

**Item No. 9.1 (vii)**

**REVISED**

# **Downtown Halifax Land Use By-law & Design Manual**



LAND USE BY-LAW  
FOR  
DOWNTOWN HALIFAX

THIS IS TO CERTIFY THAT THIS is a true copy of the Land Use By-law for Downtown Halifax which was approved by Regional Council on \*\*\*\*\* and approved by the Minister of Service Nova Scotia and Municipal Relations on \*\*\*\*\*, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the \*\*\*\*\*.

GIVEN UNDER THE HAND of the Municipal Clerk and under the seal of Halifax Regional Municipality this \_\_\_\_ day of \_\_\_\_, 2009, A.D.

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Municipal Clerk





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## Appendix B

Schedule S-1: Design Manual (separate insert)

## Title

- 1 This By-law shall be cited as the Downtown Halifax Land Use By-law.

## Definitions

- 2 In this By-law;
- (a) *Accessory* means naturally and normally incidental, subordinate, and exclusively devoted to.
  - (b) *Accessory Building* means a detached subordinate building, not used for human habitation, located on the same lot as the main building, structure, or use to which it is accessory, the use of which is naturally or customarily incidental and complementary to the main use of the land, building or structure.
  - (c) *Accessory Surface Parking Lot* means on-site, surface parking provided in support of the main use of the land.
  - (d) *Adult Entertainment Use* means a massage parlour, sex-aid shop, an adult bookstore, or an adult cabaret.
  - (e) *Adult Cabaret* means any premises or part thereof, whether public, semi-public, or private, wherein is provided the opportunity to feel, handle, touch, paint, be in the presence of, or be entertained by the nude body of another person, or to observe, view or photograph any such activity.
  - (f) *Adult Bookstore* includes any establishment or place for the purpose of retail trade where 20% or more of the value of the total stock in trade or 20% or more of the area used for display of materials in any such establishment or place is comprised of books, magazines, or other periodicals relating to, or portrayed as relating to, sexual activities.
  - (g) *Alcohol related establishment* means a permanent use (not subject to a temporary permit) that is licensed to serve alcohol without a meal pursuant to the *Nova Scotia Liquor Control Act*.
  - (h) *Alter* means to make any change in the size, shape, structure or materials of a building or any part thereof.
  - (i) *Archaeological Resources* means the areas of land shown on Map 10 Archaeological Resources attached to this By-law.

- (j) *Attached Building* means a building otherwise complete in itself, which depends for structural support or complete enclosure upon a division wall or walls shared in common with an adjacent building or buildings.
- (k) *Average grade* means the average finished elevation around the perimeter of the lot.
- (l) *Basement* means a level of a building that has more than one-half of its floor-to-ceiling height below the average grade.
- (m) *Bicycle Parking, Class A* means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages.
- (n) *Bicycle Parking, Class B* means bicycle racks, including wall mounted varieties, which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact.
- (o) *Bicycle Parking, Enhanced* means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers, at the rate of one for every six bicycle spaces, and clothes lockers, at the rate of one for every bicycle space.
- (p) *Billboard* means any freestanding sign and supporting structure, maintained or used for display of advertising matter, or any advertising sign displayed in conjunction with mural artwork occupying an equal or greater surface area on a building, wall or fence.
- (q) *Building* includes any structure placed on, over, or under the land and every part of the same and any external chimney, staircase, porch, or other structure used in connection with such buildings.
- (r) *Building height* means the vertical distance between the *average grade* and a horizontal plane extended across the top of the building.
- (s) *Building width* means the width of a building face, being the horizontal width that is enclosed by two lines extending perpendicular from a streetline or two lines that extend perpendicular from a line that is drawn between the points where the side lot lines meet the street where the streetline is a curve.
- (t) *Central Blocks* means the blocks identified on Map 8.
- (u) *Commercial Parking Garage* means a building whose primary use is the provision of parking to the general public for a fee.

- (v) *Commercial Recreation Use* means a building or part of a building in which a recreational activity is performed and for which a membership or instruction fee is charged, and without limiting the generality of the foregoing, shall include weight-lifting or fitness centres, boxing or racquet sport clubs, martial arts schools and dance studios.
- (w) *Commercial Surface Parking Lot* means an area of land used for the provision of parking to the general public for a fee.
- (x) *Commercial use* means the use of a building for the purpose of buying and selling goods and supplying services.
- (y) *Community Facility* means a building or site owned by a government agency or non-profit organization or religious institution or philanthropic institution and used as a meeting place for entertainment or education or social activities by the general public on a regular or occasional basis and includes a church hall or a public hall.
- (z) *Corner lot* means a lot situated at the corner of two streets, unless such streets form an angle of greater than 135 degrees in which case such a lot shall be an interior lot.
- (aa) *Cultural use* means the presentation of art, artistic performances, musical performances, lectures, or other exhibits.
- (ab) *Depth* means a specified distance along a horizontal plane towards the interior of a building or a lot from a streetline or lot line.
- (ac) *Dwelling Unit* means 1 or more rooms used or designed to be used by one or more persons as a place of abode which contains not more than one kitchen and includes but is not limited to living, sleeping and sanitary facilities.
- (ad) *Facia Sign* means a sign which is attached directly to or painted on a building wall, and which does not extend therefrom nor extend above the roof line.
- (ae) *Flanking lot* means a lot situated at the intersection of three or more streets.
- (af) *Flat roof* means a roof that is sloping no greater than 1:12.
- (ag) *Floor area ratio* means the gross area of all floors in a building, measured from the outside of external walls, divided by the area of a lot.

