

**Item 7.1**  
**Design Review Committee**  
**February 13, 2014**

**TO:** Chair and Members of Design Review Committee

**SIGNED BY:** Signed by

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

**DATE:** January 24, 2014

**SUBJECT:** **Case 19046: Substantive Site Plan Approval – Mixed-Use Development, for the lands bounded by Hollis, George, Granville, and Duke Streets, Halifax**

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**ORIGIN**

Application by Lydon Lynch Architects 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 lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A 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) 5<sup>th</sup> and 6<sup>th</sup> storeys of the Champlain Building's front facade be retained or replicated;
2. Approve the requested variances to the Streetwall Setbacks, Streetwall Height, Land Uses at Grade, Depth of Building, Permitted Encroachments, and Prohibited External Cladding Material, as shown in Attachment A;
3. Accept the findings of the qualitative wind impact assessment found in Attachment F; 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.

## EXECUTIVE SUMMARY

Lydon Lynch Architects are proposing to develop a mixed residential and commercial development, to be known as “22<sup>nd</sup> Commerce Square”, within the block bordered by Hollis, George, Granville, and Duke Streets in Downtown Halifax. The proposed development requires Substantive Site Plan Approval based upon a review of the Design Manual of the Downtown Halifax Land Use By-Law. As the site includes five Municipally Registered Heritage Properties, the development also requires Regional Council approval for substantive alterations to heritage properties as per the *Heritage Property Act*.

The proposed development includes two towers joined with a central atrium and exterior plazas located between the towers. The mixed use project includes ground floor retail and restaurant uses, commercial office space in the North Tower and residential condominiums and hotel uses in the South Tower. Five municipal heritage buildings will be incorporated into the design of the development, including the preservation of the Bank of Commerce building at the corner of George and Granville Streets, and the conservation of the facades of the other four buildings.

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;
- evaluating and making a decision on variances that are being sought;
- considering the results of the wind impact assessment that addressed the expected levels of pedestrian comfort that will result with the project; and
- recommending whether a proposed public benefit should be approved to allow the project to exceed the pre-bonus maximum height requirement.

This report provides analysis and recommendations on these matters to the Design Review Committee. It has been determined that while there are certain matters that require consideration, the proposal meets the qualitative elements of the Design Manual with the inclusion of two conditions in order to address heritage design guidelines. Furthermore, it is concluded that the variances being sought are consistent with the Design Manual, the expected wind conditions for pedestrian comfort are acceptable, and the proposed public benefit that is associated with the project is suitable so as to allow it to exceed the pre-bonus maximum height requirement. Upon review of these matters, staff recommends that the site plan approval for the 22<sup>nd</sup> Commerce Square development be granted as outlined in Attachment A with conditions recommended in this report for the Bank of Commerce building and the Champlain building.

## BACKGROUND

### **Proposal**

This application for Substantive Site Plan Approval by Lydon Lynch Architects Ltd. is for a mixed residential and commercial development on the site bordered by Hollis, George, Granville, and Duke Streets, within Downtown Halifax (refer to Attachment A). The applicant wishes to demolish the existing buildings on the site except for the Bank of Commerce building and the facades of four other municipal heritage buildings in order to construct two towers joined with a central atrium at their base. 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 Downtown Halifax Land Use By-Law (LUB).

### **Existing Context**

The subject site forms one of the Central Blocks identified in the Downtown Halifax LUB. The total site area is approximately 39,150 square feet with 890 feet of frontage on four streets (Map 1). This block is currently comprised of fourteen (14) separate lots which contain 8 buildings, 5 of which are Municipally Registered Heritage Properties. The site is developed with commercial uses including offices, retail stores and restaurants. The 13 storey Royal Bank building dominates the site at the corner of George and Hollis Streets.

### **Project Description**

The proposed development includes two towers joined with a central atrium and exterior plazas located between the towers. The mixed use development will include ground floor retail and restaurant uses, commercial office space in the North Tower and residential condominiums and hotel uses in the South Tower. Five municipally registered heritage buildings will be incorporated into the design of the development.

The following highlights the major elements of the proposal:

- North Tower:
  - 8,550 sq. ft. of retail space at the ground level; and
  - 240,100 sq. ft. of commercial office space on levels 2 to 22.
- South Tower:
  - 96 suite hotel from ground level to level 9, comprising 77,250 sqft GFA;
  - Restaurant and support accommodations; and
  - 88 residential condominium units on levels 11 to 25, comprising 127,070 sqft GFA.
- Both towers exceed the pre-bonus height maximum at 85.09 metres;
- The proposed public benefit includes the retention of existing heritage building facades plus the retention of an entire heritage building, the provision of a publically accessible amenity space and sustainable building practices through pursuit of LEED Platinum level; and
- Incorporation of 5 municipally Registered Heritage buildings into the new development at:
  - 5171 George Street (Bank of Commerce building) – entire building plus the front facade of the rear addition on Granville Street;
  - 1813 Granville Street (Hayes Insurance building) – retention of front facade;
  - 1819 Granville Street (Merchants Bank of Canada building) – retention of front facade;
  - 1824 Hollis Street (Champlain building) – retention of front façade except for the 5<sup>th</sup> and 6<sup>th</sup> storeys of the facade; and
  - 1820 Hollis Street (Flinn building) – retention of front facade.
- Underground parking for 289 cars plus service and storage areas for residential and commercial occupants.

Information about the approach to the design of the building has been provided by the applicant (Attachment B). Attachment C provides renderings for the project.

### **Regulatory Context**

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

- The site is situated within the Lower Central Downtown Area (Precinct #4) and is zoned DH-1 (Downtown Halifax);
- The maximum pre-bonus height is 49 metres and the post-bonus height is restricted by the Ramparts Maximum;
- Viewplane #5 crosses the south end of the property at George Street;
- The ground floor of the building must have a floor-to-floor height of no less than 4.5 metres;
- The required streetwall setbacks on all street frontages is between 0 and 1.5 metres;
- The minimum streetwall setback is 3 metres between the top of the streetwall and 33.5 metres, and 4.5 metres between 33.5 metres and the Ramparts Maximum;
- The minimum streetwall height is 11 metres while the maximum streetwall height is 18.5 metres for all street frontages;
- High-rise buildings above 33.5 metres shall be separated by 17 metres and shall be a maximum width of 38 metres and depth of 27.5 metres; and
- Landscaping is required for the portion of flat rooftops which are not occupied by architectural features or mechanical equipment.

#### **Role of the Development Officer**

In accordance with the Substantive Site Plan Approval process, as set out in the Downtown Halifax LUB, the Development Officer is responsible for determining if a proposal meets the land use and built form requirements of the LUB. The Development Officer has reviewed the application and determined it to be in conformance with these requirements, with the exception of the Streetwall Setbacks, Streetwall Height, Land Uses at Grade (height of ground floor), Depth of Building, Permitted Encroachments, and Prohibited External Cladding Material. The applicant has requested variances to these elements.

#### **Role of the Design Review Committee**

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

1. Determine if the proposal is in keeping with the design guidelines contained within the Design Manual;
2. Determine if the proposal should be approved with respect to the criteria in the Design Manual for the issuance of variances;
3. Determine if the proposal is suitable in terms of the expected wind conditions on pedestrian comfort; and
4. Provide advice to the Development Officer with respect to the acceptability of the proposed post-bonus height public benefit category.

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 cannot proceed to the permit and construction phases until a decision has been made by Regional Council on the substantial alterations to the five registered heritage buildings on the site, as required under the *Heritage Property Act*. If Regional Council approves the substantial alterations, the project would then proceed to the permitting and construction phase of the project.

## DISCUSSION

### **Design Manual Guidelines**

An evaluation of the proposed project against the applicable guidelines of the Design Manual is found in table format in Attachment D. 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 more detail as follows.

### *Part 2 (Downtown Precinct) and Part 3 (General Design)*

#### Canopies and Awnings (2.4f, 3.2.3b and 3.1.1d)

The Design Manual encourages canopies and awnings over the sidewalks abutting the project, as a means of providing weather protection for pedestrians. Canopies are proposed over the main entrance on Duke (for the office tower), George (for the hotel), and Granville (for entrance to condominium) Streets. As canopies and awnings are encouraged but not mandatory, except on pedestrian-oriented streets, the presence of these elements meets the intent of the Design Manual.

