



**DESIGN REVIEW COMMITTEE
MEETING MINUTES
October 8, 2015**

PRESENT: Kourosh Rad, Chair
Steve Murphy, Vice Chair
Kevin Conley
Jared Dalziel
Louis Lemoine
Anna Sampson

REGRETS: Rick Buhr
Catherine Courtney
Noel Fowler
Rob LeBlanc
Malcolm Pinto

STAFF: Richard Harvey, Major Projects Planner
Luc Ouellet, Senior Planner
Sherryl Murphy, Legislative Clerk
Cailin MacDonald, Legislative Support

The following does not represent a verbatim record of the proceedings of this meeting.

The agenda, supporting documents, and information items circulated to the Committee are available online: <http://www.halifax.ca/boardscom/drc/151008DRCAgenda.php>

The meeting was called to order at 4:02 p.m. and adjourned at 5:35 p.m.

1. CALL TO ORDER

The Chair called the meeting to order at 4:02 p.m.

2. APPROVAL OF MINUTES – September 10, 2015

MOVED by Mr. Murphy, seconded by Ms. Sampson

THAT the minutes of September 10, 2015 be approved as distributed. MOTION PUT AND PASSED.

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

Additions:

- 8.1 Discussion regarding the Design Review Committee receiving Committee agendas and supporting documents electronically rather than paper copies.

The agenda was accepted as amended.

4. BUSINESS ARISING OUT OF THE MINUTES – NONE

5. CONSIDERATION OF DEFERRED BUSINESS – NONE

6. CORRESPONDENCE, PETITIONS & DELEGATIONS

6.1 Correspondence

6.1.1 Email from Philip Belitsky regarding Case 20126, proposed Brenton Street mixed-use development, dated October 8, 2015 was distributed to the Committee. The correspondence was noted as being received by the Committee.

6.1.2 Email from Deborah Vandewater regarding Case 20126, proposed Brenton Street mixed-use development, dated October 6, 2015 was distributed to the Committee. The correspondence was noted as being received by the Committee.

6.1.3 Email from Mark Singer regarding Case 20126, proposed Brenton Street mixed-use development, dated October 8, 2015 was distributed to the Committee. The correspondence was noted as being received by the Committee.

6.2 Petitions - None

6.3 Presentation - None

7. REPORTS

7.1 STAFF

7.1.1 Case #20126: Pre-Application Presentation by WM Fares Group for a mixed-use development on the site located at 1448-68 Brenton Street, and 5673-81 Brenton Place, Halifax.

The Chair invited Mr. Jacob JeBailey, to present the Case #20126: Pre-Application Presentation by WM Fares Group for a mixed-use development on the site located at 1448-68 Brenton Street, and 5673-81 Brenton Place, Halifax, to the Committee.

Mr. JeBailey began by providing an overview of the general area and context. He noted that the site is located at the corner of Brenton Place and Brenton Street, adjacent to the Trillium and Spring Garden Place as well as nearby a proposed site, also being developed by WM Fares Group, located on Clyde Street.

Mr. JeBailey shared that the intent was to maximize the footprint of the building at grade and to bring the streetwall to the street edge. He noted that the grade level would be recessed as well as glazed to increase permeability and transparency.

Mr. JeBailey commented on the length of the site and shared how it would be addressed by breaking up the streetwall with horizontal volumes moving in the direction of the length of the side. He commented that the volumes would project and recess to create depth and movement at the pedestrian level, similar to the design of the Halifax Central Library.

Mr. JeBailey described the proposed volumes of the mid-rise and high-rise portions of the development as well as commented on the introduction of setback parameters for the mid and upper portions. Mr. JeBailey noted that there was some struggle with how to articulate the form of the upper portion without having it appear disconnected. He shared that after several design options were explored, it was decided that the same architectural language would continue on to the upper storeys. Mr. JeBailey further noted that the design would introduce some variation which would be articulated through solid volumes, negative space as well as glazing to create accent features. He continued that for level seven and upward the volumes would be square rather than wedge shaped to simplify the construction of the design.

Mr. JeBailey commented on the simplistic materiality proposed for the development and shared that a high-pressure laminate panel system, a European product, is being proposed. He passed along a sample of the material for the Committee to look at. He commented that the building would be clad in a light coloured material to bring as much ambient light to the narrow street and that installing white will naturally reflect the light. He added that splashes of burnt orange would be incorporated into the design to add visual interest.

Mr. JeBailey described the various elevations of the development as well as some of the challenges that were faced by working with a sloped site. He continued by describing the proposed streetwall heights as well as the proposed setbacks at level seven, level twelve and along the interior lot lines to conform to the Land Use By-law.

