

DESIGN REVIEW COMMITTEE  
MINUTES

February 13, 2014

PRESENT: Ramzi Kawar, Chair  
Kourosh Rad, Vice Chair  
Mary Black  
Kevin Conley  
Andy Fillmore  
Noel Fowler  
Louis Lemoine  
Roy McBride  
Steve Murphy  
Cesar Saleh  
Anne Sinclair  
Sue Sirrs

STAFF: Karen Brown, Solicitor  
Kurt Pyle, Planner Major Projects  
Myles Agar, Planner  
Dali Saleh, Planner  
Sherryl Murphy, Deputy Clerk

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**1. CALL TO ORDER**

The Chair called the meeting to order at 5:39 p.m. in Halifax Hall, City Hall, Halifax, Nova Scotia.

**2. APPROVAL OF MINUTES**

Consideration of the January 9, 2014 minutes was deferred to the next meeting of the Committee to provide an opportunity for members to review suggested revisions to the draft minutes provided in their package.

**3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS**

The Chair noted that a representative of Pink Larkin had made a request to speak on behalf of Heritage Trust regarding Item 7.1.

Members pointed out that the Committee had agreed by motion not to receive presentations. The Solicitor advised that the Committee has the right to decide if it wishes to have a presentation.

**MOVED by Mr. McBride, seconded by Ms. Black that the representative from Pink Larkin be given five (5) minutes to present on behalf of the Heritage Trust.  
MOTION PUT AND DEFEATED.**

The agenda was accepted as presented.

**4. BUSINESS ARISING FROM THE MINUTES: None**

**5. CONSIDERATION OF DEFERRED BUSINESS: None**

**6. CORRESPONDENCE**

**7. REPORTS/DISCUSSION**

**7.1 Case 19046 - Substantive Site Plan Approval – 22<sup>nd</sup> Commerce Square  
(Pre-Application Presentation heard by DRC on January 9, 2014)**

The following was before the Committee:

A staff report dated January 24, 2014 with Attachments A-F.

A supplemental report dated January 21, 2014 from Lydon Lynch with Technical Drawings A-108 and A-109.

A supplemental report dated February 12, 2014 from Lydon Lynch with Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301.

Correspondence from Elizabeth Pacey, Research Committee Chair, Heritage Trust of Nova Scotia dated February 6, 2014.

Correspondence from Joel Pink, Pink Larkin, dated February 12, 2014 on behalf of the Heritage Trust of Nova Scotia.

An e-mail from Judy Haiven dated February 13, 2014.

Mr. Kurt Pyle, Major Projects Planner, delivered a presentation providing highlights of the application by Lydon Lynch for approval of a substantive site plan approval for 22<sup>nd</sup> Commerce Square.

Mr. Pyle provided site context for the development noting that the site was bordered by Granville, Duke, Hollis and George Streets. He advised that the proposal is not within the view planes and the approximately 22 storey towers do not intrude into the Ramparts from the Citadel.

Mr. Pyle then identified the five (5) registered heritage properties included in the proposal as the Bank of Commerce Building on George Street; the Hayes Insurance Building on Granville Street; the Merchants Bank of Canada on the corner of Duke and Granville Street; Champlain Building located on the corner of Duke and Hollis Street; and the Flinn Building located on Hollis Street. Mr. Pyle provided a summary of the heritage aspects of each building.

Mr. Pyle went on to describe the proposal as two towers connected by an atrium sitting on top of a common podium. The proposal includes underground parking and storage. The South Tower includes a 96 suite hotel, restaurant and an 88 unit residential condominium while the North Tower is comprised of retail space at ground level with commercial office space above. Both towers exceed the pre-bonus height maximum. In addition, the applicant is proposing the future development of a pedway across Granville Street which will be considered by the Design Review Committee at that time.

After providing further detail of the proposal, Mr. Pyle advised that staff had reviewed the following elements of the site plan application:

1. Design Manual Guidelines
2. Requested Variances
3. Wind Assessment
4. Public Benefit

With reference to the Design Manual Guidelines, Mr. Pyle noted that canopies and awnings are encouraged but not mandatory. The application proposes awnings at the main entrances which staff believe meets the intent of the Guidelines. He went on to note that due to the size of the development and the relatively minor venting at ground level, staff believe the proposed venting at street level is acceptable.

