

DESIGN REVIEW COMMITTEE
SPECIAL MEETING MINUTES

March 20, 2014

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

REGRETS: Kevin Conley
Louis Lemoine

STAFF: Richard Harvey, Major Projects Planner
Karen Brown, Solicitor
Sherryl Murphy, Deputy Clerk
Jane Crosby, Legislative Support

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1. CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m. in the Media Room, City Hall, 1841 Argyle Street.

2. APPROVAL OF THE MINUTES - None

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS - None

4. BUSINESS ARISING OUT OF THE MINUTES - None

5. CONSIDERATION OF DEFERRED BUSINESS - None

6. CORRESPONDENCE/PETITIONS/DELEGATIONS

The Chair acknowledged that correspondence relating to Item 7.1 of the agenda has been received from Peggy Cameron, Judy Haiven, Sandra Selva, Colin Stuttard, Joy Woolfrey, Beth Abbott, Allan Robertson, and Phil Pacey, Chair, HRM Committee, Heritage Trust of Nova Scotia.

7. REPORTS/DISCUSSION

7.1 Case 18708: Amendments to the Downtown Halifax Secondary MPS and the Downtown Land Use Bylaw and Closure of part of Grafton Street for the Nova Centre Redesign

Mr. MacBride, Mr. Fowler and Mr. Rad declared a Conflict of Interest due to their involvement in the project and took a seat in the gallery.

A report dated February 28th, 2014 was before the Committee.

Mr. Richard Harvey, Major Projects Planner, introduced himself and explained that he would be presenting an outline of the report before the Committee. He provided the Committee with an overview of their Terms of Reference. He indicated that the Committee would be considering amendments to the Downtown Halifax Secondary Municipal Planning Strategy and Land Use By-Law. He noted that the Committee would be providing advice to Council and added that the Committee would not be approving a building at this time.

Mr. Harvey presented the location of the Nova Centre site, indicating that it is in the upper central precinct. He noted that it is currently a construction site and that Grafton Street runs through the middle of the site. He explained that the original proposal for

the convention centre emerged in 2009 when Council was considering the adoption of the new Downtown Plan. At the time, special provisions were placed within the planning documents for what has become the Nova Centre. These provisions became an appendix to the Downtown Halifax Land Use By-law. He added that if a building met these built form requirements, only a site plan approval would be necessary.

Mr. Harvey presented the current proposal for the Nova Centre. He indicated that one of the conditions of the provincial funding for the project was that public consultations be held across the province. He explained that there were concerns with the original design. One of the concerns was that the elements of the convention centre would be underground. Mr. Harvey indicated that due to the public consultations and the concerns of the developer the Nova Centre design has changed substantially and is no longer consistent with the outline that is currently in the By-law.

Mr. Harvey provided the Committee with a brief overview of the design changes to the Nova Centre proposal and presented various renderings of these changes. He indicated that the convention centre and ballroom space is now proposed to be above street level. He noted the closure of Grafton Street with the retention of a vehicular and pedestrian passage way between Prince Street and Sackville Street. Mr. Harvey presented changes that are the result of the October 2013 preliminary presentation to the Design Review Committee, including modifications along Market Street.

Mr. Harvey explained Policy 89 of the Downtown Halifax Secondary Municipal Planning Strategy. He indicated that this policy provides Council with the ability to consider amendments to the planning documents if the proposed amendments are due to unforeseen circumstances, or if the project presents significant economic, cultural or social benefits.

A review of the changes to the built form was presented to the Committee, including:

- Raising the ballroom over Grafton Street
- Enlarged tower widths
- Shadow impacts
- Wind impacts

Mr. Harvey indicated that there were some concerns regarding the wind impacts around Argyle Street and noted that the developer has acknowledged these concerns. He indicated that the developer intends to address this issue during the substantive site plan approval application. He then presented the changes to the Design Manual and indicated that no amendments have been sought by the developer; however Staff has suggested minor changes to recognize the Nova Centre.

