



HALIFAX

Design Review Committee

Case 21123 – 5504 Spring Garden Road

Carl Purvis – Planning Applications Program Manager
May 11, 2017



Subject Site

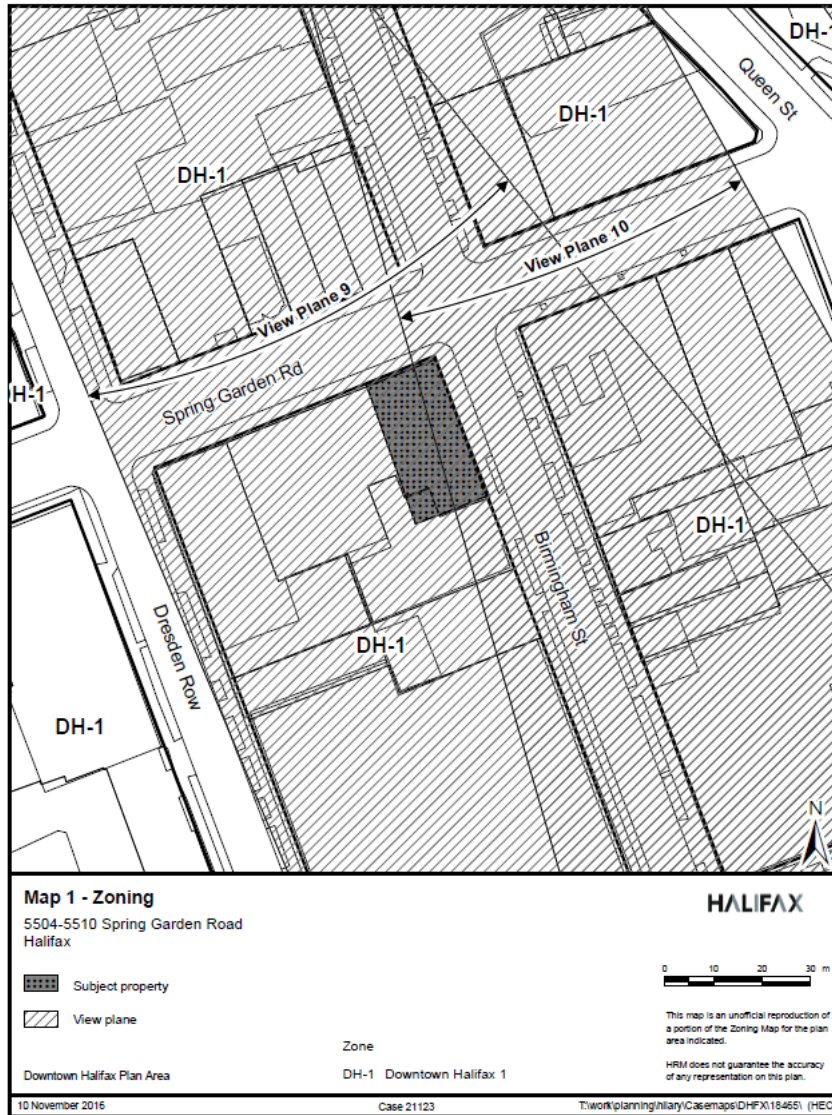
General Overview



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Downtown Halifax Land Use By-law (LUB)

Zoning Regulations & Process



- Zone – DH-1 (Downtown Halifax)
- Land Uses: Residential & Commercial
- Site affected by Citadel Hill view planes 9 & 10

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Policy & Regulation Review

Halifax Downtown LUB - Provisions

- **Precinct No. 3 – Spring Garden Road Area**
- **Max Pre-bonus height of 22 m and Post-bonus Height of 28 m**
- **Streetwall Setback** - Above a height of 17 m, a setback of 0.9 m for every 0.6 m of height is required on Spring Garden Road
- **Streetwall Height** – Minimum of 11m
– Maximum of 17m on Spring Garden Road and 18.5 m on Birmingham Street

Subject Site



Photograph 1: Corner of Spring Garden Road and Birmingham Streets.



Details of 2013 Approval

The project was approved in 2013 by the Design Review Committee and constructed during 2014-15.

The constructed building consists of:

- 7 floors plus basement space with 100% lot coverage;
- 3 levels of commercial space (in basement, & on floors 1 and 2);
- 12 residential units; and
- No parking.