- (ah) *Front Yard* means a yard extending across the full width of a lot between the street line and the nearest wall of any main building or structure on the lot.
- (ai) *Front lot line* means the lot line abutting a street.
- (aj) *Gross Floor Area* means the aggregate of the area of all floors in a building, whether at, above or below grade, measured from the exterior faces of the exterior walls, or from the centre line of the common wall separating two buildings, but does not include area below grade used for private garage, parking, loading, or building support uses.
- (ak) *Ground Sign* means a sign supported by one or more uprights, poles or braces, placed in the ground.
- (al) *High-rise Building* means a building or that portion of a building that is greater than 33.5 metres in height.
- (am) *Housing Affordability* means all types of housing whereby the provincial government provides some form of subsidy or rent assistance, including public, non-profit and co-operative housing, as well as rent supplements for people living in private market housing.
- (an) *Institutional use* means any educational or religious use, museum, public library, fire or police station, public works, hospital, nursing home, community facility, recreational, cultural or open space use.
- (ao) *Interior lot* means a lot abutting only one street.
- (ap) *Interior lot line* means any lot line that is not coincident with a streetline.
- (aq) *Landscaped Area* means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, pavers, screening or other landscape architectural elements, all of which are designed to enhance the visual amenity of a property or to provide an amenity for common use by the occupants of a building.
- (ar) *Landscaped Open Space* means any outdoor landscaped area or playground for common use by the occupants of a building, but shall not include space for vehicular access, car parking, areas for the maneuvering of vehicles, or areas covered by any building.
- (as) *Lot* means a parcel of land described in a deed or as shown on a registered plan of subdivision.



- (at) *Lot area* means the total area within the boundaries of a lot.
- (au) *Lot coverage* means the percentage of the lot that is covered by buildings, including accessory buildings.
- (av) *Lot line* means a boundary of a lot.
- (aw) *Low-rise Building* means a building or that portion of a building that is less than 18.5 metres in height.
- (ax) *Lot width* means the width of a lot measured in a straight line between the intersecting points of the side lot lines, or side lot line and flanking lot line for flanking lots, and the streetline.
- (ay) *Marine related use* means a use that is dependant upon access to the Harbour and includes, without restricting the generality of the foregoing, marinas, tugboat facilities, and boat building and repair facilities.
- (az) *Massage Parlour* includes any premises or part thereof, by whatever name designated, where a massage, body rub, alcohol rub, bath or similar activity is performed, offered, advertised or solicited by persons in pursuance of a trade, calling, business, or occupation or which is equipped or arranged so as to provide such activity, but does not include any premises or part thereof where treatment is routinely offered or performed for the purpose of medical or therapeutic treatment and is performed or offered by or under the supervision or direction of a physician, licensed naturopath, chiropractor, osteopath, massage therapist, physiotherapist, or nurse licensed or registered under the laws of the Province of Nova Scotia.
- (ba) *Mid-rise Building* means a building or that portion of a building that is no less than 18.5 metres in height and no more than 33.5 metres in height.
- (bb) *Multiple Unit Dwelling* means a building containing four or more dwelling units.
- (bc) *Nude* means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of a female breast with less than a full opaque covering over any portion thereof below the top of the areola of the breast.
- (bd) *Open Space Use* means the use of land for public and private parks and playgrounds, athletic fields, tennis courts, lawn bowling greens, outdoor skating rinks, picnic areas, cemeteries, day camps, historic sites or monuments, and similar uses to the foregoing, together with the necessary accessory buildings and

structures, but does not include commercial camping grounds, golf courses nor a track for the racing of animals or motorized vehicles.

- (be) *Parking lot* means a parking area for three or more motor vehicles.
- (bf) *Personal service use* means a use providing services for the personal needs of individuals and includes uses providing grooming, tailors, depots for collecting dry cleaning and laundry, and other similar uses.
- (bg) *Playground* means an area of outdoor landscaped open space equipped with play equipment such as slides, swings or climbing structures or other recreational equipment.
- (bh) *Projecting Sign* means a sign which projects from and is supported by or which extends beyond a wall of a building.
- (bi) *Ramparts* means the Citadel Ramparts pursuant to Section 26B of the Halifax Peninsula Land Use By-law and as depicted on Map ZM-17 of the Halifax Peninsula Land Use By-law, as amended from time to time.
- (bj) *Rear lot line* means a lot line that is furthest from and opposite a streetline and that solely applies to an *interior lot*.
- (bk) *Rear Yard* means a yard extending across the full width of the lot between the rear wall of a building and the rear lot line and its depth shall be the distance or the mean of the distance between the rear wall of the building and the rear lot line.
- (bl) *Recreation use* means the use of land, buildings or structures for active or passive recreational purposes and may include indoor recreation facilities, sports fields, sports courts, playgrounds, multi-use trails, picnic areas, scenic view points and similar uses to the foregoing, together with the necessary accessory buildings and structures, but does not include commercial recreation uses.
- (bm) *Registered heritage building* means a building on a registered heritage property pursuant to the *Heritage Property Act* of Nova Scotia.
- (bn) *Registered heritage property* means a municipal heritage property or a provincial heritage property pursuant to the *Heritage Property Act* of Nova Scotia.
- (bo) *Required front yard* means the minimum depth required by this By-law of a front yard on a lot between the front lot line and the nearest main wall of any building or structure on the lot.

