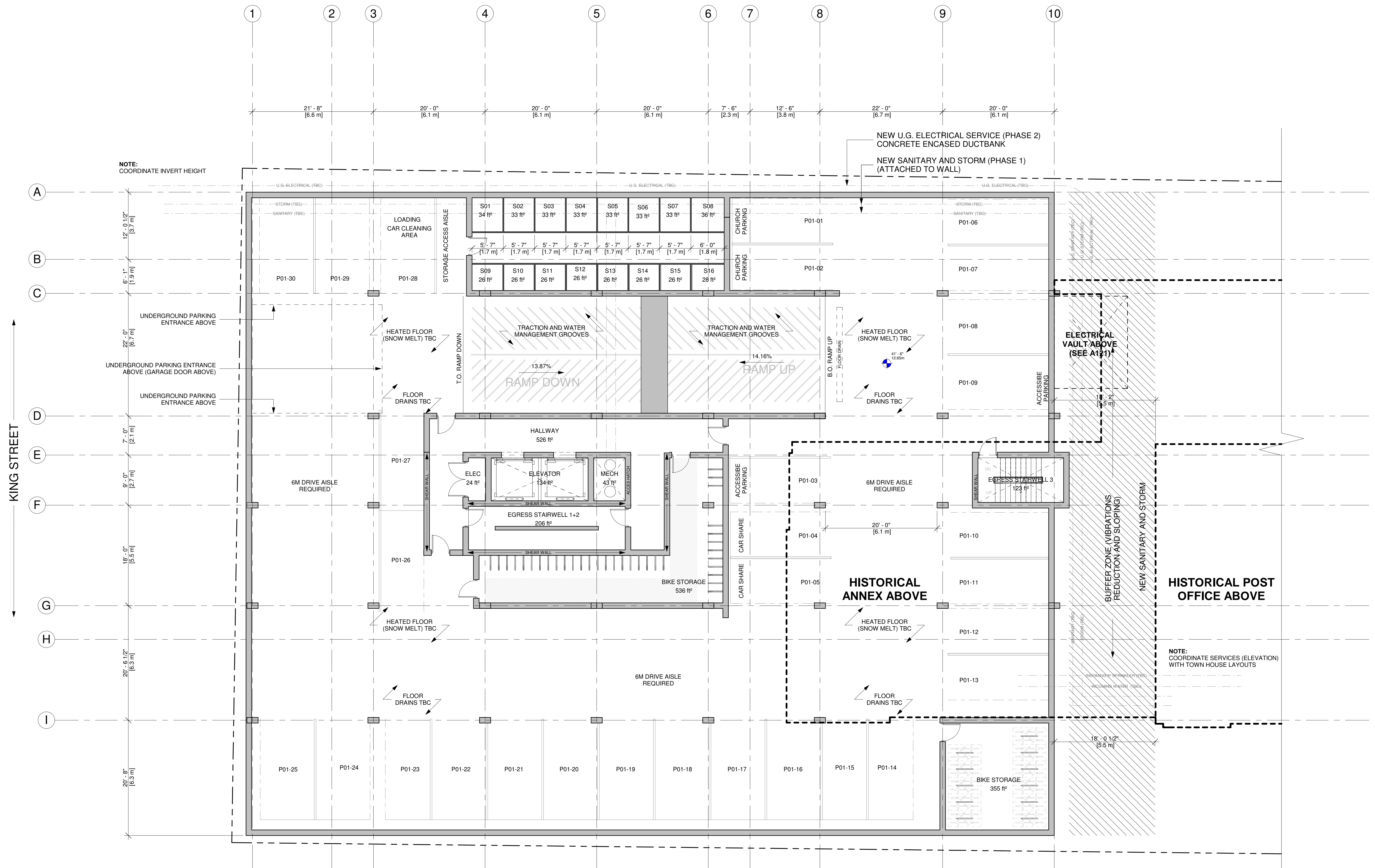
PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

UNDERGROUND PARKING (LEVEL -01)

DRAWN BY: RH/DF/CG
 DATE: NOV. 30/2023
 REVISION:
 SCALE: AS NOTED
 DRAWING NUMBER: A112



NOTE: COORDINATE INVERT HEIGHT

NEW U.G. ELECTRICAL SERVICE (PHASE 2)
 CONCRETE ENCASED DUCTBANK
 NEW SANITARY AND STORM (PHASE 1)
 (ATTACHED TO WALL)

ELECTRICAL VAULT ABOVE
 (SEE A121)

HISTORICAL ANNEX ABOVE

HISTORICAL POST OFFICE ABOVE

NOTE: COORDINATE SERVICES (ELEVATION)
 WITH TOWN HOUSE LAYOUTS

1 UNDERGROUND PARKING (LEVEL -01)
 1/8" = 1'-0"

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FOR D.A. COORD.

PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL
 53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 00 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

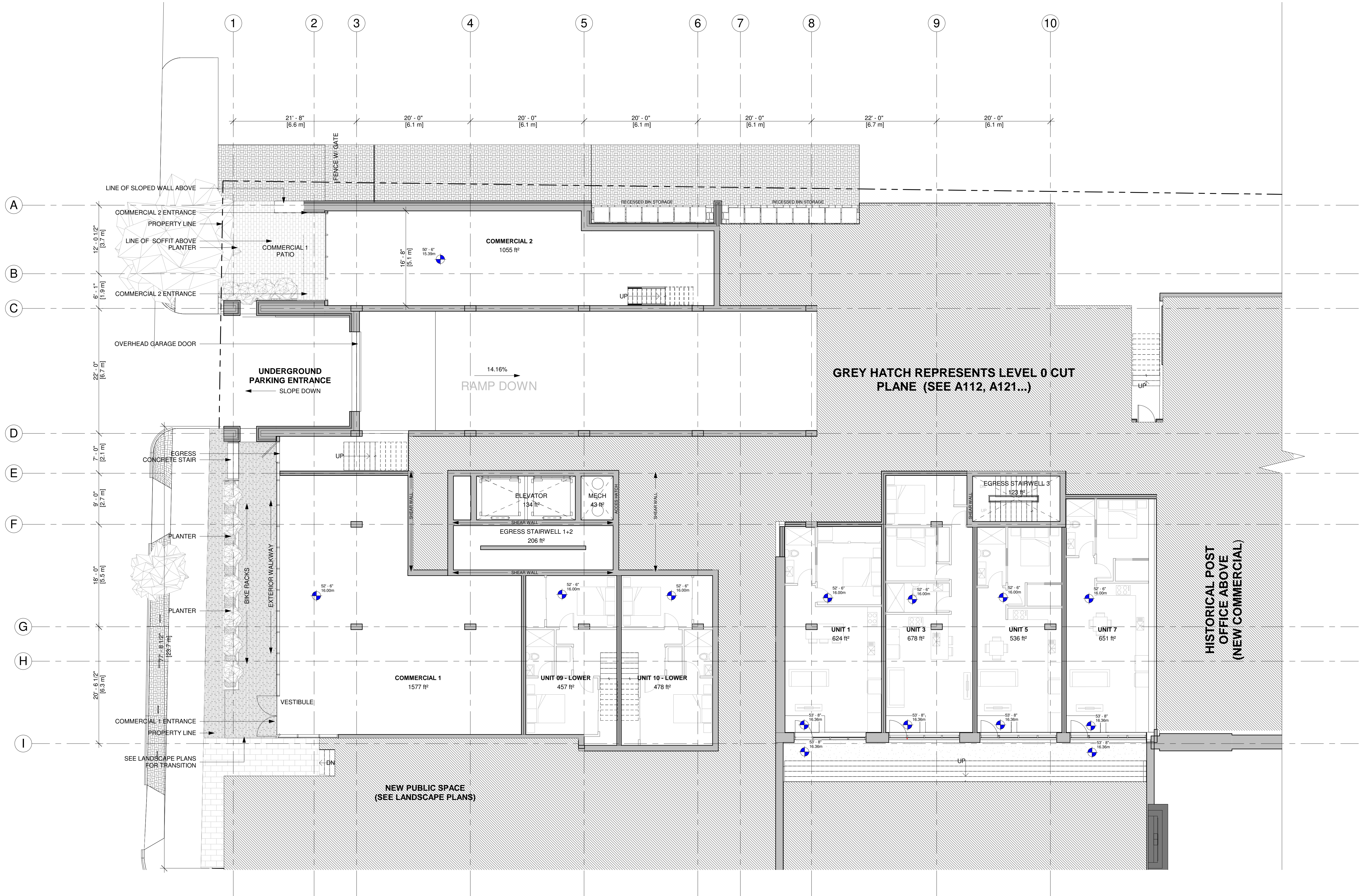
NOV. 30/2023

REVISION

SCALE

AS NOTED

A120



1 LEVEL 00 FLOOR PLAN
 1/8" = 1'-0"

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FOR D.A. COORD.

PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 01 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

NOV. 30/2023

REVISION

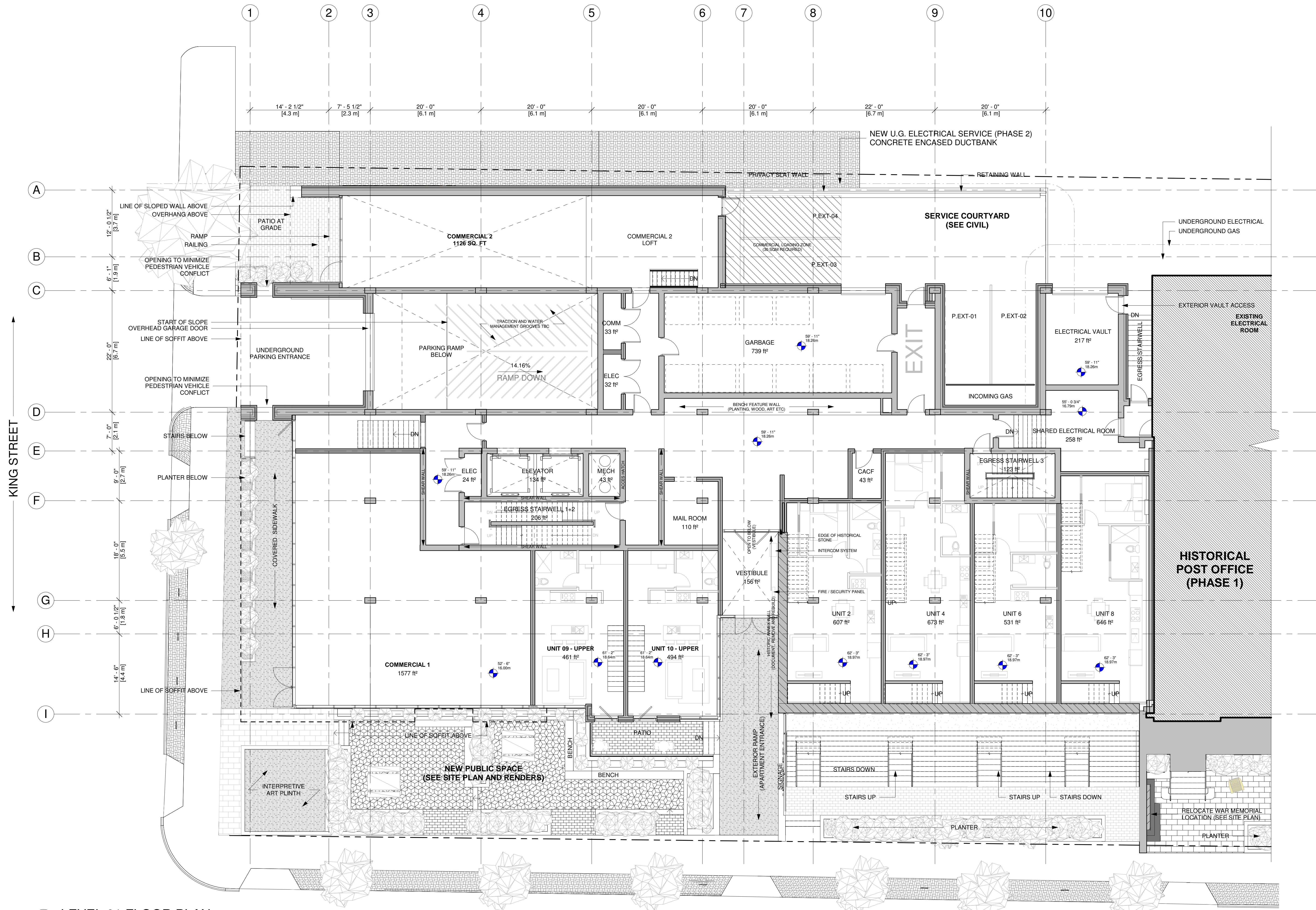
AS NOTED

DRAWING NUMBER

A121

SCALE

AS NOTED



1 LEVEL 01 FLOOR PLAN
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NO. DATE ISSUED

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FOR D.A. COORD.

PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 02 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

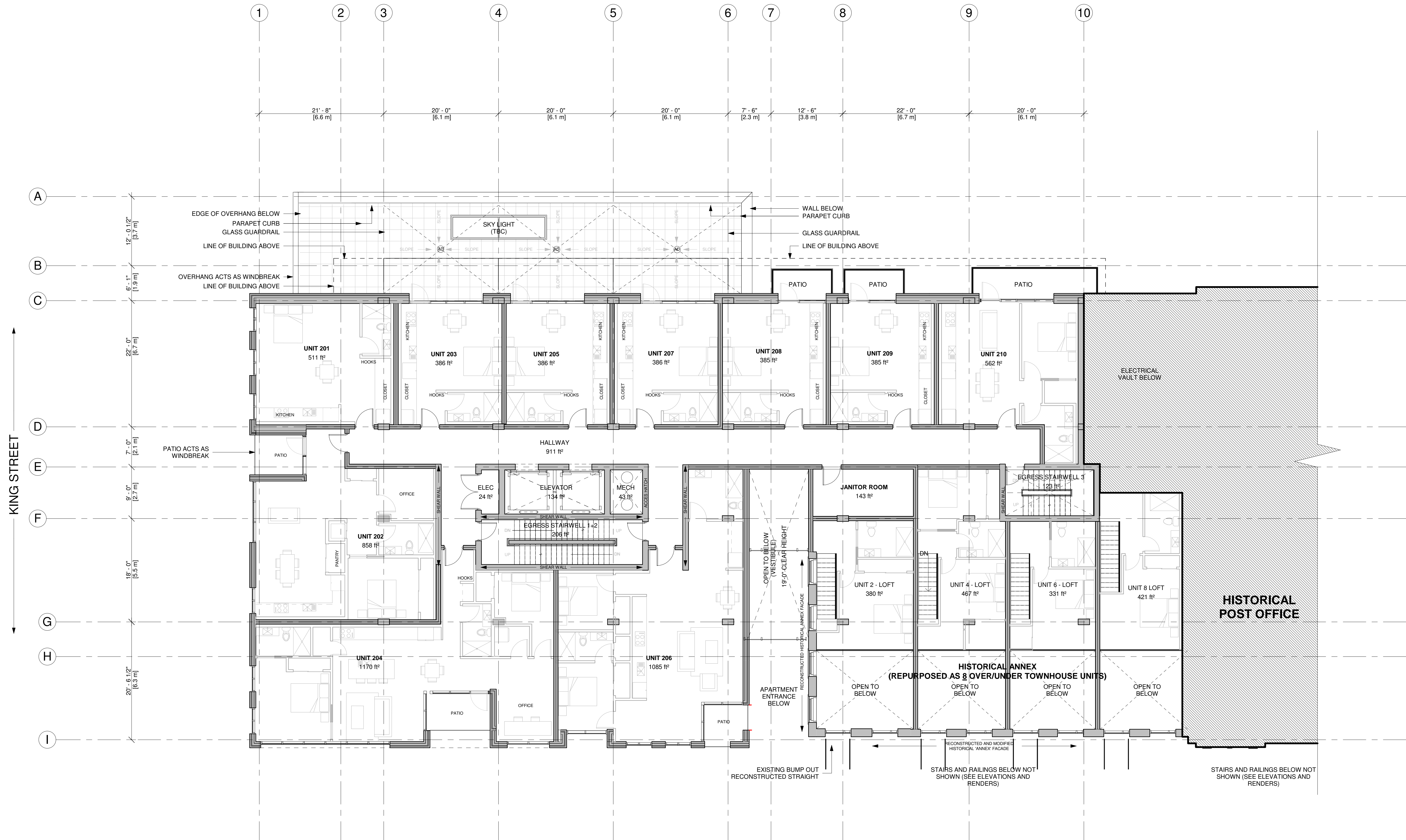
NOV. 30/2023

REVISION

A122

SCALE

AS NOTED



1 LEVEL 02 FLOOR PLAN
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FOR D.A. COORD.

PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 03 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

NOV. 30/2023

REVISION

A123

SCALE

AS NOTED



1 LEVEL 03 FLOOR PLAN
 1/8" = 1'-0"

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STAMP:

NO. DATE ISSUED

THIS ISSUE:

FOR D.A. COORD.

PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL
 53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 04 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

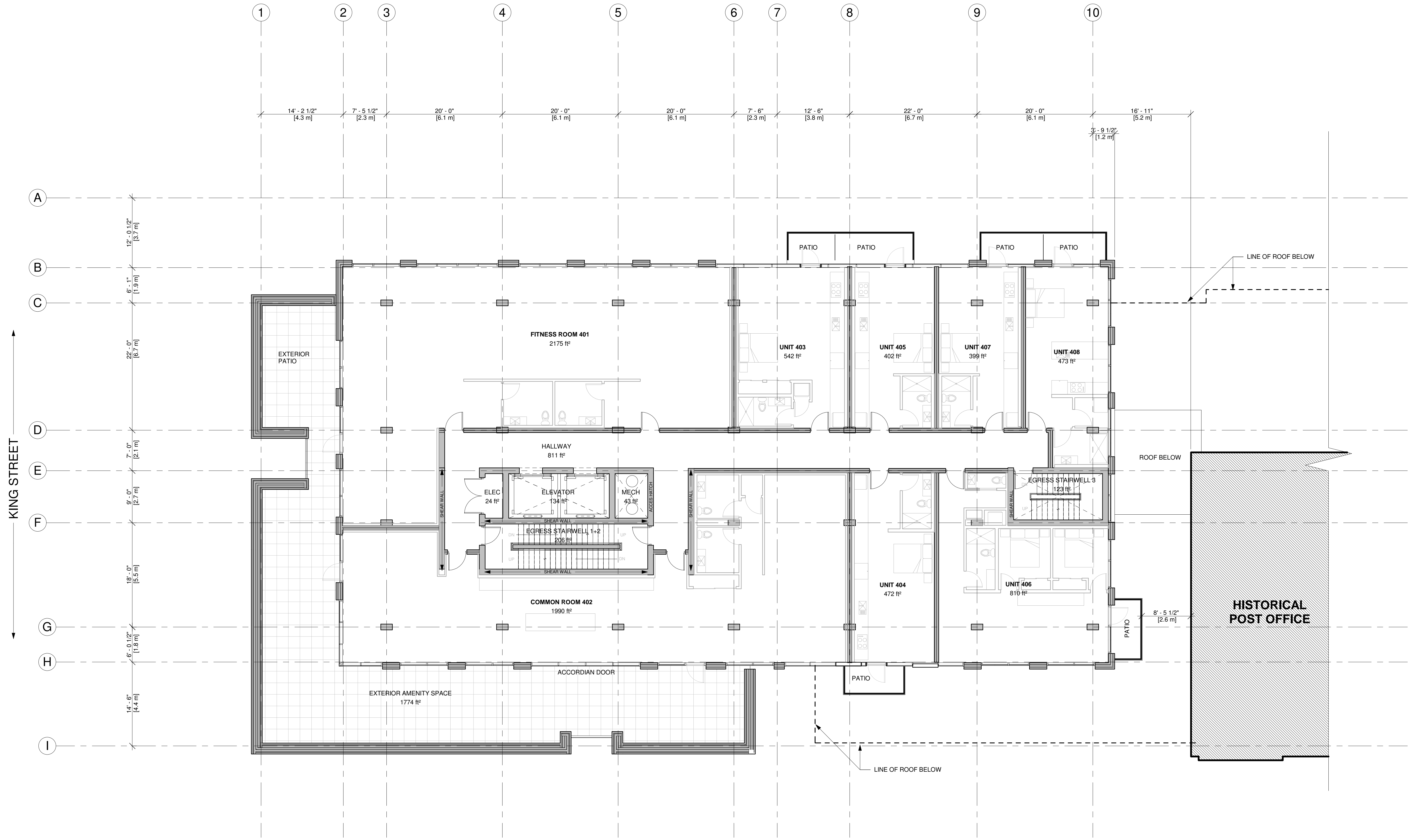
NOV. 30/2023

REVISION

SCALE

AS NOTED

A124



1 LEVEL 04 FLOOR PLAN
 1/8" = 1'-0"

KING STREET

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FOR D.A. COORD.

PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
DARTMOUTH, NS

DRAWING TITLE

LEVEL 05 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

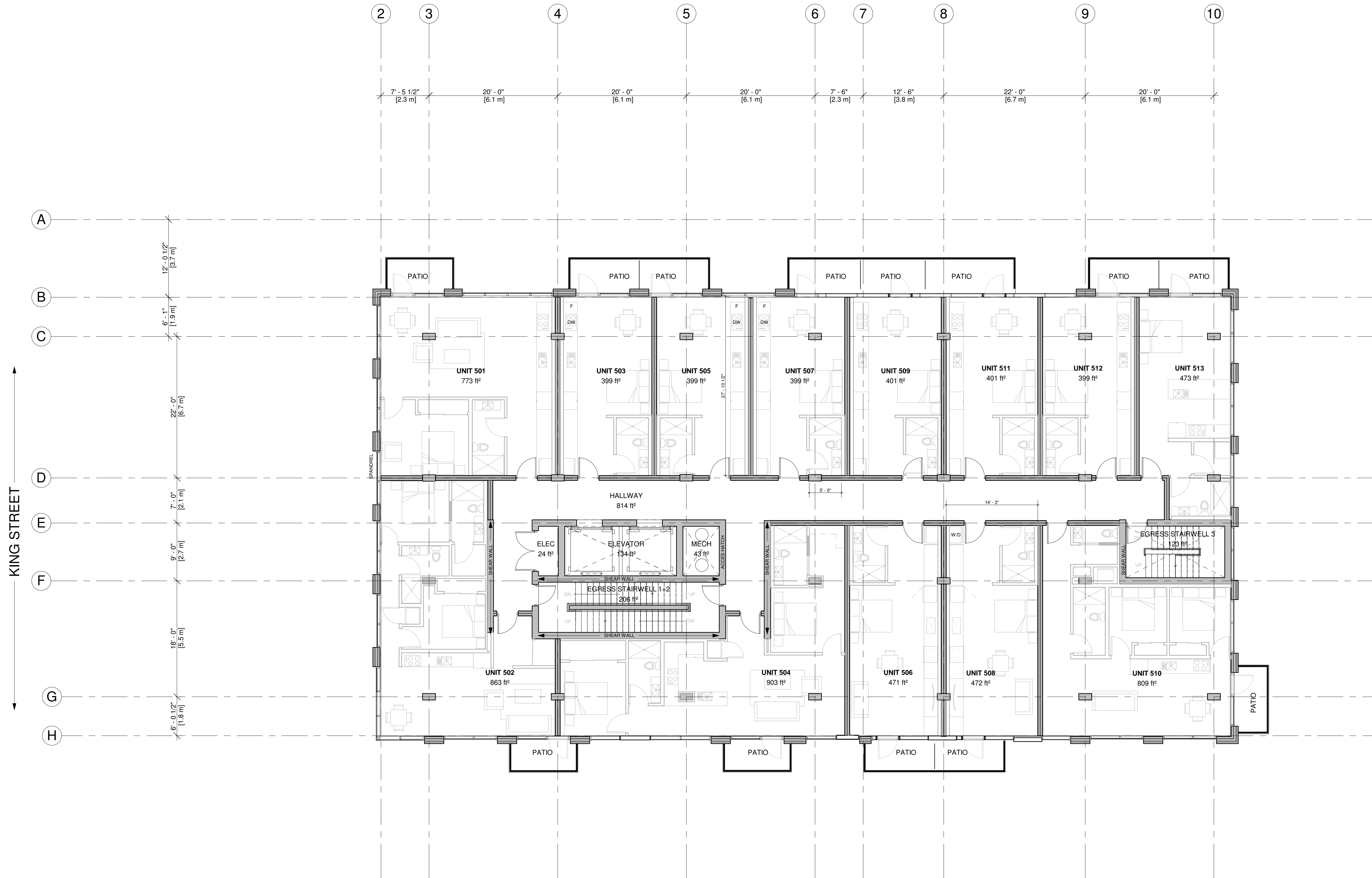
NOV. 30/2023

REVISION

SCALE

AS NOTED

A125



1 LEVEL 05 FLOOR PLAN
1/8" = 1'-0"

KING STREET

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PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 06 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

NOV. 30/2023

REVISION

SCALE

AS NOTED

A126



1 LEVEL 06 FLOOR PLAN
 1/8" = 1'-0"



RHAD ARCHITECTS
 DESIGN IT RHADICALLY!
 RHAD CA
 802-444-0885
 63 KING ST.
 DARTMOUTH, NS, B2Y 1R7

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53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 07 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

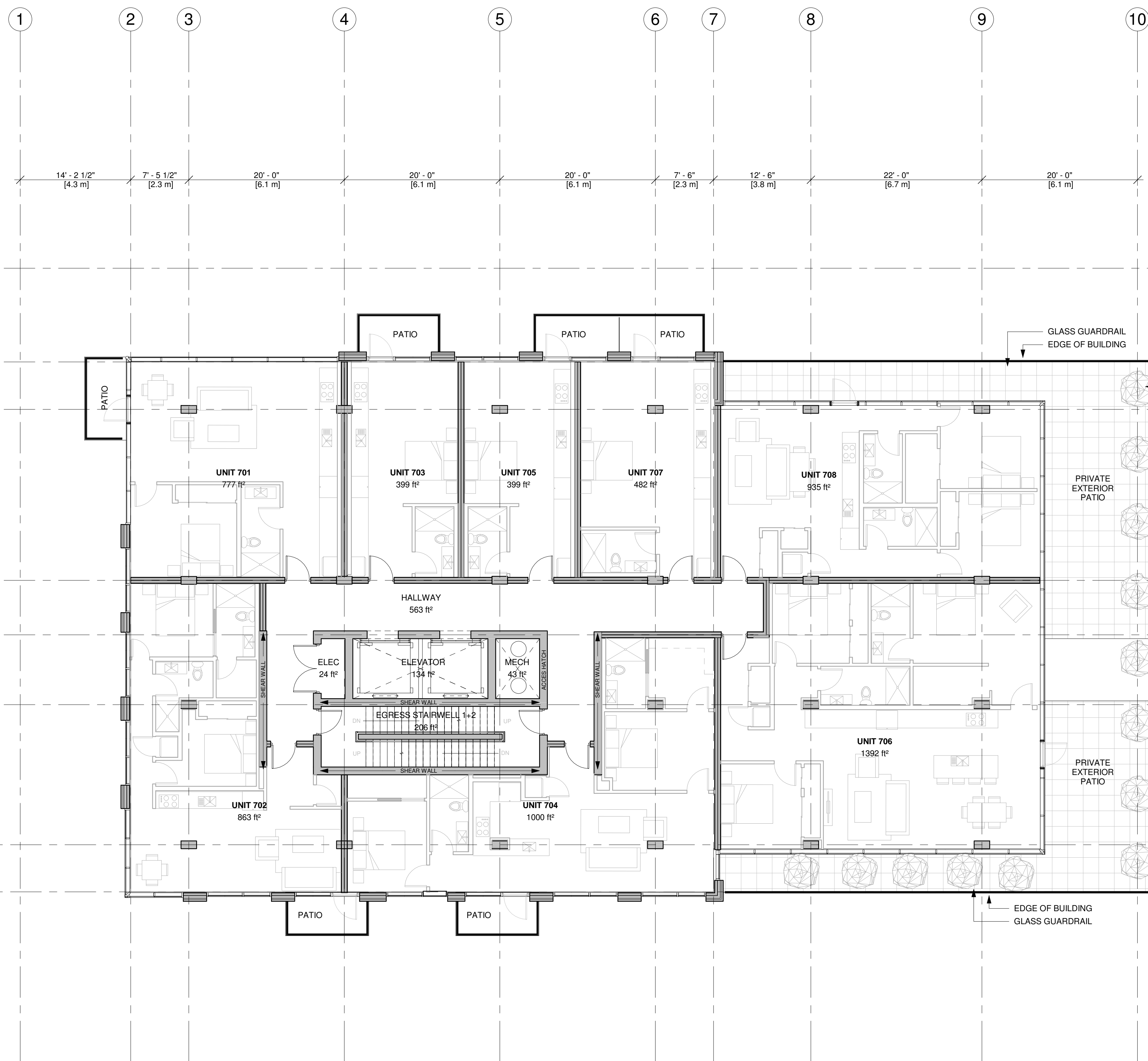
NOV. 30/2023

REVISION

SCALE

AS NOTED

A127



1 LEVEL 07 FLOOR PLAN
 1/8" = 1'-0"

KING STREET

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53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
DARTMOUTH, NS

DRAWING TITLE

LEVEL 08 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

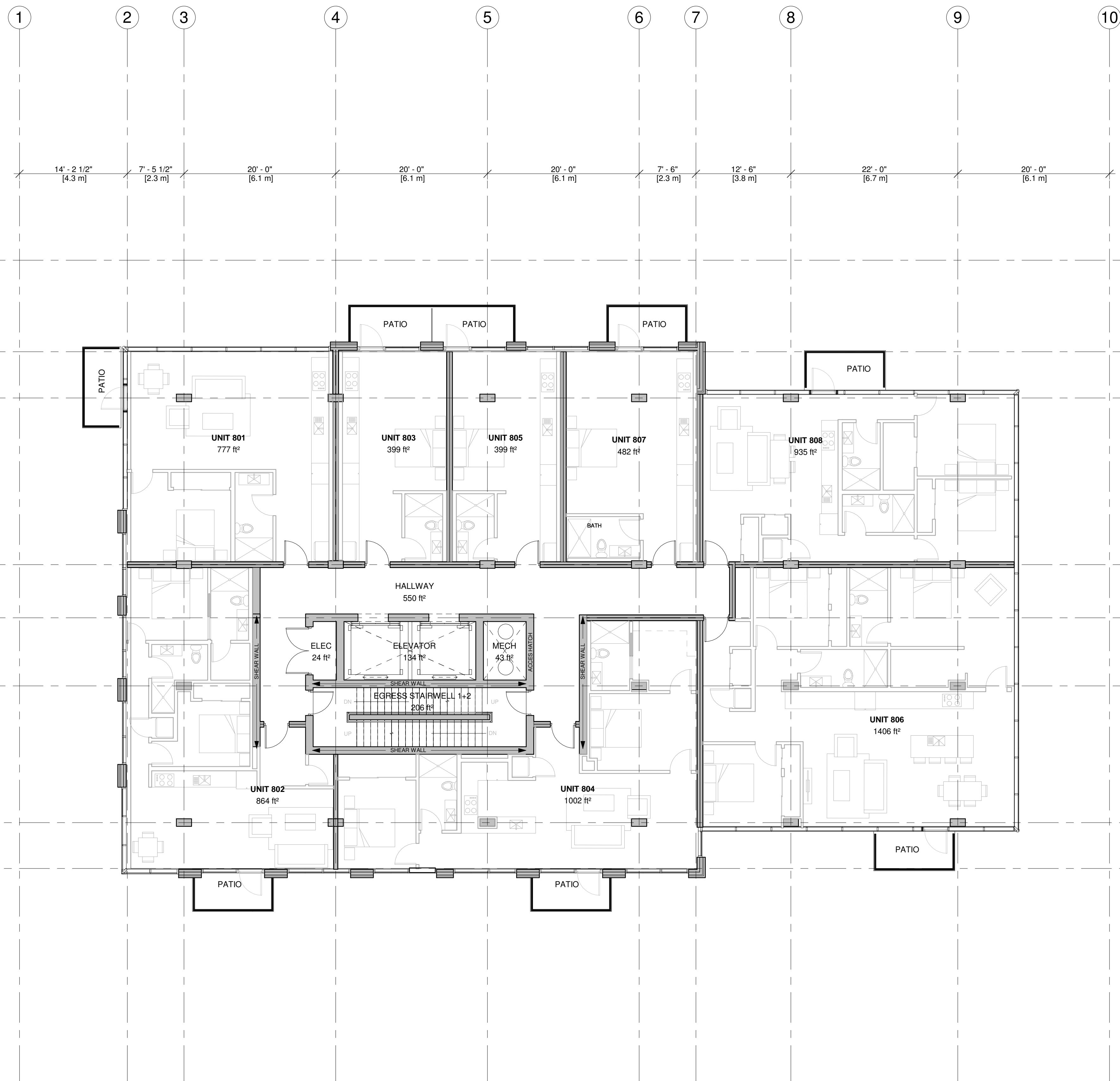
NOV. 30/2023

REVISION

SCALE

AS NOTED

A128



NOTE:
BUILDING BELOW NOT SHOWN

KING STREET

1 LEVEL 08 FLOOR PLAN
1/8" = 1'-0"

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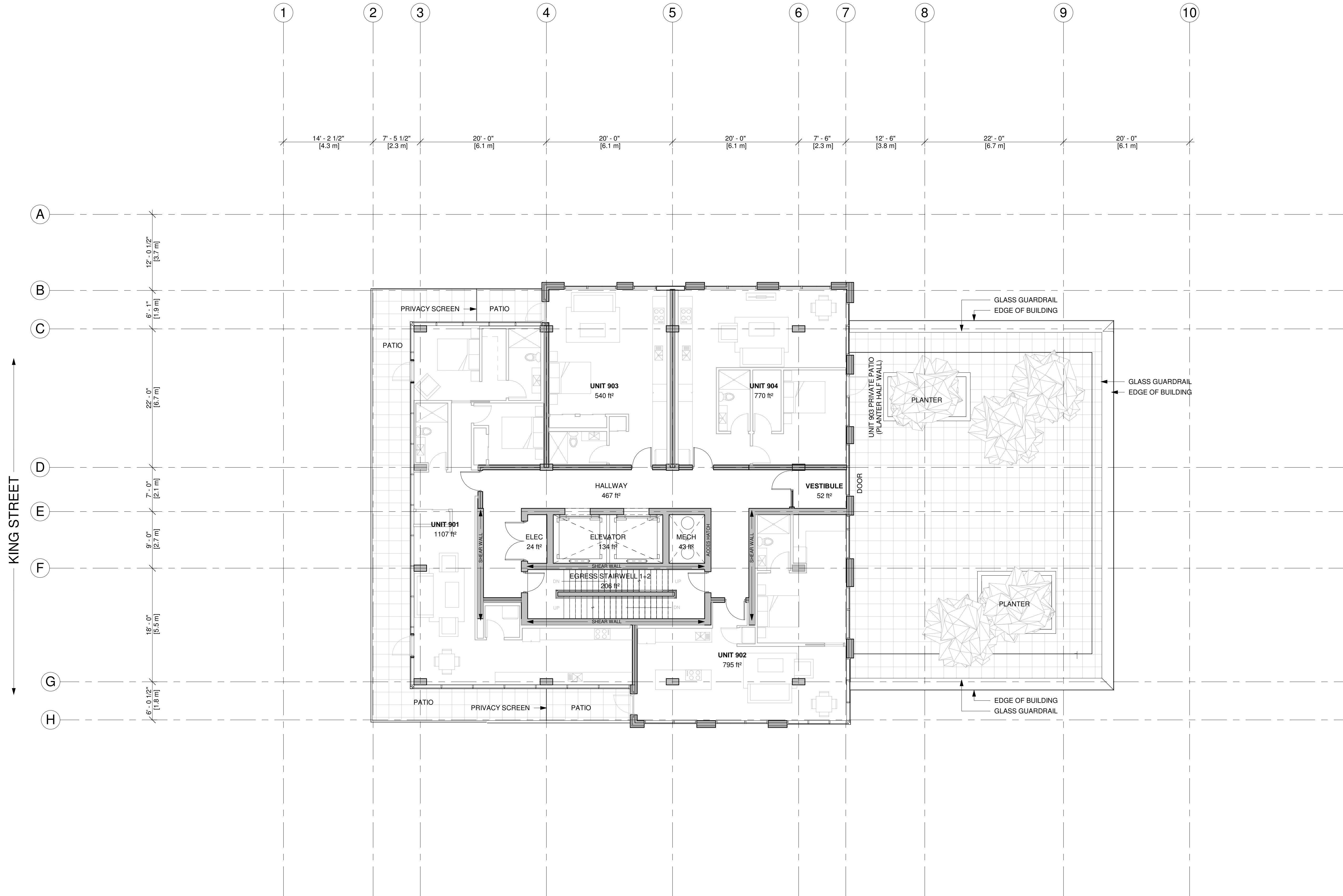
53 QUEEN
STREET MIXED
USE
RESIDENTIAL

53 QUEEN ST.
DARTMOUTH, NS

DRAWING TITLE

LEVEL 09
FLOOR PLAN

DRAWN BY	DRAWING NUMBER
RH/DF/CG	A130
DATE	NOV. 30/2023
REVISION	
SCALE	AS NOTED



1 LEVEL 09 FLOOR PLAN
1/8" = 1'-0"

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FOR D.A. COORD.

PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 10 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

NOV. 30/2023

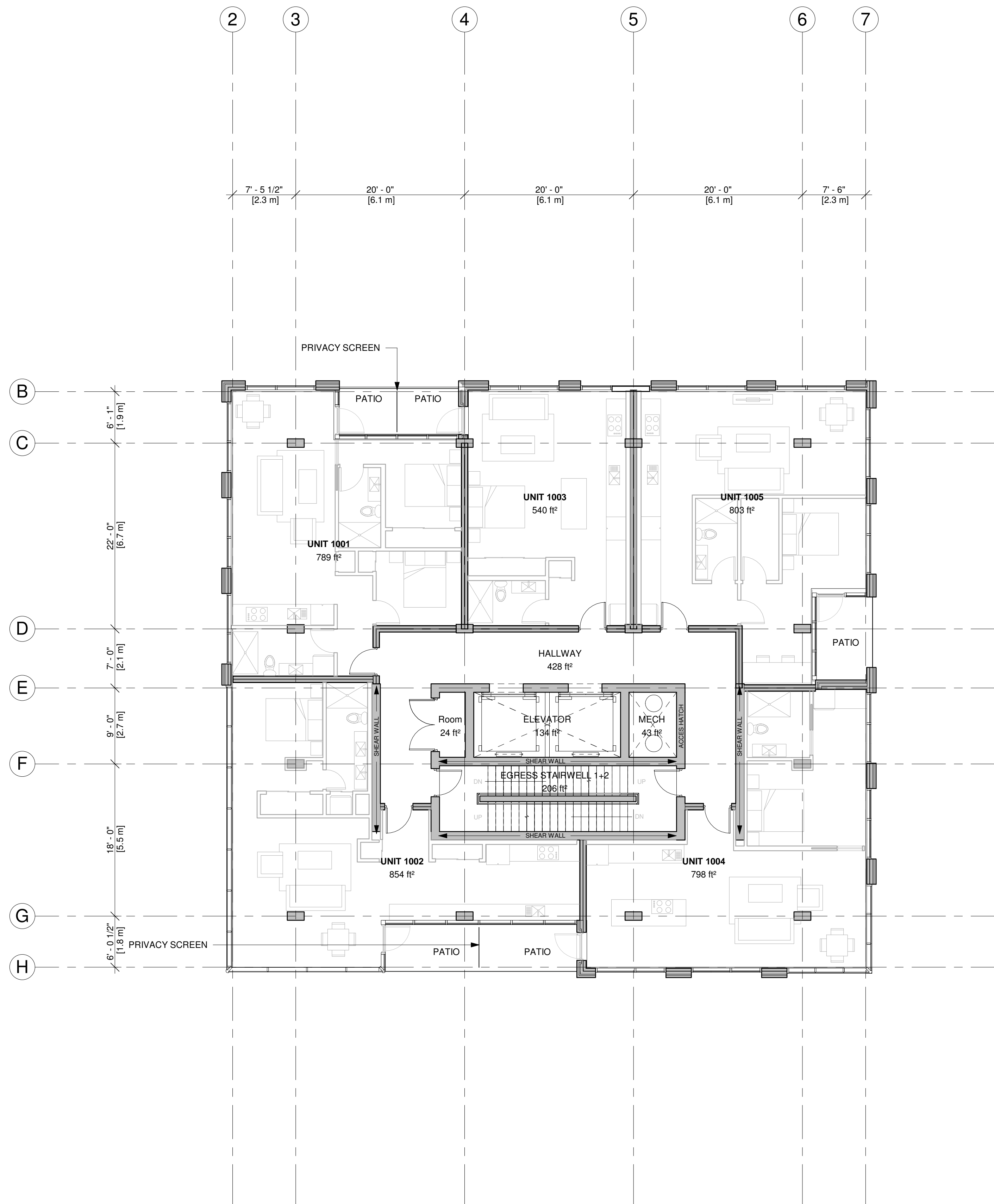
REVISION

SCALE

AS NOTED

A131

GENERAL TOWER NOTES



2 LEVEL 10 FLOOR PLAN
 1/8" = 1'-0"

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FOR D.A. COORD.

PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 11+12 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

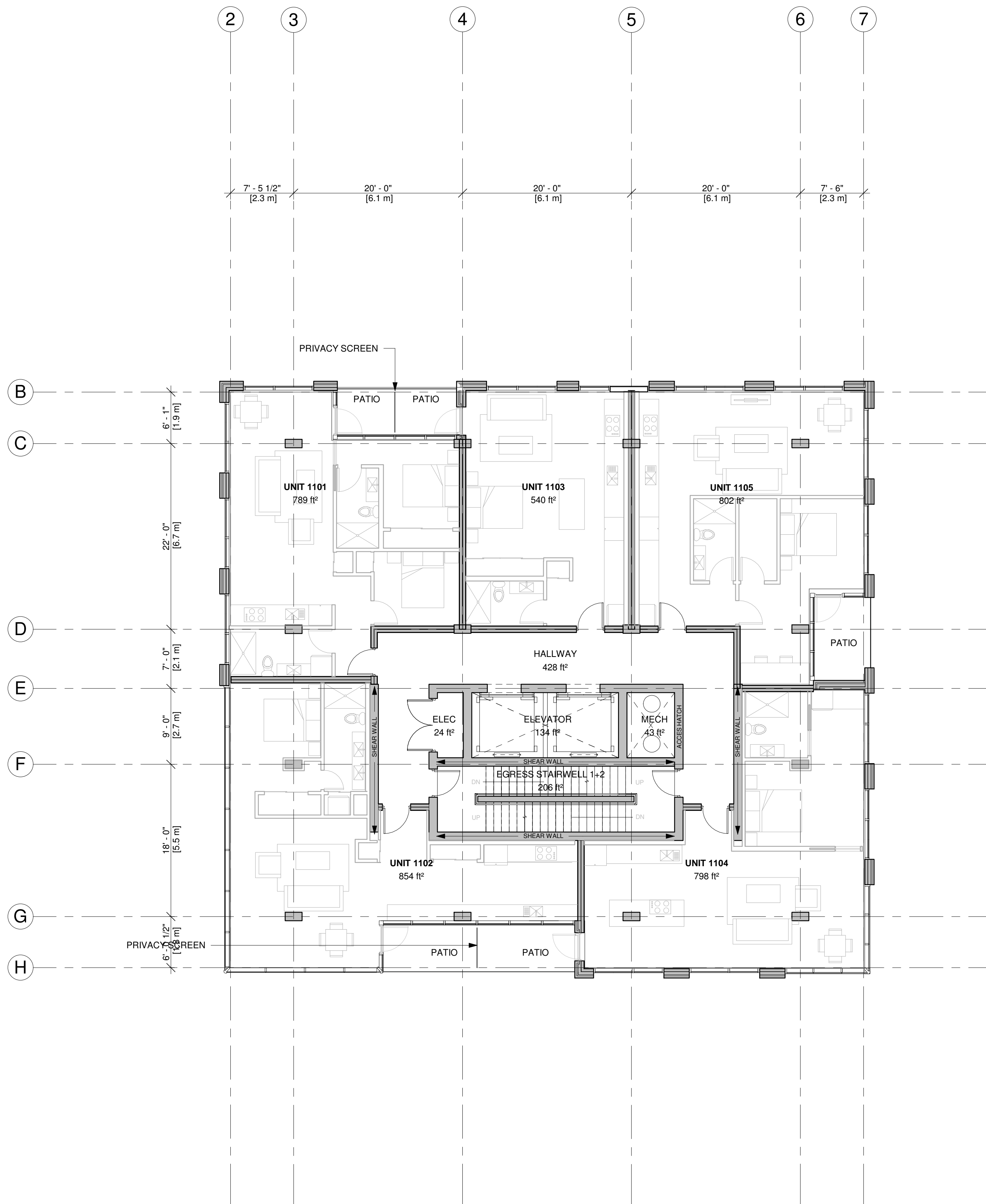
NOV. 30/2023

REVISION

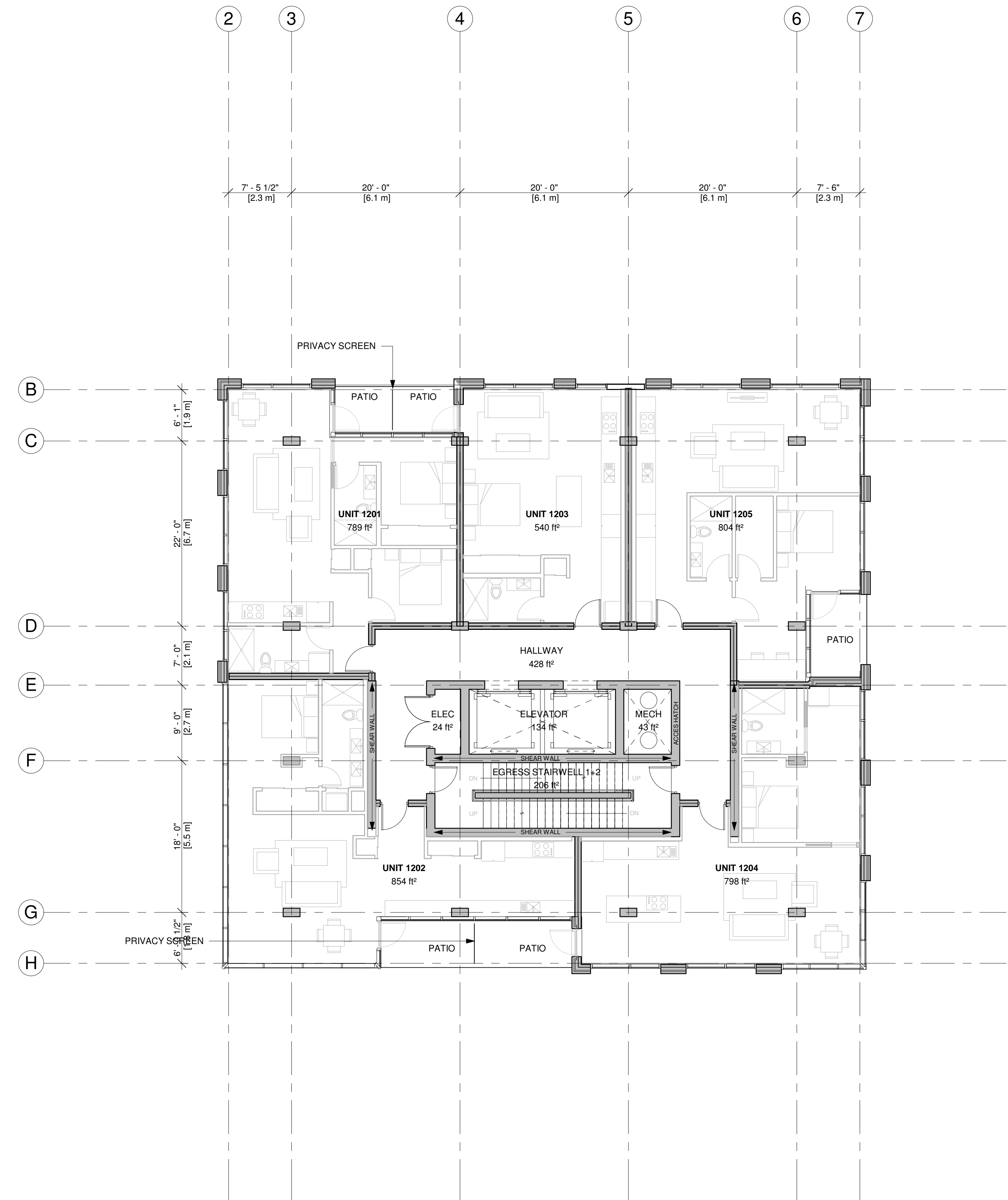
SCALE

AS NOTED

A132



1 LEVEL 11 FLOOR PLAN
 1/8" = 1'-0"



2 LEVEL 12 FLOOR PLAN
 1/8" = 1'-0"

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PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 13+14 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

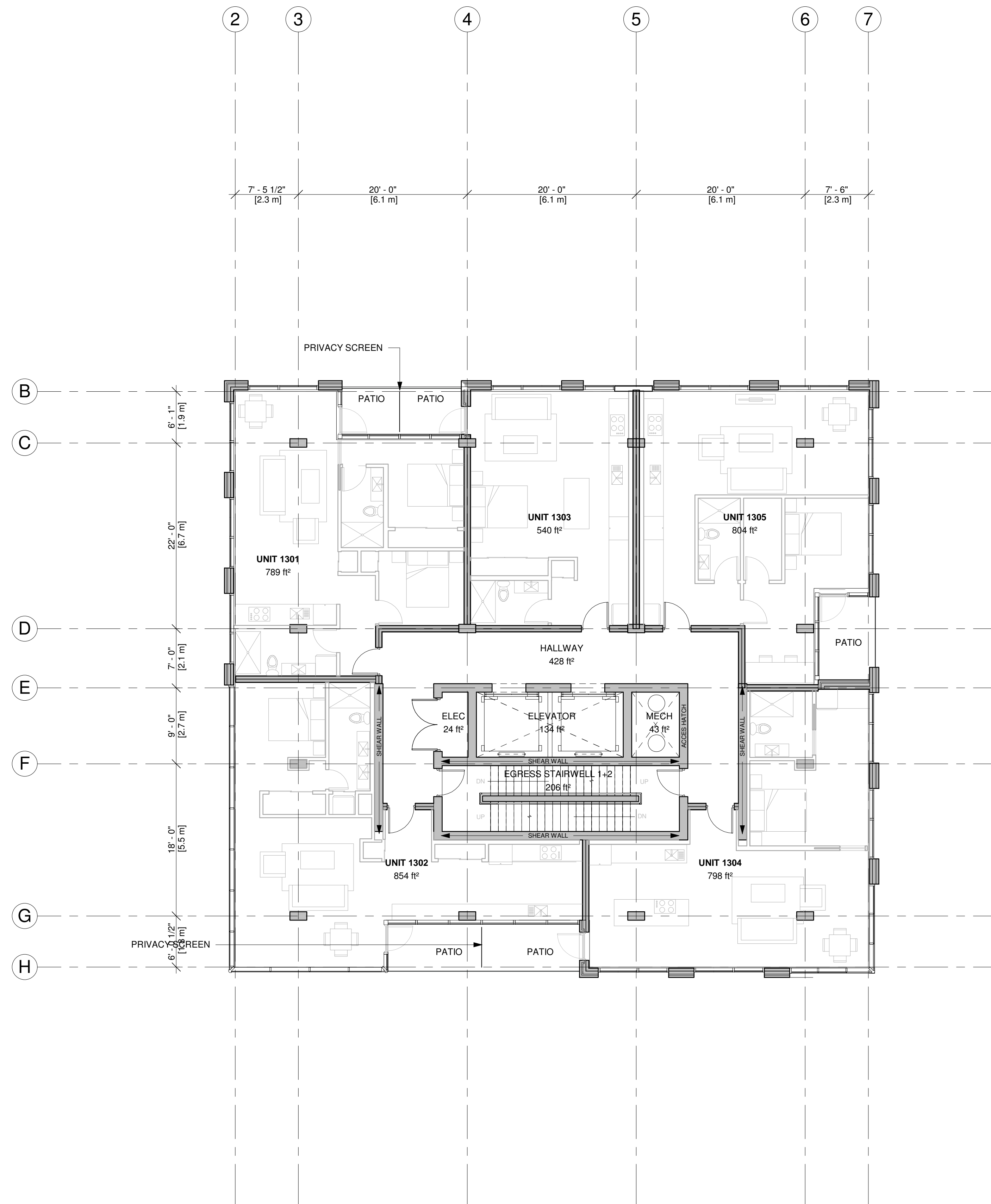
NOV. 30/2023

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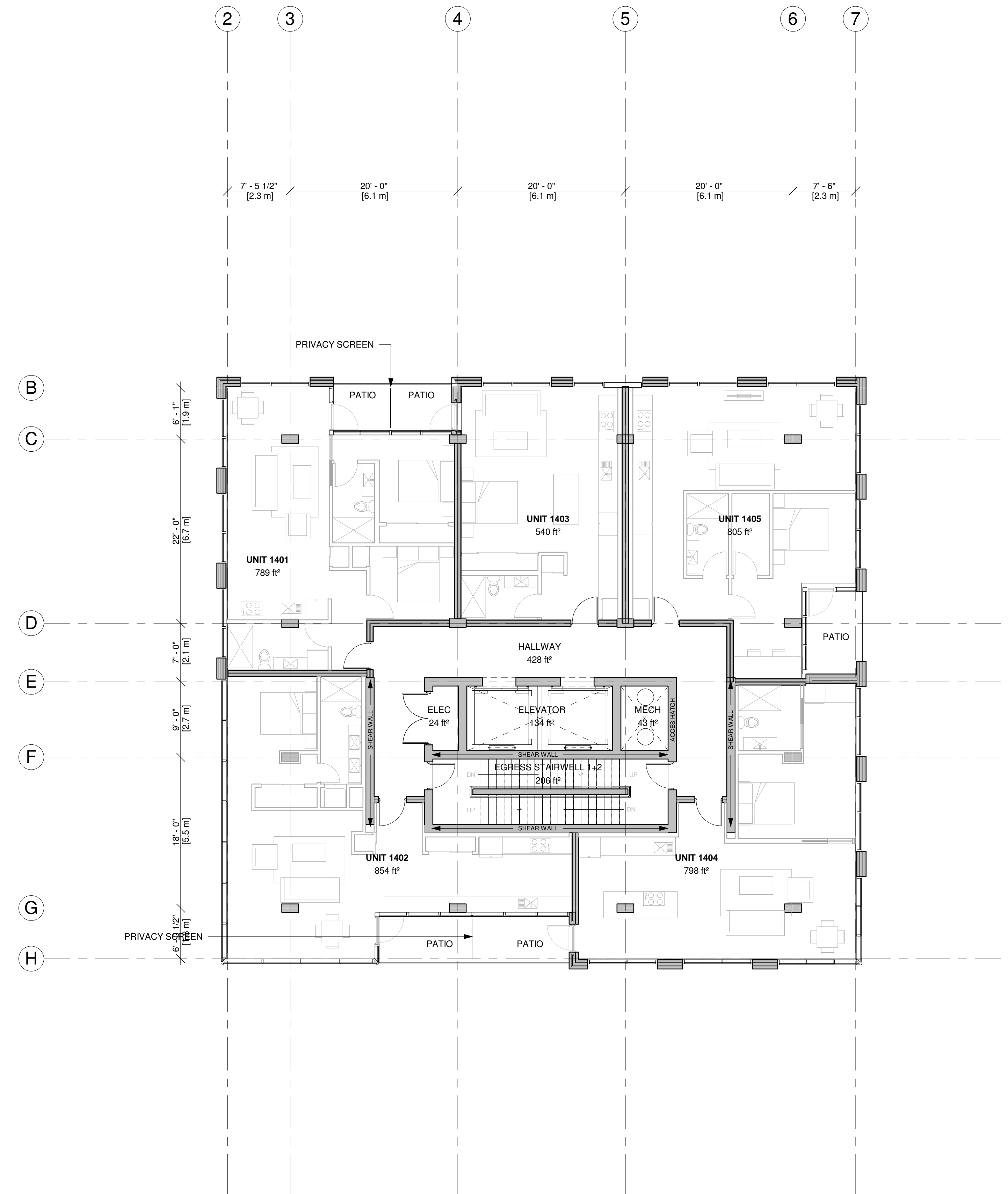
SCALE

AS NOTED

A133



1 LEVEL 13 FLOOR PLAN
 1/8" = 1'-0"



2 LEVEL 14 FLOOR PLAN
 1/8" = 1'-0"

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53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 15+16 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

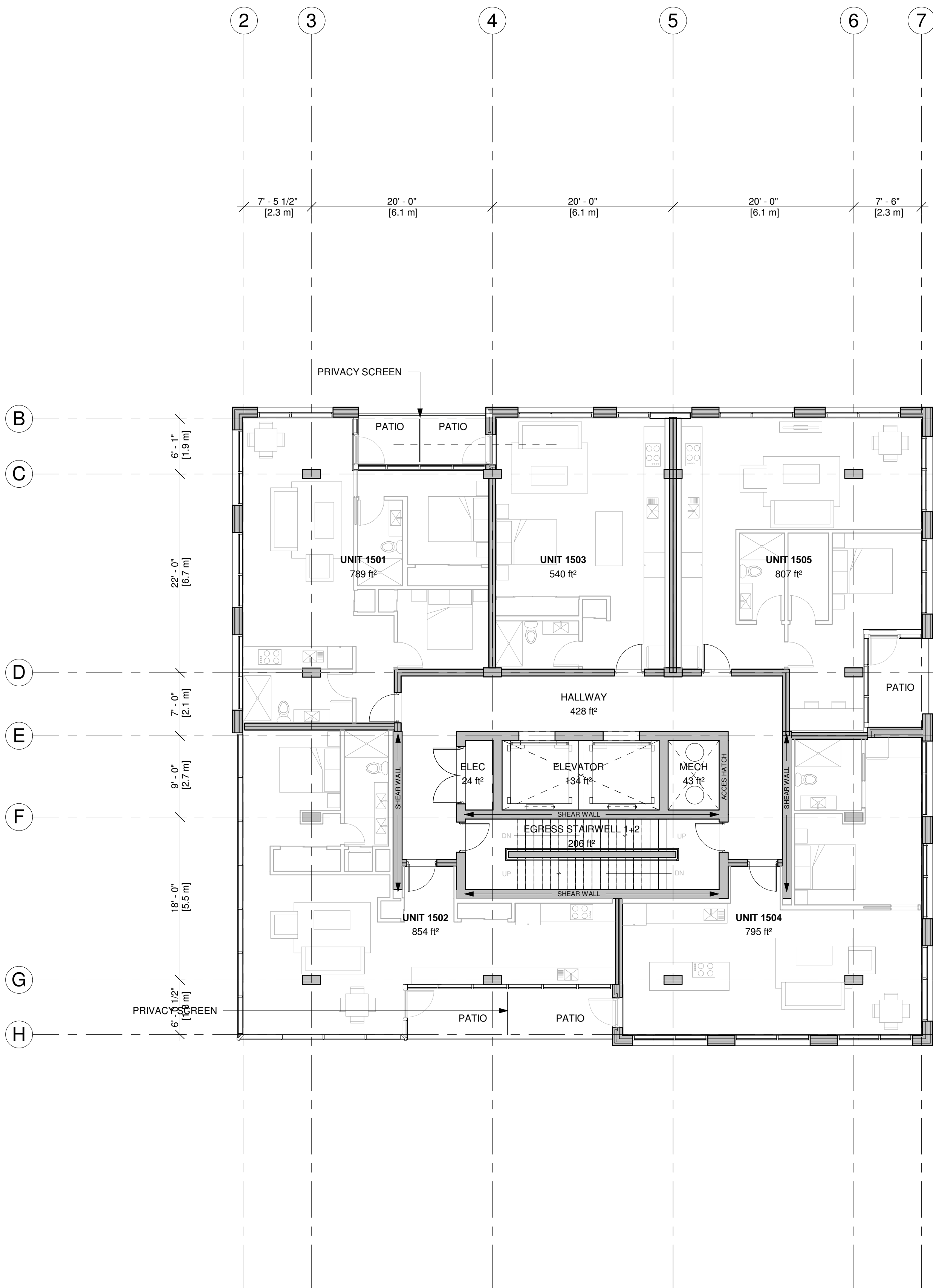
NOV. 30/2023

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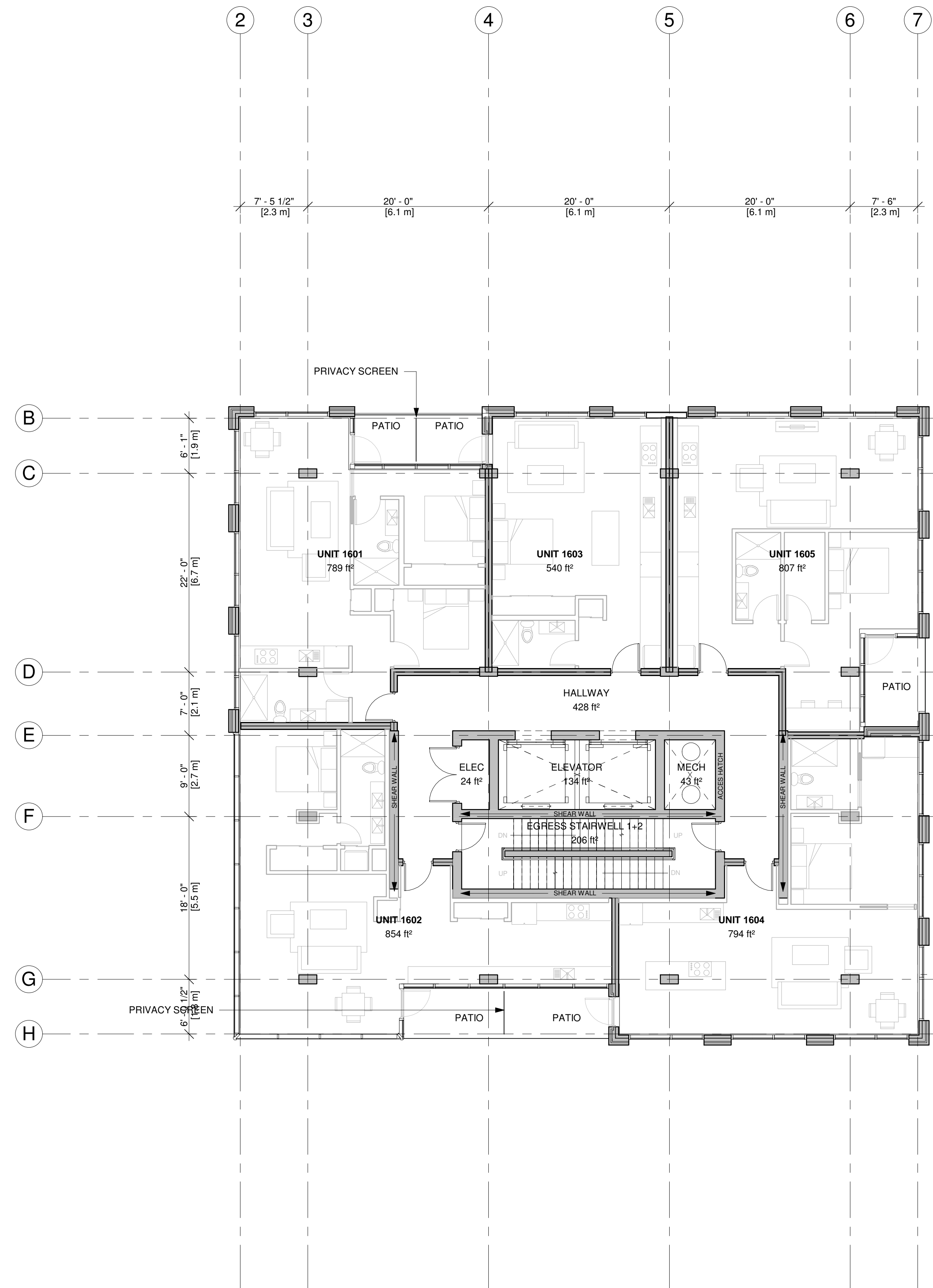
SCALE

AS NOTED

A134



1 LEVEL 15 FLOOR PLAN
 1/8" = 1'-0"



2 LEVEL 16 FLOOR PLAN
 1/8" = 1'-0"

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53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 17+18 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