Mr. Pyle referred to Section 3.3.2 of the Design Manual regarding a too wide range of materials being discouraged and noted again that with the size of the proposal (a full

city block) and the inclusion of five heritage properties, the variety of materials used is not excessive in staff's opinion. With reference to Section 3.5.4 of the Design Manual regarding Lighting, the proposal includes a written lighting strategy which seeks to achieve a LEED-CS "Light Pollution Avoidance" credit.

Mr. Pyle went on to advise that the application proposes establishment of a pedway from the site over Granville Street, linking the development and the new TD Tower which is also owned by the developer. The application is requesting the connection portion of the pedway to which staff agrees. As noted previously, full development of the pedway will come before the Committee at a future date.

Referring to the Heritage section of the Design Manual, Mr. Pyle noted there were four areas to be considered. The first of these is the Integrated and Additions section of the Guidelines and staff's opinion is that the proposal meets the guidelines. Staff believe the proposal is well balanced from heritage to new development.

With regard to the exterior appearance of registered heritage buildings, Mr. Pyle noted that the Heritage Property Act limits HRM's authority to the exterior appearance. Referring to the cornice line on the Champlain Building, Mr. Pyle noted that staff is recommending that the original cornice line be maintained by returning the building to its full six stories. He went on to note staff's concern regarding the treatment of the rear of the Bank of Commerce Building and staff believe a design solution could be found allowing for better overall project compliance.

Mr. Pyle went on to review the variances being requested including street wall setback, stonewall height, depth of building, permitted encroachment, prohibited exterior cladding and land use at grade. Mr. Pyle advised that staff was recommending approval of these variance requests. Mr. Pyle referred to the wind assessment noting that the findings indicate few changes to the wind conditions compared to the wind conditions from the existing buildings. However, there are conditions at the top of the South Tower which require the inclusion of an eight (8) foot high transparent wall.

Referring to proposed post bonus height, Mr. Pyle indicated that the applicant maintains that the public benefit contribution includes the preservation of existing heritage buildings, the provision of a publically accessible amenity space and the pursuit of LEED Platinum designation. Mr. Pyle noted that the Committee is tasked with recommending to the Development Officer whether the municipality should accept the proposed public benefit.

In closing, Mr. Pyle reviewed the staff recommendation with the Committee.

The Chair requested that the Solicitor provide advice relative to the Committee's role with regard to the heritage aspects of the proposal.

Ms. Karen Brown, Senior Solicitor, responded indicating that the Committee's review of the proposal is based upon the Design Manual Guidelines. She noted section 4 relates

to the heritage guidelines and, for example, section 4.2. and 4.3 provides guidance in the case of integrated development and additions relative to the three dimensional aspects of the building. Ms. Brown went on to note that part of the Committee's role, requires it to seek and consider the advice of Heritage Advisory Committee in their decision making process. Providing further clarification in response to a question, Ms. Brown stressed that the Committee need only consider and are not bound by the advice of the Heritage Advisory Committee (HAC).

Ms. Sirrs noted that based on the staff report, she had considered the proposal in light of section 4.4 and sought clarification of exactly what members should be reviewing with regard to this proposal. The Chair clarified that the Solicitor was indicating that the Committee can and should determine the sections they wish to consider in reaching their decision.

At the request of Mr. Lemoine, Mr. Pyle clarified staff's recommendations regarding each of the aspects reviewed in the presentation noting that the recommendation was positive with two conditions – the first being the reinstatement of the two floors on the Champlain Building to mitigate loss of heritage materials and the second being a new design relative to a loss of heritage materials (i.e. windows) at the rear of the Bank of Commerce Building which would provide greater overall compliance for the project.

Mr. Pyle responded to questions regarding the treatment of the lower floors of the Champlain Building, the integration of the front façade of the rear addition in the main building, the position of staff relative to the HAC recommendations and staff's recommendation to the HAC. He went on to confirm that Regional Council will make the final decision relative to the heritage components of the proposal. Mr. Pyle responded to a question regarding the granting of bonus height in light of the proposed demolition of heritage properties. He noted that the facades of the heritage properties are maintained and given that the legislation deals with exterior walls only (does not prescribe interior changes); the proposal meets the requirements for bonus height.

