



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

**Design Review Committee
June 12, 2014**

TO: Chair and Members of Design Review Committee

Original signed

SUBMITTED BY: Brad Anguish, Director, Community and Recreation Services

DATE: June 6, 2014

SUBJECT: Case 19322: Substantive Site Plan Approval – Nova Centre, Halifax

ORIGIN

Application by Argyle Developments Limited

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that the Design Review Committee:

1. Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the Nova Centre (lands bounded by Argyle, Prince, Market, and Sackville Streets), Halifax, as shown on Attachment A, conditional upon Regional Council's approval of the street closure and sale of that part of Grafton Street between Prince and Sackville Streets; and
2. Accept the findings of the quantitative wind impact assessment found in Attachment D.

EXECUTIVE SUMMARY

Argyle Developments Limited is proposing to develop a new mixed use building, to be known as the “Nova Centre”, which includes the Halifax Convention Centre, offices, retail uses, and a hotel on the lands bounded by Argyle, Prince, Market, and Sackville Streets, in Downtown Halifax. The project requires Substantive Site Plan Approval based upon a review of the Design Manual of the Downtown Halifax Land Use By-Law (DHLUB).

The Design Review Committee is specifically charged with:

- considering the project in light of the Design Manual of the Downtown Halifax Land Use By-law; and
- considering the results of the wind impact assessment that addresses the expected levels of pedestrian comfort that will result with the project.

This report provides analysis and recommendations on these matters to the Design Review Committee. It has been determined that the proposal meets the qualitative elements of the Design Manual. Furthermore, it is concluded that the expected wind conditions for pedestrian comfort are acceptable. Upon review of these matters, staff recommends that the substantive site plan approval be granted conditional upon Regional Council’s closure of a portion of Grafton Street and its subsequent sale to the developer.

BACKGROUND

Proposal

This application for substantive site plan approval by Argyle Developments Limited is for the Nova Centre, a new mixed use building that includes the Halifax Convention Centre, offices, and a hotel on the lands bounded by Argyle, Prince, Market, and Sackville Streets, within Downtown Halifax (refer to Map 1 and Attachment A). To enable the proposal to proceed to the permit and construction phases, the Design Review Committee must consider the proposal relative to the Design Manual within the DHLUB.

Existing Context

The site includes two city blocks and a portion of Grafton Street, which, as part of the Nova Centre project is planned to be closed and sold to Argyle Developments Limited by HRM (Map 1). The surrounding area is largely comprised of low to mid-rise buildings that generally include ground floor retail and restaurant uses and upper floors that include hotels, offices, and residential uses. The portion of Argyle Street immediately across from the site, is recognized for being comprised of ground floor restaurants, most of which have sidewalk seating in the spring, summer, and fall.

Project Description

The Nova Centre has the following major elements:

- a 15 storey office tower along Argyle Street;
- a 16 storey hotel tower at the corner of Prince and Market Street (from Market Street);
- a combined pedestrian and vehicular passageway and gathering area for events on the portion of Grafton Street to be closed and sold;
- the passageway also serves as the access to two levels of underground parking; and
- two levels of major convention centre exhibition space, one is underground and the other extends between Argyle and Market Streets over the passageway.

Drawings that outline the design of the overall building and its rooftop and streetscape details are found in Attachment A. The design rationale for the development is contained in Attachment B.

Regulatory Context

With regard to the Downtown Halifax Secondary Municipal Planning Strategy (DHSMP) and the Downtown Halifax LUB, the following are relevant to note from a regulatory context:

- The Nova Centre development is subject to special built-form elements as set out in Appendix B of the DHLUB, which is a diagram that outlines the permitted extent and height of various building elements on the site.
- No other built-form requirements under the DHLUB are to be considered;
- The development is to comply with the view plane and rampart view requirements that emanate from the Citadel;
- The proposed building needs to respond to the wind assessment performance standards of the DHLUB; and
- The appearance of the project, including matters such as its materials and its streetscape elements, are subject to the Design Manual and the review and approval of the Design Review Committee.