Mr. Harvey addressed the vehicular traffic issue as a result of the closure of Grafton Street and the consolidation of the blocks. He explained that a traffic study indicated

that no significant issues arose with regards to downtown traffic and intersection performance. He expressed that it would be in the developer's best interest to have the public use this space. He added that there are requirements that the space be open at both ends.

In concluding his presentation, Mr. Harvey explained that this is a recommendation and not an approval by the Design Review Committee. He indicated that Council could schedule a public hearing and if the amendments are approved, the application would come back to the Design Review Committee as a full Site Plan Approval Application. Mr. Harvey invited questions from the Committee.

The Chair asked for clarification on the public hearing, and whether it was optional or necessary. Mr. Harvey explained that if Council considers these amendments they must hold a public hearing. Ms. Sinclair asked for explanation on how changes to the design came about. In particular, she would like to understand what prompted the changes to the tower widths. Mr. Harvey responded that he isn't entirely sure, but believes it is a combination of the public consultations and the developer's changes.

Ms. Sirrs asked what will happen to the construction site if Council refuses the proposed amendments. Mr. Harvey explained that this would have to be considered by the developer and indicated that this project has been undertaken at their risk. Mr. Murphy asked for the rationale of the increased tower widths. Mr. Harvey reiterated that he was not entirely sure. Mr. Saleh indicated that there is mention in the report of a loss of square footage due to the ballroom being raised above street level. Mr. Murphy also asked for clarification on the condominium approach and why Grafton Street could not be kept as a public space. Mr. Harvey responded that in order to meet the requirements of the legislation, Grafton Street essentially needs to be owned. He added that this is something that Council will need to consider.

Mr. Fillmore asked about the landscaped roof and whether there are any remaining portions of the roof that are landscaped in the current design. Mr. Harvey explained that there are two view planes that cross over the site. He noted the change to the ballroom roof now includes a curved element, thus removing the landscaping. Ms. Sirrs commented that this is a substantial space, with lots of overlook from Citadel Hill. She expressed that this would be a prime location for a landscaped roof and encourages the design team to rethink this space. Ms. Sirrs added that she appreciates the changes that were made as a result of the comments from the Design Review Committee and understands that further comments can be made should this application come back to the Committee at a future date.

Ms. Sirrs asked about public connectivity. She expressed concern about the size of the block due to consolidation. She explained that the views presented in the renderings would never be seen as such once constructed, because the images are presented from a substantial distance. She explained that a pedestrian would have a different

perspective. Ms. Sinclair echoed the concerns of Ms. Sirrs. Ms. Sinclair commented that she does not want to see a repetition of past mistakes with the consolidation of blocks. She added that, as of late, the Design Review Committee has seen other projects that are trying to open up the streets that have been closed in the past. She expressed that she cannot come up with any justification for the consolidation.

Ms. Sinclair asked about the public consultation process. Mr. Harvey responded that the developer held public consultation at the direction of the Province. The municipality has held a public information meeting and has brought it to the Design Review Committee for consideration. Should Council decide to consider the amendments a public hearing will be required.

The Chair asked if Council can continue to move forward regardless of the Committee's recommendation. Mr. Harvey confirmed that Council can move forward with the process regardless of the Design Review Committee's recommendation. The Chair then asked if Staff reviews the correspondence that is received from the public. Mr. Harvey responded that Staff considers public input in formulating their Staff report. The Chair indicated that one particular correspondence item challenges information cited in the report. The Chair would appreciate some reassurance that the information in the report is indeed correct and asked if Staff has had a chance to review this communication. Mr. Harvey responded that they have not yet had an opportunity to review that particular item. The Committee continued their discussion and the following motion was put:

MOVED by Mr. Fillmore, seconded by Mr. Saleh that the Design Review Committee recommends that Halifax Regional Council:

- 1. Give First Reading and schedule a public hearing to consider approving proposed amendments to the Downtown Halifax Secondary Municipal Planning Strategy and Downtown Halifax Land Use By-law, as contained in Attachments A and B, to allow for a redesign of the Nova Centre on the lands bounded by Argyle, Market, Prince, and Sackville Streets, Halifax; and**
- 2. Adopt the proposed amendments to the Downtown Halifax Secondary Municipal Planning Strategy and Downtown Halifax Land Use By-law, as contained in Attachments A and B, to allow for a redesign of the Nova Centre on the lands bounded by Argyle, Market, Prince, and Sackville Streets, Halifax.**

The Committee entered into discussion regarding the motion. Mr. Fillmore commented on the history of the process noting that both the Regional plan and the convention centre initiatives occurred at the same time in 2009. He noted that it made sense at the time to accommodate the original design of the convention centre in the Downtown

Plan. Mr. Fillmore explained that it was the public consultation process that brought the ballroom above ground and changed the overall design. He believes it is a much better building and many improvements have been made. He added that it will function very well as a convention centre as it capitalizes on the views of the Citadel Hill and the harbour. Mr. Fillmore expressed concern with regards to Clause 15A of Section 7. He indicated that it would be wise to suggest that the vehicular and pedestrian passageway be open and available to the public at all times. Ms. Black agreed with Mr. Fillmore's suggestion on rewording the amendment. Mr. Fillmore also suggested that a green roof on the ballroom be encouraged by Council.

Ms. Sinclair commented on the public space and the closing of Grafton Street. She expressed that she doesn't believe that the public space is an inviting, interactive and permeable venue. She noted that she agrees the public consultation was successful and that has resulted in a better design; however she believes it is not meeting the intent of the planning strategy. Mr. Saleh commented that some of the changes to the design can happen during the site plan approval process, and recommends that the Committee allow the process take its course.

Ms. Sirrs asked about shadow and wind impacts. She suggested that the wind impacts be addressed at the pre-application stage and not at the substantive site plan approval stage. Mr. Harvey responded that this will be subject to a more detailed report. Ms. Sirrs expressed concern over the wind impacts to Argyle Street and also to the loss of sunlight on Grafton Street. She suggested that the design team look at creating more light in the Grafton Street space.

Ms. Sinclair commented that the project is large for the city and there have already been accommodating amendments. She expressed that further amendments are going too far. The Committee concluded their discussion and the following motion was put:

MOVED by Mr. Fillmore, seconded by Mr. Saleh that the Design Review Committee amends the motion to include the following addition to the proposed amendments to the Downtown Halifax Secondary Municipal Planning Strategy and Downtown Halifax Land Use By-law at clause 15A of Section 7, as contained in Attachment B:

“The development shall include a vehicular and pedestrian passageway extending from Prince Street to Sackville Street as set out in Appendix “B” which is open and available to the public at all times.

MOTION TO AMEND WAS PUT AND PASSED.

The Committee voted on the amended motion.

MOVED by Mr. Fillmore, seconded by Mr. Saleh that the Design Review Committee recommends that Halifax Regional Council:

- 1. Give First Reading and schedule a public hearing to consider approving proposed amendments to the Downtown Halifax Secondary Municipal Planning Strategy (DHSMPS) and Downtown Halifax Land Use By-law (DHLUB), as contained in Attachments A and B, to allow for a redesign of the Nova Centre on the lands bounded by Argyle, Market, Prince, and Sackville Streets, Halifax with an amendment to Attachment B to provide that the vehicular and pedestrian passageway extending from Prince Street to Sackville Street as set out in Appendix "B" be open and available to the public at all times; and**
- 2. Adopt the proposed amendments to the Downtown Halifax Secondary Municipal Planning Strategy and Downtown Halifax Land Use By-law, as contained in Attachments A and B, to allow for a redesign of the Nova Centre on the lands bounded by Argyle, Market, Prince, and Sackville Streets, Halifax.**

MOTION PUT AND PASSED

- 8. ADDED ITEMS - None**
- 9. DATE OF NEXT MEETING – Thursday, April 10, 2014**
- 10. ADJOURNMENT**

The meeting was adjourned at 7:30pm.

Jane Crosby
Legislative Support