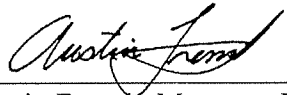


Design Review Committee
September 8, 2011

TO: Chair and Members of Design Review Committee

SUBMITTED BY: 
Austin French, Manager, Planning Services

DATE: August 24, 2011

SUBJECT: Case 17186, Substantive Site Plan Approval – TD Bank Building

ORIGIN

Application by Lydon Lynch Architects on behalf of TDB Halifax Holdings Ltd.

RECOMMENDATION

It is recommended that the Design Review Committee:

1. Approve the qualitative elements of the substantive site plan approval application for the expansion and alterations to the TD Bank building and Macara-Barnstead building, including the variances being sought, as shown on the plans identified as Attachment A; and
2. Recommend that the Development Officer accept the preservation of a heritage resource and the provision of exemplary sustainable building practices, as a public benefit, thereby allowing the proposed building to exceed the maximum pre-bonus height identified on Map 4 of the Downtown Halifax Land Use By-law.

EXECUTIVE SUMMARY

Additions and alterations are proposed for the TD Bank building and the Macara-Barnstead building, which are located at the corners of Barrington, George, and Granville streets in downtown Halifax. The project is to include an expansion of the floor plate of the TD Bank building and an increase its height by approximately 32 feet. With this, the Macara-Barnstead building, which is a municipally registered heritage property, is to be altered such that its façade will be retained and incorporated into the expanded TD Bank building. This alteration will require the approval of the Regional Council.

The project is subject to substantial site plan approval by the Development Officer and the Design Review Committee. 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 is found that while there are certain matters that require consideration, the proposal meets the qualitative elements of the Design Manual. 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, it is recommended that the site plan approval be granted.

BACKGROUND

Project Description

Major Elements

This application for substantial site plan approval is for the expansion of TD Bank building at the corners of Barrington Street, George Street, and Granville Street in Halifax (Map 1). The plans for the project are identified as Attachment A. The project is to consolidate the existing TD Bank property with two Granville Street properties, one that is vacant and another, which is a municipally registered heritage property, is occupied by what is referred to as the Macara-Barnstead building. The proposal has the following major elements:

- the floor plate of the existing building is to be enlarged to encompass the two Granville Street properties, with a new expanded tower;
- an increase in the existing building height by approximately 32 feet;
- new cladding elements on the tower with blue-grey tinted windows, light green curtainwall, and aluminum panels;

- with respect to its form, aside from the additional height, the Barrington Street elevation is to remain unchanged;
- modifications on the George Street tower elevation, notably with changes in the relief of the building face;
- along the George Street elevation, an existing brick face is to be replaced with granite;
- at a pedestrian scale, the Granville Street elevation is to be comprised of;
 - the retention of the front of the Macara-Barnstead building;
 - new pedestrian-oriented storefronts that are of a design and scale that is consistent with the Macara-Barnstead building;
 - a new corner entrance (at George and Granville); and
 - a new series of louvres that are to provide ventilation to an existing electrical vault;
- above and stepped back from the pedestrian scale elements along Granville Street, a blank wall near to George Street is to have new windows;
- the north elevation, facing the CIBC building, is to be comprised of prefinished aluminum panels over the existing tower and the building addition;
- the top of the building will have varied elements, including an open frame canopy;
- the base of the building will have steel and glass awnings along Barrington Street (replacing an existing fabric awning) and George Street; and
- the top of the podium along George Street and the uppermost top of the roof of the tower are to be comprised of vegetative landscaping, the final form of which is to be determined as construction plans for the project are devised.

As part of the construction of the overall building, the façade of the Macara-Barnstead building is to be retained in place. It is anticipated that certain elements such as the large wood-framed window will be removed and replaced with matching materials.

Information about the approach to the design of the building has been provided by the project's architect (Attachment B).

Regulatory Context

The Site and the Land Use By-law

The following are relevant to note from a regulatory context:

- the site is within the DH-1 Zone
- the site is within the Lower Central Downtown (4) Precinct (not part of the Barrington Street Heritage Conservation Precinct);
- the maximum pre-bonus height is 49 metres and the maximum post-bonus height is to the maximum height allowed by the Rampart regulations; and
- the Macara-Barnstead building is a municipally registered heritage property.

As noted above, the proposal includes the retention of the front of the Macara-Barnstead building, which is to be incorporated into the expanded TD Bank building. As a registered heritage property, this alteration requires the approval of the Regional Council, which will be considered following a decision by the Design Review Committee on the substantive site plan approval application.