- (bp) *Residential use* means the use of a building or a portion of a building for human habitation.
- (bq) *Retail use* means a building in which articles of merchandise or commerce are sold or rented directly to the public.
- (br) *Setback* means a specified distance between a lot line and the nearest wall of a building.
- (bs) *Sex-Aid Shop* includes any establishment or place for the purpose of retail trade where 10% or more of the value of the total stock in trade or 20% or more of the area used for display of materials in any such establishment or place is comprised of articles relating to or portrayed as relating to sexual activities.
- (bt) *Side yard* means a yard extending from the front yard to the rear yard of a lot between the side lot line and the nearest wall of any building.
- (bu) *Sign* means any structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise, or attract attention to any object, product, place, person, activity, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, or which shall display or include any letter, word, model, number, flag, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot, except any "sign" regulated under HRM By-law S-800, as amended from time to time.
- (bv) *Sign Area* means the area or portion of an advertising structure, including holes or vacant spaces, upon which the advertising message is displayed, including those portions used for decoration, outlines or borders.
- (bw) *Storey* means that portion of a building between any floor and floor or any floor and ceiling, provided that any portion of a building partly below grade shall not be deemed to be a story unless its ceiling is at least 2 metres above grade.
- (bx) *Street* means any public street, road, highway or travelled way or portion thereof.
- (by) *Streetline* means a lot line that separates a street from a lot.
- (bz) *Streetline grade* means the elevation of a streetline at a point that is perpendicular to the horizontal midpoint of the streetwall. Separate streetline grades shall be determined for each streetwall segment that is greater than 38 metres in width or part thereof.

- (ca) *Streetwall* means the wall of a building or portion of a wall facing a streetline that is below the height of a specified setback or angular plane, which does not include minor recesses for elements such as doorways or intrusions such as bay windows.
- (cb) *Streetwall height* means the vertical distance between the top of the streetwall and the streetline grade, extending across the width of the streetwall.
- (cc) *Streetwall setback* means the distance between the streetwall and the streetline.
- (cd) *Setback* means a specified horizontal recess from the top of a streetwall, which shall be unobstructed from the streetwall to the sky except as otherwise specified.
- (ce) *Structure* means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure, and includes buildings, walls signs, and fences exceeding 2 metres in height.
- (cf) *Through lot* means a lot that abuts two streets, but is not a corner lot.
- (cg) *Transportation use* means uses associated with transportation and includes ferry terminals, bus stations, and train stations.
- (ch) *Use* means the purpose for which a building, structure, or premises or part thereof is used or occupied, or intended to be or designed to be used or occupied. "Used" shall include "arranged to be used", "designed to be used", and "intended to be used".
- (ci) *View Plane* means a View Plane as defined in Part I of the Halifax Peninsula Land Use By-law and as depicted on the View Planes Map of the Halifax Peninsula Land Use By-law, as amended from time to time.
- (cj) *Viewing triangle* means the triangular shaped area which is that part of and within a corner lot measured from the intersection of the projected curb line of two intersecting streets 6 metres along each curb line and within a straight line joining the two points within which visibility from any street or driveway shall be unobstructed above a height of 1 metre.
- (ck) *Yard* means an open area, uncovered by buildings, except for permitted encroachments.

## **Administration**

- 3       (1)     This By-law shall be administered by the Development Officer.

## **Design Review Committee**

- 4       (1)     There is hereby created the Design Review Committee.

## **Composition of the Committee**

- (2)     The Committee shall consist of not more than 10 members, who shall be appointed by Council in accordance with the following:
- (a)     residents of the Municipality who have applied to Council to act as members;
  - (b)     with the exception noted in clause (d), only those applicants with professional expertise in the fields of architecture, landscape architecture, urban design, city planning, structural engineering or a similar field shall be eligible as members of the Committee;
  - (c)     where possible, the Committee shall be comprised of 4 architects, 2 landscape architects, 1 city planner or urban designer, 1 structural engineer, 1 professional at large from the above referenced professions, and 1 resident at large;
  - (d)     with the exception of the resident at large member, members of the Committee must hold a professional degree in their respective fields;
  - (e)     members of the Committee shall be appointed by Council for a period of two years with the exception of the original appointments by Council where five of the members shall be appointed for a period of one year;
  - (f)     a member of the Committee shall be eligible for re-appointment;
  - (g)     a member of the Committee who is absent from three consecutive meetings of the Committee without cause shall be deemed to have resigned from the Committee; and
  - (h)     should a vacancy occur on the Committee, for any reasons other than the expiration of the term of a member, Council shall, within 30 days of notification of a vacancy, appoint a person to fill the vacancy, and the person so appointed shall hold office for the remainder of the term of the member in whose place he or she was appointed.

## **Meetings**

- (3) The Committee shall meet once each month, which may be in the evening, or hold additional meetings at the request of the majority of the Committee members.
- (4) A quorum of the Committee is four (4) members.
- (5) Where the Chair and Vice-Chair are absent from a meeting the Committee shall elect an Acting Chair for that meeting.
- (6) The procedure of the Committee shall be governed, where not inconsistent with the *Halifax Regional Municipality Charter* or this By-law, by Administrative Order No. 1 Respecting the Procedures of the Council.
- (7) Meetings of the Committee are open to the public.