Mr. JeBailey described the west elevation and that the design intent was to minimize the amount of window openings considering its proximity to the Trillium as well as to introduce a number of setbacks to increase the distance between the two buildings. He added that the design allows for inset balconies along the lower levels and that the projecting balconies were designed to be shallow to minimize their impact on neighbouring sites.

Mr. JeBailey shared that the building's entrance will be along Brenton Street. He also commented that the property area is approximately 22,000 square feet and that 15,000 square feet of ground floor commercial retail space is being proposed. He shared that there will be approximately 170 residential units and 92 parking spaces below grade. Mr. JeBailey noted that landscaping at grade will be approximately 3000 square feet and that the rooftop landscaping will be 5300 square feet.

Mr. JeBailey went on to describe the variances requested in conjunction with Section 3.6 of the Land Use By-law for the Committee and noted that most of the requested variances are related to the irregular shape of the lot.

Mr. JeBailey described the first requested variance which relates to the side and rear yard setback. He stated that the irregular shape of the West property line, the interior lot line setback and narrow site combine to suggest an impractical building form. He added that in the interest of structural simplicity and ease of construction, a simplified exterior wall at the midrise interior lot line setback is being proposed.

Mr. JeBailey described the second requested variance which relates to the streetwall height. He stated that due to the grade change along Brenton Street, the ground level floor-to-floor heights range from approximately 11 feet to 18 feet and that this, coupled with maximum building height constraints and feasible floor-to-floor residential ceiling heights, puts the 7th floor top of slab at 18 inches above the maximum streetwall height parameter or 62.2 feet above average grade. He added that the developer is currently in discussions with HRM to determine what an appropriate floor to ceiling height would be.

Mr. JeBailey continued by describing the third requested variance which relates to the upper storey sideyard setback and its intent to square off the lot. He noted that due to the irregular shape of the West property line, the required side yard setback and narrow site combine to suggest an impractical building form.

Mr. JeBailey provided explanation for the fourth requested variance relates to the maximum tower width. He commented that in order to accommodate the narrow footprint and structural grid, the setback on Brenton Place has been increased by 4.5 feet, and the tower length has increased by approximately 5.5 feet.

Mr. JeBailey described the final requested variance which relates to the land uses at grade and the ground floor ceiling height. He commented that due to the grade change along Brenton Street, the ground floor slab steps to meet sidewalk elevations to maintain active permeable transitions from the public realm into retail spaces. He added that this causes the ground floor-to-floor height at the North-most retail bay to be 12.6 feet which is approximately 2.2 feet below the required minimum.

A copy of the presentation is on file.

The Chair thanked Mr. JeBailey for his presentation and opened the floor to questions and comments from the Committee.

Mr. Lemoine inquired whether there was any concern about the limited amount of parking spaces available given the number of units planned for. Mr. JeBailey responded that the client does not have concerns given its central location and the promotion of the units to young urban professionals, who often use other means of transportation, such as cycling and public transit. The Chair inquired about the ratio of parking available for the Trillium. Mr. JeBailey responded that he was uncertain but that there was more parking available since three levels of parking were created rather than two. He further noted that complications with the excavation process when building the Trillium was as part of the rationale for proposing only two levels of parking at Brenton Place.

Ms. Sampson asked whether anything was being done to encourage cycling among residents such as ground level bike storage. Mr. JeBailey responded that there was quite a bit of space available at the ground level and that additional storage space could be looked into. The Chair commented that there was some innovative design related to bicycle storage being proposed for a new development on Granville Street that Mr. JeBailey may wish to review.

Mr. Lemoine inquired what the distance was from the highest part of the proposed building to the Trillium. Mr. JeBailey responded that it was approximately 45 to 50 feet from the mid-rise point of the building and that the high-rise portion steps-back an additional 10 to 15 feet which equals approximately 60 feet. Mr.

Lemoine asked whether this was in accordance with fire separation and Mr. JeBailey noted that it would be.

Mr. Lemoine inquired about the landscaping plans at grade. Mr. JeBailey responded that since the building is quite close to the property line, there is minimal space for landscaping. He shared that a landscaping plan is being developed which will explore the feasibility of extending the concrete paving as well as including a two foot accent strip should space allow. Mr. Lemoine asked for further explanation about the glass and metal canopy outlined in the elevations and noted that it did not appear in the renderings. Mr. JeBailey further explained how the proposed secondary canopy would be incorporated into the building's design.

Mr. Conley noted that an additional landscaping variance was also being sought. Mr. Murphy asked for further explanation on the landscape variance requested. Mr. JeBailey explained that up to 10 per cent of the landscaping may be allocated to an upper floor and that the design would be taking advantage of this allowable percentage allocating 9 per cent to the 11th floor. Mr. Lemoine commented that since this landscaped area would be located on the 11th floor it would not be a space that would be able to be enjoyed and utilized by the public although he understands the constraints of the property. He added that since the landscaping at grade would be minimal, he encouraged Mr. JeBailey to introduce a green wall or living wall into the design.