Mr. Eugene Pieczonka, Principal, Lydon Lynch addressed the Committee referring first to the two conditions proposed by staff. He noted that Section 4.5 of the Design Manual Guidelines has been the guiding principle for this project. Describing the strategy and reasons for the proposal to reduce the Champlain Building to four (4) floors, Mr. Pieczonka noted that when the building was constructed in the 1870s it was four (4) stories in height. He pointed out that this street wall height was consistent at that time and continues today in Granville Mall. Mr. Pieczonka noted that the additional stories added later distorted the original design and the project envisions re-establishing that consistent four (4) storey street wall.

Regarding the rear entrance to the Bank of Commerce Building, Mr. Pieczonka noted that the original design of that entrance was one of balance and symmetry. A later addition resulted in the loss of balance. The proposed design intends to reinstate the symmetry and also creates a public arcade. The public arcade provides both a

presence at the entrance to the residential units and an extension of the plaza on Granville Street.

Mr. Pieczonka then outlined the reasoning for the change to the design of the upper portion of the Bank of Commerce Building from the louvered to the curtain wall system. He noted that when he was before the Committee previously, members had expressed a concern regarding how the proposal related to the Bank of Commerce building and suggested that the language of the development was getting too busy. Consequently, a revision to the design of the hotel is now being proposed using a more consistent glass box façade. This change allows for a similar dialogue between the two towers including the use of light colored glass. It also relates better to the Bank of Commerce building, not being as aggressive and translating as a quiet companion to the Bank of Commerce building.

In closing, Mr. Pieczonka indicated that he believes in the HRM by Design process and recognized the benefits of the collaborative approach in improving design. He requested unconditional approval of the proposal.

In response to questions from the Committee, Mr. Pieczonka indicated that although still striving to achieve LEED Platinum Standard, the renderings no longer show the cladding on the building in order to provide flexibility in determining how to achieve this standard. He further indicated that a curtain wall system would be used on the Bank of Commerce tower and that the heritage buildings, although shown white, would retain their existing colour.

Mr. Kavar noted that the space between the tower and the Bank of Commerce Building was of concern to the Committee at the last meeting and asked Mr. Pieczonka why this had not been addressed. Mr. Pieczonka indicated that the intent was to create enough respectful breathing space around the Bank of Commerce Building. He indicated that he believed the design provided that space.

In response to a question from Mr. Murphy, as to whether the conditions being recommended by staff were acceptable, Mr. Pieczonka indicated that during the joint meeting many of the Heritage Advisory Committee members voiced their affinity with what had been proposed for the Champlain Building and the rear of the Bank of Commerce.

The Chair thanked Mr. Pieczonka for his presentation and opened the floor for discussion.

Mr. Fillmore suggested that the Committee should discuss the proposal more broadly rather than reviewing the checklist. He went on to propose that the Committee deal with the conditions proposed by staff. He commented that the staff report was well written and that he was pleased that the proposal would retain/restore five heritage properties.

The Chair noted that reviewing the checklist would be consistent with the Committee's past process when reviewing applications and suggested that a motion would be required to make a change to this process.

**MOVED by Mr. Saleh, seconded by Mr. Lemoine that the Design Review Committee:**

- 1. Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A of the January 24, 2014 with conditions that:
  - a) the front façade of the rear addition of the Bank of Commerce Building be integrated into the main building; and**
  - b) 5th and 6th storeys of the Champlain Building's front facade be retained or replicated;****
- 2. Approve the requested variances to the Street wall Setbacks, Street wall Height, Land Uses at Grade, Depth of Building, Permitted Encroachments, and Prohibited External Cladding Material, as shown in Attachment A of the January 24, 2014 staff report;**
- 3. Accept the findings of the qualitative wind impact assessment found in Attachment F of the January 24, 2014 staff report; and**
- 4. Recommend that the Development Officer accept, as the post-bonus height public benefit for the development; preservation of existing heritage buildings, the provision of publically accessible amenity space, and exemplary sustainable building practices through pursuit of a LEED Platinum level.**

Ms. Sinclair, referring to the amount of information relating to this case and the late arriving information, indicated that she believed the Committee had not had adequate time to review the matter. She further noted that the changes to the proposal recommended by staff and the move away from the accordion design will impact the overall proposal. She suggested that, in order to keep the process moving, the Committee should consider the information received earlier and recess to another date in order to have time to review the information received last evening.