4 Variances Approved in 2013

1. Streetwall Height – a greater streetwall height was permitted along Birmingham Street to match that along Spring Garden Road;
2. Upper Storey Streetwall Stepback – glass guardrails for penthouse terraces were permitted to be installed behind the parapet on both street frontages within the required 3m stepback;
3. Upper Storey Side Yard Stepback - floors 6 and 7 were permitted to be built to the internal property lines rather than meeting the required 3 m stepback; and
4. Landscaped Open Space – the requirement to provide 5 square metres of landscaped open space per unit, where more than 50% of the building is used for residential purpose, was varied.



Downtown Halifax Approval Process

Land Use Bylaw Review:

Under Site Plan Approval, there are two components of review and approval:

Quantitative (LUB) – Parameters relating to land use and building envelope
(height, massing, scale, streetwall setbacks and stepbacks) ➔ **Development Officer**

Qualitative (Design Manual) – Guidelines relating to building design
(architectural design, streetscape details, materials, public realm contribution, etc.)
➔ **Design Review Committee**



Project Changes

The building was not constructed as originally approved by the Committee. The building increased in height by 1.35 metres in addition to the following changes being constructed:

1. Altered street façade designs and cladding changes to floors 1-7
2. Increase to the size of the mechanical penthouse;
3. Change to the design of the penthouse railings;

Items 1-3 are qualitative and subject to the guidelines of the Design Manual and can be approved by the Committee,

4. Streetwall height taller than the maximum permitted on Spring Garden Road;
5. Failure to install required rooftop landscaping; and
6. No screening of rooftop mechanical equipment.

Items 4-6 are quantitative and there is no flexibility in the Land Use Bylaw to allow variances.



Discussion

Quantitative Design Changes

The extra 1.35 m of building height is below the viewplane and within permissible parameters and can be approved by the Development Officer.

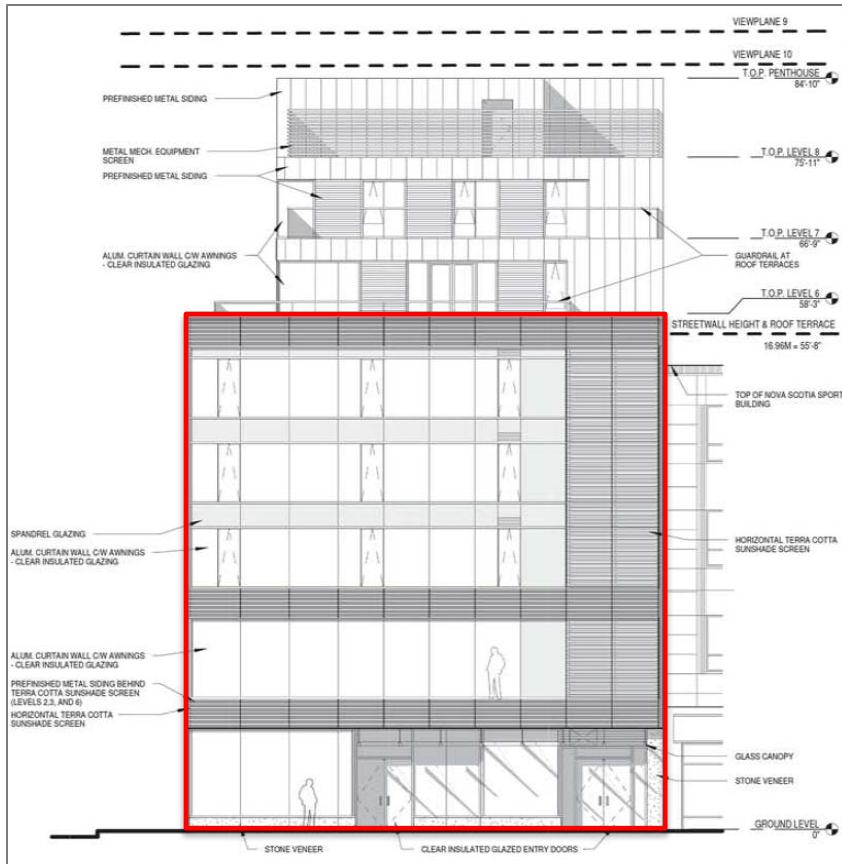
4. The additional streetwall height of 0.7 m on Spring Garden road cannot be approved by the DRC as a variance – LUB Section 11(3)
5. There is no ability to waive landscaping requirements for rooftops so modifications will be required – LUB Section 8(12)
6. There is no ability to waive the requirement for all rooftop mechanical equipment must be screened – Design Manual 3.3.4