## **Chair and Vice-Chair**

- (8) The Committee shall, at it's first meeting and annually thereafter, elect from the members, a Chair and a Vice-Chair for the ensuing year.
- (9) The Chair shall represent the Committee at Council or a committee of Council.
- (10) The Chair shall act as spokesperson for the Committee.
- (11) The duties of the Chair, in whole or in part, may be shared with or delegated to the Vice-Chair in order to carry out the role and responsibilities of the Committee.

## **Committee Role**

- (12) The Committee shall review:
  - (a) site plan approval applications as per subsections (13) and (14) of section 5 of this By-law; and
  - (b) wind impact assessments as per Schedule S-2 of this By-law.
- (13) The Committee shall:
  - (a) approve, approve with conditions, or deny an application for substantive site plan approval consistent with the requirements of the Design Manual;
  - (b) seek and consider the advice of the Heritage Advisory Committee on site plan applications on registered heritage properties or abutting registered

heritage properties, and on applications within heritage conservation districts;

- (c) advise the Development Officer on matters pertaining to bonus zoning in relation to substantive site plan approvals; and
- (d) advise Council on potential amendments to regulation and policy to carry out the role and responsibilities of the Committee or to further the intent of this By-law as may be required from time to time.

### **Remuneration of Committee Members**

- (14) Each member of the Committee shall serve without remuneration but may be reimbursed for any necessary expenses incurred while engaged in official duties, provided such expenses are approved by Council in advance.

### **Appeal of Committee Decision**

- (15) A decision by the Committee to approve, approve with conditions, or deny a substantive site plan approval may be appealed to Council in accordance with the *Halifax Regional Municipality Charter*.

### **Development Permit**

- 5 (1) No person shall undertake a development without first obtaining a development permit.
- (2) No person shall erect, construct, alter, or reconstruct any building or locate or carry on any industry, business, trade, or calling or use any land or building without complying with the provisions of this By-law.
- (3) A development permit shall expire 12 months from the date issued if the development has not commenced.

### **Development Permit: Application**

- (4) An application for a development permit shall be accompanied by a site plan drawn to scale showing the following:
  - (a) the items required to be shown in the application for a Building Permit under the Building By-law;
  - (b) dimensions of the site and the location of all proposed buildings;

- (c) identification, location and gradients of all parking areas including the location and width of driveways, entrances and exits to parking areas, maneuvering areas for vehicles, service areas, visitors parking and loading areas;
  - (d) the location and details of proposed landscaped open space;
  - (e) a wind impact assessment, where required, pursuant to section 8 (18);
  - (f) elevations prepared by a surveyor licensed in the Province of Nova Scotia confirming compliance with View Plane and Ramparts height limitations, where applicable; and
  - (g) any additional information related to the site, buildings, or adjoining properties as may be required by the Development Officer to determine if the proposal conforms to the provisions of this By-law.
- (5) Where a proposed development requires a relaxation of the requirements of this By-law, the applicant shall provide a written proposal explaining the rationale for the request based on the applicable criteria contained in the Design Manual.

#### **Site Plan Approval: Area of Application**

- (6) In addition to the requirements of sub-section (1), unless otherwise specified, all development within the Downtown Halifax Secondary Municipal Planning Strategy plan area boundary, as shown on Map 1, shall be subject to site plan approval by the Development Officer.
- (7) The Development Officer shall approve a permit where the proposed development meets the requirements of this By-law and the Design Review Committee has determined that the development meets the criteria of the Design Manual attached as Schedule S-1 of this By-law.
- (7A) Prior to an application for site plan approval being submitted, the applicant shall undertake public consultation concerning the project in a format acceptable to the Development Officer and using a combination of the following three methods:
  - (a) open house;
  - (b) public kiosk; and
  - (c) website/online forum.

#### **Site Plan Approval: Application**

- (8) All applications for site plan approval shall be accompanied by a site plan drawn to an appropriate scale showing the information required in sub-section (1).



- (9) All applications for site plan approval shall be accompanied by detailed architectural plans indicating compliance with the precinct specific design requirements of the Design Manual and;
- (a) streetwall height and setbacks pursuant to section 3.1 of the Design Manual;
  - (b) streetwall material quality and detail pursuant to section 3.2 of the Design Manual;
  - (c) building articulation pursuant to section 3.3 of the Design Manual;
  - (d) the siting of building utilities, vehicle access and parking, lighting and signage pursuant to section 3.5 of the Design Manual; and
  - (e) any other information the Development Officer may require to determine compliance with the Design Manual.

#### **Site Plan Approval: Exemptions**

- (10) Notwithstanding subsection (4), the following developments shall be exempt from site plan approval:
- (a) a change in size of windows and doors that do not face streetlines;
  - (b) building repairs;
  - (c) window and door replacement in existing openings; and
  - (d) installation or repair of minor building features.

#### **Site Plan Approval: Non-Substantive Applications**

- (11) The following developments are non-substantive site plan approval applications:
- (a) accessory buildings and structures;
  - (b) development that does not materially change the external appearance of a building facing streetlines;
  - (c) new window and door openings or alterations to existing window and door openings abutting streetlines;
  - (d) alteration of external cladding material that does not affect the external appearance of a building facing streetlines;
  - (e) signs;

- (f) decks, patios, and similar unenclosed features; and
  - (g) steps, stairs and other entryways.
- (12) A non-substantive site plan application may be approved by the Development Officer.