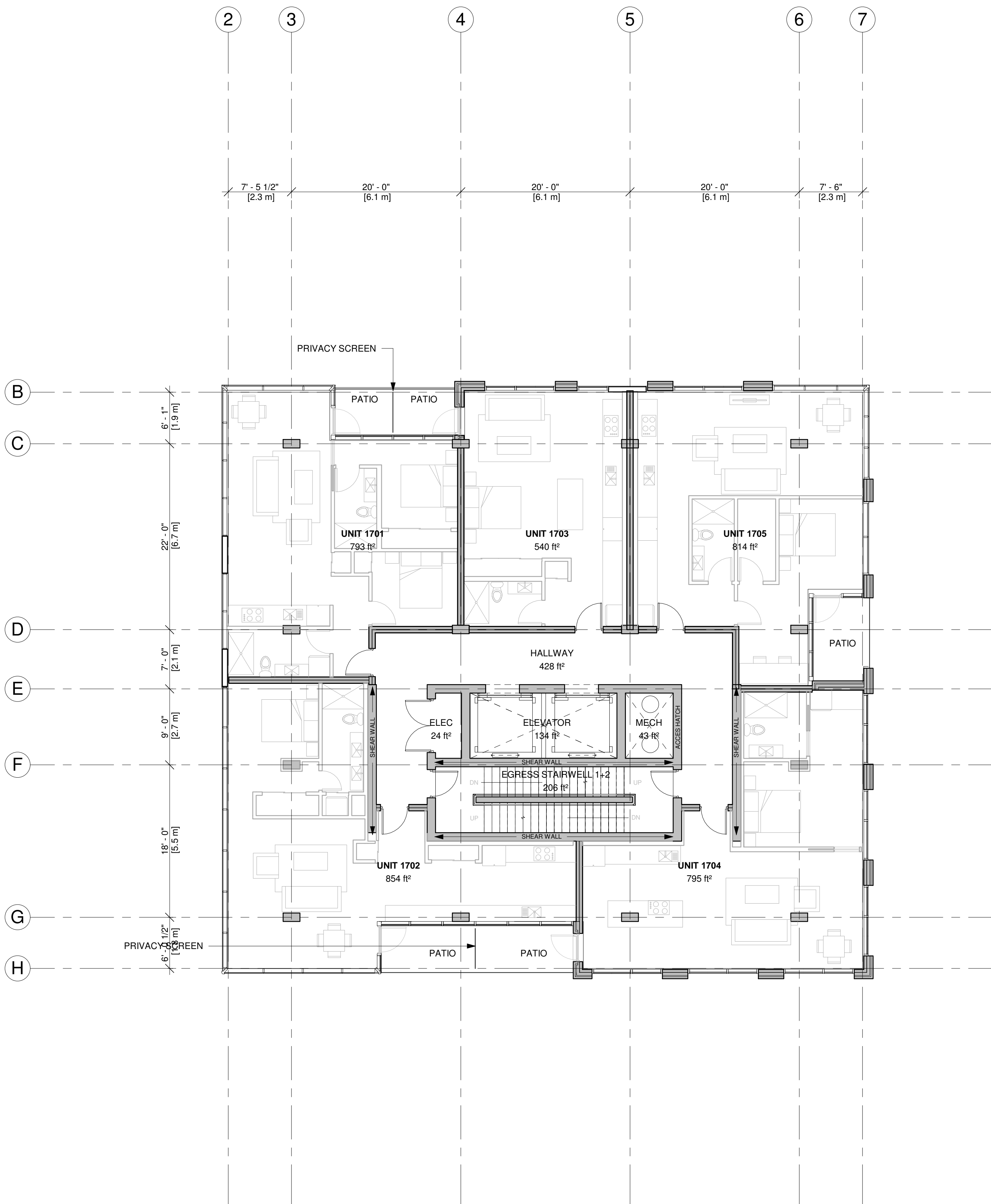
NOV. 30/2023

REVISION

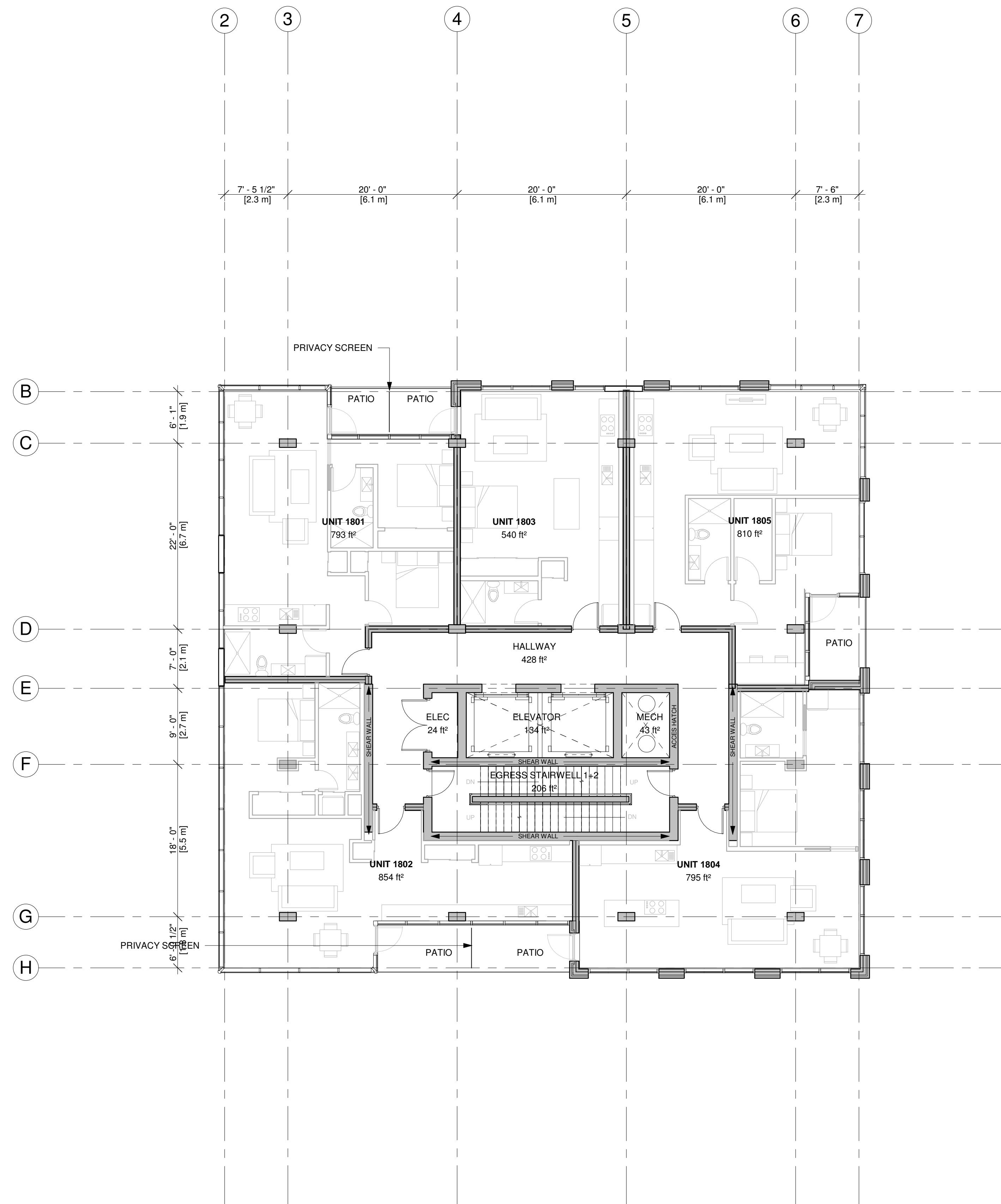
SCALE

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A135



1 LEVEL 17 FLOOR PLAN
 1/8" = 1'-0"



2 LEVEL 18 FLOOR PLAN
 1/8" = 1'-0"

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53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 19+20 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

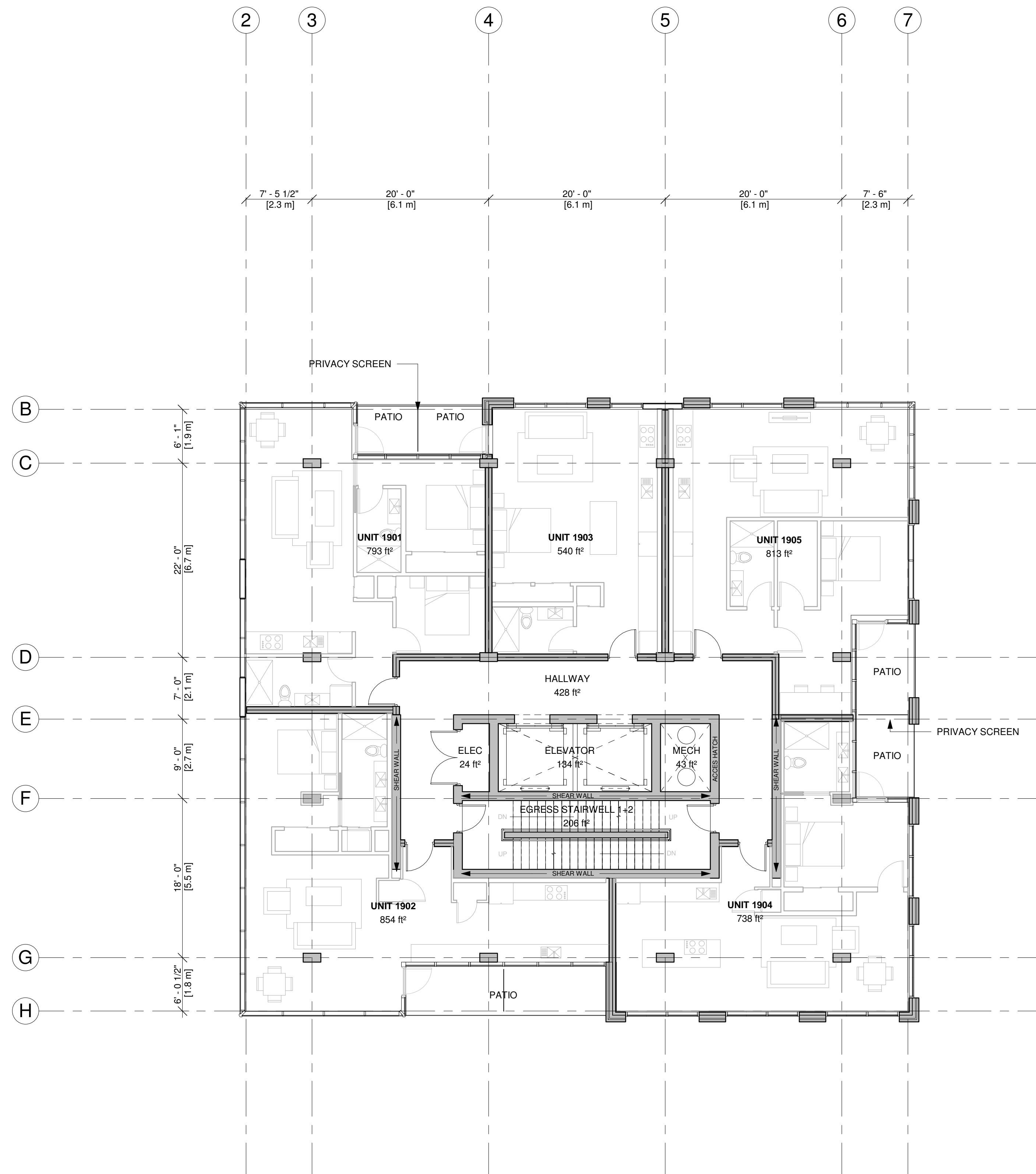
NOV. 30/2023

REVISION

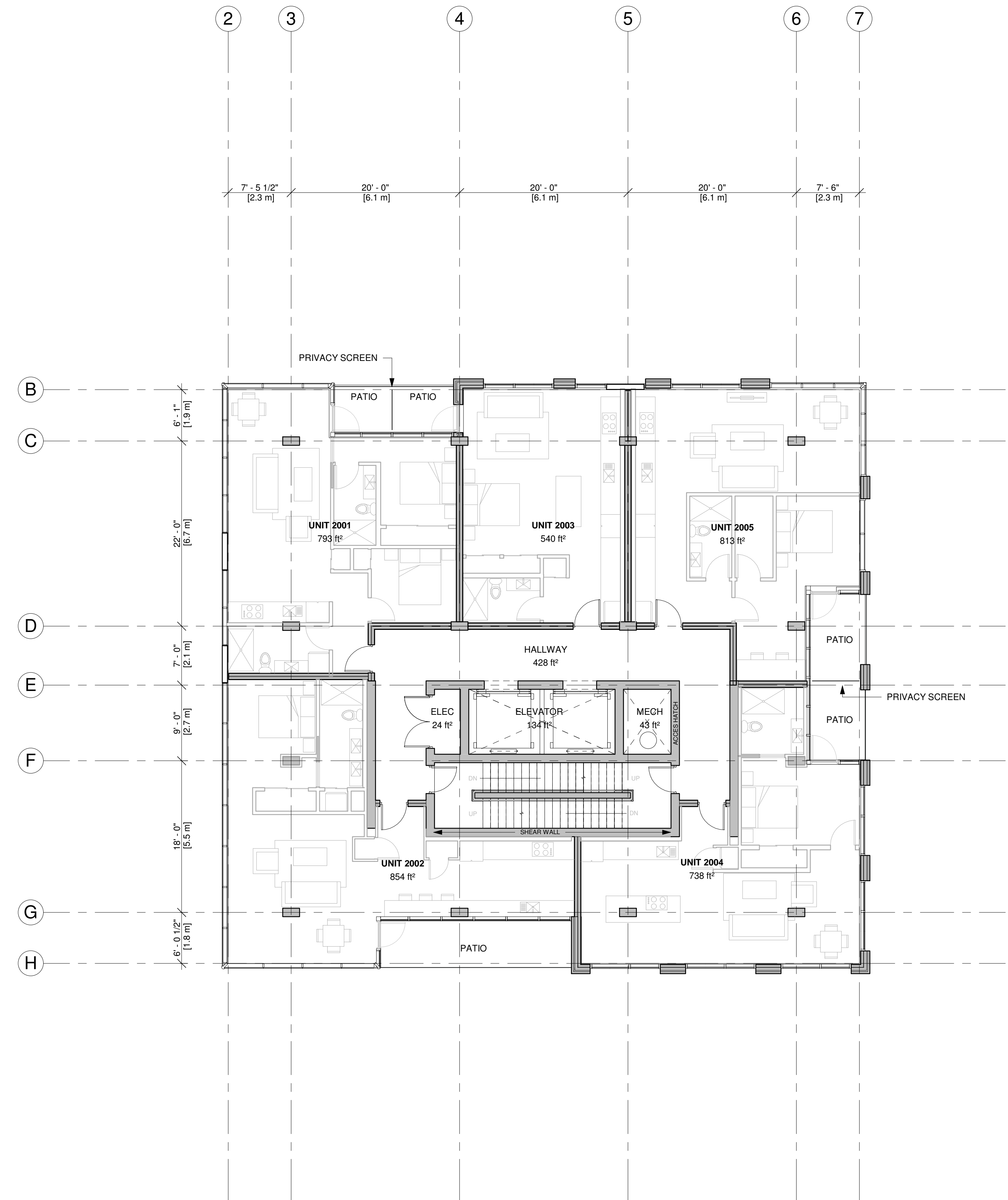
SCALE

AS NOTED

A136



1 LEVEL 19 FLOOR PLAN
 1/8" = 1'-0"



2 LEVEL 20 FLOOR PLAN
 1/8" = 1'-0"

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53 QUEEN STREET MIXED USE RESIDENTIAL
 53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 21 + 22 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

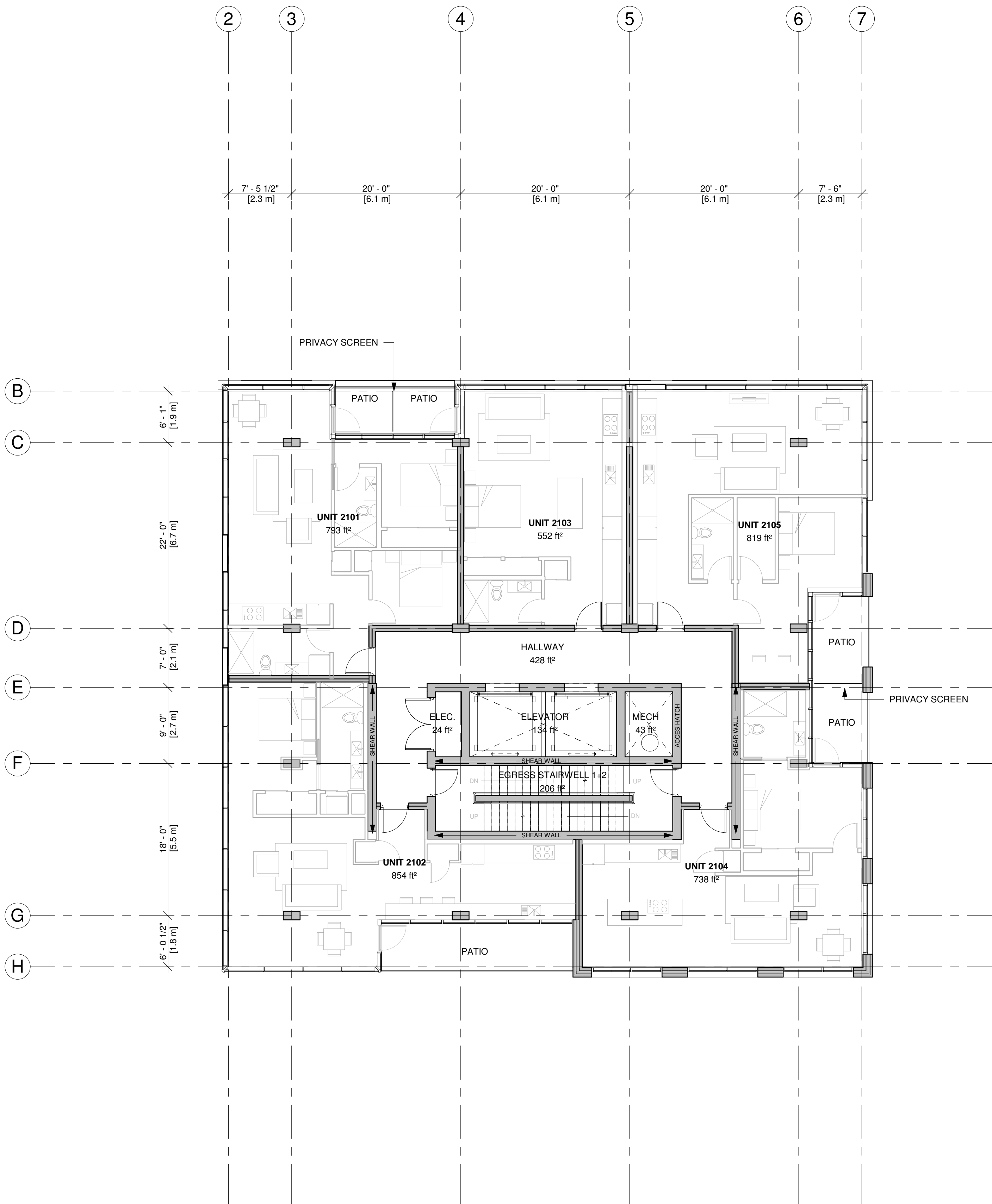
NOV. 30/2023

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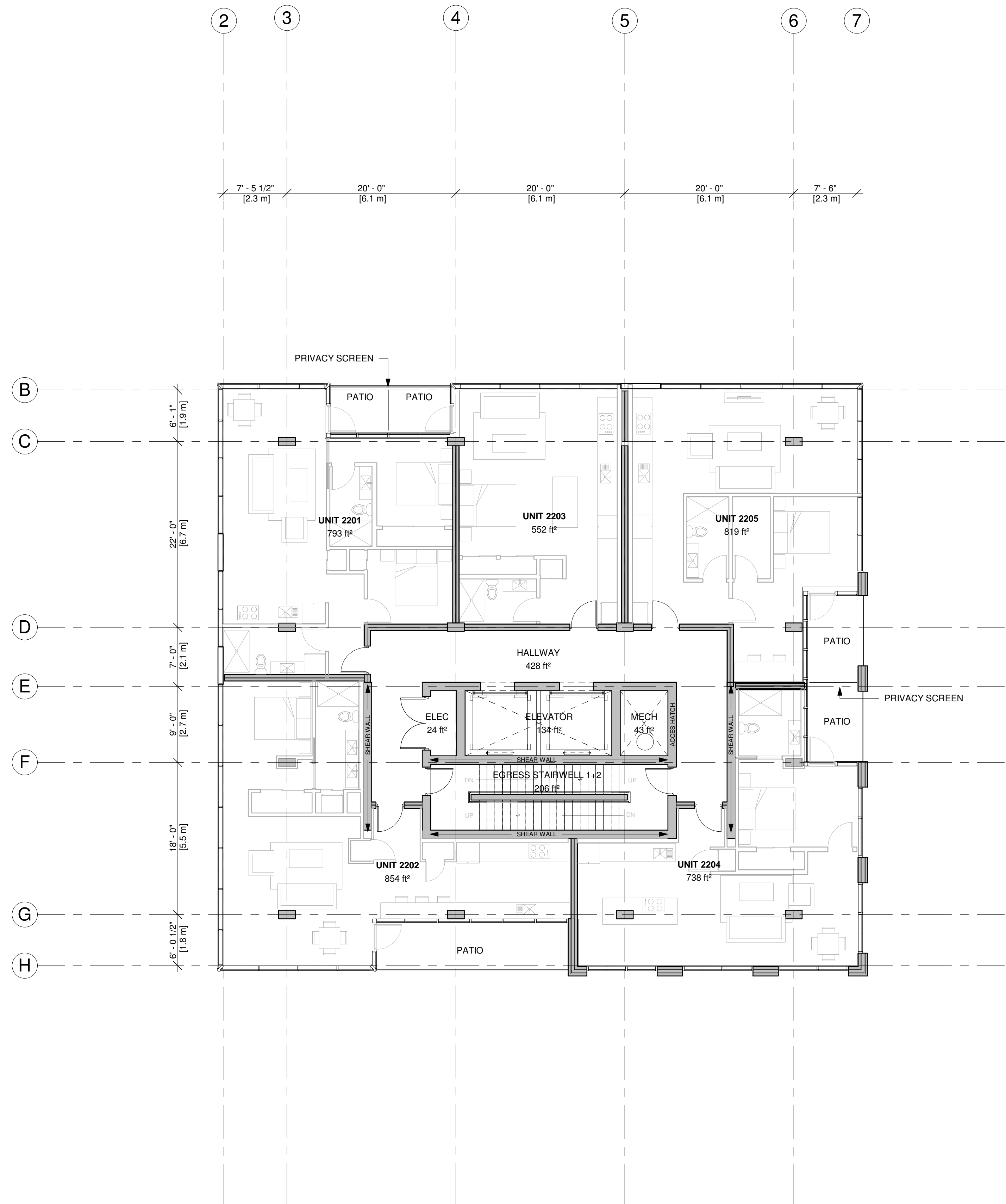
SCALE