The five existing registered heritage buildings have different architectural styles, and do not currently have canopies or awnings. The inclusion of full awnings or canopies around the entire development is viewed as impractical and inconsistent with the overall intent of the Design Manual.

#### Outdoor Amenity for 2 & 3 bedroom units (3.2.4d)

The Design Manual encourages units with multiple bedrooms to provide immediately accessible outdoor amenity space. Outdoor rooftop terraces are provided for the penthouse units on top of the south tower subject to wind mitigation measures. The provision of additional outdoor amenity space for other multiple bedroom units is impractical due to the style and design of the building and unnecessary due to the location of the site within the Central downtown and the proximity to public open spaces nearby (i.e., Waterfront and the Grand Parade).

#### Utilities along Street Frontages (3.2.1g and 3.5.1e)

The Design Manual states that mechanical or utility functions (vents, trash vestibules, propane vestibules) are not to be located along pedestrian frontages at grade level. To vent the underground garage and mechanical equipment, the development proposes one ventilation grate on Hollis Street and small vents on Duke Street. Due to the size of the development (an entire city block), the modest size of the ventilation grate (less than current ventilation for the block now), Hollis Street being a major vehicular route, and that ventilation needs to be provided to the underground garage, the proposed vents on Hollis Street are viewed as appropriate and an improvement over the existing situation.

The vents proposed on the Duke Street facade (Merchants Bank of Canada building) are situated within existing enclosed window openings at ground level. Due to their size, location, and the need to ventilate the building, the proposed vents are considered acceptable.

Streetwall Design (3.1.1b, 3.2.1a, 3.2.5c)

The Design Manual Guidelines encourage new development to enhance the pedestrian environment on all streets in the downtown. Thus, the Manual encourages retail frontages to provide high levels of transparency through the use of non-reflective and non-tinted glazing on a minimum of 75% of the first floor elevation. The proposed development does not achieve this goal due to the amount of frontage covered by heritage buildings. However, the applicant has provided a high level of transparency for infill buildings consistent with this objective.

The prevailing character of the streetwall in the area is not that of narrow storefronts, but rather of a mix of narrow and wider building faces. The proposed development represents an improvement to the streetwall by creating more retail space on the ground level, enhancing entrances, replicating vertical rhythms of existing heritage buildings, and the provision of new amenity spaces.

At the corner of Hollis and George Streets, sidewalk levels change making windows undesirable for safety and security reasons. To minimize the impact of no retail frontage in this area (i.e., windows and doors), the development proposes to widen the sidewalk, install landscaping measures, create a formal stairway connecting the building and sidewalk, and use granite clad planters and walls to emulate the granite base of the Bank of Commerce Building. Due to the limited size of the area and the grade change, the proposed development is consistent with the intent of the Design Manual.

Streetwall Height and Building Articulation (3.1.3, 3.3.1a)

See the Variances Section of this report on page 10.

Elevated Pedestrian Walkways (3.2.6)

The intent of the Design Guidelines is to focus pedestrian activity at the sidewalk level in support of sidewalk level retail establishments, and overall public realm vibrancy. While weather-protected sidewalk-level connections are generally preferred, pedways may be appropriate in some cases.

The applicant wishes to establish a pedway from the site over Granville Street, linking the development and the new TD Tower; owned by the same Developer. The purpose of this pedway is to provide all-weather pedestrian access and extend the existing pedway network within the downtown. The applicant is not requesting approval of the entire pedway at this time, but is requesting that the Committee consider and approve only the connection portion of the pedway on the site. The main portion of the pedway will be subject to approval by Council, in the future, as an encroachment within the street right-of-way, and it will also require the approval of the Design Review Committee of its design and connection to the new TD building on Granville Street.

Materials (3.3.2b)

The Design Manual indicates that the type of materials used on a building help define the character and quality of a building and how it relates to its context. Too varied a range of building materials is discouraged in favour of achieving a unified building image. This project proposes more building materials than typically associated with a new building. However, the proposed building covers an entire city block, and all of the building elevations can't be seen from one location. As a person moves around the block, materials change to reflect major

features and uses of the building such as the heritage buildings, the atrium, the towers, and ribbon wall. In staff’s opinion, the proposed building does not utilize an excessive number of material types on the building, considering its size.

Lighting (3.5.4)

Detailed plans have not been provided for the lighting of the building. However, the applicant has provided a written lighting strategy which is based upon pursuing and achieving LEED-CS “Light Pollution Avoidance” credit. The intent of the strategy is to focus lighting to key areas of the building such as the sidewalk level, entrances, plazas, accent architectural features (i.e., ribbon wall) and on heritage facades. The observations contained in Attachment D are based on the description of the lighting elements that have been outlined by the applicant and are for information purposes only. Lighting on its own is not a matter that is subject to site plan approval.

Proposal Review – Design Manual: Heritage Design Guidelines

In support of the application, a Heritage Impact Statement was prepared by the applicant for the proposed development. Attachment E contains a copy of the statement for review by the DRC.

The Heritage Design Guidelines outline three basic approaches for new development in heritage context: infill development, development that abuts heritage buildings, or integrated development. As this development will be consolidated into one lot and create one new large building, the most appropriate approach is to evaluate the project as ‘Integrated and Additions’ rather than ‘Infill’ or ‘Abutting’ for which specific guidance is given in Section 4.4 of the Design Manual, with additional guidance offered in Section 4.1.

Staff has evaluated the proposal against the Guidelines (Attachment D) and advise that the overall proposal is reasonably consistent with them, with the exception of the treatment of the Champlain building and the rear addition of the Bank of Commerce building. While some of the Guidelines are prescriptive, others call for the exercise of discretion and it is those that are outlined in more detail as follows:

New Development in Heritage Context (4.1)

The preamble of Section 4.1 speaks to the compatibility of height and massing in a heritage context. It states that “*as a principle of both heritage compatibility and sustainability, new additions, exterior alterations, or new construction should not destroy historic materials, features, or spatial relationships that characterize a property. The new work should be differentiated from the old and should be compatible with the historic materials, features, size and scale, height, proportion and massing to protect the integrity of the property and its environment.*” The Design Manual also looks for compatibility in terms of ‘materials, height and proportion’.

The addition of two, 22 storey towers behind and above the heritage buildings will be differentiated from the heritage buildings within the block in terms of design and in the choice of materials (predominantly glass curtain wall). However, the use of a more traditional material such as granite tile within the podium to create the outline of the infill buildings allows the new construction and old buildings to relate to each other.

With respect to the height, proportion and massing of the new work, staff believe that the integration of the historic facades (with the exception of the rear addition of the Bank of Commerce building, and the reduction in height of the Champlain building) into a redeveloped streetwall along Granville, Duke and Hollis Streets creates a strong base that emphasizes the heritage buildings. The creation of visually light infill buildings which are in proportion with the heritage buildings emphasizes the heritage buildings, and the 3m stepback of the towers adds to this within the pedestrian realm.

The visual bulk and massing of the towers has been intentionally broken into a middle and a top and treated differently. There are variations in the appearance of the curtain wall within the upper portion of both towers that improve the visual sense of proportion. The separation between the towers allows light through the block and reduces the mass and improves the overall proportion of the development. The relative size of the podium (base) compared to the middle are in scale with each other, and together offset the tower which is proportionally bigger than the base and middle together. These design solutions will aid in reducing incompatibilities of size, scale and proportion.

#### Contemporary Design (4.1.3)

Section 4.1.3 of the Design Manual addresses contemporary design in heritage contexts, and states that “new work in heritage contexts should not be aggressively idiosyncratic but rather it should be neighbourly and respectful of its heritage context, while at the same time representing current design philosophy.” The word “idiosyncratic” means distinctive, peculiar, or unique. An argument could be made that the ‘accordion’ portion of the south tower meets this definition, and is not neighbourly to the abutting Bank of Commerce building. The accordion design creates a considerable juxtaposition between the heritage building and the base of the south tower, and observers may find that the design of the tower takes away from the predominance of the heritage building in the streetscape. However, accepting that the accordion arrangement serves a functional purpose by allowing the photovoltaic cells positioned angularly into that portion of the tower to collect solar energy, provides insight into the design. A preliminary review of the project by the Design Review Committee raised similar concerns and discussed possible alternatives including changes to colour and building design in this area. A final decision at this time is a matter for the DRC.