### **Site Plan Approval: Substantive Applications**

- (13) Any application that is not listed in sub-sections (10) or (11) is a substantive site plan approval application and shall be referred to the Design Review Committee.

### **Site Plan Approval: Variance of Requirements**

- (14) Where specified in this By-law, the Design Review Committee may consider applications to relax the requirements of the By-law subject to the criteria of the Design Manual.

### **Site Plan Approval: Notification**

- (15) The area of notification for non-substantive site plan approval shall be 30 metres from the property boundary of the lot subject to approval.
- (16) The area of notification for a substantive site plan approval shall be the Downtown Halifax Secondary Municipal Planning Strategy plan area boundary plus 30 metres.

### **Licenses, Permits, and Compliance With Other By-laws**

- (17) Nothing in this By-law shall exempt any person from complying with the requirements of any other By-law of HRM or from obtaining any license, permission, permit, authority, or approval required by any other By-law of HRM or any regulation of the Province of Nova Scotia or the Government of Canada.
- (18) Where the provisions of this By-law conflict with those of any other By-law of HRM or regulation of the Province of Nova Scotia or the Government of Canada, the more restrictive provision shall prevail.
- (19) Where excavation is required for a development on any area identified on Map 10 - Archaeological Resources, a development permit may be issued and the application may be referred to the Nova Scotia Department of Tourism, Culture and Heritage, Heritage Division for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

## **Maps and Schedules**

(20) The following maps and schedules form an official part of this By-law:

Map 1	Zoning and Schedule
Map 2	Precincts
Map 3	Pedestrian-Oriented Commercial Streets
Map 4	Maximum Pre-Bonus Heights
Map 5	Maximum Post Bonus Heights
Map 6	Streetwall Setbacks
Map 7	Streetwall Heights
Map 8	Central Blocks
Map 9	Prominent Visual Terminus Sites
Map 10	Archaeological Resources
Schedule S-1	Design Manual
Schedule S-2	Wind Assessment Performance Standards

## **Interpretation**

### **Application of Requirements**

- 6 (1) Where a development is comprised of more than one use, unless otherwise specified, the requirements within this By-law for each use shall apply.

### **Zones, Precincts and Schedules**

- (2) For the purpose of this By-law and the map entitled Map 1, Zoning and Schedule, the following zones and schedules are hereby established:

Downtown Halifax Zone	DH-1
Institutional, Cultural & Open Space Zone	ICO
Schedule W	Waterfront Development Overlay

- (3) In addition to subsection (2) there shall be precincts as shown on Map 2.

### **Interpretation of Zoning Boundaries**

- (4) The boundary of a zone shown on Map 1, and between the Precincts shown on Map 2, shall be determined as follows:
- (a) where a zone or precinct boundary is indicated as following a street, the boundary shall be the streetline of the street unless otherwise indicated;
  - (b) where a zone or precinct boundary is indicated as approximately following lot lines, the boundary shall follow lot lines, unless said lot lines are the subject of a subdivision approval after the date of adoption of this By-law, in which case the zone or precinct boundary shall remain as it is shown on the map;
  - (c) where a zone or precinct boundary follows the shoreline, the boundary shall be the ordinary high water mark;
  - (d) where a part of the Harbour is in-filled beyond the limits of a zone or precinct boundary or a building is constructed over water, said land or buildings shall be deemed to be included within and subject to the requirements of that abutting zone and precinct; and

- (e) Upon the closing of a street or portion of a street to public use, the land comprising such former street or portion of such street shall be zoned as follows:
  - (i) where the zones of the abutting lands are the same, the land comprising the former street shall have the same zoning as the abutting lands;
  - (ii) where the zones of the abutting lands are different, the center line of the former street shall be the boundary line and the lands on either side of the boundary line shall have the same zoning as the abutting lands; and
  - (iii) where none of the above apply, the zone boundary shall be scaled from Map 1 and Map 2.

## **Land Use Requirements**

### **Downtown Halifax Zone (DH-1)**

#### **Permitted Land Uses**

- 7       (1)     The following uses shall be permitted in the DH-1 Zone:

Commercial uses, excluding adult entertainment uses;  
Cultural uses;  
Institutional uses;  
Marine-related uses;  
Open Space uses;  
Residential uses;  
Transportation uses; and  
Uses accessory to the foregoing.

#### **Pedestrian-Oriented Commercial Street Uses**

- (2)     Notwithstanding subsection (1), only those uses listed below shall be permitted on the ground floor of a building in the DH-1 Zone immediately abutting the streetline of Pedestrian-Oriented Commercial Streets, as identified on Map 3:
- (a)     The following commercial uses:  
Banks and related uses;  
Licenced alcohol establishments;  
Personal service uses;  
Eating establishments; and  
Retail uses;
- (b)     Cultural uses; and
- (c)     Uses accessory to the foregoing.
- (3)     Notwithstanding subsection (2), pedestrian entrances and lobbies associated with any use permitted pursuant to subsection (1) may face and have access onto Pedestrian-Oriented Commercial Streets.

#### **Residential Uses: Dwelling Unit Mix**

- (4)     Buildings erected, altered or used as a multiple unit dwelling shall be required to include at least one dwelling unit containing not less than two bedrooms for every three dwelling units and one dwelling unit containing not less than two bedrooms for every three, or part of three, dwelling units in a building containing more than three dwelling units.