The Solicitor advised that under the Charter the Design Review Committee is required to make a decision on or before February 24<sup>th</sup>

**MOVED by Mr. Rad that the Committee defer the decision on this matter to a future meeting prior to February 24, 2014 to allow an opportunity for Committee members to undertake a complete review of late arriving information.**



**There being no seconder to the motion, the Chair declared it to be defeated.**

Clarifying the information to be considered tonight by the Committee, the Chair indicated that the information distributed to the Committee the previous evening would be included in the Committee's consideration.

Mr. Lemoine indicated that he believed the original design was an iconic opportunity. He went on to indicate that he supported the staff recommendation relative to this portion of the proposal. He further noted that he supported the architect's position and argument regarding the reduction of two floors on the Champlain Building and the design proposed for the rear of the Bank of Commerce Building. He reiterated that the original design was more iconic, has more energy and also retains the heritage properties.

Mr. Murphy confirmed with the applicant that the accordion portion of the hotel was no longer part of the proposal.

Mr. Fillmore referred to the two conditions recommended by staff relative to the applicant's proposal to eliminate the 5<sup>th</sup> and 6<sup>th</sup> floors on the Champlain Building and noted that he agreed with the proposal. He suggested that pretend heritage would be built in place if the two floors were reinstated. With reference to the design of the rear of the Bank of Commerce Building, Mr. Fillmore indicated that he felt the arcade should be permitted including the universal access.

Mr. Kavar opined that the overhang over the Bank of Commerce Building is not doing service to the heritage building. He went on to suggest that a variance be approved between the two buildings to offset any loss of square footage to the developer. He noted that this would allow the tower to connect with the heritage building.

Mr. Rad commented on the gap indicating that he believed that without a physical connection, as referred to in the guidelines, the proposal is taking way from the heritage property.

Mr. Murphy indicated that he liked that the accordion proposal set the heritage building apart. Ms. Sirrs pointed out that the accordion design plays to the heritage guideline regarding contrast.

The Committee then reviewed the checklist, expressing the following concerns:

With regard to section 2.4(f) regarding canopies, Mr. Kavar indicated that he believed additional canopies would be a benefit to pedestrians on the non-heritage portions of the development. Note was made that canopies have been added at the entrances and the arcade.

With regard to section 3.2.1(g) regarding vents at grade, Ms. Sinclair indicated that she did not agree the vents should be located at street level on Hollis Street. Mr. Pyle responded that staff believed, given the building size and existing conditions, the vents

are a good compromise. Ms. Sinclair further expressed concern regarding the blank wall on Hollis Street with Ms. Sirrs noting that it wraps around the corner on George Street.

With regard to 3.2.4(d) regarding immediately accessible outdoor amenity space, Ms. Sinclair indicated that she thought the proposal did not comply in this aspect. She went on to indicate that she did not agree with the staff position that the proximity to Grand Parade is an amenity for apartment dwellers.

With regard to section 3.2.6 regarding elevated pedestrians walkway, Ms. Sinclair indicated she disagreed with the pedway suggesting that it did block views as per 3.2.6(a).

With regard to 3.3.2 (b) and (i), Mr. Fillmore indicated that he was supportive of Option 2 for the Bank of Commerce Building. Mr. Cesar indicated that he also agreed with Option 2. Ms. Sinclair indicated that if Option 1 is considered, the proposal does not comply with 3.3.2(i).

A further brief discussion regarding the pedway ensued with concern being raised again regarding the loss of east/west views and of Granville Mall. Pedways also take people off the street and discourage ground level retail.

The Committee reviewed the Heritage Design Guidelines.

Mr. Kavar indicated that as per 4.1.3 he believes the overhang over the Bank of Commerce Building is idiosyncratic and does not respect the heritage context.

Mr. Fillmore referred to the 5<sup>th</sup> and 6<sup>th</sup> floors of the Champlain Building and reiterated that rebuilding of imitation heritage would be a mistake and would blur the lines between old and new. In conclusion, Mr. Fillmore indicated that in this instance contemporary design is preferred.