Substantive Site Plan Approval

In accordance with the Substantive Site Plan Approval process, as set out in the Downtown Halifax Land Use By-law, the Development Officer is responsible for determining if a proposal meets the land use and built form requirements of the Land Use By-law. The role of the Design Review Committee is to determine if the proposal should be approved with respect to the:

- design guidelines in the Design Manual;
- criteria in the Design Manual for the issuance of variances to the built form requirements;
- suitability of expected wind conditions on pedestrian comfort; and
- public benefit that is being proposed in order to achieve the bonus height.

DISCUSSION

The remainder of this report provides analysis and recommendations regarding the following:

- the Design Manual guidelines;
- the variances that are being sought;
- the result of the wind assessment with respect to pedestrian comfort; and
- the proposed public benefit.

The report ends with conclusions about the proposal and how it relates to the overall objectives of the Design Manual.

Design Manual Guidelines

It is important to consider the merits of a project against the whole of the Design Manual; the overall objectives. Nevertheless, an evaluation of it against the applicable individual guidelines of the Design Manual is found in a table format (Attachment C). The table indicates if 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.

2.4f and 3.2.3, Canopies and Awnings

The Design Manual calls for canopies and awnings over the sidewalks abutting the project, as a means of providing weather protection for pedestrians. Awnings are to be installed along the Barrington and George street frontages, along the entire width of the building. However, they are not proposed along the entire width of Granville Street frontage. Instead, there are awnings over the individual entranceways. There are currently no awnings upon the Macara-Barnstead building.

The absence of full awning along Granville Street is viewed as acceptable and consistent with the overall intent of the Design Manual. The facade of the in-fill portions of the building along Granville Street is viewed as appropriate and consistent with the Macara-Barnstead building, which does not have awnings. Additionally there will be reasonable weather protection through the awnings, which are proposed over the entrances.

3.1.3 and 3.2.1c, Streetwall Height

See the Variances section

3.2.1g and 3.5.1e, Utilities along Street Frontages

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. Next to the sidewalk at Granville Street, near to the corner of George Street, there currently is a large grate, in what might best be described as a pit, where ventilation is provided to an interior electrical vault. It is impractical for this vault to be relocated. The proposal along Granville Street is to remove the pit and incorporate a vent within what would appear, from afar, to be a storefront entrance (see pg. 19 of Attachment A).

Given that the vault is an existing situation, and that ventilation needs to be provided to it, the proposed louvres are viewed as appropriate and an improvement over the existing situation.

3.5.4, Lighting and 3.5.5, Signage

Detailed plans have not been provided for the lighting of the building and any signage. However, the project's Architect has confirmed that it is anticipated that there will be limited spot lighting of the building and sidewalk at the pedestrian level, upward spot lighting of the tower portion of the building, and spot lighting of the upper rooftop canopy. The observations in Attachment C are based on the description of the lighting elements that have been outlined by the Architect and are for information purposes. Lighting on its own, is not a matter that is subject to site plan approval.

Some signage for the building is shown on the plans; the observations in Attachment C are based upon what has been portrayed on the building plans. Subsequent signage applications will be considered by the Development Officer.

4.1.4, Material Palette (Heritage Guidelines)

The Design Manual states:

“As there is a very broad range of materials in today's design palette, materials proposed for new buildings in a heritage context should include those historically in use. The use and placement of these materials in a contemporary composition and their incorporation with other modern materials is critical to the success of the fit of the proposed building in its context. The proportional use of materials, drawing lines out of the surrounding context, careful consideration of colour and texture all add to success of a composition.”

It is noted that the proposed development intentionally uses the Wallace sandstone cladding and copper roof cladding found on the Macara-Barnstead façade on the new Granville streetwall, in order to create a unified and cohesive appearance, but does so in a contemporary manner with simplified detailing and modern trim materials. This creates the “good fit” advised by this Guideline.

4.1.5, Proportion of Parts (Heritage Guidelines)

The Design Manual states:

“Architectural composition has always had at its root the study of proportion. In the design of new buildings in a heritage context, work should take into account the proportions of buildings in the immediate context and consider a design solution with proportional relationships that make a good fit. An example of this might be windows. Nineteenth century buildings tended to use a vertical proportion system in the design and layout of windows including both overall windows singly or in built up groups and the layout of individual panes.”

The proportions of the new elements in the proposed new Granville streetwall echo the proportions of the historic Macara-Barnstead façade. Similarly, the proportions of the new tower addition echo those of the existing TD tower. These sympathetic proportional relationships, as observed above, create the “good fit” advised by 4.1.5.

4.1.6, Solidity versus Transparency (Heritage Guidelines)

The Design Manual states:

“Similar to proportion, it is a characteristic of historic buildings of the 19th century to have more solid walls with punched window openings. This relationship of solid to void makes these buildings less transparent. It was a characteristic that was based upon technology, societal standards for privacy, and architectural tradition. In contrast buildings of many 20th century styles use large areas of glass and transparency as part of the design philosophy. The relationship of solidity to transparency is a characteristic of new buildings that should be carefully considered. It is an element of fit. The level of transparency in the new work should be set at a level that provides a good fit on street frontages with existing buildings that define the character of the street in a positive way.”