- (5) Residential uses shall have direct access to the exterior ground level separate from any non-residential use.

### **Residential Uses: Precincts 2, 3 and 9 - Landscaped Open Space Requirements**

- (6) Where any residential building is erected, altered, or used primarily for residential purposes in Precinct 2: Barrington Street South; Precinct 3: Spring Garden Road Area; or Precinct 9: North End Gateway, the lot on which such building is located shall contain landscaped open space.
- (7) For the purpose of subsection (6), *primarily* means more than 50% of the gross floor area is devoted to residential uses, including enclosed space serving residents of the building and areas devoted to personal services, such as laundry and waste disposal and common area.
- (8) A minimum of 5 square metres of landscaped open space shall be provided for each person residing in the building.
- (9) For the purposes of calculating the number of persons residing in a building, the population of each dwelling unit shall equal 2.25 persons.
- (10) A maximum of 60% of the landscaped open space requirement may be transferred to the building rooftop, provided that:
  - (a) the rooftop landscaped open space is contiguous and not less than 56 square metres in area; and
  - (b) the rooftop landscaped open space is fully accessible for the common use of the occupants of the building.
- (11) The requirements of subsections (7) and (10) may be varied by site plan approval where the relaxation of the requirement is consistent with the Design Manual.

### **Residential Uses: Storm Surge Protection**

- (12) No portion of a building on a lot within Schedule W, shall be less than a 2.5 metre elevation above the ordinary high water mark.
- (13) Subsection (12) does not apply to parking garages, accessory structures or entrances to residential uses.
- (14) Notwithstanding subsection (12), any existing residential use situated less than the required elevation may expand provided that such expansion does not further reduce the existing elevation.

- (15) Every application for a development permit for a building or structure to be erected pursuant to subsections (12) and (14) shall be accompanied by plans drawn to an appropriate scale showing the required elevations, contours and lot grading information to determine that the proposed building or structure will meet the requirements of this section.
- (15A) Notwithstanding any provision of this By-law except subsections (14) through (17) of section 8, a publically-sponsored convention centre with retail, office, hotel and underground parking space, may be developed on the two blocks bounded by Argyle Street, Prince Street, Market Street and Sackville Street in accordance with the drawings attached as Appendix "B" to this By-law.
- (15B) In addition to the requirements of subsection (15A), the requirements of subsection (6) of section 5 shall apply. The Development Officer shall refer the application for site plan approval to the Design Review Committee for their approval of the proposal's qualitative elements as set out in section 1.1 b. of the Design Manual.

### **Institutional, Cultural & Open Space Zone (ICO)**

#### **Permitted Land Uses:**

- (16) The following uses shall be permitted in the ICO Zone:
- Institutional uses;
  - Cultural uses;
  - Open Space uses;
  - Eating establishments or retail uses accessory to permitted uses; and
  - Uses accessory to the foregoing.
- (17) Where eating establishments or retail uses accessory to permitted uses are permitted they shall have no separate entrance from the exterior of the building.

### **Transportation Reserve (TR)**

- (18) It is the intention of HRM to acquire the lands identified as "Transportation Reserve" on the Zoning and Schedule Map, Map 1, for the purpose of widening, altering or diverting an existing street or pathway, or for the purposes of a new street or pathway.
- (19) When acquired, the Transportation Reserves shall have the status of streets and the requirements of this By-law regarding matters such as setbacks shall apply.



- (20) Pursuant to section 239 of the *Halifax Regional Municipality Charter*, should HRM not acquire a Transportation Reserve, the lands shall revert to the DH-1 Zone and applicable overlay zone as identified on the Zoning and Schedule Map, Map 1.
- (21) Development is prohibited within a Transportation Reserve.

**Transportation Reserve (TR): Abutting Uses**

- (22) Notwithstanding subsections (1) and (16), only those uses listed below shall be permitted on the ground floor of a building abutting a Transportation Reserve, as identified on Map 1:

Cultural uses;  
Banks and related uses;  
Licenced alcohol establishments;  
Personal service uses;  
Eating establishments;  
Retail uses; and  
Uses accessory to the foregoing.

- (23) Notwithstanding subsection (22), pedestrian entrances and lobbies associated with a hotel may face and have access onto the Transportation Reserve.

## **Built Form Requirements**

### **Lot Requirements**

- 8       (1)     Every lot shall have frontage on a street.

### **Number of Buildings on a Lot**

- (2)     Every building hereafter erected shall be located on a lot as herein defined and in no case shall there be more than one main building on one lot or one building on more than one lot.

### **Registered Heritage Properties**

- (3)     In addition to the requirements of this By-law and the *Heritage By-law*, development on a Registered Heritage Property shall be subject to the Development in Heritage Contexts section of the Design Manual.
- (4)     In addition to the requirements of this By-law, development on a non-registered Heritage Property in a Heritage Conservation District shall be subject to sections 4.5 and 4.6 of the Development in Heritage Contexts section of the Design Manual.

### **Registered Heritage Properties: Development on Abutting Property**

- (5)     In addition to the requirements of this By-law, development on a lot abutting a Registered Heritage Property shall be subject to the requirements of the Design Manual.