Mr. Conley referred to 4.4 and asked who would decide when the heritage value of a building includes its three-dimensional character.

Mr. Kavar indicated the Committee would decide the heritage value of the building and further noted that he did not believe that the proposal met the guidelines relative to the three-dimensional character of the heritage buildings.

Ms. Sinclair, referring to the Hayes Insurance and the Merchant Buildings, the two buildings for which only the façade was retained, indicated that she believed these buildings have a three dimensional character. She pointed to the sloped roof and dormers on the buildings as being three dimensional. She further noted that she was supporting the Heritage Advisory Committee recommendation in this regard. Ms. Sinclair noted that 4.4.1(b) of the guidelines supports this position indicating that she believe the roof and dormer windows support the three dimensional quality. She

stressed that the quality and depth of these heritage aspects would be changed in this proposal.

Mr. Fowler noted his concern that preserving facades only would set a precedent and that the outcome would be a wallpaper of heritage scenes on glass boxes.

Mr. Fillmore, indicated that he believe the overall intent of the downtown plan was that there be three (3) heritage conservation districts, one of which is in place (Barrington Street), and that by the time the other two were in place, 77% of registered heritage structures would be protected from the wall paper effect. He noted that the 23% remaining would be available for more robust development and that this site falls within the other 23%.

With regard to section 4.4.2 of the guidelines, Ms. Sinclair indicated she believe this section was in the same category as 4.4.

Ms. Sinclair noted that relative to section 4.5.1(a) the proposal exceeded the requirements relative to the corner buildings.

Mr. Fillmore suggested that section 4.5.5(e) should be viewed through the lens of the preamble which speaks to design being reasonable and functional.

Ms. Sinclair agreed with Mr. Fillmore on the above matter. She went on to note that she liked the arcade but suggested that the design could better address the fact that this was a rear addition rather than a façade.

Mr. Pyle, in response to questions regarding the landscaping treatment of flat rooftops, advised that only the South Tower is landscaped. The Bank of Commerce Building is a terraced roof, the other tower is solar and consequently is taken up with mechanical equipment and the atrium is an inside area.

The Chair, confirming there were no further questions, noted that the staff recommendation was now before the Committee.

The Solicitor advised that it would be prudent at this time to consider recommendation 4 and as per Section 12 (6) to determine if the proposal is a demolition or not a demolition of registered heritage buildings. She went on to advise that as there is no definition of demolition provided, the Committee should refer to the ordinary definition of the word.

Ms. Sinclair also requested that the Committee consider preservation of a heritage property.

The Committee agreed to deal with recommendation 4, as follows, at this time.

**MOVED by Mr. Saleh, seconded by Mr. Lemoine that the Design Review Committee:**

**4. Recommend that the Development Officer accept, as the post-bonus height public benefit for the development; preservation of existing heritage buildings, the provision of publically accessible amenity space, and exemplary sustainable building practices through pursuit of a LEED Platinum level.**

Mr. Fillmore addressed the matter noting that the concerns expressed seem to center on the Hayes Insurance and Merchant Buildings. Given that the facades remain, protecting the aspects for which this Committee has responsibility, he did not believe the proposal was a demolition of a registered heritage property.

Mr. Saleh indicated that he would be supporting the recommendation. He noted that there were other developments within HRM that similarly retained facades and referred to the establishment of conservation districts which would protect most of the heritage properties in HRM. In conclusion, he agreed with Mr. Fillmore, that this was a site that was available for more robust development.

Mr. Conley agreed with the previous two speakers and noted that the term preservation is a federal requirement for total retention of heritage. He suggested that conservation would be a more applicable word.

Mr. Kavar indicated that he would not support the recommendation indicating that these properties had been designated heritage and as such were the property of the people of HRM. Consequently, they should be protected.

Ms. Sinclair referred to the sustainability of the site and suggested that there is an argument for the loss of stored energy when demolishing such a large site. She went on to note that there were many vacant sites in the downtown area which could be developed.

Mr. Rad noted that he believed the proposal conserved the heritage for future generations. He went on to suggest that re-using the interior will make the heritage portion more a part of the building.