Mr. Lemoine inquired whether public art had been considered in the design. Mr. JeBailey responded that since the development would be going beyond the post bonus height, a certain percentage of the cost would be allocated to a public benefit, and although still in discussion, an offsite public art piece is being considered.

The Chair commented on the façade on Brenton Place and inquired about the possibility making the ground floor residential townhouses, rather than commercial space, considering the viability of retail given that it is not a major street. Mr. JeBailey responded that he was uncertain whether this could be a consideration and voiced concerns about the awkward transition this may create. He continued that he felt this location warranted commercial at grade and stated that his client's leaseholds are near full or at 95 per cent occupancy.

The Chair commented that he felt that the middle and upper portions of the design were quite busy. Ms. Sampson commented on the superior design of the base and expressed concerns about the scale and proportion of the middle and upper portions. Ms. Sampson added that she liked the glass layer reflected throughout the design and commented that perhaps this element could be carried upward. Mr. JeBailey noted their comments.

Mr. Dalziel commented that since this development is being built in a colourful neighbourhood incorporating more colour may be a consideration. Mr. JeBailey noted that the choosing white for the majority of the coloured volumes was a strategic decision given how it will reflect light in the area. He referred to examples in his presentation of how a similar material has been used in buildings in Toronto.

Ms. Sampson commented on the placement of the rooftop terrace and inquired whether it would relate better to the lower adjacent buildings if the terrace shifted from the north to the south side. Mr. JeBailey acknowledged Ms. Sampson's comments and shared that the building's design was intended to cascade down and therefore he was uncertain how shifting it would affect the design. Mr. Richard Harvey, Major Projects Planner, commented that there would be by-law concerns if the placement of the terrace were to change.

Mr. Conley asked whether this development was located in the proposed Schmidville conservation area. Mr. Harvey responded that this area has been included in the study of the Schmidville conservation district, although noted that it is not the primary area of the study. He continued by sharing that there is no prohibition on development in the studied area and that the Downtown Halifax Land Use By-law would continue to apply. Mr. Lemoine asked when the Schmidville guidelines would be completed. Mr. Harvey responded that the process is underway and that he was uncertain when it would be completed.

Ms. Sampson echoed the Chair's comments on the number of parking spaces available and noted that proper storing, cleaning and repairing facilities for bicycles should be accommodated. She also commented on the low ceiling height. Mr. JeBailey acknowledged that the height is low and advised that accommodation was made to make them as high as possible.

Mr. Dalziel asked if more than one tenant was being considered for the ground floor commercial space. Mr. JeBailey responded that multiple tenants were being considered.

Mr. Conley commented that the variances for this project seemed reasonable given the irregular site. The Chair agreed with Mr. Conley's comments.

Mr. Dalziel inquired whether the Committee should discuss the minimum ceiling height requirement for the commercial space and the possibility of raising the overall building height. The Chair inquired whether this could be considered at this stage of the application. Mr. Harvey responded that exploring the possibility of this variance is a worthwhile exercise and commented that when the Committee receives the Staff Report they will have an opportunity to apply and discuss the variance criteria to help determine the outcome. The Committee continued to discuss with Mr. JeBailey and staff, the implications with raising the overall building height in order to increase the ceiling height by approximately 10 to 12 inches in the commercial spaces. The Committee agreed that they would delay further discussion until a Staff Report is provided.

Mr. Murphy commented that he would like to see renderings for this development within the context of the street and would like it to include renderings of the upcoming new developments. Mr. Lemoine agreed with Mr. Murphy's comments and noted that the more context that is included the clearer the developer's vision becomes. Mr. Harvey agreed and shared that it is helpful to provide context particularly when variances are involved so that the Committee can understand the relationship between each building to one another. Mr. JeBailey asked the Committee whether it would be helpful to illustrate the designs using SketchUp. Mr. Lemoine agreed and remarked that modeling buildings by illustrating massing, form, texture and height would be a useful exercise to take the Committee through. The Chair asked if Staff can determine whether the program SketchUp can be installed to aid presenters during the design review process.

Mr. Conley asked about the area between the Trillium and the proposed development. Mr. JeBailey responded that this area incorporates a ramp down to the Trillium parking garage. He further clarified that there is no pedestrian access and commented that there may be some outdoor commercial space incorporated such as a patio.

Mr. Dalziel commented that he would like some glazing incorporated into the materiality of the parking garage door. Mr. JeBailey acknowledged Mr. Dalziel's comments.

The Chair commented that he hoped that the Committee would see some of their comments incorporated or addressed in the next presentation. Mr. JeBailey acknowledged the Chair's comments.

The Chair asked whether the Committee had any further questions, and hearing none, he thanked Mr. JeBailey for his presentation.