### **Building Height: Maximum Pre-bonus Heights and Maximum Post-Bonus Heights**

- (6)     No building shall be erected, constructed, altered, reconstructed, or located so that it exceeds the Maximum Pre-Bonus Heights specified on Map 4.
- (7)     Notwithstanding subsection (6), the Maximum Pre-Bonus Heights specified on Map 4, may be exceeded to the Maximum Post-Bonus Height specified on Map 5, pursuant to Section 12.
- (8)     The height requirements in subsections (6) and (7) shall not apply to a church spire, lightning rod, elevator enclosure, an elevator enclosure above a structure required for elevator access to rooftop amenity space, flag pole, antenna, heating, ventilation, air conditioning equipment or enclosure of such equipment, skylight, chimney, landscape vegetation, clock tower, solar collector, roof top cupola, parapet, cornices, eaves, penthouses or other similar features, provided that the

total of all such features, shall occupy in the aggregate less than 30 % of the area of the roof of the building on which they are located.

- (9) The height requirements in subsections (6) and (7) may be exceeded on those properties identified as Prominent Visual Terminus Sites - Map 9, as provided for in the Design Manual.
- (10) Features referenced in subsection (8) shall be setback no less than 3 metres from the outer most edge of the roof on which they are located. No setback is required for clock towers, parapets, cornices and similar architectural features.
- (11) The requirements of subsections (8) and (9) may be varied by site plan approval where the relaxation is consistent with the criteria of the Design Manual.

### **Rooftop Landscaped Open Space**

- (12) All buildings erected or altered, with a flat roof shall provide landscaped open space on those portions of the flat roof not required for architectural features or mechanical equipment.

### **Land Uses at Grade**

- (13) 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 no less than 4.5 metres.

### **View Plane Requirements**

- (14) Notwithstanding any provision of this By-law, no building shall be erected, constructed, altered, reconstructed, or located in any zone so as to protrude through a View Plane except as permitted pursuant to Section 24 of the Halifax Peninsula Land Use By-law, as amended from time to time.
- (15) Any permit issued by the Development Officer pursuant to plans and data presented by the applicant shall not, at any time, be deemed to be permission to protrude through a View Plane.
- (16) No building shall be constructed so that it is parallel to a view plane, unless such view plane is parallel to a street line.

## **Rampart Requirements**

- (17) Notwithstanding any provision of this By-law, no building shall be erected, constructed, altered, reconstructed, or located in any zone so as to be visible above the ramparts as specified by Section 26B of the Halifax Peninsula Land Use By-law, as amended from time to time.

## **Wind Impact**

- (18) Any building or building addition resulting in a height exceeding 20 metres shall only be permitted following consideration of its wind impact pursuant to the performance standards in Schedule S-2.

## **Accessory Buildings**

- (19) Accessory buildings shall be permitted in all zones subject to the following requirements:
- (a) a maximum of 5 metres in height and a maximum of 23.5 square metres in floor area;
  - (b) no accessory building or portion thereof shall be permitted between a streetline and a streetwall where such streetwall is setback less than 9.5 metres from a streetline;
  - (c) no accessory building or portion thereof shall be located within a required setback; and
  - (d) an accessory building shall not require any setback from an interior lot line if such building is located entirely within the rear yard of the lot on which such building is located

## **Prohibited External Cladding Materials**

- (20) The following external cladding materials shall be prohibited:
- (a) vinyl;
  - (b) plastic;
  - (c) plywood;
  - (d) concrete block;

- (e) exterior insulation and finish systems where stucco is applied to rigid insulation;
  - (f) metal siding utilizing exposed fasteners;
  - (g) darkly tinted or mirrored glass; and
  - (h) vinyl windows on registered heritage properties or properties located within a heritage conservation district.
- (21) The requirements of subsection (20) may be varied by site plan approval where the relaxation is consistent with the criteria of the Design Manual.

## **Streetwalls**

### **Streetwall: Streetline Setbacks**

- 9 (1) Streetwalls shall have a streetline setback as specified on Map 6.

### **Streetwall: Height**

- (2) The maximum streetwall height shall be as specified on Map 7.
- (3) The minimum streetwall height shall be 11 metres high, or the height of the building where the building height is less than 11 metres.
- (4) Where there is more than one streetwall of differing heights the lowest of the streetwalls shall be the permitted streetwall height.

### **Streetwall: Width**

- (5) A streetwall shall extend the full width of a lot abutting the streetline.
- (6) On lots other than on Central Blocks, the streetwall width may be reduced to no less than 80 % of the width of a lot abutting a streetline, provided the streetwall is contiguous.

### **Streetwall: Stepbacks**

- (7) The following minimum stepbacks above the streetwall shall apply to buildings with streetwall setback requirements of 0 to 1.5 metres or 0 to 4.0 metres as identified on Map 6:
  - (a) a minimum of 3 metres for that portion of a building that is a maximum of 33.5 metres in height; or
  - (b) a minimum of 4.5 metres for that portion of a building that is greater than 33.5 metres in height.

### **Streetwalls: Variance through Site Plan Approval**

- (8) The requirements of subsections (1) through (7) may be varied by site plan approval where the relaxation is consistent with the criteria of the Design Manual.

## **Building Setbacks and Stepbacks**

### **Low-Rise Buildings**

- 10      (1)      No setback is required from an interior lot line for a low-rise building or the low-rise portion of a building.
- (2)      With the exception of required streetwall setbacks, a low-rise building or the low-rise portion of a building is permitted to cover 100% of the lot upon which it is situated.
- (3)      On lots located outside of Central Blocks, as identified on Map 8, a low-rise building or the low-rise portion of a building may be setback from interior lot lines no more than 20% of the lot width.