Ms. Black commented that she felt demolition was too strong a term given that a significant amount of heritage is being retained.

Mr. McBride indicated that he did not believe the proposal should be eligible for the pre-bonus height given that 95% of the building would be demolished leaving only the facade.

At the request of the Chair, the Solicitor clarified that the Committee is required to seek and consider the advice of the Heritage Advisory Committee but is not bound by that advice.

The Chair called for the vote on recommendation 4, and the **MOTION WAS PUT AND PASSED.**

The Committee dealt with recommendations 1 to 3 at this time:

**MOVED by Mr. Saleh, seconded by Mr. Lemoine that the Design Review Committee:**

1. **Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A of the January 24, 2014 with conditions that:**
  - a) **the front façade of the rear addition of the Bank of Commerce Building be integrated into the main building; and**
  - b) **5th and 6th storeys of the Champlain Building's front facade be retained or replicated;**
2. **Approve the requested variances to the Street wall Setbacks, Street wall Height, Land Uses at Grade, Depth of Building, Permitted Encroachments, and Prohibited External Cladding Material, as shown in Attachment A of the January 24, 2014 staff report;**
3. **Accept the findings of the qualitative wind impact assessment found in Attachment F of the January 24, 2014 staff report.**

The Committee first considered Recommendation 1.

**MOVED by Mr. Saleh, seconded by Mr. Fillmore that the motion be amended to delete sub-section a) and b) of Recommendation 1 of the staff report and replace sub-section a) and b) with:**

- a) **no pedway access be allowed**
- b) **the development proceed with Option 2 at the base of the South Tower as set out in the February 12, 2014 Supplemental Report #2 from Lydon Lynch Architects and revised Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301.**

Following a further discussion, the Committee agreed to split the amendment as follows:

**MOVED by Mr. Saleh, seconded by Mr. Fillmore that the motion be amended to delete sub-section a) and b) of Recommendation 1.**

**MOTION TO AMEND PUT AND PASSED.**

**MOVED by Mr. Saleh, seconded by Mr. Fillmore that the motion be further amended to include a new condition a) that no pedway access be permitted.**

**MOTION TO AMEND PUT AND PASSED.**

**MOVED by Mr. Saleh, seconded by Mr. Fillmore that the motion be further amended to include a new condition b) that the development proceed with Option 2 at the base of the South Tower as set out in the February 12, 2014 Supplemental Report #2 from Lydon Lynch Architects and revised Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301.**

**MOTION TO AMEND PUT AND PASSED.**

The Committee considered further amendments to Recommendation 1 as follows:

**MOVED by Ms. Sinclair, seconded by Ms. Sirrs that the motion be amended to include a new condition that no vents be permitted at pedestrian height.**

At the request of Mr. Lemoine, the developer clarified that the vents are within the setback and are not blowing out on to the sidewalk.

**MOTION TO AMEND WAS PUT AND DEFEATED.**

**MOVED by Ms. Sinclair, seconded by Mr. Saleh that the motion be amended to include a new condition that the Flinn Building and the Hayes building retain their 3-D quality in the form of their roofs or dormers.**

**MOTION TO AMEND WAS PUT AND DEFEATED.**

**MOVED by Ms. Sinclair that the motion be amended to provide that amenity space be included for the residential portion of the proposal in accordance with 3.2.4(b).**

**As there was the no seconder to the motion, the motion was defeated.**

**MOVED by Ms. Sinclair that the motion be amended to provide that the applicant make an attempt to maintain the 3D quality of the rear addition on the Bank of Commerce building and not just a façade.**

The Solicitor declared the motion Out of Order as it sought a similar outcome as staff's clause b) which had previously been deleted by motion of the Committee.

**MOVED by Mr. Rad, seconded by Ms. Black that the Design Review Committee recommend that the architect further consider the blank walls at Hollis and George Streets. MOTION PUT AND PASSED.**

The Committee now considered the amended recommendation 1, as follows:

**MOVED by Mr. Saleh, seconded by Mr. Lemoine that the Design Review Committee:**

1. **Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A of the January 24, 2014 with conditions that:**
  - a) **no pedway access be allowed**
  - b) **the development proceed with Option 2 at the base of the South Tower as set out in the February 12, 2014 Supplemental Report #2 from Lydon Lynch Architects and revised Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301.**

The Committee dealt with recommendation 2 of the motion at this time.