Closure and Sale of Grafton Street/Consolidation of Lands

To proceed with the development of the Nova Centre as it is envisioned, the developer plans to acquire that portion of Grafton Street between Prince and Sackville Streets. On April 29, 2014, Regional Council held a public hearing to consider the closure and sale of the relevant section of Grafton Street. To date, Regional Council has not approved the closure or the sale of the street right-of-way.

If Regional Council approves the sale of the relevant section of Grafton Street, the lands are to be consolidated with existing land parcels of the development into a single lot. As such, the Design Review Committee is being asked to approve the substantive site plan approval application, *conditional* upon Regional Council's approval of the closure of a portion of Grafton Street and its subsequent sale to the developer.

Role of the Development Officer

In accordance with the Substantive Site Plan Approval process, as set out in the DHLUB, the Development Officer is responsible for determining if a proposal meets the land use and built

form requirements of the DHLUB. The Development Officer has reviewed the application and determined it to be in conformance with these requirements. Other DHLUB and related by-law matters, such as requirements bicycle parking and lot consolidation will be addressed at the permitting review stage.

Role of the Design Review Committee

The role of the Design Review Committee in this case is to:

- determine if the proposal is in keeping with the design guidelines contained within the Design Manual; and
- determine if the proposal is suitable in terms of the expected wind conditions on pedestrian comfort.

If the Design Review Committee approves the project, the decision of the Committee is subject to an appeal. If no appeals are received, the project can proceed to the permit and construction phases.

DISCUSSION

General Comments on the Nova Centre and the Design Manual

The Nova Centre is much larger than any other project that has been considered through the substantive site plan approval process to date. In addition, the nature of its land uses are such that the project has considerable amounts of frontage that are occupied by utilitarian features such as loading areas, air intakes and exhausts, and staircase exits. The review of the project has been undertaken with a perspective that the conditions of the Design Manual need to be applied in a balanced manner that recognizes the size and nature of the building, while also ensuring that the proposal meets overall goals, such as the animation of streets, to the greatest degree possible.

Design Manual Guidelines

The evaluation of the project against the applicable guidelines of the Design Manual is found in table format in Attachment C. The table indicates staff's advice as to whether the project complies with a particular guideline. In addition, it identifies circumstances where there are different possible interpretations of how the project relates to a guideline or where additional explanation is warranted. These matters are outlined in the review below.

It is important to note that recent amendments to the DHLUB allow for the new design of the Nova Centre and exempt the building from seven criteria within the Design Manual. These criteria are identified in ~~strikeout~~ within Attachment C. The exempted criteria generally did not adequately recognize the size the original or the current building.

The matters below have been identified in Attachment C as "Discussion" items. They are organized into themes as follows:

Streetwalls/Pedestrian Oriented Commercial (2.6d, 3.1.1a, 3.1.1b, 3.1.1c, 3.2.1a, 3.2.1e, 3.2.1f, 3.2.1g, 3.5.1f)

In general terms, the Design Manual calls for streetwall design that provides pedestrian interest, with narrow storefronts, a high degree of fenestration, and fine-grained elements. This existing street character has been observed most notably on Argyle Street. The Nova Centre responds to this by instituting vertical bays and individual storefronts along the Argyle Street frontage. Along the other adjoining streets, the streetscape character that is called for in the Design Manual is more difficult to achieve. The design includes, where possible:

- staircase exits and other exits to provide a positive contribution to the streetscape with transparent openings; and
- mitigation of blank walls through the introduction of high quality details, including landscaping, steps, and planters.

The main location of utilitarian functions is along Market Street, where there is a concentration of loading bays and staircase exits. The loading bays and other utility features are screened by rolling doors. Along the southern portion of Market Street, a retail use has been introduced to help animate the street. Staircase exits along this area have transparent openings to help provide pedestrian interest.

Building Orientation and Placement/Retail Uses (3.2.2a, 3.2.3d, 3.2.3f)

The Design Manual places an emphasis on having buildings placed at the street edge with primary entrances directly accessing the sidewalk. It also calls for buildings to change with grades to avoid exceedingly raised or sunken entrances.