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A137



1 LEVEL 21 FLOOR PLAN
 1/8" = 1'-0"



2 LEVEL 22 FLOOR PLAN
 1/8" = 1'-0"

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53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 23 + 24 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

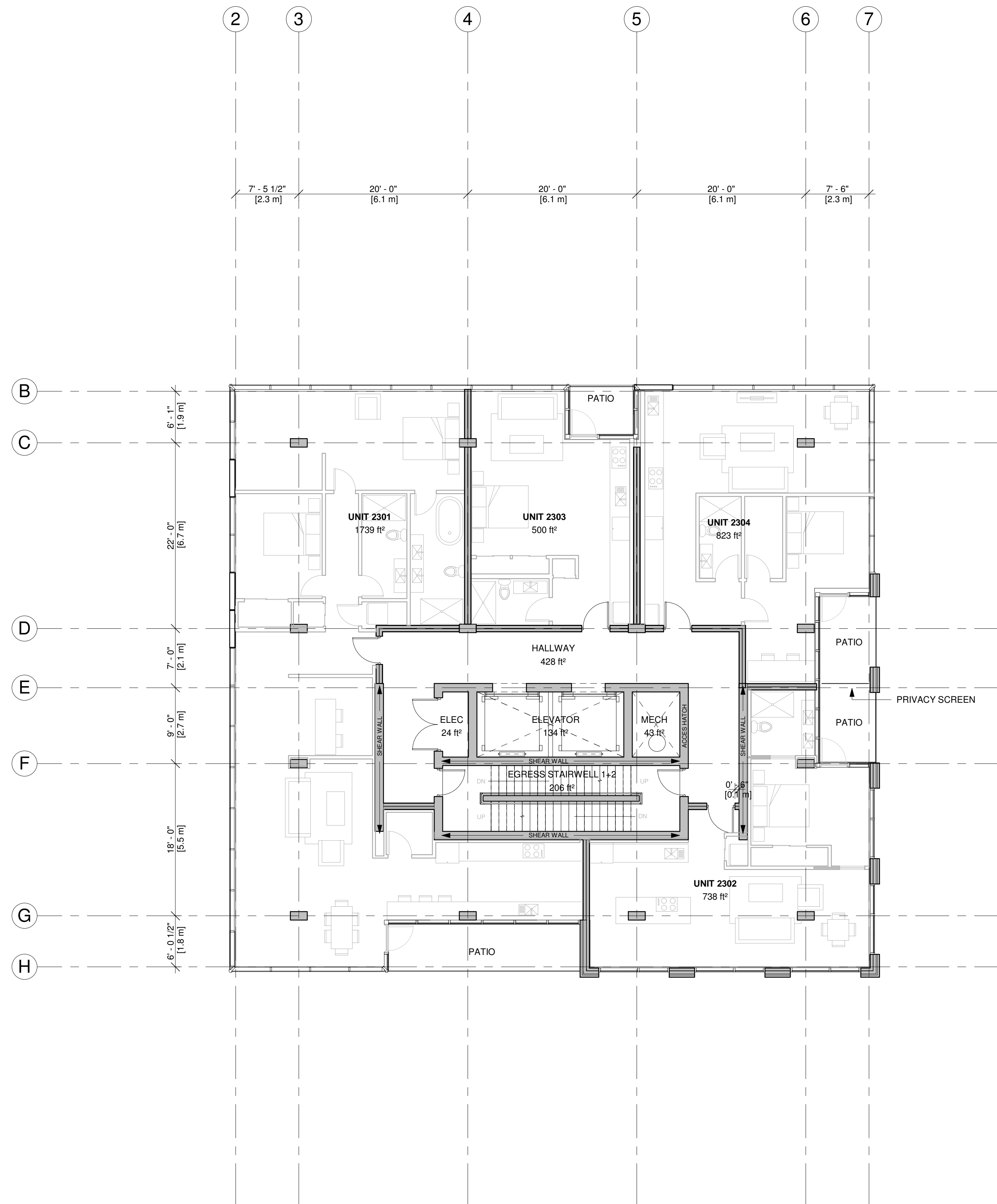
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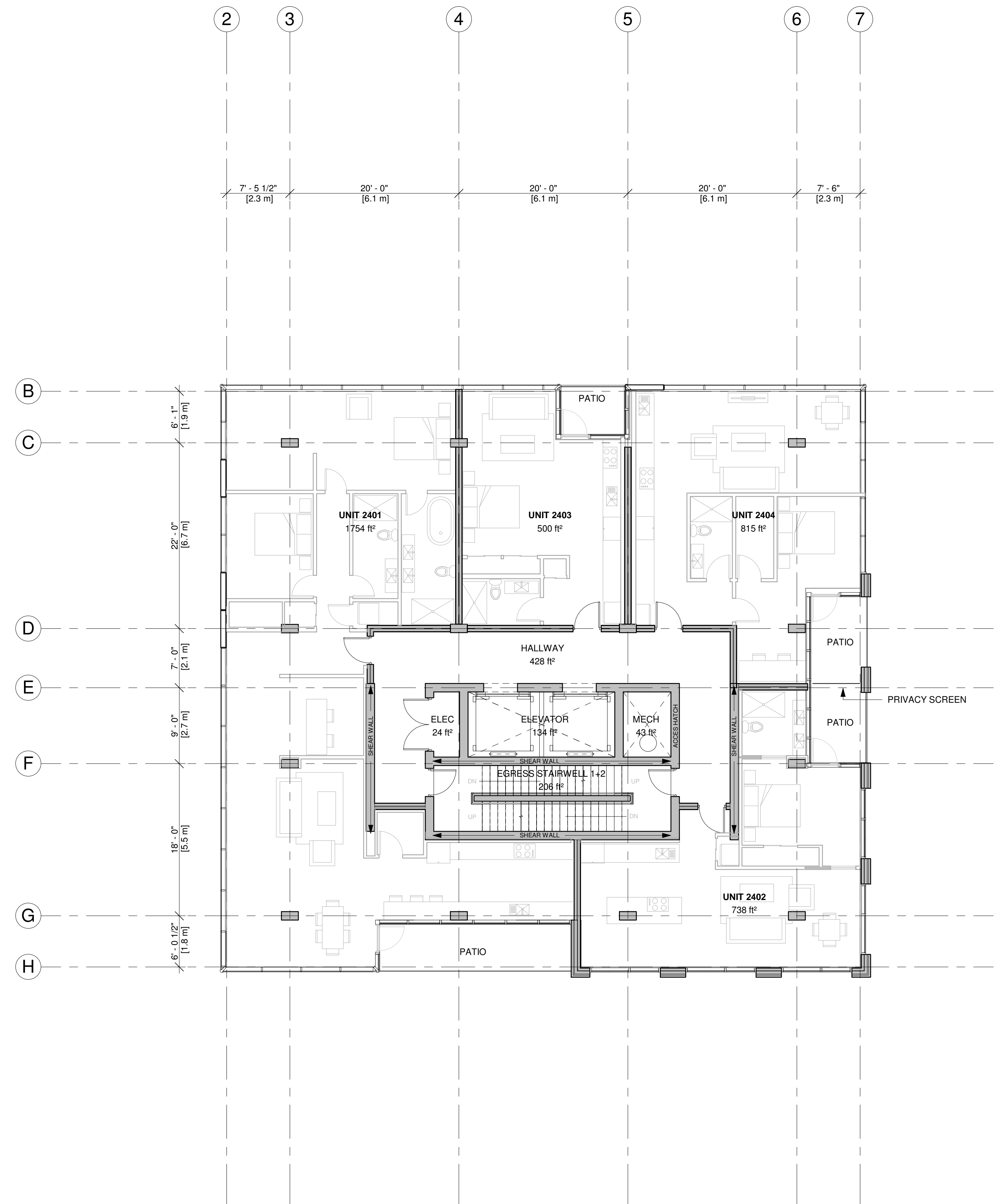
SCALE

AS NOTED

A138



1 LEVEL 23 FLOOR PLAN
 1/8" = 1'-0"



2 LEVEL 24 FLOOR PLAN
 1/8" = 1'-0"

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53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

LEVEL 25 + 26 FLOOR PLAN

DRAWN BY

RH/DF/CG

DATE

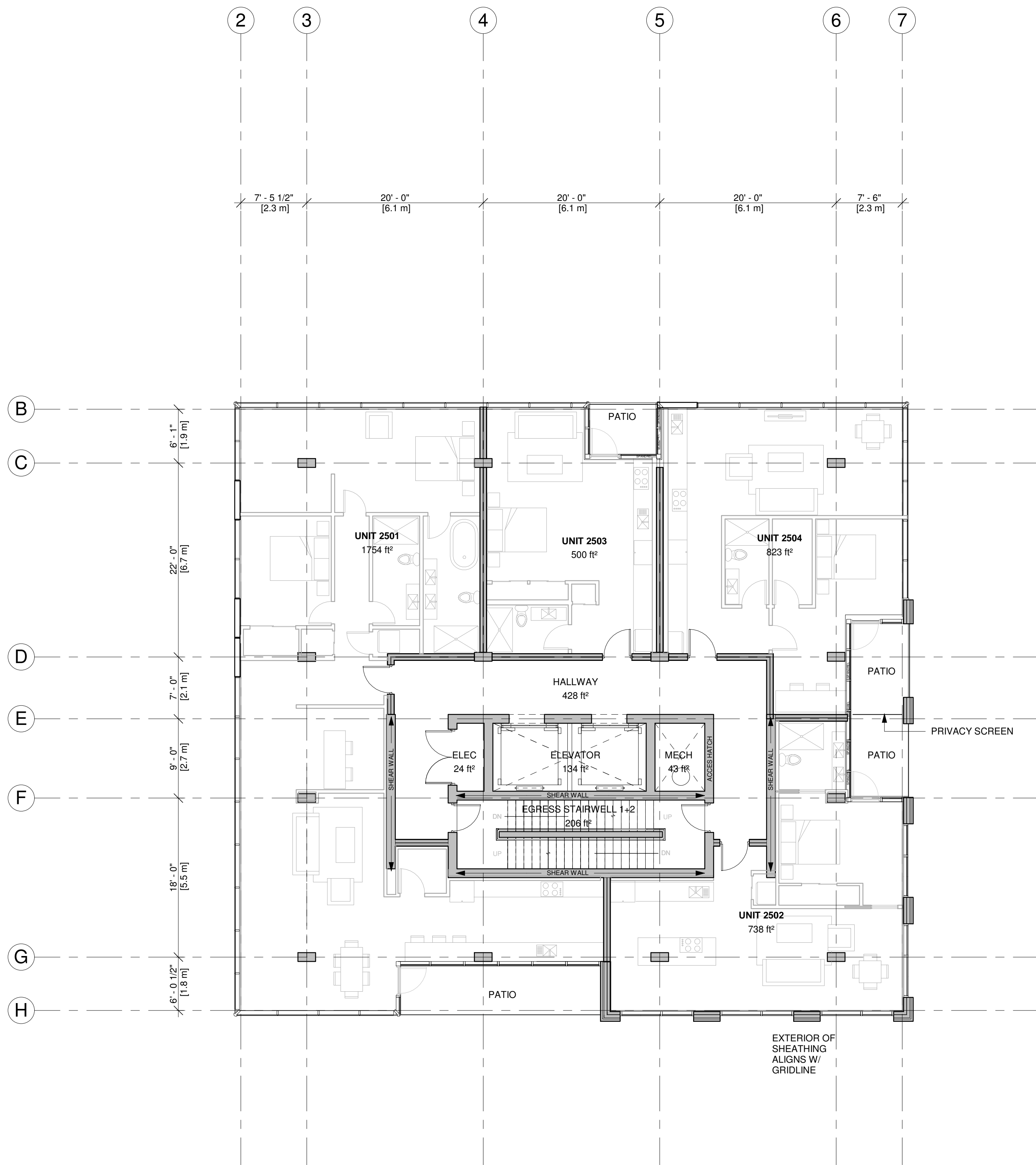
NOV. 30/2023

REVISION

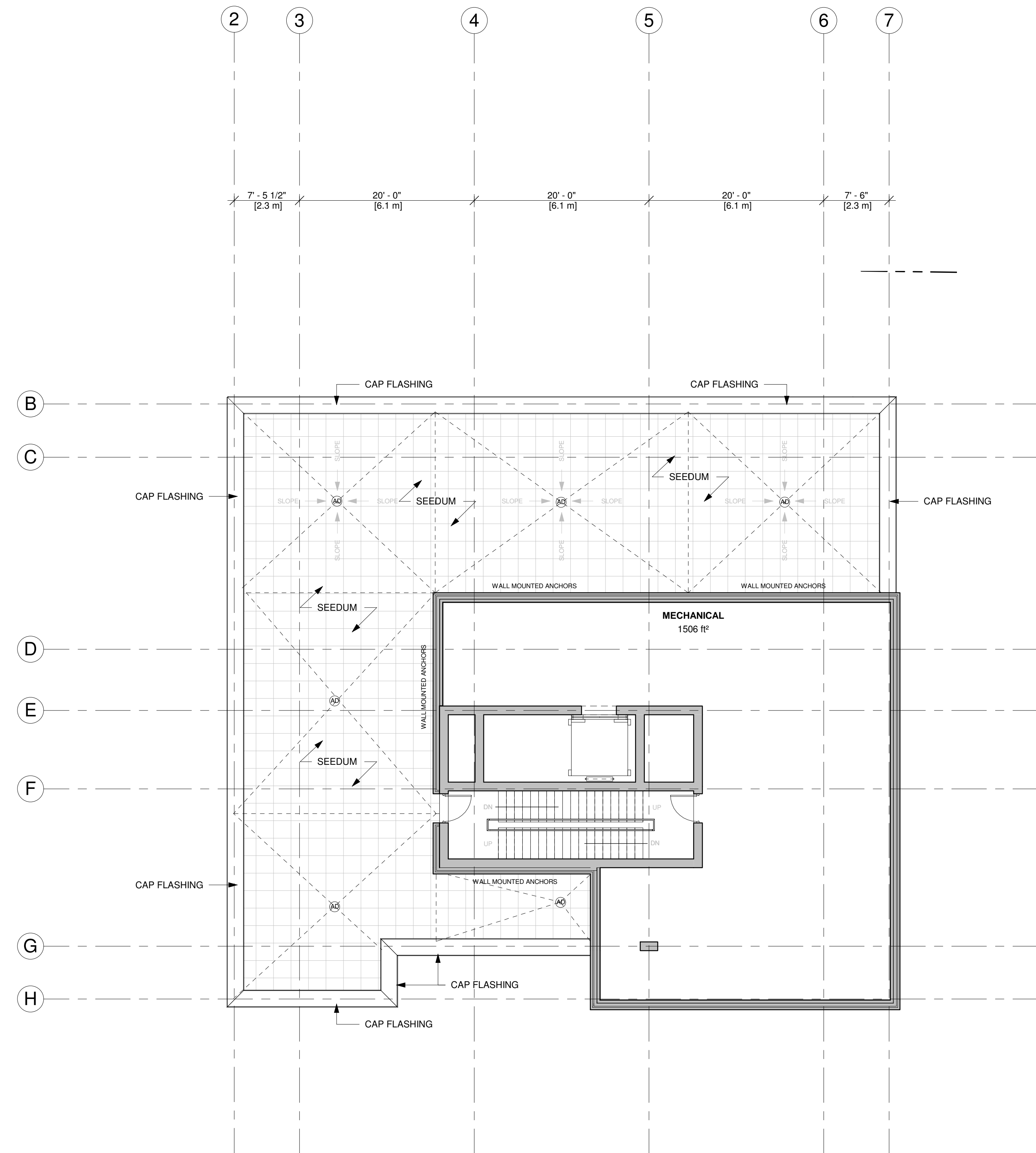
SCALE

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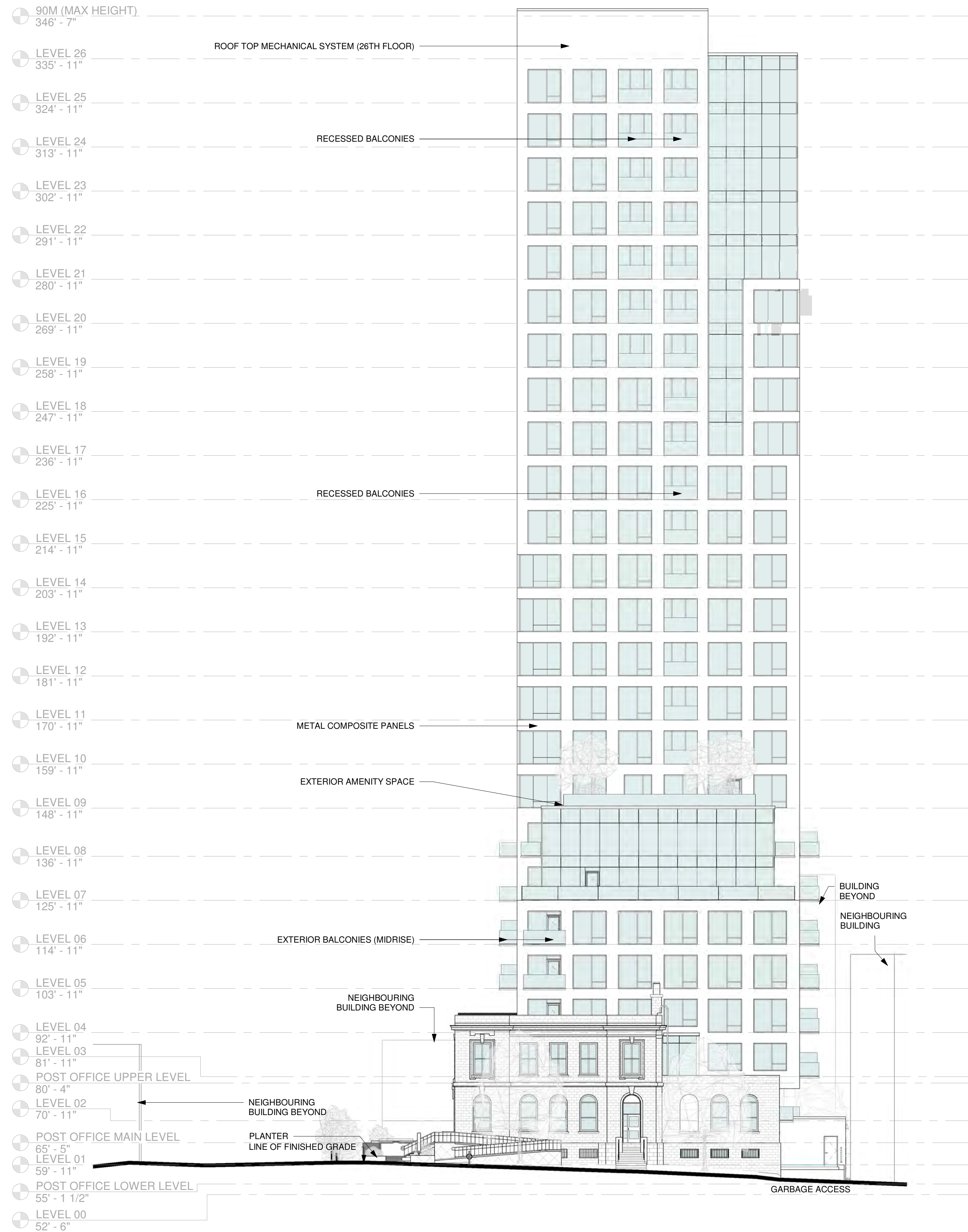
A139



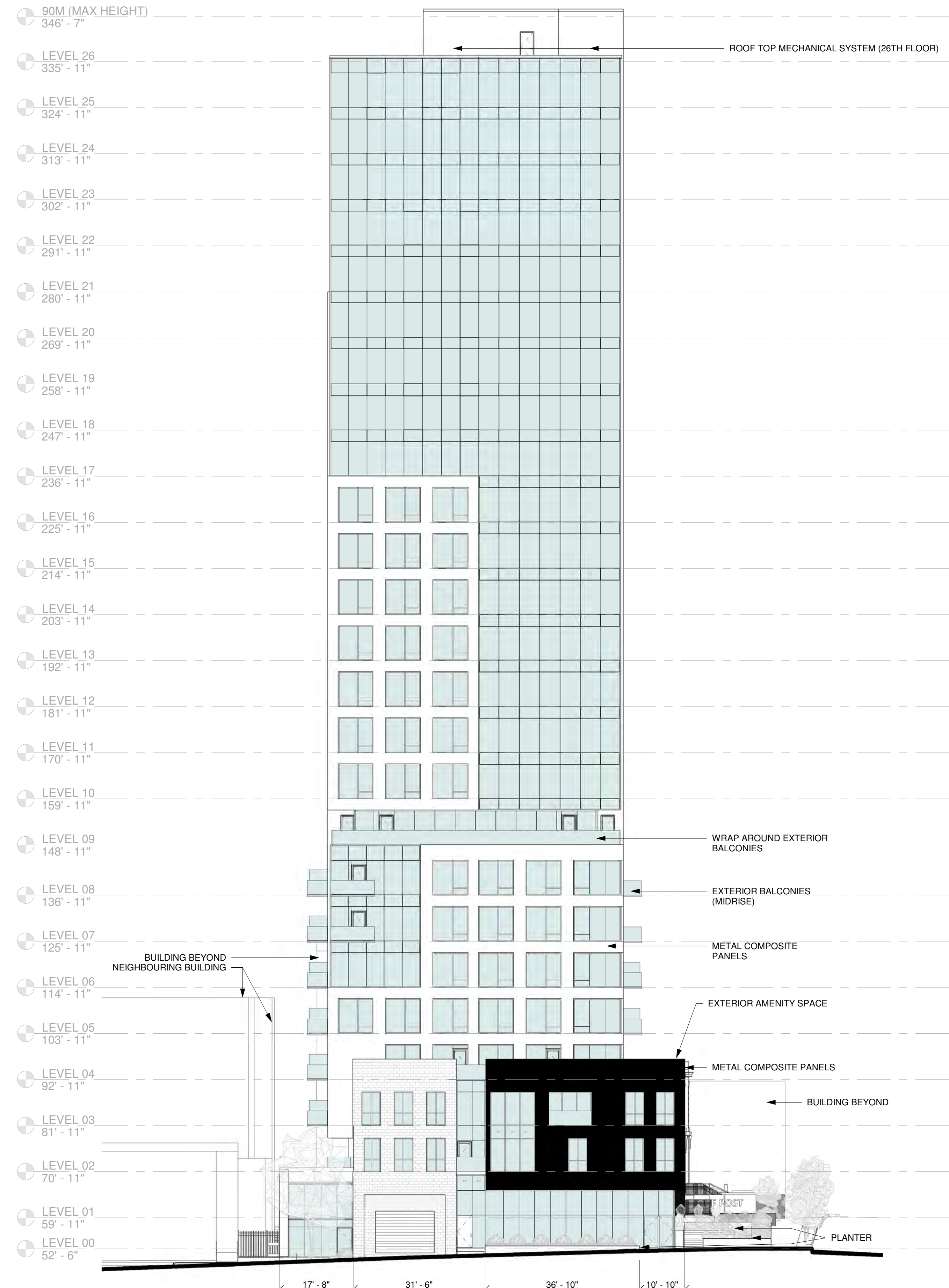
1 LEVEL 25 FLOOR PLAN
 1/8" = 1'-0"