#### Solidity versus Transparency (4.1.6)

Section 4.1.6 addresses the relationship of solidity (walls) to transparency (windows), and encourages careful consideration of this in new buildings to assist in creating an element of fit. The infill buildings in this development have a higher degree of transparency than solidity; however, this encourages a visual dominance of the heritage buildings allowing the infill buildings to blend into the background.

#### Integrated Developments and Additions (4.4 & 4.5.1a)

The preamble to Section 4.4 specifically states that *‘instances where the heritage value of a building includes its three-dimensional character (width, depth and height), the entire building envelope should be conserved, and the transition of new construction to, and from, heritage buildings should respect all three dimensions.’* As a corner building, the Champlain building has a three-dimensional character. The proposal calls for a reduction of height by removing the 5<sup>th</sup> and 6<sup>th</sup> floors of the building, thereby reducing the height of the building and affecting its three-



dimensional character. A structural engineer has stated that it is unsafe to shore up the full 6 floors during construction, and the design rationale of the applicant justifies creating a uniform 4 storey heritage base for the development. However, as a corner building, and the only 6 storey building on the block, its building height and three-dimensional quality are important character defining elements of the building.

#### Building Setback and Cornice Line (4.4.1b and 4.4.2b)

Sections 4.4.1b and 4.4.2b consider the preservation of heritage building elements such as roofs and unique architectural features. In the case of the Hayes Insurance and Flinn buildings, both have pitched roofs and the Flinn building has two dormers. The roof of the Hayes Insurance building is presently difficult to view from the street due to the narrow street width and the slight roof pitch. The tower setback of 3 metres is not enough distance to retain or recreate the low pitched roofs or dormer on the Flinn building.

#### Upper Façade and Windows (4.5.4e and 4.5.5f)

Sections 4.5.4e) and 4.5.5f) address the treatment of windows. In both cases, the design treatment of the rear addition of the Bank of Commerce building is problematic. The design calls for the removal of the interior and side wall of the addition, and converting the two existing windows to doors. These sections of the Design Manual speak to retaining existing fenestration patterns and lowering the sills as much as 7 feet does not meet these guidelines.

#### Awning and Canopies (4.5.9c)

The treatment of awnings and canopies are addressed in Section 4.5.9 of the Design Manual. The guideline encourages both awnings and canopies and, in some instances, metal and glass fixed canopies are appropriate, particularly if there is archival evidence. In the case of the Bank of Commerce building addition, the design incorporates fixed stainless steel awnings that project 6 feet out of each of the three openings. This is not a traditionally designed awning.

#### Summary of Compliance with Heritage Design Guidelines

In general, the treatment of the Hayes, Merchants Bank of Canada, and Flinn buildings substantially meets the Heritage Guidelines in the Design Manual. While there is a loss of historic fabric, the overall heritage value will be retained, and in the case of the Merchants Bank of Canada greatly improved with the planned conservation measures for the façade.

Conversely, staff believes the treatment of the Bank of Commerce (rear addition) and Champlain buildings do not meet the Guidelines, but with minor modifications could. The developer has provided a justification for the removal of the 5<sup>th</sup> and 6<sup>th</sup> floors of the Champlain building, but staff has considered the possibility of recreating those floors of the façade. If the building was returned to its full 6 storeys it would better meet the Guidelines relative to three-dimensional character. Staff suggests there is a design solution that might see the Champlain building returned to its full 6 storeys and also meet the applicants design rationale.

With respect to the Bank of Commerce building, staff is similarly concerned with the treatment of the rear Bank addition. Incorporation of the rear bank façade directly into the new development would preserve the integrity of the heritage building. Additionally, from a heritage perspective there is no justification for the removal of historic materials by converting the existing windows to doors. If a design solution could be found for these two issues, staff believes

the Guidelines could be better met and allow for better overall project compliance. Should Council approve the substantial alteration subject to the modifications outlined in this report, the applicant will need to submit revised drawings for review and approval through the appropriate channels.

The proposed development is unique in that it is a full city block with 5 registered heritage properties. The applicant has taken into consideration the heritage buildings, and is proposing considerable restoration measures to the heritage facades, however, staff recommend further steps are required to allow the development to more fully meet the Guidelines relative to the Bank of Commerce building rear addition and the Champlain building, as outlined in this report.

**Variations:**

Six variations are sought to the quantitative elements of the LUB for this development as follows:

- 1) Streetwall Setbacks: Downtown Halifax LUB: Section 9, Subsection (1). Streetwall setbacks are in accordance with Map 6 of the By-Law that establishes that setbacks shall be within 0 – 1.5 metres.

*Non-compliance:* There are 4 areas of non-compliance:

- a) 2.7 metre setback requested along the south end of Hollis Street to accommodate the extended sidewalk width;
- b) 7.7 metre setback requested along George Street to accommodate a public plaza;
- c) 11.2 metre setback requested for the west side of the atrium on Granville Street to accommodate the provision of the atrium; and
- d) 7.7 metre setback requested along the east side of the atrium on Hollis Street to accommodate the provision of the atrium.

*Variance option:* Section 3.6.1 of the Design Manual allows for a variance to the streetwall setback subject to meeting certain conditions as outlined in Attachment D. Of the potential conditions for a variance, this application is being considered under the following provisions:

- 3.6.1a. the streetwall setback is consistent with the objectives and guidelines of the Design Manual;

*Response:* The placement of a building adjacent to the streetline helps define the quality and character of the public realm and the streetwall needs to extend the full width of the lot to avoid vacant areas. However, buildings may be sited to define the edge of an on-site public open space resulting in the creation of public space. In this case, the architect has increased the streetwall setback mid-block on Hollis and Granville Streets to create significant public open space on either side of a central atrium between the two towers. The setback along George Street has also been extended to 7.7 metres from the streetline to create a public plaza in front of the Hotel which results in a better activated street experience for pedestrians. It is therefore recommended that the DRC grant the requested variance which is consistent with the intent of the LUB for building to extend the full width of a lot along a streetline.

- 2) Streetwall Height: Downtown Halifax LUB: Section 9, Subsection (3). The minimum streetwall height shall be 11 metres high, or the height of the building where the height of the building is less than 11 metres.

*Non-Compliance*: No streetwall is provided for the base of the south tower on the corner of George Street and Hollis Street.

*Variance option*: Section 3.6.3 of the Design Manual allows for a variance to the streetwall height subject to meeting certain conditions as outlined in Attachment D. Of the potential conditions for a variance, this application is being considered under the following provisions:

- 3.6.3a. the streetwall height is consistent with the objectives and guidelines of the Design Manual; and b., the modification is for a corner element that is used to join streetwalls of differing heights;

*Response*: The creation of new public amenity space, both on George Street (public plaza) and Hollis Street (wider sidewalk), is consistent with the intent of the Design Manual to provide enhanced pedestrian environments along streetscapes. Also, the requested variances acknowledge the importance of the George and Hollis Street corner and its location on an important public corridor between the Citadel and the waterfront, as well as its location across from Province House. It is therefore recommended that the DRC grant the requested variance.

- 3) Depth of Building: Downtown Halifax LUB: Section 10(11) stipulates that notwithstanding subsection (10) (that allows a maximum depth of 38m) any portion of a building above a height of 33.5m located in the central blocks, as identified in Map 8, shall be a maximum width of 38m and a maximum depth of 27.5m.

*Non-Compliance*: The proposed depth of the North and South towers is 28.1m.

*Variance option*: Section 3.6.7 of the Design Manual allows for a variance to the depth of the building subject to meeting certain conditions as outlined in Attachment D. Of the potential conditions for a variance, this application is being considered under the following provisions:

- 3.6.7a. the maximum tower width is consistent with the objectives and guidelines of the Design Manual;

*Response*: Within the Downtown, the LUB addresses the need for light penetration by requiring buildings to setback as they rise above the street and setting maximum width and depth requirements for towers. The proposed towers are consistent with the setback requirements of the LUB but are wider than permitted by the LUB by only 0.6 metres. This will have only a modest impact on the visual intent of the LUB. It is therefore recommended that the DRC grant the requested variance.

- 4) Permitted Encroachment (Ribbon Wall) Downtown Halifax LUB: Section 10(12) stipulates that cornices and other similar features shall be permitted encroachments into a required setback, stepback, or separation distance to a maximum of 0.6 metres.

*Non-Compliance:* The proposed ribbon wall for the project extends over and between the north and south towers which the LUB requires a separation distance between towers of 23 metres.