Along Argyle Street the ground floor of the building is setback from the streetline. The area has been designed to accommodate spill-out patios. For the most part, the condition this frontage represents an extension of the sidewalk. However, it should be noted there are steps that are envisioned to address a grade difference between the anticipated finished floor and patio level and the sidewalk. Recognizing that it would be more beneficial for this transition zone to have as much barrier-free access from the sidewalk as possible, the landscape plan calls for the grade to be sloped to the greatest possible degree.

The streetwall is located at the street edge along Prince and Market Streets. Along Sackville Street, the building is setback from the street, behind ventilation intakes that are being screened by vegetation planters and the water feature terracing (see discussion under “Sloping Conditions”).

Sloping Conditions (3.2.5a, 3.2.5c, 3.2.5d, 3.2.5e, 3.2.5f)

The Design Manual calls for, “active uses at-grade, related to the sidewalk, stepping with the slope. Avoid levels that are distant from grade” (3.2.5a). From a streetscape perspective, the Nova Centre’s most active uses are primarily oriented towards Argyle Street. The comments that are noted above under the heading of *Building Orientation and Placement/Retail Uses* are relevant to this frontage.

In addition to Argyle Street, there are two other retail frontage areas of the development along Market Street and along the upper part of Sackville Street. In other areas, particularly along Sackville Street, retail uses are separated from the street and gain access from the passageway or Argyle Street. This has been necessitated by the installation of air intakes along the Sackville Street frontage that are being screened by vegetation planters and the water feature terracing. The limited relationship to the street in these instances is viewed as a compromise that accounts for the need of the ventilation in-takes.

With regard to the stepping of floor areas with the slope, this has been achieved but only in large segments, given the scale of the building. The Design Manual calls for certain design solutions where retail is located on sloped streets. However, the Sackville and Prince Street frontages are not currently areas with a strong retail presence.

Corner Sites (3.4.2b, 3.4.2c, 3.4.2d)

The Design Manual provides guidance to development that has corner sites and requires such corner sites to have special architectural treatments and a frontal design to both adjoining street frontages. From an overall perspective, the proposal has prominent features at most corners. At Argyle and Sackville Streets and Argyle and Prince Streets, the building has striking curved glass features on the towers. The corners along Market Street (at Prince and Sackville) are less satisfactory, although it acknowledged the grey masonry wall at Market and Sackville provides an off-set to the convention centre ballroom.

Section 3.4.2c of the Design Manual calls for all corner sites to provide frontal design to both street frontages. This has typically been viewed in the past as a street level condition that relates to the provision of entrances at corners. This intent is achieved by the development at the corner of Argyle and Prince Streets. At this location, there is an entrance facing Argyle Street that is evident from Prince Street through an eroded corner. At Argyle and Sackville Streets, the corner is highlighted by planter and water features that are apparent from both streets. This is a different approach that warrants consideration by the Design Review Committee.

Canopies/Awnings (2.6h, 2.6k, 3.1.1d, 3.2.3b)

The Design Manual places an emphasis upon the implementation of canopies and awnings on pedestrian oriented streets and in other situations where it practical to do so. Canopies have been implemented along above the retail uses along Argyle Street, along substantial portions of Market Street, and over entrances and exits along Prince and Sackville Streets.

Roofs (2.6m, 3.3.4c, 3.3.4d)

The Design Manual places a strong emphasis upon well-designed rooftops and the implementation of landscaping. The most notable roofscape of the Nova Centre is the area over the convention centre ballroom. At one point, a vegetative surface was envisioned for it; however, structural weight issues prevented this from being realized. Consequently, this roof has evolved into a sloped surface with a PVC surface material. To meet the intent of the Design

Manual to ensure roofs are visually appealing, it is envisioned this area may also have further elements such as specialized lighting.

The roof at the base of the hotel will be landscaped, and includes an outdoor amenity area. The remainder of the roofs at this level are to be comprised of a “light coloured (high albedo) 2 ply modified bitumen” material. “High albedo” refers to the reflective qualities of the material, which is being used as a sustainability feature to reduce the heat effect that is often generated with application traditional roofing materials.