2 LEVEL 26 FLOOR PLAN MECHANICAL
 1/8" = 1'-0"



3 NEW NORTH ELEVATION
1/16" = 1'-0"



4 NEW SOUTH ELEVATION
1/16" = 1'-0"

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53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
DARTMOUTH, NS

DRAWING TITLE

NEW NORTH/SOUTH ELEVATION

DRAWN BY

RH/DF/CG

DATE

NOV. 30/2023

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SCALE

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DRAWING NUMBER
A210

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PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL
 53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

NEW EAST ELEVATION

DRAWN BY

DRAWING NUMBER

DATE

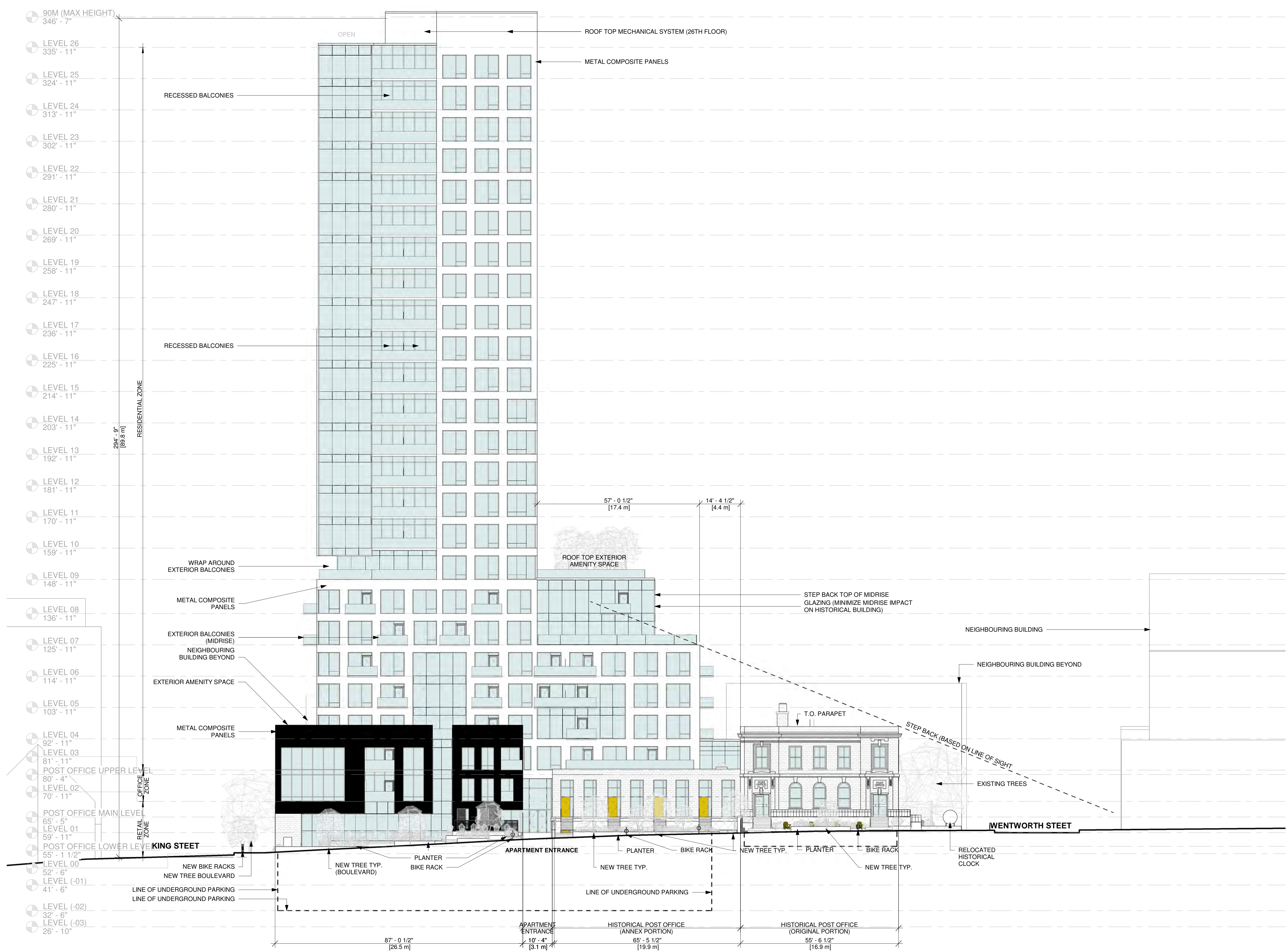
NOV. 30/2023

REVISION

A212

SCALE

AS NOTED



2 NEW EAST ELEVATION
 1/16" = 1'-0"

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PROJECT:

53 QUEEN STREET MIXED USE RESIDENTIAL

53 QUEEN ST.
 DARTMOUTH, NS

DRAWING TITLE

NEW WEST ELEVATION

DRAWN BY

RH/DF/CG

DATE

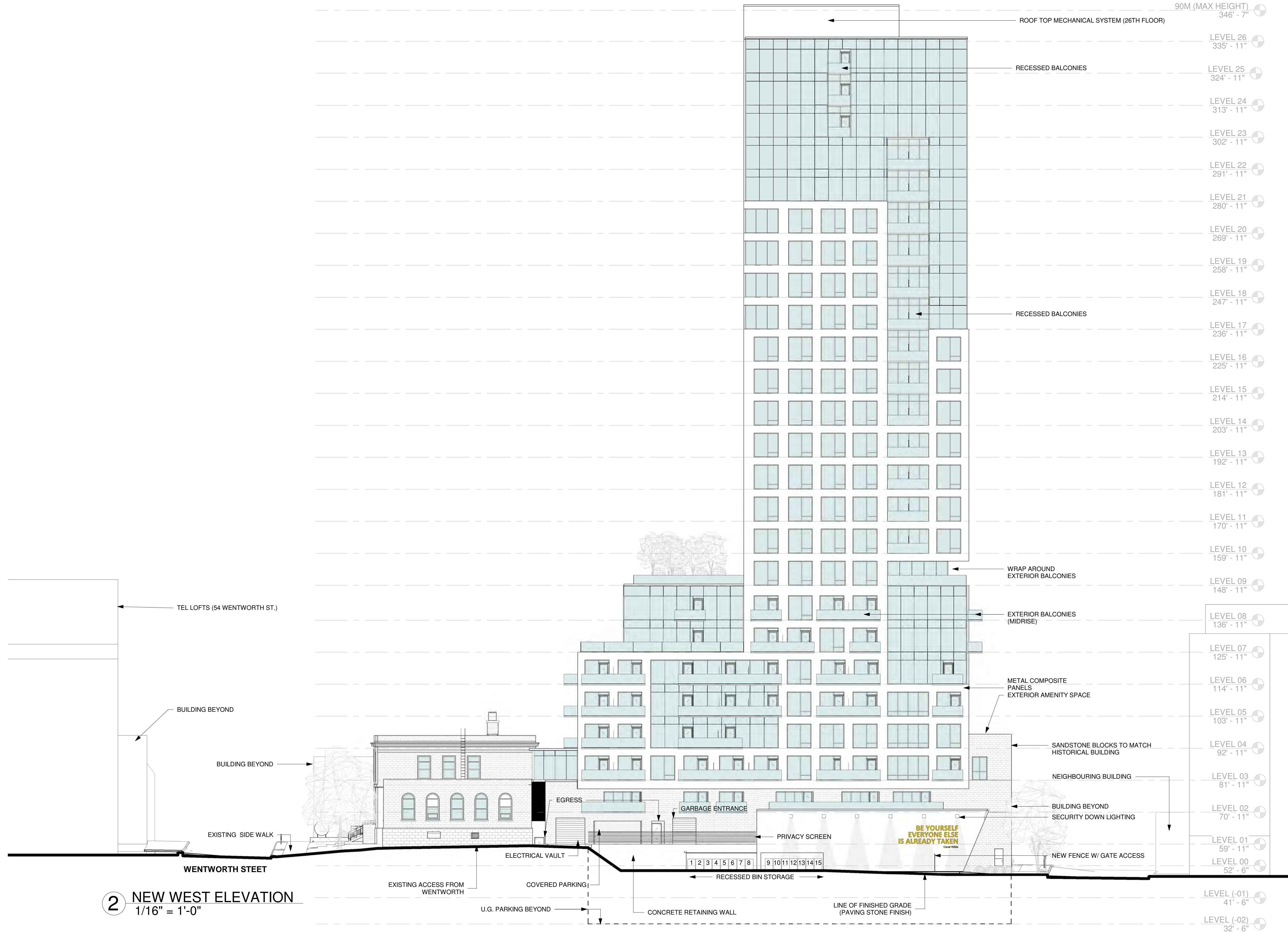
NOV. 30/2023

REVISION

SCALE

AS NOTED

A213



2 NEW WEST ELEVATION
 1/16" = 1'-0"

STAMP:

THIS ISSUE:

FOR DA
COORDINATION

PROJECT:

53 QUEEN ST

53 QUEEN ST,
DARTMOUTH, NS

DRAWING TITLE

LOWER FLOOR
PLAN

DRAWN BY

DF/CG

DATE

2023.12.20

REVISION

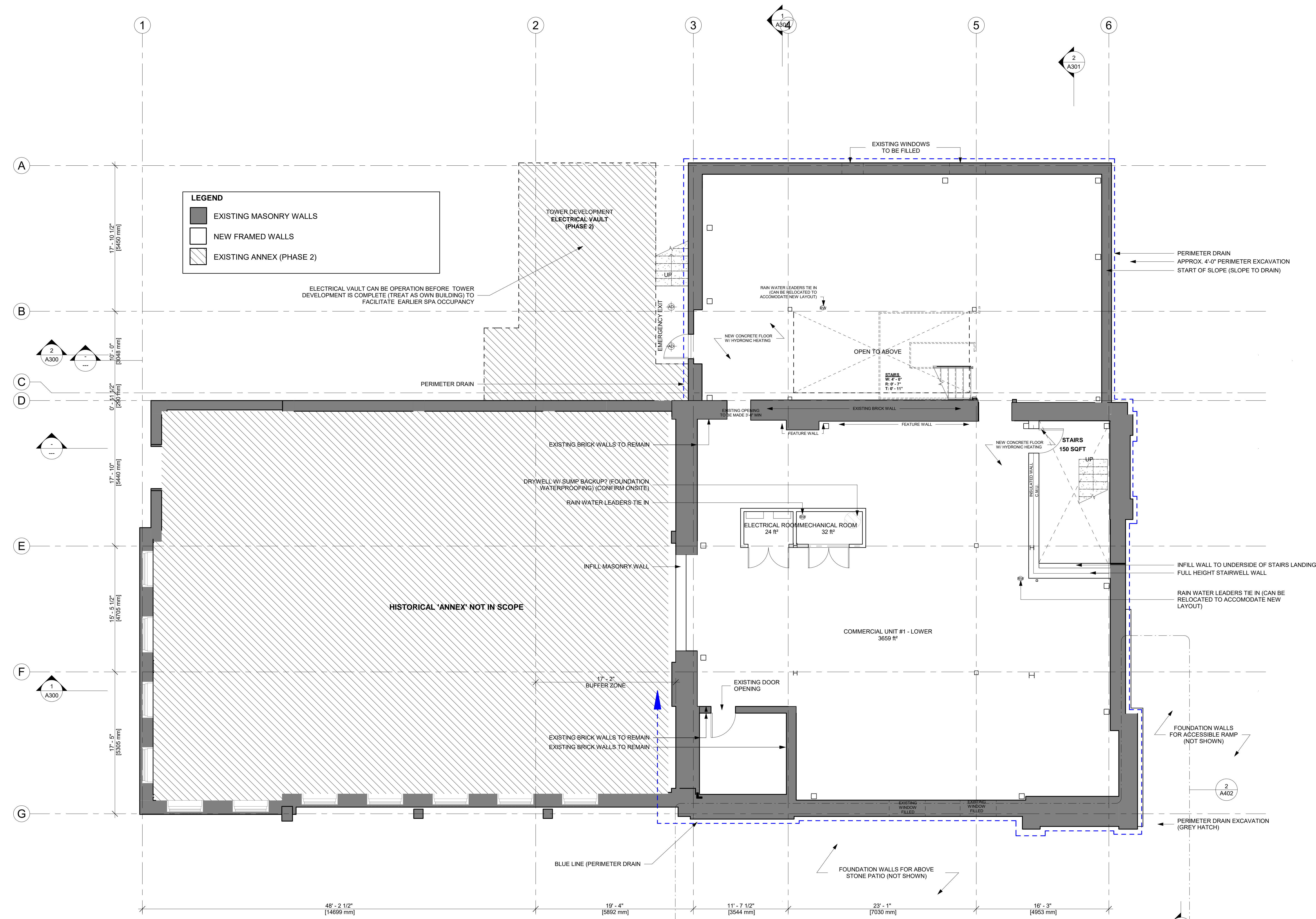
AS NOTED

SCALE

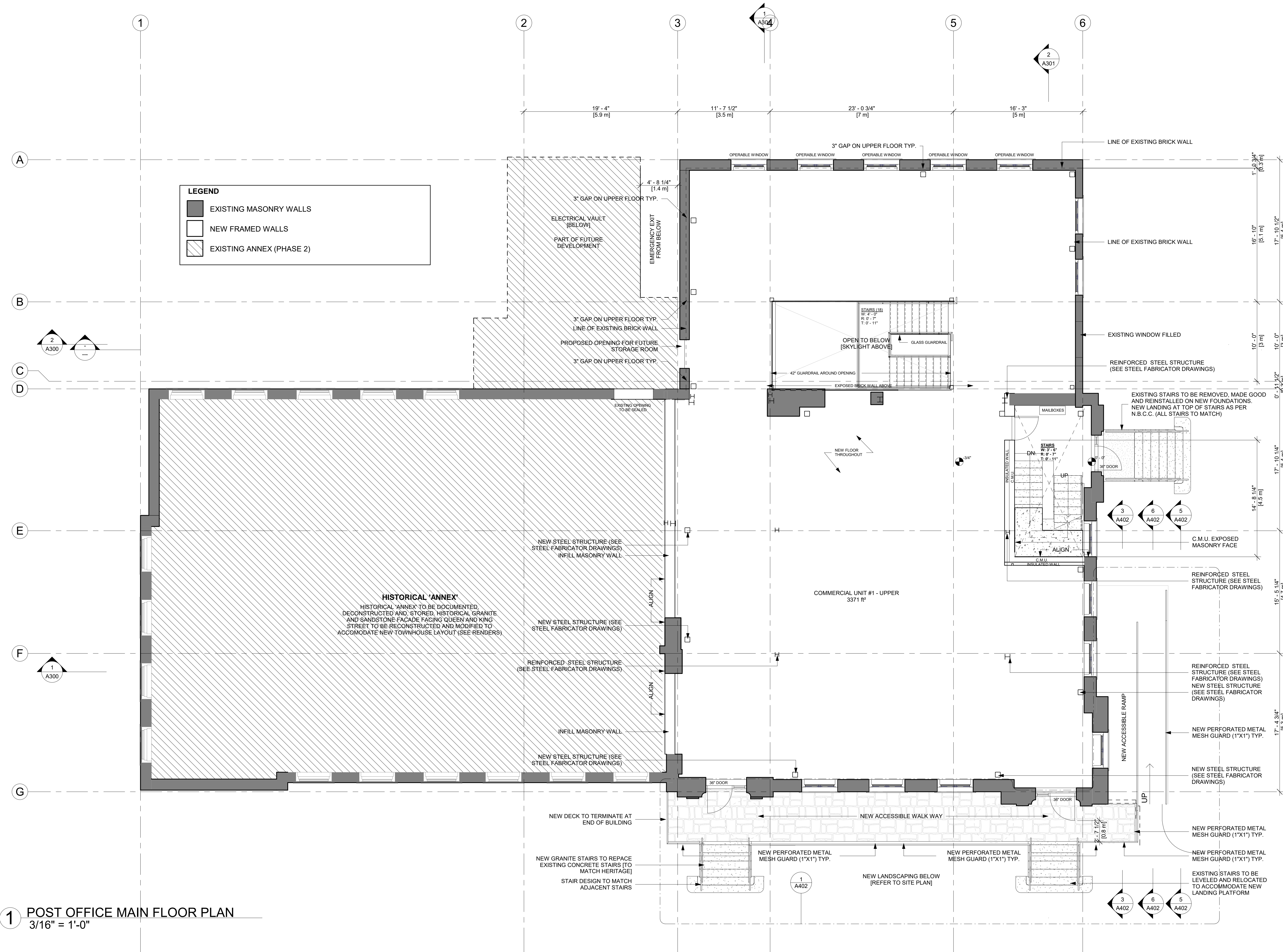
AS NOTED

DRAWING NUMBER

A111



1 POST OFFICE LOWER FLOOR PLAN
3/16" = 1'-0"



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PROJECT:
53 QUEEN ST
53 QUEEN ST,
DARTMOUTH, NS

DRAWING TITLE
MAIN FLOOR PLAN

DRAWN BY	DF/CG	DRAWING NUMBER	A112
DATE	2023.12.20	REVISION	
SCALE	AS NOTED		

1 POST OFFICE MAIN FLOOR PLAN
3/16" = 1'-0"

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FOR DA
COORDINATION

PROJECT:

53 QUEEN ST

53 QUEEN ST,
DARTMOUTH, NS

DRAWING TITLE

SECOND
FLOOR PLAN

DRAWN BY

DRAWING NUMBER

DF/CG

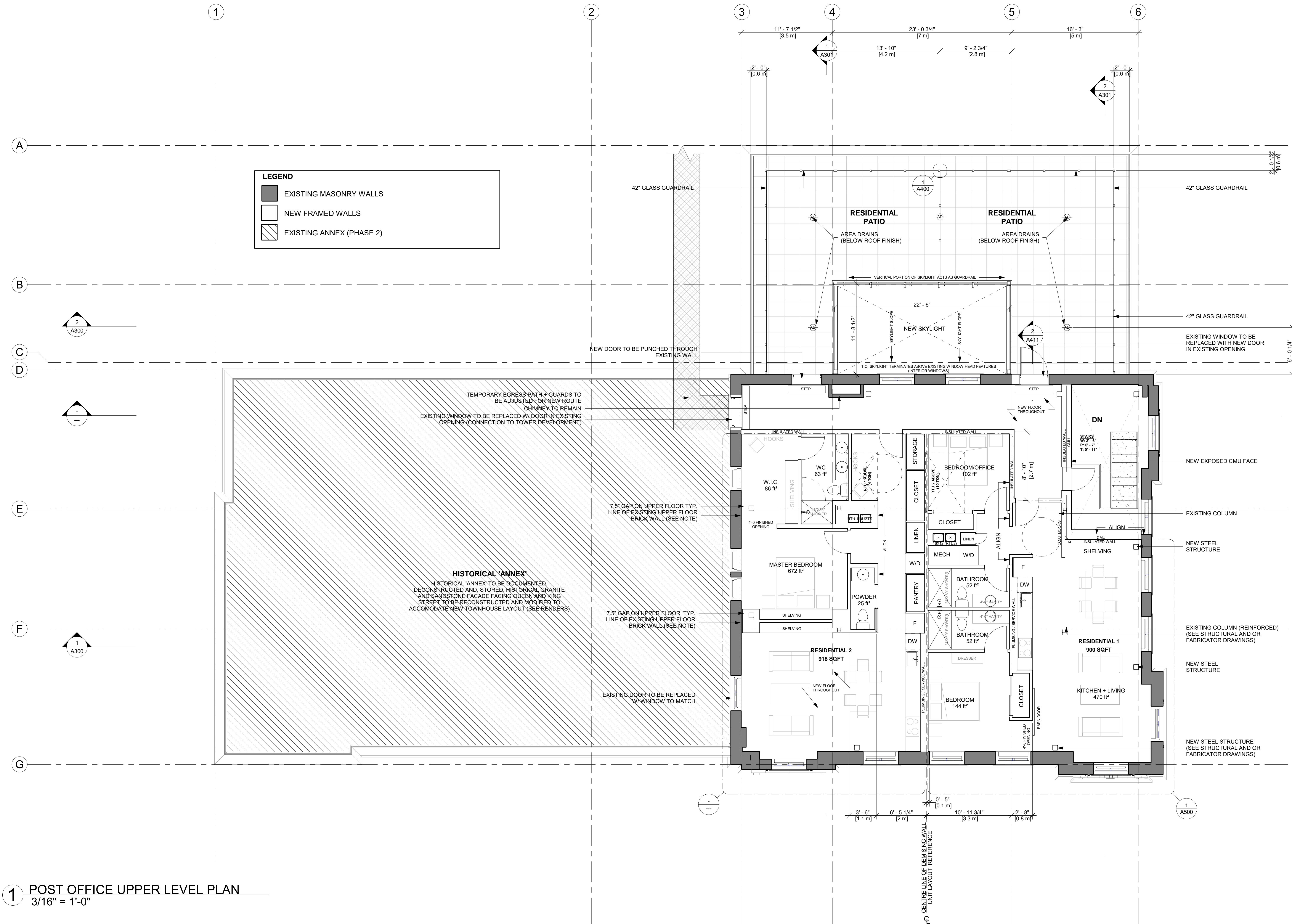
DATE

A113

REVISION

SCALE

AS NOTED



LEGEND

- EXISTING MASONRY WALLS
- NEW FRAMED WALLS
- EXISTING ANNEX (PHASE 2)