7.1.2 Continued Review and Feedback – Draft Amending Documents – 5 Year Review Halifax Downtown Plan.

The following was before the Committee:

- Downtown Halifax Land Use By-Law (Draft Version)

The Chair invited Mr. Luc Ouellet, Senior Planner, to contribute to continued discussions by the Committee on the proposed changes to the Downtown Halifax Land Use By-Law.

The Chair opened the floor to questions and comments from the Committee.

The Chair asked about participation in the public engagement session held on September 23, 2015. Mr. Ouellet responded that there were approximately 100 attendees and shared that a community engagement summary report will be created once all engagement sessions have been completed.

Referring to page 13, Ms. Sampson commented that she agreed with the criteria for Site Plan Approval: Level I Substantive Applications and appreciated that Staff could still refer applications to the Design Review Committee. She commented on the rationale behind these changes and agreed that it would help advance smaller infill projects in a more timely fashion. The Chair commented that he would like to see major projects, such as an important heritage building, be referred to the Committee and asked Mr. Ouellet whether more thought had been put into the criteria. Mr. Ouellet responded that he and staff were considering reducing the building size, although a new size had not yet been determined. He shared his concerns for making heritage buildings level II applications considering it involves creating a website and holding a public meeting, and noted that heritage buildings are already subject to a longer process. The Committee continued to discuss with staff the criteria for and the implications around referring level I applications to the Design Review Committee.

Referring to page 26, Ms. Sampson inquired about the term 'comment box', referenced in 7.6 (a) (ii). Mr. Ouellet clarified that this term refers to a ballot box which can be accessed by the public for sharing comments on a proposed development.

Referring to page 26, Ms. Sampson asked for clarification on changing the term "variance" to modification. Mr. Ouellet clarified that "variance," as defined by the *HRM Charter*, would not be applicable in all scenarios when applied under the Downtown Halifax Land Use By-Law. He commented that staff have been advised by legal services not to use this term and shared that they are open to other terms. Ms. Sampson commented that her concern with the term "modification" is that it may imply that the request applies on more than one occasion and suggested that "deviation" may be a more fitting term to consider.

Referring to page 33, Ms. Sampson asked for clarification on lot requirements. Mr. Ouellet provided further clarification and noted that the language is commonly used in other by-laws and generally understood. Ms. Sampson also asked for clarification on the removal of "elevator enclosure above a structure required for access to rooftop amenity space." Mr. Ouellet responded that Staff determined that this language was confusing and unnecessary since "elevator enclosure" is listed.

Referring to page 42, Ms. Sampson inquired whether there had been demand in Halifax for kiosks, stands, booths and converted shipping containers to be located in other areas of the downtown beyond the waterfront and noted that other cities are implementing this type of development. Mr. Ouellet responded that this would not deter applicants from seeking permits for a temporary structure elsewhere. The Committee continued to discuss the feasibility of temporary structures in other areas of the downtown.

Referencing page 53, 23.12, Ms. Sampson noted her concerns with requiring 75 per cent of the ground floor surface area of a building to be comprised of windows given the possible change in energy standards. Mr. Lemoine commented that perhaps the statement could include the terminology "notwithstanding current energy codes." The Chair echoed these comments and shared details of a report coming out of Toronto which identified a percentage of 60. The Chair also commented that he would like to see further consideration by developers to make ground level residential and cited Vancouver as an example of where this has been incorporated effectively.

Mr. Murphy shared that he attended the public consultation session and that two comments stood out. He continued that one was a comment on accessibility and wondered whether this could be given further consideration by staff. Mr. Ouellet shared that the Centre Plan will have this as an overarching theme. Mr. Murphy noted that the second comment related to "wedding cake" design. Mr. Ouellet responded that this

comment related to increasing design flexibility in the by-law and noted that staff are reviewing areas where this could be incorporated

Mr. Murphy also commented on the ratio of parking for new developments. Mr. Ouellet commented that staff prefer to let developers, and subsequently the market, determine the amount of parking to include as to not force these costs onto tenants or condo owners. The Chair echoed Mr. Ouellet's comments.

Mr. Dalziel inquired about the rationale for maintaining the term "substantive." Mr. Ouellet responded that this term has been maintained because it means that there is an option for repeal.

7.2 COMMITTEE MEMBERS

8. ADDED ITEMS – NONE

8.1 Discussion of the Design Review Committee receiving Committee agendas and supporting documents electronically rather than paper copies.

The Chair asked for the Committee's thoughts on receiving agendas and supporting documents electronically rather than in paper format. The Committee briefly discussed this and agreed that they would like to become paperless and receive documents electronically instead.

9. DATE OF NEXT MEETING – November 12, 2015 beginning at 4:00 p.m.

10. ADJOURNMENT

The meeting adjourned at 5:35 p.m.

Cailin MacDonald
Legislative Support