The extent of the landscaping at the podium level is not ideal and warrants further discussion by the Design Review Committee.

The same “light coloured (high albedo) 2 ply modified bitumen” material is also proposed on the upper rooftops, without landscaping elements. It is noted that with these roofs being at the highest possible height pursuant to the rampart requirements, these rooftop areas will not be able to be readily seen from other vantage points. Again, however, a strong emphasis is placed on landscaping roofs in the Design Manual and this matter warrants further discussion by the Design Review Committee.

The only rooftop equipment features are elevator equipment rooms, which are to be enclosed. The tops of the towers have sculpted elements that add visual interest.

Lighting (3.5.4)

Detailed plans have not been provided for the lighting of the building. However, the applicant has provided a limited amount of information about lighting in Attachment B. Such information is for information purposes only. Lighting on its own is not a matter that is subject to site plan approval.

Signs (3.5.5)

Limited information has been provided regarding potential signage for the building. However, sign approvals will be part of any subsequent applications that are made to the Development Officer.

Wind Assessment

A quantitative wind impact assessment was prepared by RWDI Consulting for the proposal (refer to Attachment D). The purpose of the assessment is to determine whether the site, and in particular the surrounding sidewalks, will be safe and comfortable for pedestrians once the new building is constructed.

The concern with respect to wind conditions is whether the site, and in particular the surrounding sidewalks, will be comfortable for their intended usage. Wind conditions are rated in terms of relative comfort for different pedestrian activities that include “sitting”, “standing”, and “walking.”

The RWDI Study indicates that there are varied conditions around the site, notably with the east side of Argyle Street having summer-time sidewalk patios, which would be a “sitting” environment in the summer. The study has found that conditions around the site are anticipated to be favourable. The wind conditions around the proposed Nova Centre are discussed in Section 5 of the Wind Study in greater detail and are summarized as follows:

- All locations passed the wind criterion used to assess pedestrian wind safety.
- The proposed development provided suitable summer and winter wind comfort conditions.
- There are no recommendations for wind control mitigation as the proposed development did not adversely alter wind conditions, nor did it create any significant adverse wind activity.

It is recommended that the findings of the quantitative pedestrian wind study be accepted by the Design Review Committee.

Conclusion

Upon review of the proposal against the criteria of the Design Manual, staff advises that the proposal meets the Design Manual guidelines. Therefore, staff recommends that the substantive site plan approval application be approved, conditional upon Regional Council’s approval of the closure and sale of a portion of Grafton Street between Prince and Sackville Streets.

FINANCIAL IMPLICATIONS

There are no financial implications. The HRM costs associated with processing this planning application can be accommodated within the approved operating budget for C310 Planning & Applications.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy and the requirements of the Downtown Halifax LUB regarding Substantive Site Plan Approvals. There is a special provision in the DHLUB that specifies that public consultation for the substantive site plan approval is not required on the basis of the consultation that has already occurred with the project.

ENVIRONMENTAL IMPLICATIONS

No implications have been identified.

ALTERNATIVES

1. The Design Review Committee may choose to approve the application for Substantive Site Plan Approval with conditions. This may necessitate further submissions by the applicant as well as a supplementary report from staff. This is not the recommended course of action.
2. The Design Review Committee may choose to deny the application. The Committee must provide reasons for this refusal, based on the specific guidelines of the Design Manual. An

appeal of the Design Review Committee's decision can be made to Regional Council. This is not the recommended course of action.