In response to this, it is found that the new Granville streetwall will continue the solid/void relationships established by the Macara-Barnstead façade, using punched windows on the upper floors and two-storey glass storefronts with recessed entries at street level.

4.1.7 Detailing (Heritage Guidelines)

The Design Manual states:

“For new buildings, detailing should refer to the heritage attributes of the immediate context. Detailing can be more contemporary yet with a deference to scale, repetition, lines and levels, beam and column, solid and transparent that relates to the immediate context. In past styles, structure was often unseen, hidden behind a veneer of other surfaces, and “de-tailing” was largely provided by the use of coloured, shaped, patterned or carved masonry or added traditional ornament, moldings, finials, cresting and so on. In contemporary buildings every element of a building can potentially add to the artistic composition of architectural, structural, mechanical and even electrical systems.”

It is found that the detailing on the new Granville streetwall components will refer to the character-defining details of the Macara-Barnstead façade but will be simpler and will use modern materials. For example, painted wooden window trim with moulded profiles on the Macara-Barnstead building will be matched by painted aluminum window frames on the new streetwall. With this, the proposal meets 4.1.7.

4.4.1a, New Buildings abutting Heritage Buildings (Heritage Guidelines)

The Design Manual states:

“New buildings proposed to abut heritage buildings on the same site (integrated development) should generally transition to heritage buildings by introducing a building setback from the building line. This setback can be accomplished in several alternate ways, including:

- new construction is entirely setback from the heritage building, resulting in a freestanding heritage structure. This is suitable where multiple façades have heritage value (see diagram for Option 1).
- new construction is setback from the street frontage of the heritage building, but only to a depth required to give the heritage structure visual prominence (see diagram for Option 2).
- new construction is setback along its entire façade from the street line established by the heritage structure (see diagram for Option 3)

In review of these, it is found that options 1 and 3 are not applicable. The proposed development meets Option 2 by providing a small recessed niche between the existing Macara-Barnstead façade and the new construction on the former Kelly site, cleanly defined by copper cladding. This will reveal the existing, traditional sandstone quoins that finish the corner of the old façade and will match the way they are revealed on the north side of the old facade, abutting the CIBC building.

4.4.3, Facade Articulation and Materials (Similarity and Contrast) (Heritage Guidelines)

The Design Manual has a number of conditions concerning how new development should relate to existing heritage resources. The proposed development meets this guideline by utilizing the techniques of similarity and contrast in a variety of ways in the design. At street level, the new Granville streetwall will be similar to the historic Macara-Barnstead façade in architectural order and rhythm, materials, and colour. The tower will contrast with the streetwall by using large areas of curtain wall glass to articulate its varied massing.

Variiances

There are three variiances that are being sought to the quantitative elements of the Land Use By-law, relative to: the minimum streetwall height; the upper storey streetwall stepback requirement; and the interior lot line setback requirement. Information about the variiances from the architect's perspective is found in Attachment B.

Minimum Streetwall Height Variance

The Land Use By-law states that streetwalls are to have a minimum height of 11 metres and along the Granville Street frontage and they may have a maximum height of 18.5 metres. To be consistent with the height of the Macara-Barnstead building front, the in-fill portion of the Granville Street streetwall will be approximately 0.36 metres (14 inches) below the minimum required height.

The Design Manual provides the following context for considering a maximum height variance:

“3.6.3 Streetwall Height Variance

Streetwall heights may be varied by Site Plan Approval where:

- a. 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; or
- c. the streetwall height of abutting buildings is such that the streetwall height would be inconsistent with the character of the street; or
- d. where a landmark building element is called for pursuant to the Design Manual.”

It is recommended that the streetwall height variance be approved on the basis that this allowance meets the conditions of (a) and (c). Permitting the variance allows for a streetwall that is consistent with the character of the street along the Granville frontage.

Upper Streetwall Stepback

Above a height of 33.5 metres, buildings are to have a stepback of 4.5 metres. The variance application is seeking to allow this stepback at a height of 44.6 metres. This is being proposed in order to make-up for the loss in floor area that is occurring with the streetwall not being at the full 18.5 metre height that is permitted by the Land Use By-law (see above).

The Design Manual provides the following context for considering an upper storey streetwall stepback variance:

“3.6.3 Streetwall Height Variance

Streetwall heights may be varied by Site Plan Approval where:

- a. the upper storey streetwall setback is consistent with the objectives and guidelines of the Design Manual; and
- b. the modification results in a positive benefit such as improved heritage preservation or the remediation of an existing blank building wall.