*Variance option:* Section 10(14) of the Halifax Downtown LUB enables Sections 10(1) to 10(13) to be varied where the relaxation is consistent with the criteria of the Design Manual.

*Response:* The LUB envisions that Section 10(12) – ‘Permitted Encroachments’ may be varied but the Design Manual does not contain specific criteria on how to evaluate the variance requested. Therefore, the variance was evaluated based upon whether or not it is consistent with the overall intent of the Design Manual. The Design Manual requires tower setbacks and separation distances between towers to enable light penetration to the ground level within the downtown. The proposed ribbon wall does connect the north and south towers but only along the tower facades for a few metres in depth and the majority of the area between the towers is open which the architect contends is a modest encroachment. Also, the architect has indicated that the ribbon wall is a significant architectural feature to the development as it ties all of the components of the building together. It is therefore recommended that the DRC grant the requested variance.

- 5) Prohibited External Cladding Material Variance: Downtown Halifax LUB, Section 8 (20) (g) - Darkly tinted glass is a prohibited external cladding material. The envelope of the proposed hotel at George and Hollis Streets includes dark-coloured glass to integrate with photovoltaic panels proposed in the design of the building.

*Non-Compliance:* The “concertina” articulated façade is proposed to be clad in a dark grey tinted solar control glass.

*Variance option:* Section 3.6.14 of the Design Manual allows for a variance to the exterior cladding material of a building subject to meeting certain conditions as outlined in Attachment D. Of the potential conditions for a variance, this application is being considered under the following provisions:

- 3.6.14 a. The objectives and guidelines of the Design Manual are met;  
c. The material does not exceed 10% of the total area of the facade.

*Response:* The concertina articulated façade to the hotel within the south tower is clad in a dark grey tinted glass within the downward angled portions in order to provide greater solar control and reduce cooling costs in the exposed south and south-east facades. In addition, it provides an opportunity to optimally mount Building Integrated Photovoltaic Cladding (BPIV) on the upward angled portions of the facade; further contributing to the sustainable design aims and energy efficiency of the project. Given that the BPIV cells will be very dark, it is the intention to create a consistent appearance to the overall form. In order to create a homogenous appearance, a darkly tinted glass is essential to blend the angled portions.

This component of the façade contributes approximately 7.5% of the total surface area of the facades of the project, which is within the 10% allowance as stipulated within Section 3.6.14.c of the Design Manual. It is therefore recommended that the DRC grant the requested variance.

- 6) Land Uses at Grade: Downtown Halifax LUB, Section 8(13) stipulates “The ground floor of a building, excluding a parking garage, that has access at the streetline or transportation reserve shall have a floor-to-floor height of not less than 4.5m.

*Non-Compliance*: The inner lobby of the Office Entrance on Duke Street that is contiguous to the core areas of the building which have a floor to floor height of 12’-6” (3.81m). The rear of the office lobby on Duke is proposed to be 3.81 metres. This allows for contiguous floor space with the adjacent spaces within the building.

*Variance option*: Section 3.6.15 of the Design Manual allows for a variance to Land Uses at Grade subject to meeting certain conditions as outlined in Attachment D. Of the potential conditions for a variance, this application is being considered under the following provisions:

- 3.6.15 a. the proposed floor-to-floor height of the ground floor is consistent with the objectives and guidelines of the Design Manual; and,  
b. the proposed floor-to-floor height of the ground floor does not result in a sunken ground floor condition;  
d. in the case of a proposed infill building, the floor-to-floor heights of the ground floors of abutting buildings along a common street frontage are such that the required floor-to-floor height for the ground floor of the infill building would be inconsistent with the established character of the street;

*Response*: The floor-to-floor height restriction on the ground floor of buildings to 4.5 metres is designed to enhance the pedestrian experience and enable retail uses throughout the ground floor. The proposed change is situated at the rear of the office tower lobby which does not impact the streetwall height and allows for contiguous floor space with the adjacent spaces within the existing heritage buildings. It is therefore recommended that the DRC grant the requested variance.

### **Wind Assessment**

A qualitative wind impact assessment was prepared by RWDI Consulting for the proposal (refer to Attachment F). 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.” In general terms, the intended usage of the sidewalks is for “walking.”

The RWDI Study indicates that there would be few changes to the wind conditions compared to the wind conditions from the existing buildings on the site. Therefore, no mitigation measures are needed at the streetwall level. However, the Study indicates that conditions in non-public open space areas (penthouses) on top of the south tower require the inclusion of 8 foot high transparent parapet at the top.

### **Proposed Public Benefit**

The LUB specifies a maximum pre-bonus height and a maximum post-bonus height. Projects that propose to exceed the maximum pre-bonus height are required to provide a public benefit. The LUB lists the required public benefit categories, and establishes a public benefit value that is the equivalent of \$4.00 for every 0.1 square metres of gross floor area created by extending above the pre-bonus height<sup>1</sup>. The maximum pre-bonus height for the proposal is 49 metres and the post-bonus height is limited by the Ramparts Maximum. The proposal is approximately 85 metres in height and the gross floor area to be gained is approximately 183,978 square metres.

The applicant proposes that the public benefit contribution includes the preservation of existing heritage buildings, the provision of a publically accessible amenity space and the provision of exemplary sustainable building practices through pursuit of a LEED Platinum level. These benefits fall within the public benefit categories identified in the LUB. A preliminary calculation of the value of the required public benefit is approximately \$727,945.92. The applicant has outlined the elements proposed for public benefit in Attachment A.

The Design Review Committee’s role is to review and recommend to the Development Officer whether a proposed public benefit should be accepted by the Municipality. With this, the final cost estimates of providing the public benefit will be determined and an agreement with the Municipality will be executed at the permit approval stage.

### **Conclusion**

Upon review of the proposal against the criteria of the Design Manual, staff recommends that, with the requested variances and the conditions placed on the Bank of Commerce and Champlain buildings, the proposal meets the Design Manual guidelines.

### **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. The level of engagement was information sharing, achieved through the HRM website, the developer’s website, public kiosks at HRM Customer Service Centres, signage on the subject property, and a public open house.

### **ENVIRONMENTAL IMPLICATIONS**

No implications have been identified.

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<sup>1</sup> Public benefit value is adjusted annually in accordance with the Statistics Canada and Province of Nova Scotia Consumer Price Index which is currently \$4.376)

**ALTERNATIVES**

1. The Design Review Committee may choose to approve the application for Substantive Site Plan Approval with the two conditions cited in this report. This is the recommended course of action.
2. The Design Review Committee may choose to approve the application for Substantive Site Plan Approval as submitted – with additional conditions. This is not recommended.
3. The Design Review Committee may choose to approve the application for Substantive Site Plan Approval as submitted – without conditions. This is not recommended.
4. 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	Site Plan Approval Plans
Attachment B	Design Rationale
Attachment C	Building Renderings
Attachment D	Design Manual Checklist – Case 19046
Attachment E	Heritage Impact Statement
Attachment F	Wind Study