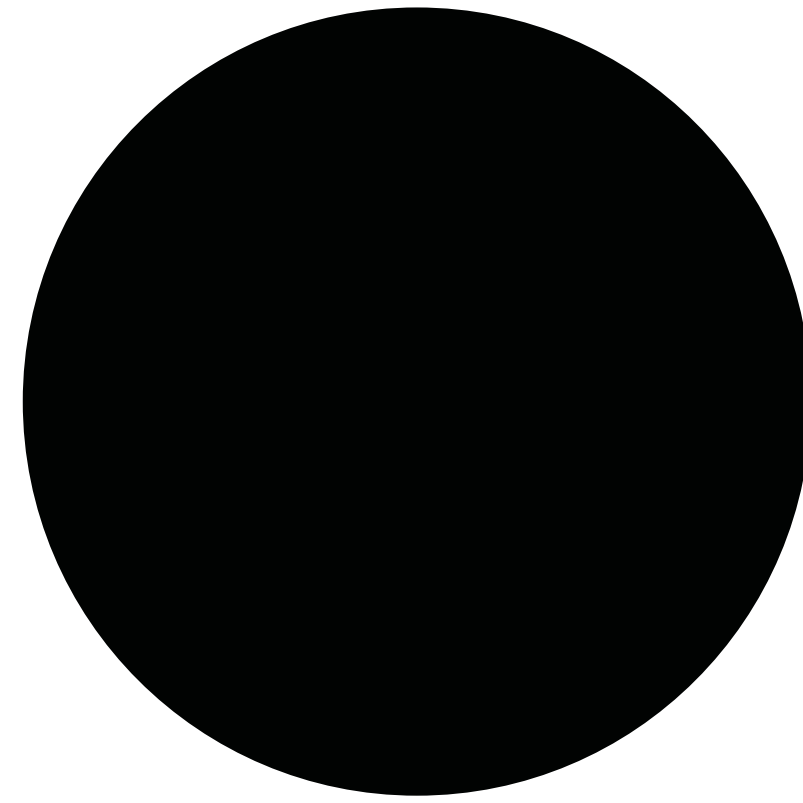
1 POST OFFICE UPPER LEVEL PLAN
3/16" = 1'-0"

53 Queen St - Material Palette

Exterior Cladding



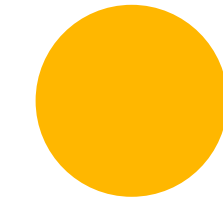
Metal Composite Panel
Alpolic PLP White or similar
Location: Residential tower



Metal Composite Panel
Alpolic TOB Black or similar
Location: Streetwall



Limestone Masonry
Similar to Historical
Location: Streetwall/Parking

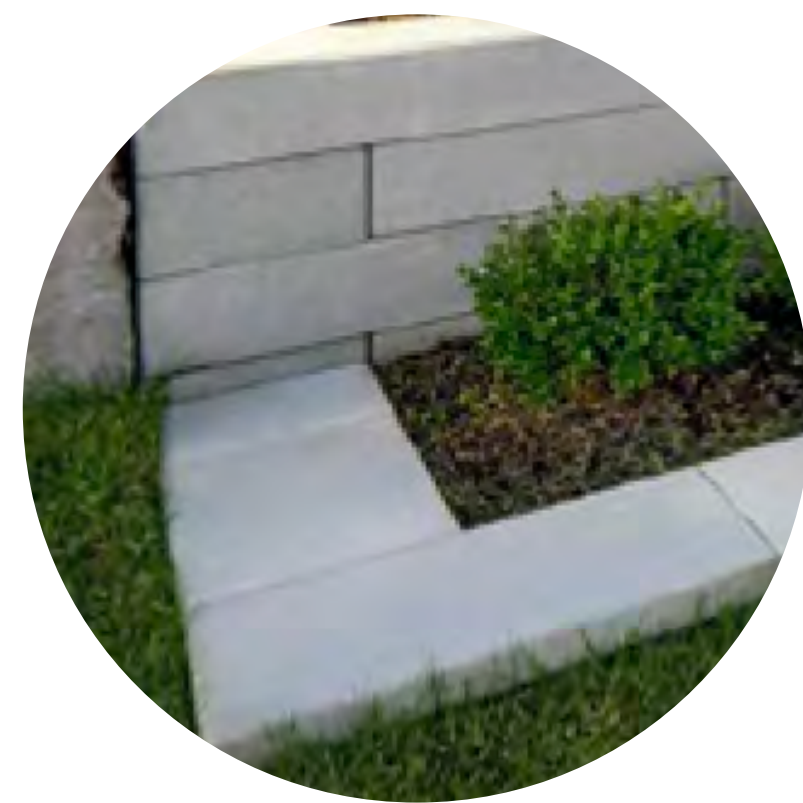


Paint colour
BM Golden Nugget or similar
Location: Townhouse doors

Landscaping



Ironbound Weathering Steel
Corten or similar
Location: Planters



Techo-Bloc Raffinato
Greyed Nickel (Smooth) or similar
Location: Planters



SGH Granite
Granite Block or similar
Location: Planters



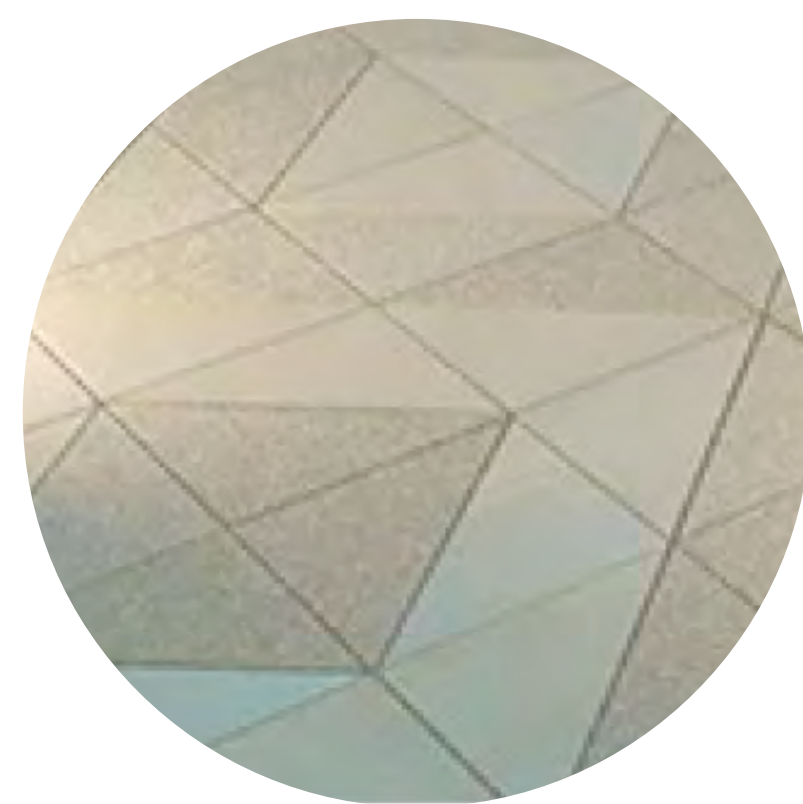
Azek Exteriors
Weathered Teak or similar
Location: Benches



Techo-Bloc Sleek
Greyed Nickel or similar
Location: Pavers (Public Plaza)



Techo-Bloc - Industria
Greyed Nickel or similar
Location: Pavers
(Apartment Entrance)



Techo-Bloc - Industria Triangle
Beige Cream, Chestnut Brown,
Shale Grey or similar
Location: Pavers (Public Plaza)



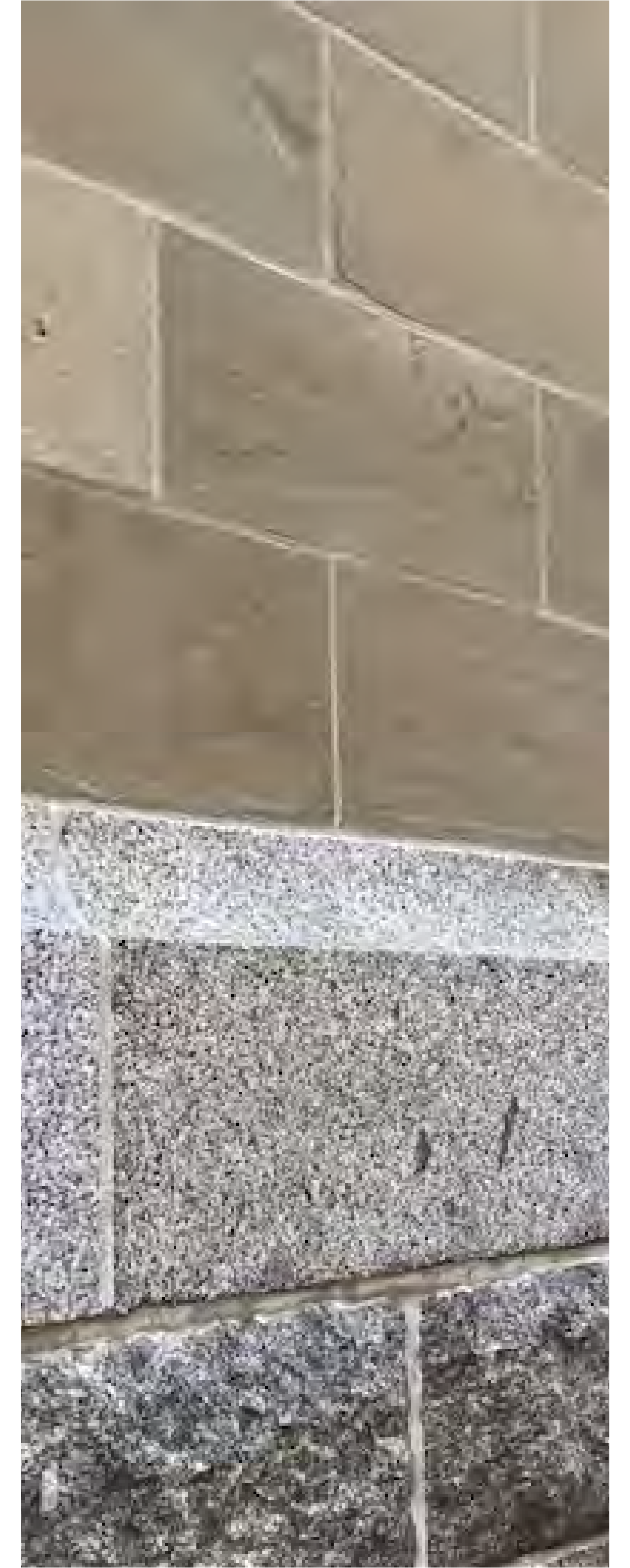
Techo-Bloc - Industria
Shale Grey or similar
Location: Pavers (Default)



Shaw Brick Classic Oldstone
Natural Charcoal or similar
Location: Pavers (Service Alley)



Shaw Brick Classic Oldstone
Red Charcoal or similar
Location: (HRM Furnishing)



Existing Historical Masonry
Sandstone and Granite

Schedule C: Heritage Building Summary

53 Queen Street, Dartmouth (1914-1917)



Character Defining Elements:

- Edwardian Baroque architectural style designed by John Ewart, Chief Architect of the Department of Public Works (1897-1914), including:
 - Cornice line that wraps the original building;
 - 5-bay symmetrical façade with large voussoirs;
 - Large window sills;
 - Brick string course that separates the building's base from the upper storey;
 - Sandstone "POST OFFICE" signage above inflated keystones;
 - Moulded lintels and brackets above the entryways; and
 - Masonry granite foundation.
- Architectural importance as a unique example of an Edwardian Baroque civic building constructed of sandstone.

Heritage Value:

The property at 53 Queen Street was added to the Registry of Heritage Properties for the Halifax Regional Municipality in 2020. 53 Queen Street contains the two-storey Dartmouth Post Office. The original sandstone brick post office was designed in the Edwardian baroque style by John Ewart and constructed between 1914 to 1917. An addition was added near Queen Street and King Street in 1941 and was eventually replaced by a larger addition in 1961. The building also contains an addition along Wentworth Street (between late 1930s and 1960). John Ewart was the Chief Architect of the Department of Public Works from 1897 to 1914. As the chief government architect, he designed more than 340 government buildings across Canada, including the Dominion Observatory (1902) and Royal Canadian Mint (1908).

The Dartmouth Post Office is reflective of the Baroque architectural style, which was a popular design template for civic buildings during the Edwardian Era (late 1890s and 1910s). The style relied on balanced designs, symmetry, simple rooflines and uncomplicated, yet decorative mouldings, which are evident in the Dartmouth Post Office. The building also incorporates some Classical and Beaux-Arts elements, which is a common feature of Baroque civic buildings from this era. The granite blocks and sandstone brick from Cumberland County are used throughout the building.

The Dartmouth Post Office serves as a landmark with significant historical and civic value to the Downtown Dartmouth area.



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53 QUEEN ST,
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DRAWING TITLE

RENDER VIEW

DRAWN BY	RH/DF/CG	DRAWING NUMBER	A1000
DATE	NOV. 27/2023		
REVISION			
SCALE	AS NOTED		



PUBLIC PLAZA- VIEW FROM KING AND QUEEN ST

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RENDER VIEW

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PUBLIC PLAZA- VIEW FROM KING ST

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RENDER VIEW

DRAWN BY	DRAWING NUMBER
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APARTMENT ENTRANCE- ACTIVATING THE PUBLIC PLAZA

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RENDER VIEW

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PUBLIC PLAZA- VIEW FROM QUEEN AND WENTWORTH

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RENDER VIEW

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DATE	NOV. 27/2023		
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RESPECTING THE HISTORICAL- VIEW FROM QUEEN AND WENTWORTH



VIEW FROM OCHTERLONEY AND KING

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AD

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VIEW FROM PORTLAND AND KING

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RENDER VIEW

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VIEW FROM QUEEN AND WENTWORTH

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RENDER VIEW

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LIVING ON THE STREET- QUEEN ST TOWNHOUSES

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VILLAGE SCALE- VIEW FROM KING AND OCHTERLONEY

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RENDER VIEW

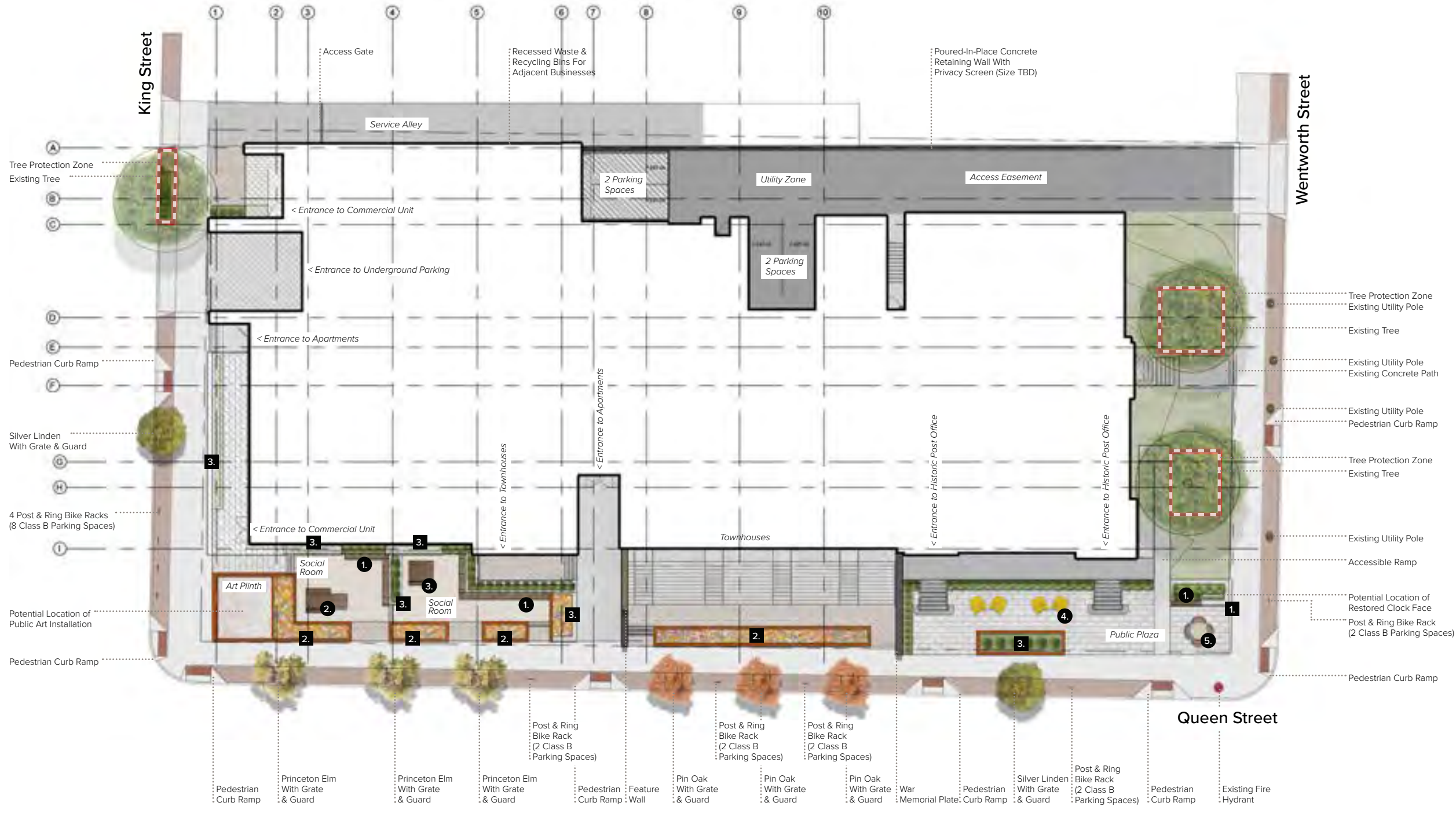
DRAWN BY	DRAWING NUMBER
RH/DF/CG	A1010
DATE	NOV. 27/2023
REVISION	
SCALE	AS NOTED



RESPECTING THE POST OFFICE- ACTIVATING THE PUBLIC PLAZA

Schedule E - Landscape Plan

53 QUEEN STREET DRAFT LANDSCAPE PLAN



Hardscape

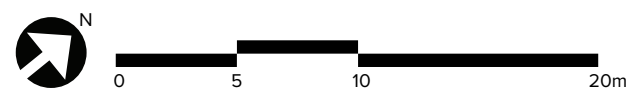
- Paving Treatment 1: Public Plaza
Light grey large format unit pavers
- Paving Treatment 2: Default
Brownish grey small format unit pavers
- Paving Treatment 3: Social Room
Various colours specialty format unit pavers
- Paving Treatment 4: Apartment Entrance
Light grey linear format unit pavers
- Paving Treatment 5: HRM Furnishing Zone
Red small format unit pavers
- Paving Treatment 7: Service Alley
Dark grey small format unit pavers
- Paving Treatment 6: Utility Zone
Asphalt
- Paving Treatment 8: Sidewalk Through-Zone
Brushed concrete

Planter Materials

- 1.** Granite Block
- 2.** Weathering Steel
- 3.** Concrete Unit Block

Site Furnishings

- 1.** Wall Mount Bench
- 2.** Long Table Set
- 3.** Short Table Set
- 4.** Permanent Armchairs
- 5.** Movable Cafe Seating



December 2023

UPLAND

53 QUEEN STREET

DRAFT LANDSCAPE PALETTE

EXAMPLE PAVERS

Public Plaza

Brand: Techo-Bloc
 Product: Sleek
 Finish: Smooth
 Pattern: Linear
 Colour: Greyed Nickel



Default

Brand: Techo-Bloc
 Product: Industria
 Finish: Smooth, Granitex
 Colours: Shale Grey



Social Room

Brand: Techo-Bloc
 Product: Industria Triangle
 Finish: Smooth, Granitex
 Pattern: Various
 Colours: Beige Cream, Chestnut Brown, Shale Grey



Apartment Entrance

Brand: Techo-Bloc
 Product: Industria
 Finish: Granitex
 Pattern: Linear
 Colour: Greyed Nickel



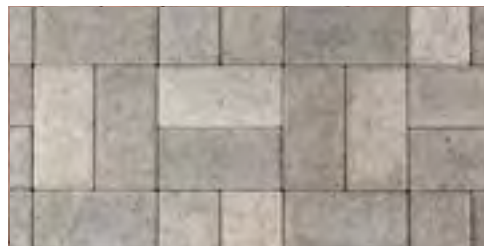
HRM Furnishing Zone

Brand: Shaw Brick
 Product: Classic Oldstone
 Colour: Red Charcoal

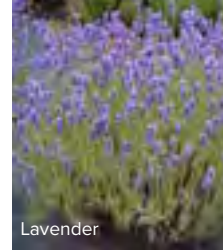


Service Alley

Brand: Shaw Brick
 Product: Classic Oldstone
 Colour: Natural Charcoal



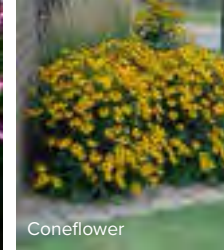
PLANT SELECTIONS



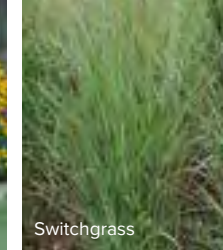
Lavender



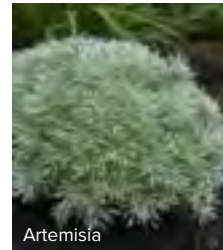
Coneflower



Coneflower



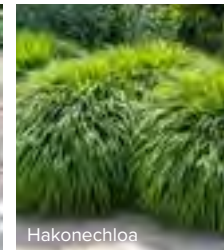
Switchgrass



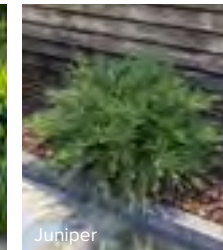
Artemisia



Barberry



Hakonechloa



Juniper

EXAMPLE PLANTERS

Concrete Unit Block

Brand: Techo-Bloc
 Product: Raffinato Commercial
 Finish: Smooth
 Colour: Greyed Nickel



Granite Block

Potential Supplier: SGH Granite

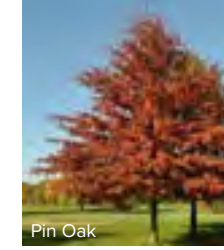


Weathering Steel

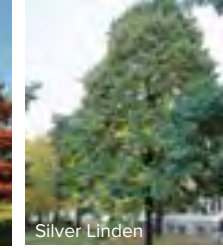
Brand: Streetlife
 Product: Drifter Tree Isles
 Finish: Corten



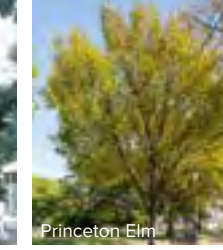
TREE SELECTIONS



Pin Oak



Silver Linden



Princeton Elm

EXAMPLE FURNITURE

Table Sets

Brand: Streetlife
 Product: Solid Picnic Sets
 Finish: Hardwood, Weathering Steel



Wall-Mount Bench

Brand: Streetlife
 Product: Cliffhanger Park Benches
 Finish: Hardwood, Weathering Steel



Permanent Armchair

Brand: Vestre
 Product: Bloc
 Finish: Kebony Clear, Powder Coated Steel



Movable Cafe Seating

Brand: Vestre
 Product: April GO
 Finish: Kebony Clear, Powder Coated Steel



Attachment B: Planning Policy Review

The following document reviews the policies which apply to Case 24619: Application for a Heritage Development Agreement for a 90m mixed-use addition at 53 Queen Street, Dartmouth.