ATTACHMENTS

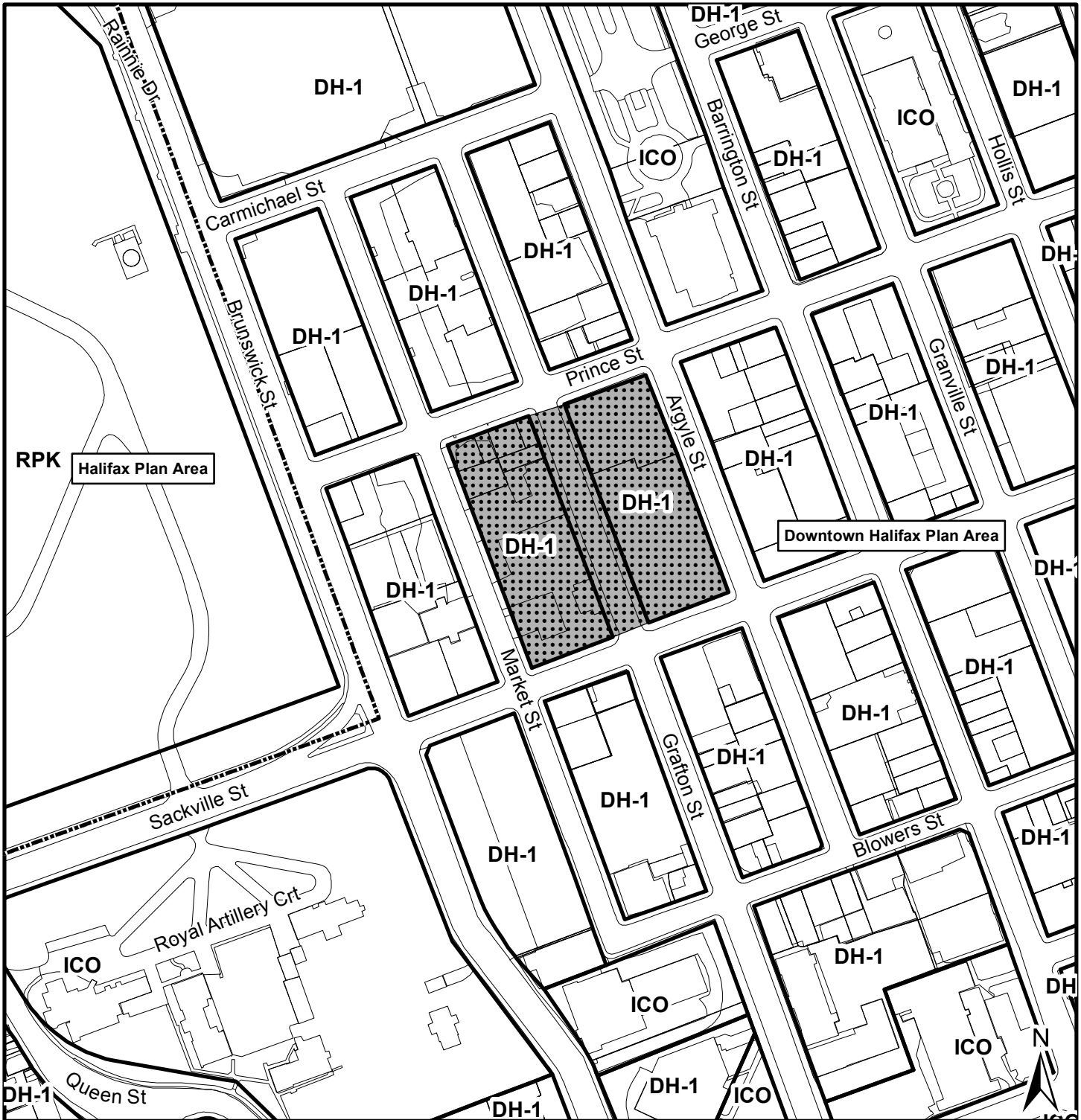
Map 1	Location and Zoning
Attachment A	Substantial Site Plan Approval Plans
Attachment B	Design Rationale and Other Supporting Documents
Attachment C	Design Manual Checklist
Attachment D	Wind Study

A copy of this report can be obtained online at <http://www.halifax.ca/boardscom/DesignReviewCommittee-HRM.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210 or fax 490-4208.

Report Prepared by: Richard Harvey, MCIP, LPP, Major Projects Planner, 490-6495


Original signed

Report Approved by: Kelly Denty, Manager of Development Approvals, 490-4800



Map 1 - Zoning

Area bounded by Argyle, Sackville, Market and Prince Streets, Halifax

 Subject area

Zone
 DH-1 Downtown Halifax 1
 ICO Institutional, Cultural and Open Space

Downtown Halifax Plan Area



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

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