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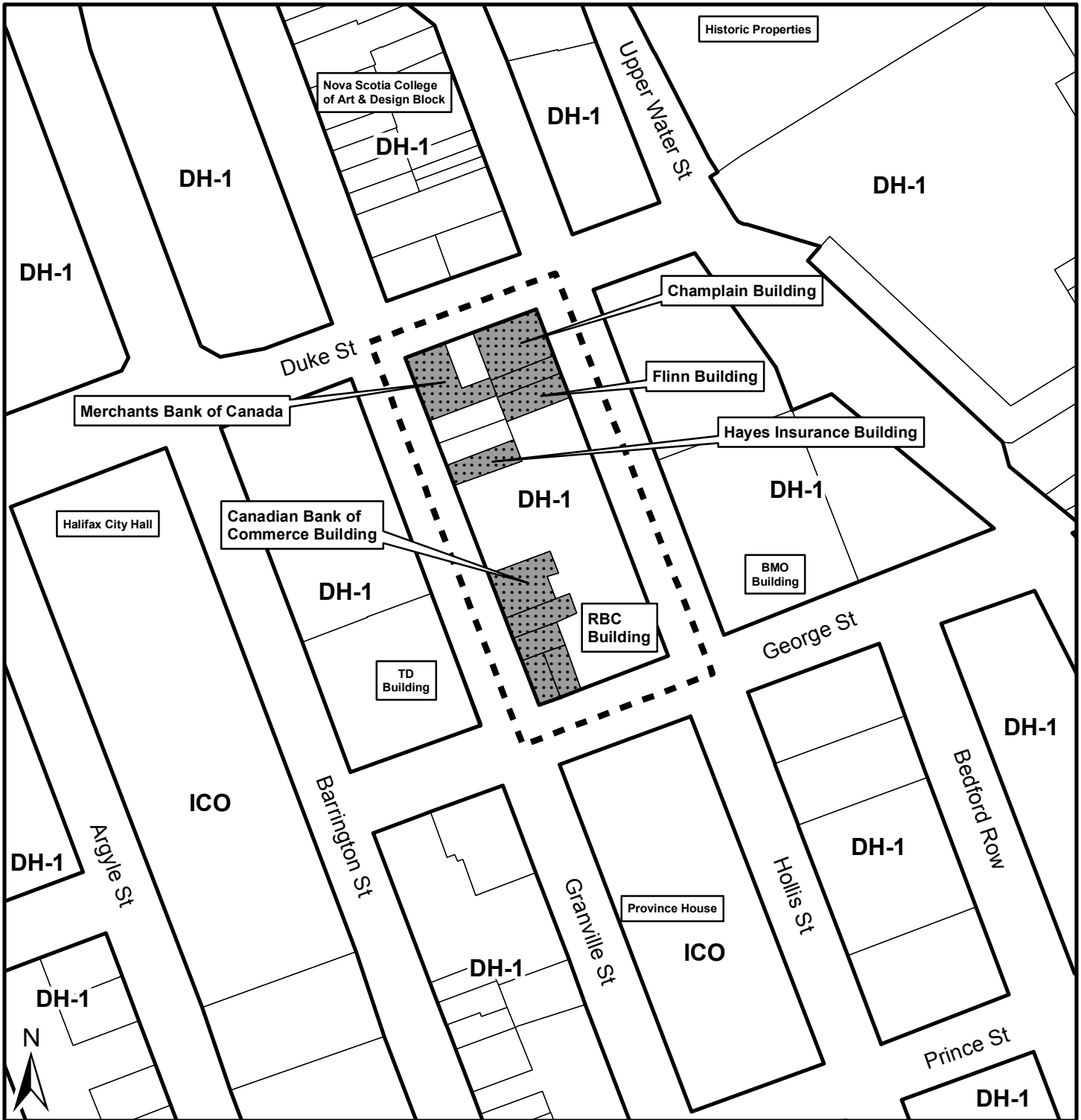
A copy of this report can be obtained online at <http://www.halifax.ca/boardscom/DesignReviewCommittee-HRM.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210 or fax 490-4208.

Report Prepared by: Kurt Pyle, Major Projects Planner, 490-6011

Signed by



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

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**Map 1 - Location and Zoning**

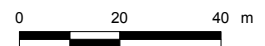
Block bounded by George, Granville, Duke and Hollis Streets, Halifax

-  Subject site
-  Municipally registered heritage property within subject site

**Zone**

- DH-1 Downtown Halifax 1
- ICO Institutional, Cultural & Open Space

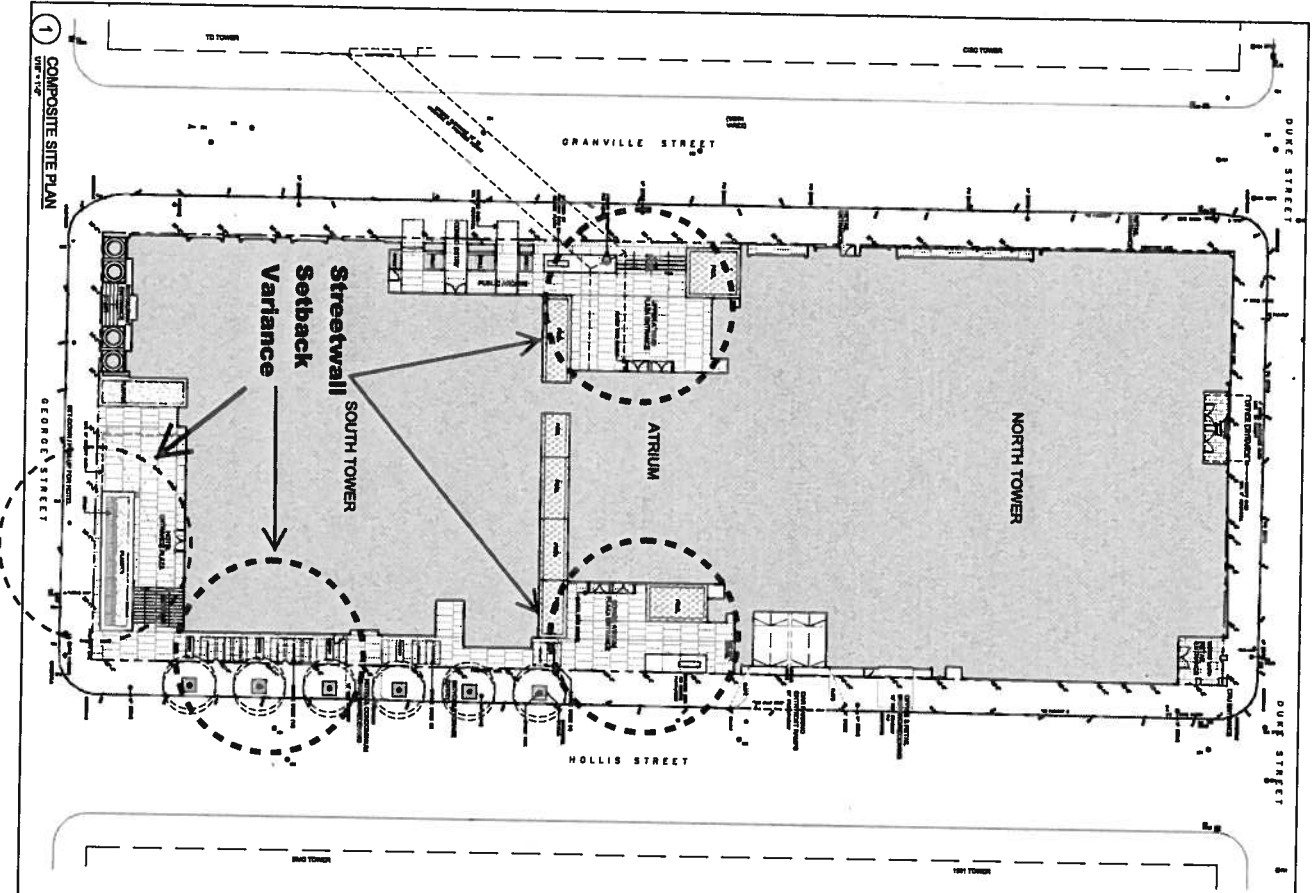
Downtown Halifax Plan Area



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.





**Hard and Soft Landscaping**

**LEGEND**

- 1. Plants

Attract and lighting pattern, to exterior of north entrance on Duke Street. The landscaping shall be designed to provide a high quality environment for the building. The landscaping shall be designed to provide a high quality environment for the building. The landscaping shall be designed to provide a high quality environment for the building.

2. Furniture

3. Pavement

4. Sign Furniture

5. Street Trees and Plantings

6. Guardrails at Steps

7. Signage

8. All signage referred to - subject to signcode and subsequent approval application.

**REFER TO DRAWING A-109 FOR DETAILED PLANS OF THE THREE MAIN PLAZA SPACES.**



**LYDON LYNCH**

3000 COMMERCIAL SQUARE  
HALF HOLLOW SCOTIA

Client: North Victoria Housing Ltd

Project: 3000 COMMERCIAL SQUARE  
HALF HOLLOW SCOTIA

Consultants:  
Lynch Lynch Architects Limited  
Architects / Planning  
1000 Upper Macleod Street  
Melbourne, VIC 3048  
Tel: (03) 9472 1144  
Fax: (03) 9472 1145  
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www.lychlynch.com.au