Approved Development

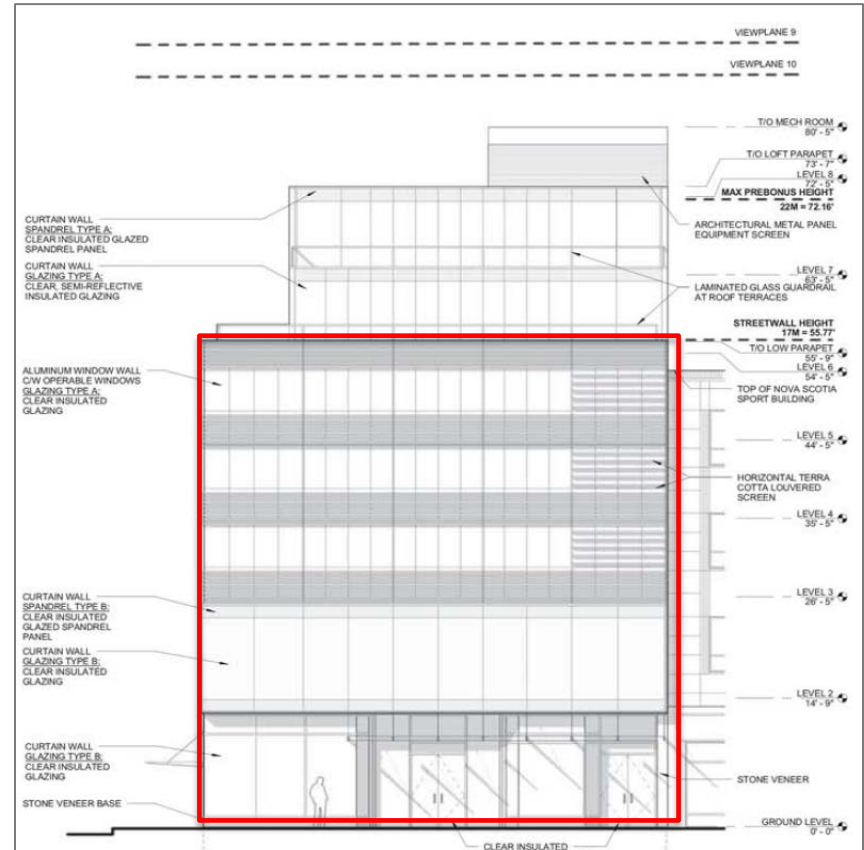


#1 - Altered Street Façade Design & Cladding

North Elevation As Built



Approved North Elevation



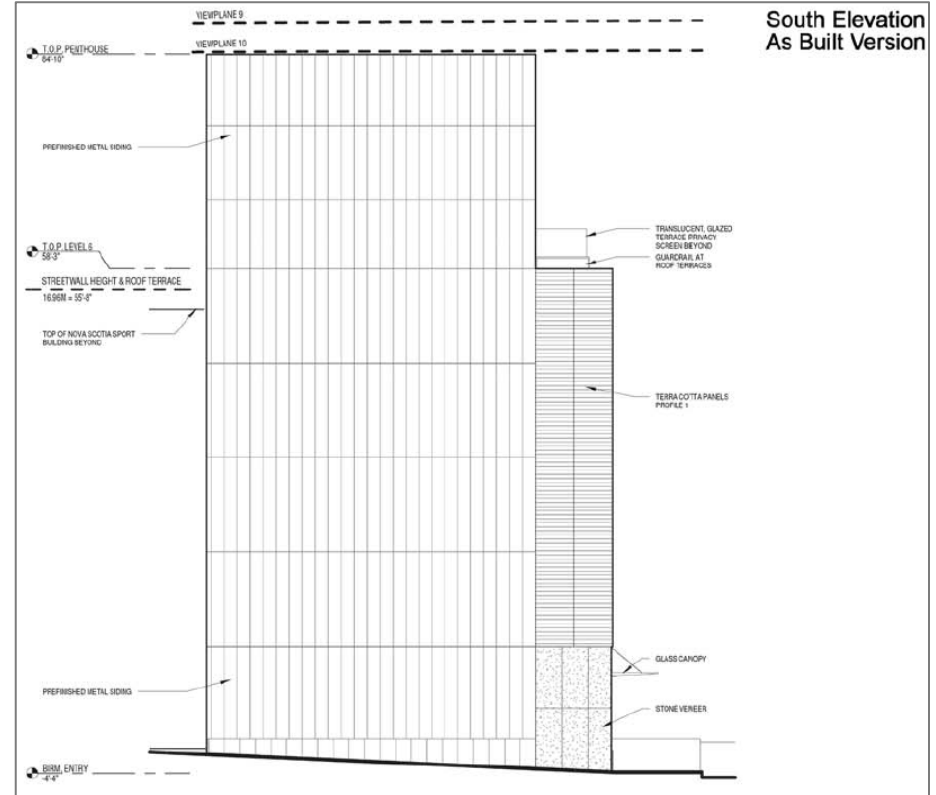
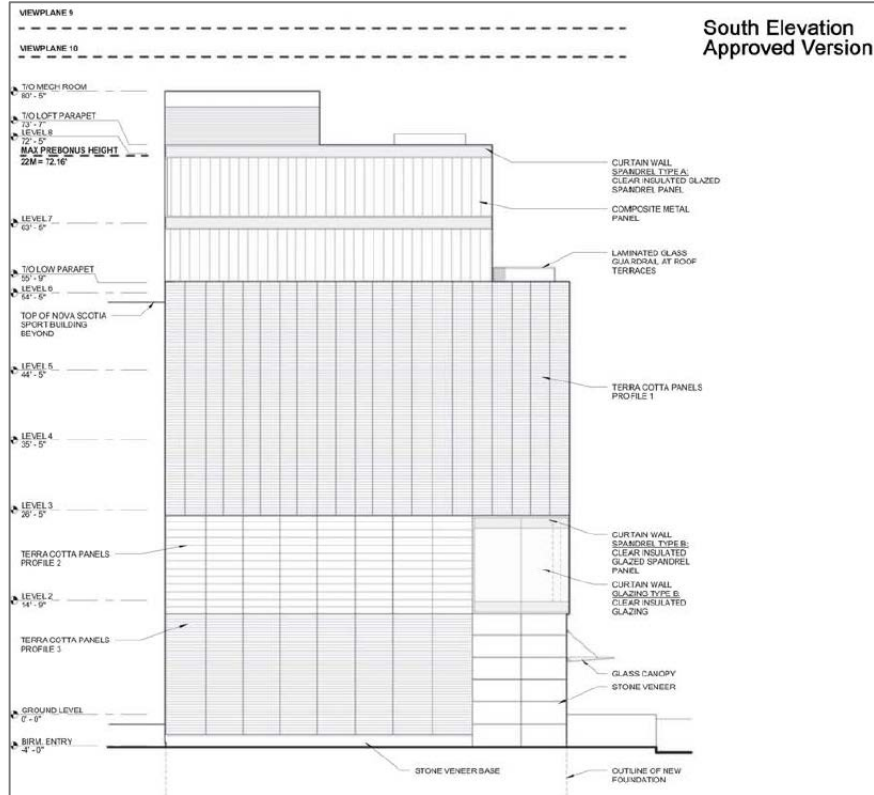
Revised design of facades on floors 1 through 5 is felt to meet the Design Manual

Subject Site



Photograph 1: Corner of Spring Garden Road and Birmingham Streets.

#1 - Altered Street Façade Design & Cladding



Subject Site



Photograph 2: Birmingham Street showing rear and side elevations.