**MOVED by Mr. Rad, seconded by Mr. Murphy that, in light of approval of Option 2 at the base of the South Tower, the phrase 'Prohibited External Cladding' be removed from recommendation 2 as it is no longer pertinent.**

**MOTION TO AMEND PUT AND PASSED.**

The Committee dealt with recommendation 3 of the motion at this time.

**MOVED by Ms. Black, seconded by Mr. Fillmore that the Design Review Committee accept the findings of the qualitative wind impact assessment found in Attachment F of the January 24, 2012 staff report.**

**MOTION PUT AND PASSED.**

The Committee now considered the amended motion:

**MOVED by Mr. Saleh, seconded by Mr. Lemoine that the Design Review Committee:**

1. **Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A of the January 24, 2014 staff report with conditions that:**
  - a) **no pedway access be allowed**

- b) the development proceed with Option 2 at the base of the South Tower as set out in the February 12, 2014 Supplemental Report #2 from Lydon Lynch Architects and revised Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301.**
- 2. Approve the requested variances to the Street wall Setbacks, Street wall Height, Land Uses at Grade, Depth of Building, Permitted Encroachments as shown in Attachment A of the January 24, 2012 staff report.**
- 3. Accept the findings of the qualitative wind impact assessment found in Attachment F of the January 24, 2012 staff report.**
- 4. Recommend that the Development Officer accept, as the post-bonus height public benefit for the development; preservation of existing heritage buildings, the provision of publically accessible amenity space, and exemplary sustainable building practices through pursuit of a LEED Platinum level.**

**MOTION PUT AND PASSED.**

The Committee recessed at 9:10 p.m.

The Committee reconvened at 9:15 p.m. and continued with agenda items 7.2 and 7.3.

**7.2 Case 19058: Substantive Site Plan Approval – Integration of Street Level Commercial, 1881/1991/2001 Brunswick Street, Halifax (Preliminary Presentation heard by DRC on October 10, 2014)**

Ms. Sirrs declared a Conflict of Interest noting that she was employed on certain aspects of proposed development and took a seat away from the table.

A staff report dated January 20, 2014 was before the Committee.

Mr. Myles Agar, Planner, delivered a presentation regarding Case 19058, a substantive site plan application regarding the integration of Street level commercial at 1881, 1991, 2001 Brunswick Street, Halifax.

In his presentation Mr. Agar reviewed the site context noting that street level commercial was proposed for MacKeen Tower, Scotia Tower and the Plaza on Brunswick Street. He noted that the existing podium areas of each of these properties is to be removed and commercial space integrated. Mr. Agar noted that there is a lighting plan for each of these properties and flat roofs will be landscaped.

He went on to indicate that the staff's review of the proposal has identified the proposals are consistent with the intent of the Design Manual Guidelines and comply with the Land Use Bylaw.



**MOVED by Mr. Saleh, seconded by Mr. Rad that the Design Review Committee:**

- 1. Approve the qualitative elements of the Substantive Site Plan Approval application for the integration of street level commercial uses at 1881 Brunswick Street, Halifax, as shown on Attachment A of the January 20, 2014 staff report.**
- 2. Approve the qualitative elements of the Substantive Site Plan Approval application for the integration of street level commercial uses at 1991 Brunswick Street, Halifax, as shown on Attachment A of the January 20, 2014 staff report.**
- 3. Approve the qualitative elements of the Substantive Site Plan Approval application for the integration of street level commercial uses at 2001 Brunswick Street, Halifax, as shown on Attachment A of the January 20, 2014 staff report.**

**MOTION PASSED.**

Mr. Fillmore and the Chair thanked the proponent for an incredible urban remediation.

Ms. Sirrs returned to her seat.

**7.3 Case 19079: Substantive Site Plan Approval – 5445 Rainnie Drive – Halifax (Preliminary Presentation heard by DRC on November 14, 2014)**

Mr. Saleh declared a Conflict of Interest noting that his company had been employed on certain aspects of the proposed development. Mr. Saleh took a seat in the gallery.