The applicable policies which have been reviewed include:

- Applicable *Regional Plan* Culture and Heritage Policies
- Applicable policies of the *Regional Centre Secondary Municipal Planning Strategy*
- The *Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd Ed.*

Regional Municipal Planning Strategy

CHAPTER 7: CULTURAL AND HERITAGE RESOURCES	
7.3 Protection of Heritage Resources	
Policy	Staff Comment
<p>CH-5 <i>HRM shall consider the retention, preservation, rehabilitation and restoration of those buildings, public building interiors, streetscapes, cultural landscapes, areas and districts of historic, architectural or cultural value in both urban and rural areas and encourage their continued use.</i></p>	<p>The proposed development involves the rehabilitation of registered heritage building at 53 Queen Street, Dartmouth (Dartmouth Post Office) for a mixed-use development.</p>
7.4 Development Abutting Registered Heritage Properties	
Policy	Staff Comment
<p>CH-16 <i>For lands abutting federally, provincially or municipally registered heritage properties, HRM shall, when reviewing applications for development agreements, rezonings and amendments pursuant to secondary planning strategies, or when reviewing the provision of utilities for said lands, consider a range of design solutions and architectural expressions that are compatible with the abutting federally, provincially or municipally registered heritage properties by considering the following:</i></p> <p>a) <i>the careful use of materials, colour, proportion, and rhythm established by surface and structural elements should reinforce those same aspects of the existing buildings;</i></p>	<p>a) The proposed development will incorporate compatible building materials, such as limestone masonry, to complement the existing heritage resource. The fourth storey setback on the new construction is consistent with the cornice line of the heritage resource. The front setback is also consistent with the heritage resource and provides a continuous open space.</p> <p>b) See below review of Standard 11 from the <i>Standards and Guidelines for the</i></p>

<p>b) <i>ensuring that new development is visually compatible with yet distinguishable from the abutting registered heritage property. To accomplish this, an appropriate balance must be struck between mere imitation of the abutting building and pointed contrast, thus complementing the abutting registered heritage property in a manner that respects its heritage value;</i></p> <p>c) <i>ensuring that new developments respect the building scale, massing, proportions, profile and building character of abutting federally, provincially or municipally registered heritage structures by ensuring that they:</i></p> <p>i) <i>incorporate fine-scaled architectural detailing and human-scaled building elements.</i></p> <p>ii) <i>reinforce the structural rhythm (i.e., expression of floor lines, structural bays, etc.) of abutting federally, provincially or municipally registered heritage properties; and</i></p> <p>iii) <i>any additional building height proposed above the pedestrian realm mitigate its impact upon the pedestrian realm and abutting registered heritage properties by incorporating design solutions, such as stepbacks from the street wall and abutting registered heritage properties, modulation of building massing, and other methods of massing articulation using horizontal or vertical recesses or projections, datum lines, and changes in material, texture or colour to help reduce its apparent scale;</i></p>	<p><i>Conservation of Historic Places in Canada, 2nd Ed.</i></p> <p>c)</p> <p>(i) The new addition setbacks and podium design and materiality provide architectural detailing to assist in creating a human-scaled built environment. The consistent open space and hardscaping along the Queen Street frontage will create a detailed and pedestrian-oriented environment.</p> <p>(ii) Structural rhythm and bays are reinforced through the cornice lines of the new addition.</p> <p>(iii) The mid-rise and tower portions of the new addition have incorporated setbacks from both the street wall and heritage resource. The podium is broken up through glazing and material changes.</p>
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<p>d) <i>the siting of new developments such that their footprints respect the existing development pattern by:</i></p> <p>i) <i>physically orienting new structures to the street in a similar fashion to existing federally, provincially or municipally registered heritage structures to preserve a consistent street wall; and</i></p> <p>ii) <i>respecting the existing front and side yard setbacks of the street or heritage conservation district including permitting exceptions to the front yard requirements of the applicable land use by-laws where existing front yard requirements would detract from the heritage values of the streetscape;</i></p> <p>e) <i>not unreasonably creating shadowing effects on public spaces and heritage resources;</i></p> <p>f) <i>complementing historic fabric and open space qualities of the existing streetscape;</i></p> <p>g) <i>minimizing the loss of landscaped open space;</i></p> <p>h) <i>ensuring that parking facilities (surface lots, residential garages, stand-alone parking and parking components as part of larger developments) are compatible with abutting federally, provincially or municipally registered heritage structures;</i></p> <p>i) <i>placing utility equipment and devices such as metering equipment, transformer boxes, power lines, and conduit equipment boxes in locations which do not detract from the visual building character or architectural integrity of the heritage resource;</i></p> <p>j) <i>having the proposal meet the heritage considerations of the appropriate Secondary Planning Strategy, as well</i></p>	<p>d) (i) A consistent street wall has been developed through the new additions setback from the street, which is consistent with the heritage resource.</p> <p>(ii) The new addition has a consistent front yard setback from the heritage resource.</p> <p>e) Shadow Impact Assessment is not required for this proposal.</p> <p>f) The existing open space along Queen Street will be retained and activated with pedestrian-oriented design elements and accessibility improvements.</p> <p>g) The applicant has provided a landscape plan. No loss of landscaped open space is proposed; the existing open space will be improved upon through the proposal.</p> <p>h) The parking facilities planned will be accessed via King Street and will not impact the pedestrian-oriented open space along Queen Street. It is located farthest away from the heritage resource.</p> <p>i) Details concerning utilities will be addressed within the development agreement so as to mitigate any adverse impacts on the heritage property.</p>
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<p><i>as any applicable urban design guidelines; and</i></p> <p>k) <i>any applicable matter as set out in Policy G-14 of this Plan.</i></p>	<p>j) Proposal has been reviewed under the Regional Centre SMPS.</p> <p>k) N/A.</p>
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Regional Centre SMPS

Policy	Comments
2.3 Downtown Designation	
<p>Policy D-1 The Land Use By-law shall establish two (2) zones that apply to lands within the Downtown Designation, except for the Cogswell Lands (CL) Precinct shown on Map 2, with the intent to reinforce economic growth and support local and regional residents, visitors, businesses, and government agencies, and support unique built form and urban design regulations in those areas. The zones shall permit a wide range of land uses, including residential, commercial, institutional, cultural, park and community facility, and urban agricultural uses. The zones are detailed as follows:</p> <ul style="list-style-type: none"> A) The Downtown Dartmouth (DD) Zone shall apply to lands located in the Downtown Dartmouth area of the Regional Centre; and, B) The Downtown Halifax (DH) Zone shall apply to lands located in Downtown Halifax area of the Regional Centre. 	<p>The proposed development falls within the Downtown Dartmouth zone. The development includes residential and commercial uses while encouraging pedestrian engagement through an activated open space along the Queen Street elevation. The additional residential units within the downtown core will encourage and support economic growth of the surrounding area. The proposal uniquely combines the historic 1914 Post Office with new construction, while retaining all character-defining elements of the registered heritage property.</p>
2.4.2 Downtown Dartmouth Precincts	
<p>Policy D-5 The Land Use By-law shall establish built form, and maximum FAR regulations for the DD zone within the Downtown Designation, consistent with Map 3 and the policies in Parts 3 and 4 of this Plan. Low-rise buildings, mid-rise buildings, tall mid-rise buildings, and high-rise buildings shall be permitted, and built form requirements may differ in accordance with the Precincts' descriptions detailed in this Part.</p>	<p>The proposed development is within the maximum height requirement as established in the Land Use By-law. The high-rise building exceeds the permitted FAR of 2.25; however, this can be considered with conditions under CHR-7 (see below). Policy D-6 indicates the maximum FAR for the Historic Dartmouth Precinct shall be between 1.75 to 4.0, with a limited of vacant or under-utilized sites having a maximum FAR of 6.25. The proposed development FAR does not exceed 6.25 FAR and contains both a registered heritage property and a surface level parking lot. The level of conservation efforts on the historic Post Office has been determined to be proportionate with this additional development rights.</p>
Part 4: Culture and Heritage Resources	
Policy CHR-7	

<p>On any lot containing a registered heritage building located outside of the DH Zone and any approved Heritage Conservation District, Council may consider a development agreement for any development or change in use not otherwise permitted by the Land Use By-law to support the integrity, conservation and adaptive re-use of registered heritage buildings. This includes development proposals that exceed the maximums floor area ratios or the maximum building heights on Map 3 and Map 4 of this Plan. In considering such development agreement proposals, Council shall consider that:</p> <p>a) the development proposal maintains the heritage value of any registered heritage property of which it is part, including a registered heritage streetscape, and does not propose to demolish any registered heritage buildings that exist on the lot;</p> <p>b) the impact on adjacent uses, particularly residential uses, is minimized in terms of intensity of use, scale, height, traffic generation, noise, hours of operation, and such other land use impacts as may be required as part of a development;</p> <p>c) any new construction, additions, or renovations facing a street substantially maintain the predominant streetwall height, setbacks, scale, and the rhythm of the surrounding properties, especially of registered heritage properties;</p> <p>d) the development complies with Pedestrian Wind Impact and Shadow Impact Assessment Protocol and Performance Standards of the Land Use By-law;</p> <p>e) the level of proposed investment in conservation measures on the property and through the required incentive or bonus zoning requirements is generally proportional with the additional development rights provided through the agreement, especially in cases of new construction;</p> <p>f) any un-registered, historic buildings on the lot that contributes to neighbourhood character are preserved to retain the visual integrity of the lot;</p> <p>g) the development complies with policies relating to protected public views and view terminus sites;</p>	<p>a) The proposed development maintains all character-defining elements of the heritage building and does not propose to demolition.</p> <p>b) The massing has been focused along the King and Queen Street elevations, where there are other residences of a similar scale. No adverse traffic impacts were identified in the Traffic Impact Statement. The 90m height is permitted through the Regional Centre Land Use By-law.</p> <p>c) The New Addition will have the same setback as set by the heritage building, creating a continuous open space.</p> <p>d) A Wind Impact Study was required and provided. The applicant has provided mitigation measures for the minimal impacts noted in the study (i.e., overhangs, patios).</p> <p>e) Heritage staff analyzed the investment in the conservation efforts on the property using an internal calculator and found them to be proportional with the additional development rights.</p> <p>f) Not applicable.</p> <p>g) Not applicable.</p>
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<p>h) incentive or bonus zoning is provided consistent with the requirements of the Land Use Bylaw;</p> <p>i) the development agreement requires a waiver under Section 18 of the Heritage Property Act to be registered on the property before a development permit is issued for any portion of the development; and</p> <p>j) the general development agreement criteria set out in Policy IM-7 in Part 9 of this Plan.</p>	<p>h) Bonus zoning will be required as part of the development agreement. A public benefit agreement will be developed at the permitting stage for the conservation of a registered heritage property (the Post Office).</p> <p>i) The waiver will be required as part of the development agreement.</p> <p>j) The proposal is consistent with IM-7. The proposed development is consistent with the core concepts of the Regional Plan and Centre Plan, as noted in this and the above table. The proposal has been reviewed internally by departmental staff and is appropriate based on access to existing infrastructure, and proximity to schools, parks, community facilities, and transportation infrastructure. No adverse impacts on the registered heritage property have been identified. Grading will be reviewed by Development Engineering staff. The proposed development is not located within a watercourse, wetland or previously shown to be susceptible to flooding. There have been no identified major concerns regarding wind or traffic impacts.</p>
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Standards and Guidelines

<p>TREATMENT: PRESERVATION</p>	
<p><i>Preservation is the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of an historic place, or of an individual component, while protecting the heritage value.</i></p>	
<p>Standards 1-9</p>	<p>Comments</p>
<p>1. Conserve the <i>heritage value</i> of an <i>historic place</i>. Do not remove, replace or substantially alter its intact or repairable <i>character-defining elements</i>. Do not move a part of an historic place if its current location is a character-defining element.</p>	<p>All character-defining elements of the post office building will be retained. The applicant intends to repair existing elements where possible and replace in-kind, when necessary, with the aid of physical and photographic evidence. No relocation efforts are proposed. The Annex addition will be carefully dismantled and rebuilt for townhouse use.</p>
<p>2. Conserve changes to historic places that, over time, have become <i>character-defining elements</i> in their own right.</p>	<p>The Annex addition is not considered a character-defining element of the structure; however, it is complementary in form and materials and is proposed to be retained. Its reconstruction for townhouse use will provide a compatible and active use.</p>

<p>3. Conserve <i>heritage value</i> by adopting an approach calling for <i>minimal intervention</i>.</p>	<p>The post office character defining elements will be retained and rehabilitated. The removal and reconstruction of the Annex addition allows for an active use. The new construction will be attached to the post office through a glass breezeway at the second storey. One new opening is required to be constructed within the sandstone façade at the rear of the post office; however, this will not be overly visible from the public right-of-way and prepares the post office for adaptive reuse (residential use).</p>
<p>4. Recognize each <i>historic place</i> as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the property that never coexisted.</p>	<p>The post office's rehabilitation and preservation will be based on historic photographs and physical evidence and will follow the <i>Standards and Guidelines</i>. No elements from other historic places or a combination of features that never coexisted are proposed.</p>
<p>5. Find a use for an <i>historic place</i> that requires minimal or no change to its <i>character-defining elements</i>.</p>	<p>The post office will be used for mixed-use purposes and rehabilitated, with all character-defining elements retained.</p>
<p>6. Protect and, if necessary, stabilize an <i>historic place</i> until any subsequent <i>intervention</i> is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.</p>	<p>Temporary closures will be added during the construction period to protect the post office. A structural engineer will be required to be present during excavation for the new construction and the underground parking.</p> <p>Archaeological resources will be addressed at the point of site intervention with permit applications. The provincial government will be notified of the site intervention and process any necessary applications in accordance with the <i>Special Places Protection Act</i>.</p>
<p>7. Evaluate the existing condition of <i>character-defining elements</i> to determine the appropriate <i>intervention</i> needed. Use the gentlest means possible for any intervention. Respect <i>heritage value</i> when undertaking an intervention.</p>	<p>All character defining elements will be rehabilitated and repaired, if necessary. When a character defining element is sufficiently deteriorated, it will be replaced in-kind, in a manner consistent with the historic place and based on documentary evidence. The existing condition of the structure has been assessed by a structural engineer, and the sandstone construction has also been assessed to determine required intervention.</p>
<p>8. Maintain <i>character-defining elements</i> on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving <i>prototypes</i>.</p>	<p>The building will be maintained on a regular basis under the proposed development agreement (Case 24619) if approved.</p>
<p>9. Make any <i>intervention</i> needed to preserve <i>character-defining elements</i> physically and visually compatible with the <i>historic place</i> and identifiable</p>	<p>All character defining elements will be preserved and rehabilitated. All interventions will be</p>

<p>on close inspection. Document interventions for future reference.</p>	<p>documented through this application and in documents required for permitting.</p>
<p>TREATMENT: RESTORATION</p>	
<p><i>Rehabilitation is the action or process of making possible a continuing or compatible contemporary use of an historic place, or an individual component, while protecting its heritage value.</i></p>	
<p>STANDARDS 10-12</p>	
<p>10. Repair rather than replace <i>character-defining elements</i>. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the <i>historic place</i>.</p>	<p>Character defining elements will be repaired, if necessary. The sandstone cladding has already been repaired in keeping with the historic character. Where a character-defining element is sufficiently deteriorated, it will be replaced in-kind, matching the form, material and detailing of the original element. This will be largely informed by photographic and physical evidence.</p>
<p>11. Conserve the <i>heritage value</i> and <i>character-defining elements</i> when creating any new additions to an <i>historic place</i> or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.</p>	<p>The proposed development will conserve and retain in-situ the historic Dartmouth Post Office and all existing character-defining elements.</p> <p>The new construction is proposed to be built on an underutilized surface parking area within Downtown Dartmouth. The proposal does not require demolition of any existing structure on the property. The new construction will be connected to the Dartmouth Post Office through a glass passageway at the second storey. This will require alteration to the sandstone cladding; however, an existing window opening is being used for the entryway and could be reversed in the future if needed. The Annex addition will be removed and reconstructed for townhouse use. The addition is not considered a character-defining element but will provide an additional transition in design between the old and new construction.</p> <p>The proposed new development will be compatible and distinguishable from the Dartmouth Post Office. Limestone masonry cladding is proposed at the King Street elevation for the new construction, in similar colour and tone as the Dartmouth Post Office. Black and white metal composite panels will provide contrast from the existing heritage resource. Setbacks from the public right-of-way along Queen Street will provide an activated open space. The podium of the new construction has been designed to match the cornice line of the Dartmouth Post Office.</p> <p>Based on the conservation of character-defining elements, materials, and setbacks, the proposed development satisfies Standard 11 requirements.</p>

<p>12. Create any new additions or related new construction so that the essential form and integrity of an <i>historic place</i> will not be impaired if the new work is removed in the future.</p>	<p>New construction will not impact the essential form or integrity of the heritage building if the work is removed in the future. The only modification required to connect the heritage building to the new construction is a window opening being turned into a door, with a glass breezeway at the second storey. This could be removed in the future if required. The retention of the Annex addition provides further protection of the character-defining elements of the Dartmouth Post Office.</p>
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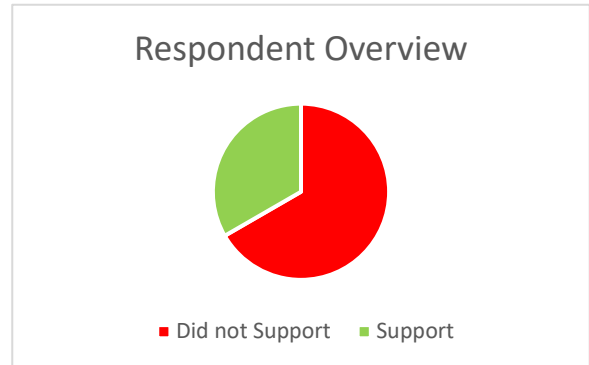
ATTACHMENT C: CASE 24619 – PUBLIC ENGAGEMENT SUMMARY

Overview

The Heritage team requested input on Case 24619 via a mail-out and webpage notifications. An in-person public open house was held between 6pm and 8pm on April 13, 2023, at the Community Council chambers at 60 Alderney Drive, Dartmouth. Approximately **20** people attended the event and provided input on the proposal.

At the time of writing, staff received **6** written submissions regarding the applicant's proposed development:

- Two people expressed **support** for the proposal.
- Four expressed **concerns** regarding the proposal.



Response Summary

The respondents and attendees of the public open house provided comments on a variety of topics, which are summarized below:

General Building Design

- Some respondents liked the renderings and overall building design.
- One respondent was concerned that the developer was allowed to exceed Centre Plan maximums through the heritage development agreement.
- Many attendees and some respondents were concerned about the height of the proposed development.
- Some attendees would like to see the original 1914 clock tower restored.

Land Use Impacts

- One respondent and some attendees expressed concerns over wind effects, shadows, and dust during construction.

Context

- One respondent thought the height was great and noted that it could be higher.
- Many attendees and a couple of respondents found the height to be too high for the location and compared to surrounding neighbourhood.

Other Comments

- One respondent highlighted the importance of encouraging more high-rise development while maintaining heritage buildings, and suggested the proposal does a good job of both.
- One respondent was happy to see more housing but expressed concerns over commercial short-term rentals.
- Many attendees were worried the proposal will block existing views and cause shadows.
- There was consensus by both respondents and attendees that there was a need for additional housing and increasing livability in Downtown Dartmouth.