#1 - Altered Street Façade Design & Cladding

East Elevation As Built



Approved East Elevation



Revised design of facades on floors 1 through 5 is felt to meet the Design Manual

Subject Site



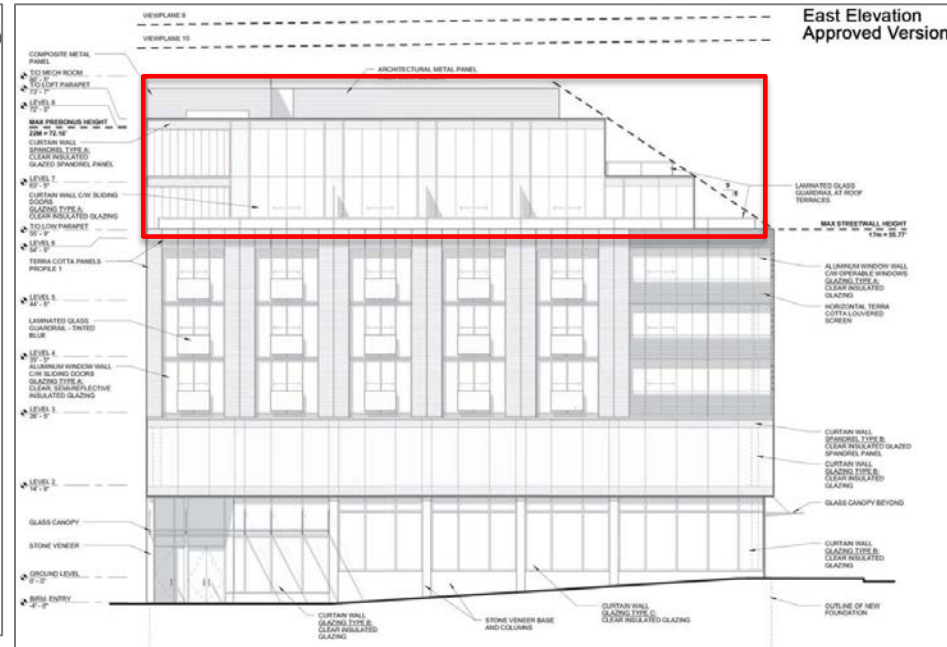
Photograph 3: Birmingham Street elevation.

#1 - Altered Street Façade Design & Cladding

East Elevation As Built



Approved East Elevation



Cladding of penthouse levels along Birmingham Street and Spring Garden Road should be completed with curtain wall and spandrel panels as per Section 3.4.2 of the Design Manual.



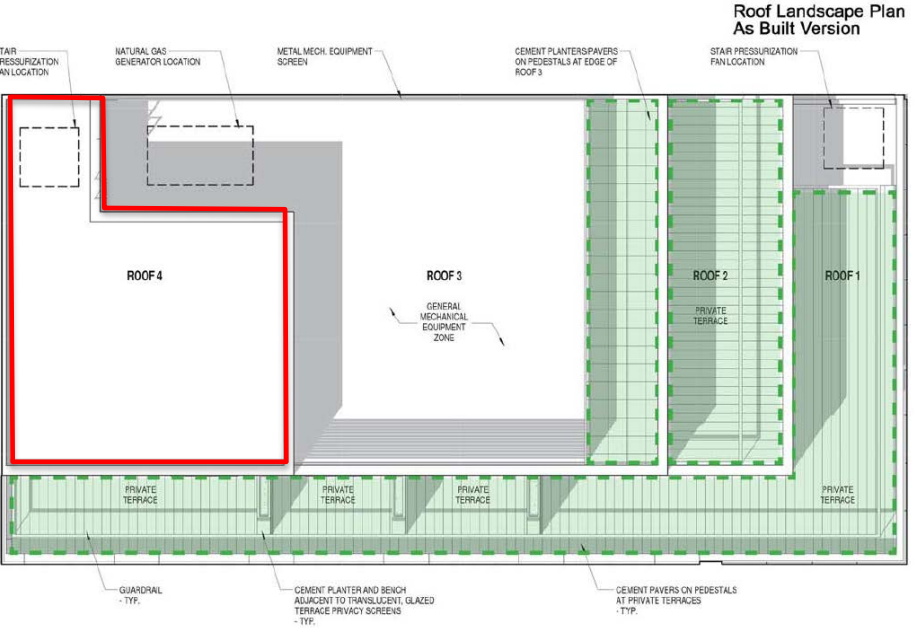
Subject Site



Photograph 5: View of upper floors and roof areas.