Mr. Fillmore declared a Conflict of Interest noting that the proponent in this matter sat on the Board of Directors for his employer. He noted that although he had no pecuniary or other interest in this development, he could not preclude the perception of a conflict. Mr. Fillmore took a seat in the gallery.

A staff report dated January 30, 2014 was before the Committee.

Ms. Dali Saleh, Planner, delivered a presentation regarding a substantive site plan application for an eight storey mixed use building at 5445 Rainnie Drive, Halifax. Ms. Saleh went on to review the context of the subject site noting that the site is presently vacant and fenced. Ms. Saleh reviewed the planning regulations for the site and provided an overview of the proposal including commercial space at ground level, 68 residential units in seven floors, and the pedestrian access being directly from Rainnie Drive for both commercial and residential. She further noted that the landscaped rooftop included a patio area for tenants, a swimming pool, shrub planters and a

separate mechanical area. Canopies have been included at street level to provide weather protection measures for pedestrians. In terms of materials to be used, the proposal will include glass, ceramic tile panels and metal panels.

Ms. Saleh went on to review the elevations and landscaping plan. Showing a rendering of the proposal, Ms. Saleh noted that the applicant had addressed comments raised by the Committee at the preliminary presentation regarding signage. The final renderings illustrated the proposal during the daytime and the impact of lighting at night. She advised that the applicant has provided a lighting schematic.

Concluding her presentation, Ms. Saleh advised that the proposal meet the requirements of the Land Use By-law, no variances are required and based on staff's review the development meets the Design Manual Guidelines. She went on to note that the Wind Impact Assessment indicates that this development will have minor impact on the overall level of comfort for pedestrians. Ms. Saleh advised that staff is recommending approval of the application.

In response to questions from members, Ms. Saleh provided the following:

- There are three levels of parking with a parking ratio of 1.5 to 1.
- Bicycle storage requirements will be determined/finalized when the building permit is completed
- The units are intended to be rental

Mr. Rad referred to section 3.2.5 and asked if the wall on Rainnie Drive could be better integrated to the sidewalk.

Ms. Sirrs indicated that it appears there is venting on the wall in question and asked if this is correct. Ms. Saleh indicated that there was no venting on the wall although it appears so due to the materials used.

The applicant, responding to Mr. Rad's question, described how the slope on Rainnie Drive has been changed in response to comments made by the Committee at the preliminary presentation. He further responded to questions regarding lighting on the East elevation, landscaping features, materials and security.

The Committee noted that there were improvements in lighting, the inclusion of a ramp, and the use of coloured glass.

**MOVED by Mr. McBride, seconded by Ms. Black that the Design Review Committee:**

- 1. Approve the qualitative elements of the substantive site plan approval application for an 8-storey mixed-use development at 5445 Rainnie Drive, Halifax, as shown in Attachment A of the January 30, 2014 staff report.**

2. **Accept the findings of the quantitative wind impact assessment found in Attachment E of the January 30, 2014 staff report.**

**MOVED by Mr. Rad, seconded by Ms. Sirrs that the motion be amended to direct the developer to better integrate the wall on Rainnie Drive with the walkway.**

**MOTION TO AMEND WAS PUT AND PASSED.**

The motion now reads:

**MOVED by Mr. McBride, seconded by Ms. Black that the Design Review Committee:**

1. **Approve the qualitative elements of the substantive site plan approval application for an 8-storey mixed-use development at 5445 Rainnie Drive, Halifax, as shown in Attachment A of the January 30, 2014 staff report with the condition that the developer make efforts to better integrate the wall on Rainnie Drive with the walkway.**
2. **Accept the findings of the quantitative wind impact assessment found in Attachment E of the January 30, 2014 staff report.**

**MOTION PUT AND PASSED.**

#### **7.4 Case 18800- Pre Application Presentation – 5466 Spring Garden Road**

This matter was deferred to the next meeting of the Design Review Committee to be held on March 13, 2014 due to time constraints.

#### **8. DATE OF NEXT MEETING**

The next meeting of the Design Review Committee will be held on Thursday, March 13, 2014 beginning at 6:00 p.m. in Halifax Hall, City Hall.

#### **9. ADJOURNMENT**

The meeting adjourned at 9:45 p.m.

Sherrill Murphy  
Deputy Clerk