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A-108

Client: Hildebrandt Holdings LLC

Project: STANLEY SQUARE  
MULTI-USE, HOVIA DEVELOPMENT

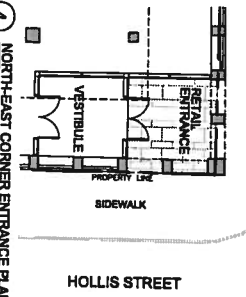
Consultants:  
Lydon Lynch Architects Limited  
Architectural Interior Design  
1020 West Broadway, 24th Floor  
Seattle, WA 98101  
Tel: (206) 452-1444  
Fax: (206) 452-1440  
Pds Engineering, LLC  
Mechanical Engineer  
P.O. Box 1380, Seattle, WA 98101  
Tel: (206) 452-8686  
Height Group  
Architectural/Civil Engineering  
111 West Pike, 4th Floor  
Seattle, WA 98101  
Tel: (206) 452-4424

When: October 2018  
Location: 1400 Broadway  
Project Name: Stanley Square  
Project Number: 1400 Broadway  
Project Address: 1400 Broadway, Seattle, WA 98101  
Project Date: 10/2018

NO.	REVISION
1	ISSUED FOR PERMIT REVIEW
2	ISSUED FOR PERMIT REVIEW
3	ISSUED FOR PERMIT REVIEW
4	ISSUED FOR PERMIT REVIEW
5	ISSUED FOR PERMIT REVIEW
6	ISSUED FOR PERMIT REVIEW
7	ISSUED FOR PERMIT REVIEW

PLAZAS  
FLOOR PLANS

A-109



**4 NORTH-EAST CORNER ENTRANCE PLAN**  
1/8" = 1'-0"

**Hard and Soft Landscaping**

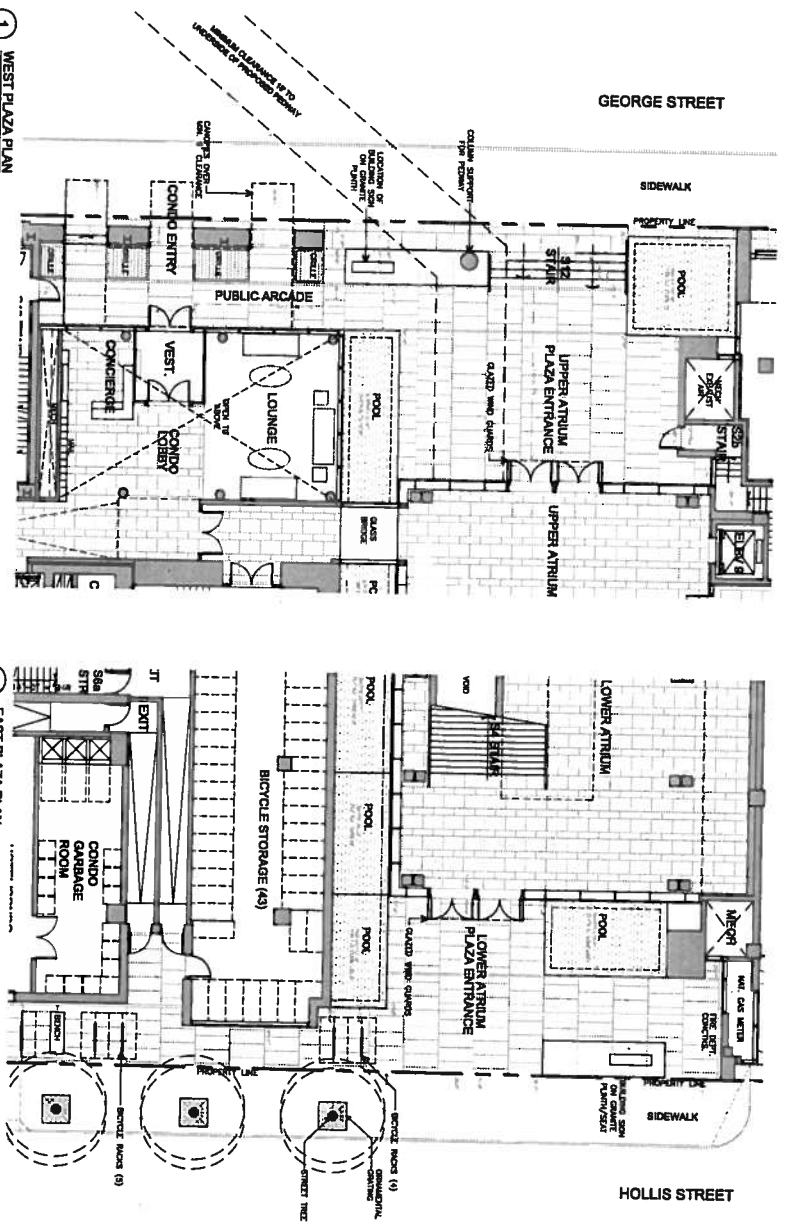
- 1. Paving
- Add new and existing paving to exterior of north entrance on Dale Street. New paving shall be placed over all existing paving. Paving shall be 3" compacted aggregate base, 4" compacted concrete base, and 2" compacted concrete top. All paving shall be 3" compacted aggregate base, 4" compacted concrete base, and 2" compacted concrete top. All paving shall be 3" compacted aggregate base, 4" compacted concrete base, and 2" compacted concrete top.

- 2. Fountains
- Install wall-mounted, wall-fountaining fountain, 24" high, 24" wide, with 1/2" water depth. Fountain shall be 24" high, 24" wide, with 1/2" water depth. Fountain shall be 24" high, 24" wide, with 1/2" water depth.

- 3. Planting
- Plant shrubs in pots and planters to be installed in the plaza. Plant shrubs in pots and planters to be installed in the plaza. Plant shrubs in pots and planters to be installed in the plaza.

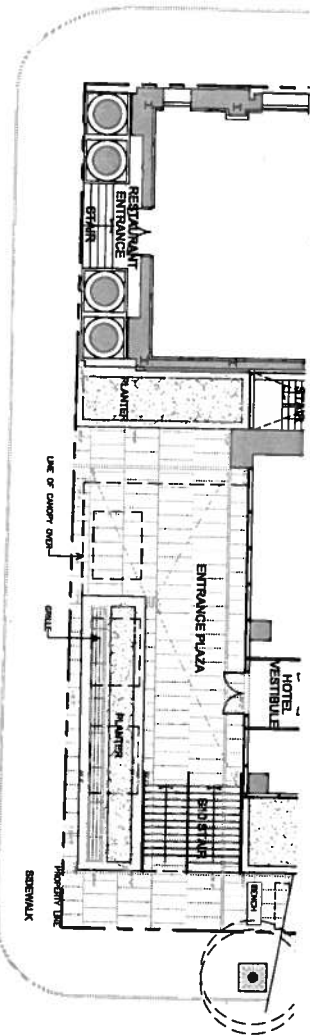
- 4. Site Furniture
- Install site furniture including benches, planters, and tables. Install site furniture including benches, planters, and tables. Install site furniture including benches, planters, and tables.