#2 - Increase to the Size of the Mechanical Penthouse

The mechanical penthouse was increased from 37 square metres to 101.5 square metres in size and located with zero setback from the side and rear property lines rather than the required 3 metres



#2 - Increase to the Size of the Mechanical Penthouse

A variance is required for the penthouse 0 metre setback from rear and side property lines. DRC Must consider criteria in Section 3.6.2 of the Design Manual:

3.6.2 Side and rear yard setbacks may be varied by Site Plan Approval where:

- a) the modified setback is consistent with the objectives and guidelines of the Design Manual; and
- b) the modification does not negatively impact abutting uses by providing insufficient separation.

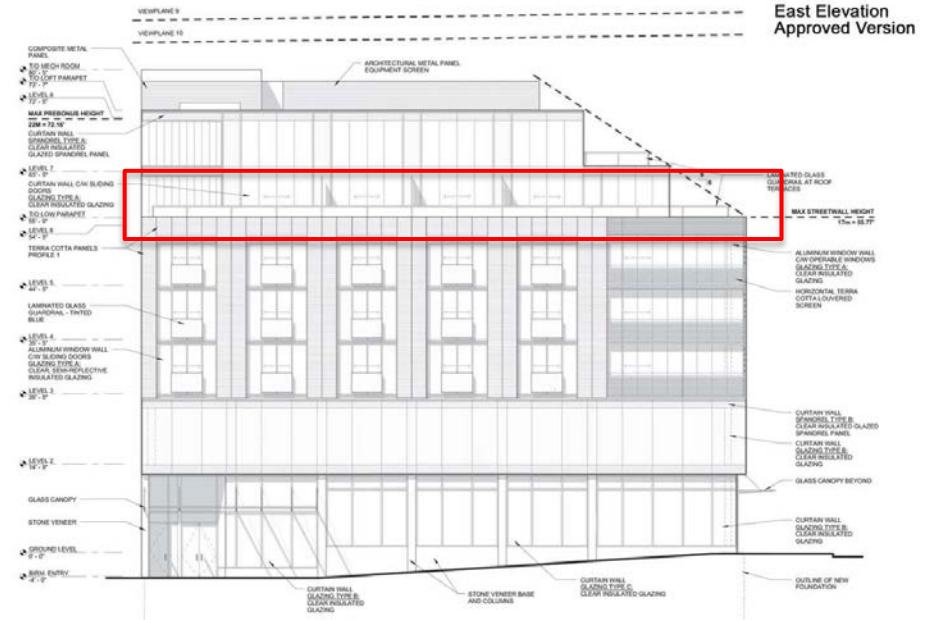


Photograph 5: View of upper floors and roof areas.

#3 – Change to the Design of the Penthouse Railings

Constructed as steel frame and balusters

Original approved as glass panels

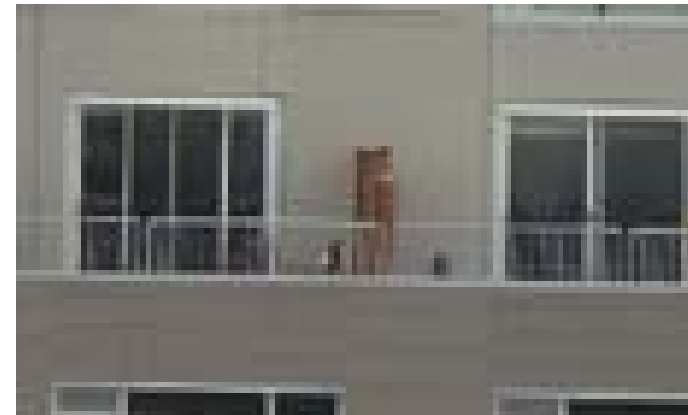




As-Built Penthouse Railings



Photograph 6: Close-up view of upper floors and roof areas.



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Recommendation

Building Design & Variance

1. Approve the amendments to the qualitative elements of the substantive site plan approval application for the mixed-use development at 5504 Spring Garden Road, Halifax, as contained in Attachment A, which amends the substantive site plan approval plans for the development which were approved by the Design Review Committee on May 9, 2013, conditional upon the following:
 - a) that the penthouse ~~and mechanical levels~~ be clad in curtain wall and spandrel panels as per the 2013 design approval.
2. Approve the additional requested variance to the Land Use By-law requirements regarding side and rear yard setbacks for the mechanical penthouse, as contained in Attachment A.

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