It is recognized that the streetwall has a height that is lower than the maximum that is allowed and this is being done in order to appropriately highlight the Macara-Barnstead building. On this basis, it is recommended the variance be approved as it relates positively with 3.6.3(b).

Upper Storey Side Yard Setback

The existing TD Bank building is built on its northern property boundary. The building face along this elevation is a blank wall. The infill portion of the proposed addition intends to follow this property line with a simple extension of this wall. Above a height of 33.5 metres, the Land Use By-law requires an 11.5 metre setback from interior property lines. This impacts the addition, where no setback is proposed.

The Design Manual provides the following context for considering an upper storey side yard setback:

“3.6.5 Upper Storey Side Yard Stepback Variance

The setbacks requirements of this section may be varied by Site Plan Approval where:

- a. the upper storey side yard setback is consistent with the objectives and guidelines of the Design Manual; and
- b. where the height of the building is substantially lower than the maximum permitted building height and the setback reduction is proportional to that lower height; or
- c. a reduction in setback results in the concealment of an existing blank wall with a new, well designed structure.”

Currently, there is large blank wall on the existing TD Bank building that faces Granville Street, to the rear of the Macara-Barnstead building. Allowing the expansion of the tower to continue along the side property line will result in a concealment of this blank wall, which is highly visible from both the pedestrian realm and distant vantage points. On this basis, it is recommended that the upper storey side yard variance be approved.

Wind Assessment

A wind assessment was prepared by RWDI Consulting Engineers and Scientists for a previous proposal for the site (which was the subject of a presentation to the Design Review Committee), which had a similar massing, except that the current proposal is three storeys taller. The current proposal also has an awning (canopy) along the full length of Barrington and George Streets.

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 initial RWDI Study and an addendum concluded that there would be few changes to the wind conditions as a result of the proposal. A further follow-up, based on an assessment of the current proposal with its additional three storeys and awnings finds that:

“For a high-rise tower, alterations at the roof level will have minimal effect on wind conditions at grade. Thus, wind speeds at grade are not expected to change due to the change in roof design.

The addition of the canopy along the Barrington Street and George Street elevations is a positive design feature for wind control, as it will provide wind protection from the prevailing winds from several directions. Overall, wind conditions along Barrington Street and George Street are expected to be slightly better than those that were stated in our 2009 report.” (Appendix D of Attachment B)

Proposed Public Benefit

The Land Use By-law specifies a maximum pre-bonus building height and a maximum post-bonus height. Projects that propose to exceed the maximum pre-bonus height are required to provide a public benefit, a list of which are defined in the By-law, that has a value that is the equivalent of \$4.00 for every 0.1 square metres of gross floor area.¹

The maximum pre-bonus height for the proposal is 49 metres and the maximum post-bonus height is to the maximum permitted by the Ramparts view.

A calculation of the value of the public benefit for the post bonus height of the proposed building's bonus floor area has been determined to be \$198,080 (Appendix B of Attachment B, page 17). It is proposed that an equivalent value of public benefit be provided in the categories of “preservation of a heritage resource” and the “provision of exemplary sustainable building practices.” These types of benefits fall within the public benefit categories that are defined in the Land Use By-law.

The Design Review Committee is to review and recommend to the Development Officer whether a proposed public benefit should be accepted by the Municipality. With this, the cost estimates of providing these public benefits will be determined as construction plans are prepared. It is recommended that directing the required public benefit contribution towards these categories has merit, with particular regard to the establishment of the green roofs.

Conclusion

The bulk of this report considers how the proposal relates to the guidelines within the Design Manual. Of particular concern are the design of the in-fill along Granville Street and the retention of the Macara-Barnstead facade. It is found that the overall proposal and its design for Granville Street is consistent with the Design Manual.

There are three variances that are being sought through the application. These have been found to be consistent with the criteria in the Design Manual.

BUDGET IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved operating budget for C310.

¹ The \$4.00 amount is to be adjusted on a yearly basis, but this has not yet occurred. This is not viewed as being of consequence given the likely cost of the proposed public benefits

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

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, and a public open house.

ALTERNATIVES

1. The Design Review Committee may choose to approve the application for substantive Site Plan Approval, as submitted. This is the recommended course of action.
2. The Design Review Committee may choose to approve the application with conditions. This may necessitate further submissions by the applicant, as well as a supplementary report from staff.
3. 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.

ATTACHMENTS

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| Map 1 | Location and Zoning |
| Attachment A | Site Plan Approval Plans |
| Attachment B | Supporting Information |
| Attachment C | Design Manual Checklist |

A copy of this report can be obtained online at <http://www.halifax.ca/boardscom/DesignReviewCommittee-HRM.htm> 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, Senior Planner, 490-5637