- 5. Signage
- 6. Lighting
- 7. Other



**1 WEST PLAZA PLAN**  
1/8" = 1'-0"

**2 EAST PLAZA PLAN**  
1/8" = 1'-0"

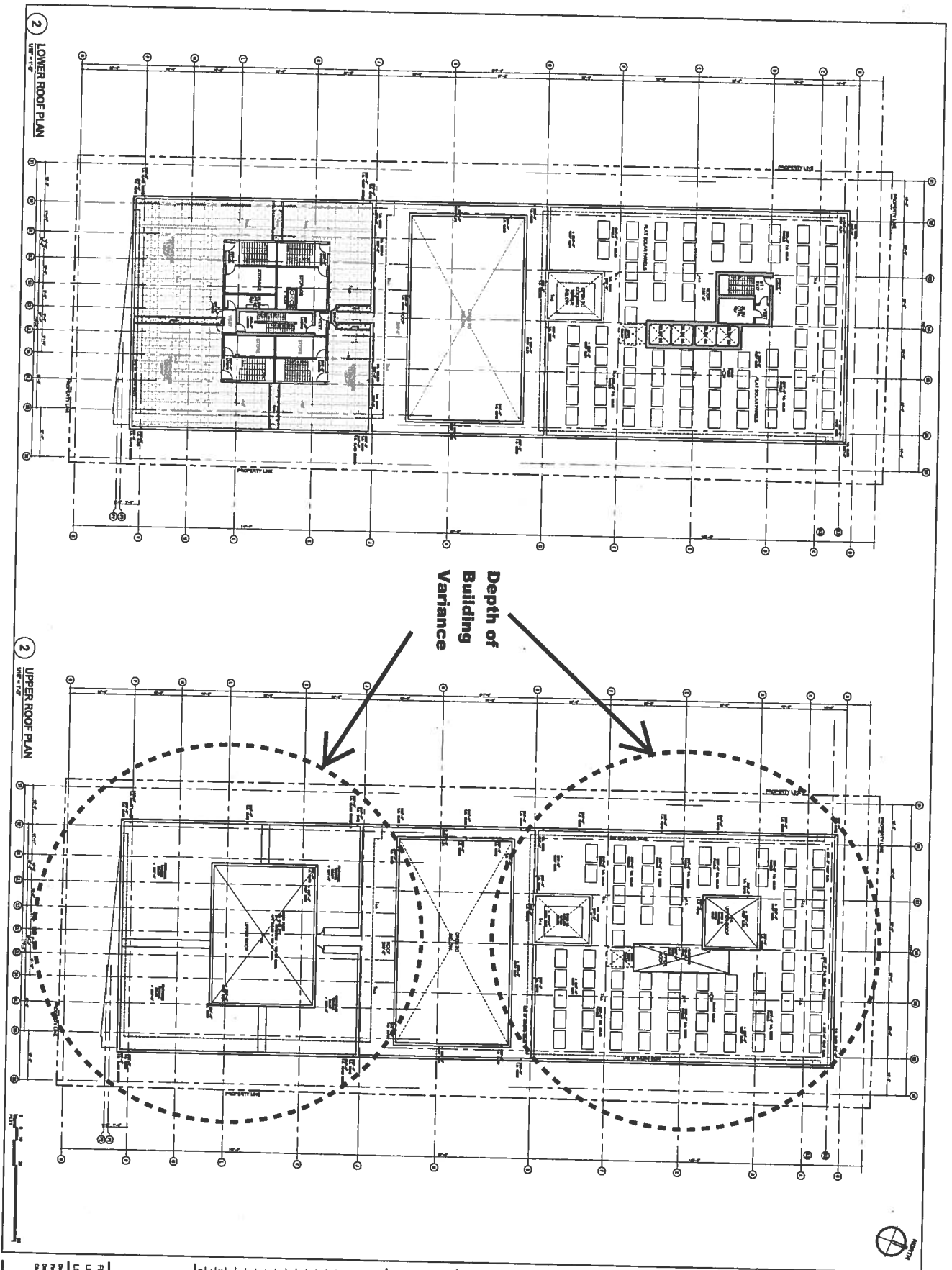


**3 SOUTH PLAZA PLAN**  
1/8" = 1'-0"

PLAZAS  
FLOOR PLANS

A-109

1



2 LOWER ROOF PLAN

2 UPPER ROOF PLAN

Depth of Building Variance



**LYDON LYNCH**

Chief Architect  
Robert Lydon, RIBA, RIA, RIAA, RIAE, RIAF, RIAH, RIAI, RIAJ, RIAK, RIAL, RIAN, RIO, RISP, RIT, RIV, RIX, RIY, RIZ, RJA, RJB, RJC, RJD, RJE, RJF, RJG, RJH, RJI, RJJ, RJK, RJL, RJM, RJN, RJO, RJP, RJJ, RJK, RJL, RJM, RJN, RJO, RJP, RJK, RJL, RJM, RJN, RJO, RJP

Project:  
2800 COMMERCE SQUARE  
HAMILTON, ONTARIO

Consultants:  
Lydon Lynch Architects Limited  
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1480 Kingston Road, Unit 100  
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Tel: (416) 291-1144  
Fax: (416) 291-1144

Structural Engineer:  
Pinto Engineering Ltd.  
Professional Engineers  
100 King Street West, Suite 2000  
Toronto, Ontario M5X 1C5  
Tel: (416) 593-8800

Interior Designer:  
111 West Beaver Creek  
Richmond Hill, Ontario L4B 1N2  
Tel: (905) 882-4443

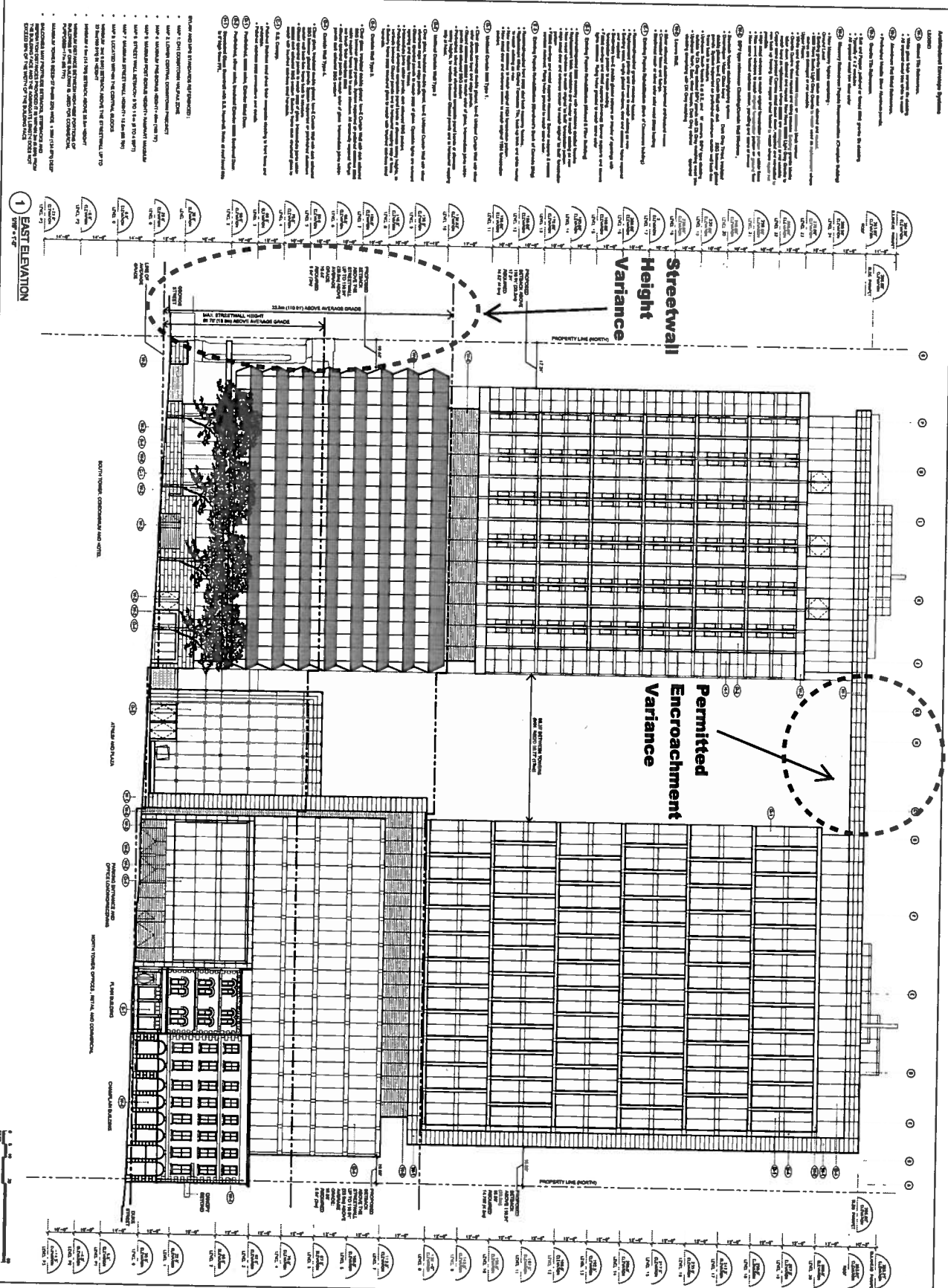
Mechanical/Electrical/Plumbing Architect:  
Wickham Macdonald Tremblay Architects  
Mechanical/Electrical/Plumbing  
100 King Street West, Suite 2000  
Toronto, Ontario M5X 1C5  
Tel: (416) 593-8800

These plans were prepared by the Architect for the purpose of the project described above. They are not to be used for any other purpose without the written consent of the Architect. The Architect is not responsible for the accuracy of the information provided to them by others. The Architect is not responsible for the construction of the project or for the safety of the project. The Architect is not responsible for the design of the project or for the safety of the project. The Architect is not responsible for the design of the project or for the safety of the project.

No.	Date	Description
1	2011 08 25	ISSUED FOR PERMIT
2	2013 12 27	ISSUED FOR PERMIT



FLOOR PLANS  
LEVEL, 20 OFFICE & 23 & 24 CONDO  
LOWER & UPPER ROOF PLANS  
Drawing Title: A-107  
Project No.: 11004  
Scale: 1/4" = 1'-0"  
Checked By: LLA



**LYDON LYNCH**

Client: **Robert Walker Holdings Ltd**

Project: **PROLIFERATE SQUARE**  
 HALLMARK, HONG KONG

Consultants:  
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 Architectural Services Branch  
 11800 Wilshire Blvd, 2nd Floor  
 Los Angeles, CA 90025  
 Tel: (818) 222-1246  
 Fax: (818) 222-1248  
 lydonlynch.com

Structural Engineer:  
 Field Engineering Ltd  
 200 West 22nd Street, Suite 101  
 Los Angeles, CA 90058  
 Tel: (213) 434-8800

MEP Engineer:  
 Hargrett Group  
 111 West Street, Suite 101  
 Santa Monica, CA 90401  
 Tel: (415) 450-4422

MEP Consultant:  
 Wilcock MacCormack Tompkins Architects  
 Wilcock MacCormack  
 144 Westwood Blvd, Suite 104  
 Westwood, CA 90024  
 Tel: (310) 222-8000

Architect:  
 Lydon Lynch Architects Limited  
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 Los Angeles, CA 90025  
 Tel: (818) 222-1246  
 Fax: (818) 222-1248  
 lydonlynch.com

Scale: 1/8" = 1'-0"

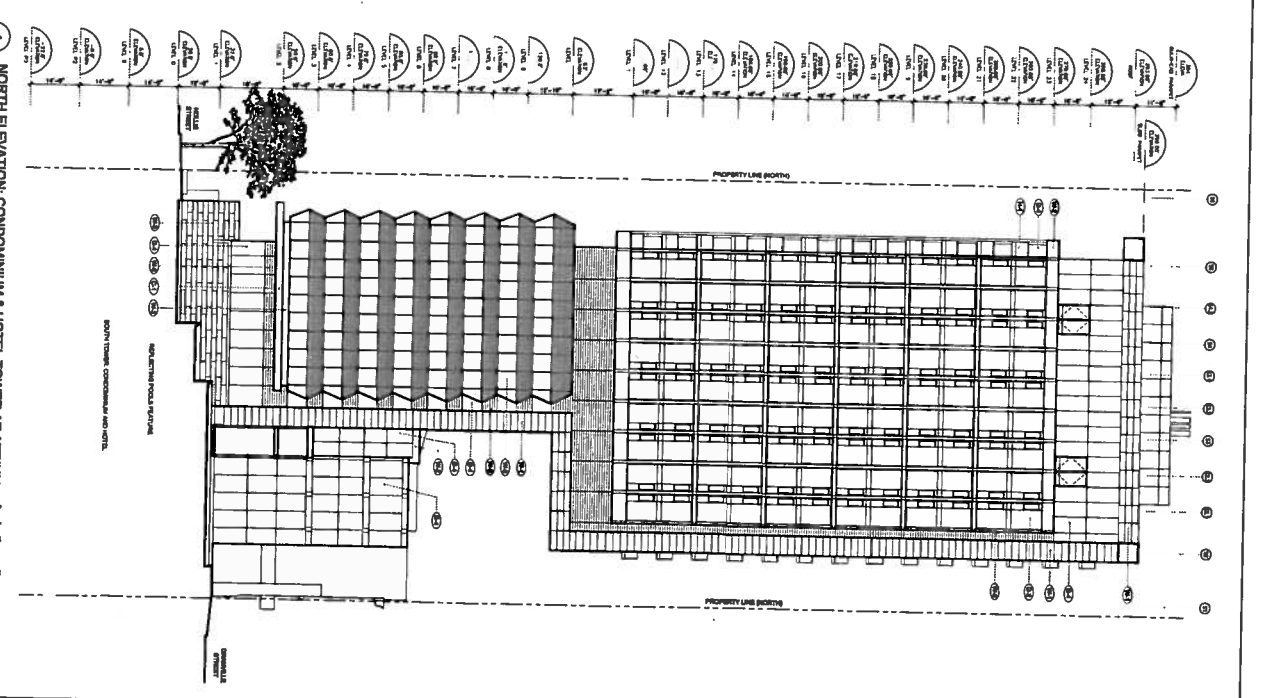
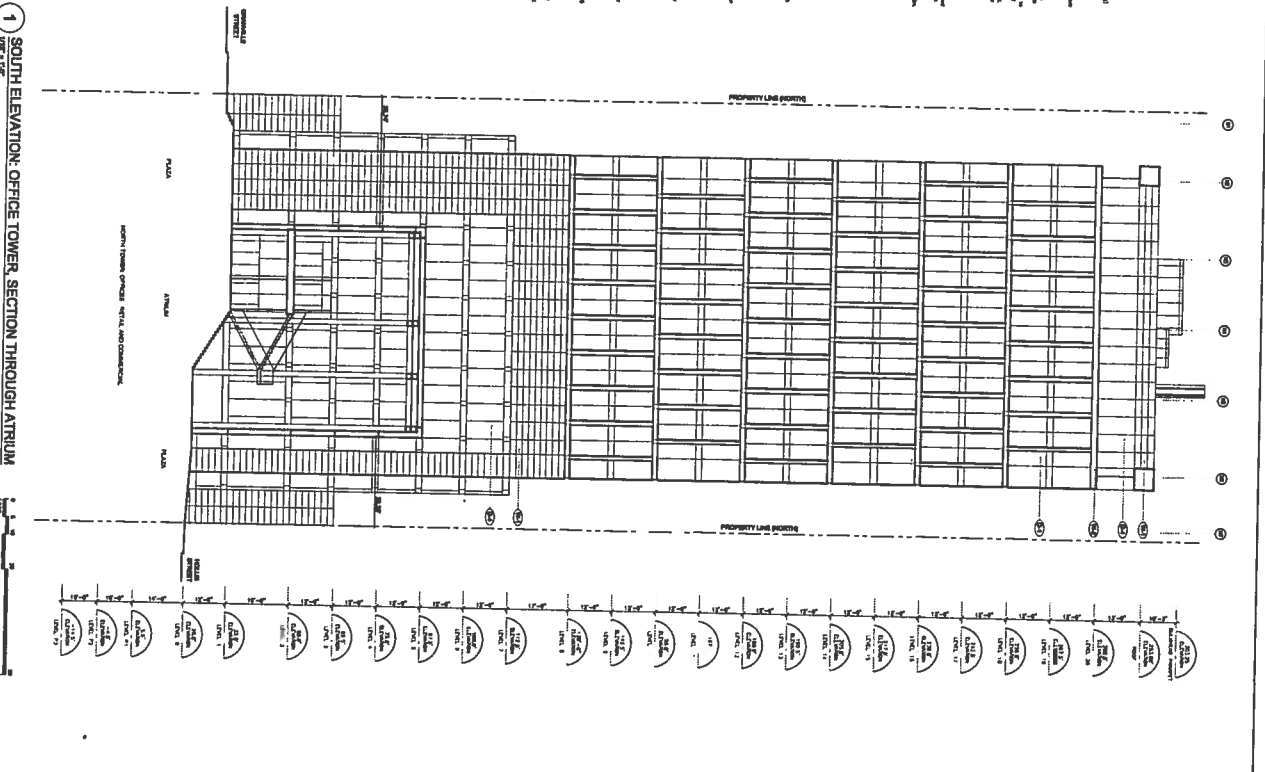
Project No: 13008  
 Date: 12/13  
 Drawn By: [Name]

**A-200**





- Architectural Schedule System**
- 1.0000 General Notes
  - 2.0000 General Notes
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**LYDON LYNCH**  
 Architectural Firm

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**Project:** 2300 COMMERCE SQUARE  
 HANFORD, MONTANA, MONTANA

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**Architectural Schedule System**

NO.	DESCRIPTION	DATE
1	2011.12.17 SUBMITTAL SET FOR APPROVAL	2011.12.17
2	2012.03.08 CONSTRUCTION SET FOR APPROVAL	2012.03.08
3	2012.03.08 REVISIONS	2012.03.08

**ELEVATIONS**

Drawing Scale: 1/8" = 1'-0"  
 Paper Size: 11x17  
 Date: 1/11  
 Drawn by: LLA

**A-203**