### **Mid-Rise Buildings**

- (4)      Above a height of 18.5 metres, or the height of the streetwall, the mid-rise portion of a building shall be setback from interior lot lines no less than 10% of the lot width or 5.5 metres, whichever is less. Where a lot has more than one streetline, the greater lot width shall apply.
- (5)      The mid-rise portion of a building shall not project beyond the vertical plane of the exterior walls of the low-rise portion of the building.

### **Mid-Rise Buildings: Central Blocks**

- (6)      Notwithstanding subsection (4), no setback is required from an interior lot line for the mid-rise portion of any building on Central Blocks as identified on Map 8.

### **High-Rise Buildings**

- (7)      Any portion of a high-rise building above a height of 33.5 metres shall be setback 11.5 metres from interior lot lines.
- (8)      Any portion of a high-rise building above a height of 33.5 metres shall be separated a minimum of 17 metres between the high-rise portion of other buildings or the same building on the same lot, where one of the high-rise buildings is used for commercial purposes.

- (9) Any portion of a high-rise building above a height of 33.5 metres shall be a minimum of 23 metres between the high-rise portion of other buildings or the same building on the same lot, where both of the high-rise buildings are used for residential purposes.
- (10) Any portion of a building above a height of 33.5 metres shall be a maximum width of 38 metres and a maximum depth of 38 metres.
- (11) Notwithstanding subsection (10) any portion of a building above a height of 33.5 metres located in the Central Blocks, as identified on Map 8, shall be a maximum width of 38 metres and a maximum depth of 27.5 metres.

### **Permitted Encroachments**

- (12) Eaves, gutters, down spouts, cornices and other similar features shall be permitted encroachments into a required setback, stepback or separation distance to a maximum of 0.6 metres.
- (13) Balconies shall be permitted encroachments into a setback, stepback or separation distance, at or above the level of the second storey of a building, provided that the protrusion of the balcony is no greater than 2 metres from the building face and the aggregate length of such balconies does not exceed 50% of the horizontal width of that building face.

### **Building Setbacks and Stepbacks: Variance through Site Plan Approval**

- (14) The requirements of subsections (1) through (13) may be varied by site plan approval where the relaxation is consistent with the criteria of the Design Manual.



## **Precincts: Additional Requirements**

### **Precinct 1: Southern Waterfront**

- 11      (1)      In addition to all other requirements of this By-law, the following shall apply to Schedule W as shown on Map 1:
- (a)      multiple buildings on a lot shall be permitted provided they are designed in a manner that permits future subdivision;
  - (b)      all buildings shall be setback no less than 8 metres from the ordinary high water mark;
  - (c)      the maximum height of any building shall be 12.5 metres;
  - (d)      building height in clause (c) may increase at a rate of 1 metre for every additional 1 metre of setback from the minimum required setback from the ordinary high water mark;
  - (e)      the width of any building face parallel to the ordinary high water mark shall not exceed 21.5 metres;
  - (f)      any portion of a building above a height of 33.5 metres feet shall be a maximum width of 21.5 metres parallel to Lower Water Street and a maximum depth of 38.5 metres.
  - (g)      the width of any low-rise or mid-rise building face parallel to the ordinary high water mark may increase at a rate of 1 metre for every additional 1 metre setback from the ordinary high water mark;
  - (h)      buildings on lots with a streetline width greater than 27.5 metres shall be setback from interior lot lines no less than 10 % of the lot width or 8 metres, whichever is less. Where a lot has more than one streetline, the greater lot width shall apply; and
  - (i)      clauses (b) through (e) apply to any building or portion thereof within 30 metres of the ordinary high water mark.
- (2)      The requirements of subsection (1) may be varied by site plan approval where the relaxation is consistent with the criteria of the Design Manual.

### **Precinct 3: Spring Garden Road Area**

- (3) On the south side of Spring Garden Road, between Queen Street and South Park Street, and on the east side of South Park Street between Spring Garden Road and Sackville Street, above a height of 17 metres measured at the streetline, buildings shall be setback an additional 0.9 metres from the streetline, for every 0.6 metres in height.
- (4) On the lands commonly known as the Clyde Street Parking Lots, P.I.D. Nos. 00077875 and 00077438:
  - (a) new development shall maintain a minimum of 210 or more parking spaces in total on the two lots; and
  - (b) every application for a development permit shall be accompanied by a statement containing such information as may be deemed necessary by the Development Officer to ensure compliance with the requirements of subsection (a).

### **Precinct 4: Lower Central Downtown**

- (5) In addition to all other requirements of this By-law, the following shall apply to Schedule W as shown on Map 1:
  - (a) the requirements of subsection (1); and
  - (b) on lots having less than 27.5 metres of frontage, streetwalls abutting Upper Water Street shall be 100% of the lot width at the streetline.
- (6) The requirements of subsection (5) may be varied by site plan approval where the relaxation is consistent with the criteria of the Design Manual.

### **Precinct 5: Barrington Street Heritage Conservation District**

- (7) Within the Barrington Street Heritage Conservation District Precinct, development shall be subject to the requirements of this By-law, the Development in Heritage Contexts section of the Design Manual, and HRM By-law H-500, A By-law Respecting the Establishment of a Heritage Conservation District on Barrington Street. Where this By-law is in conflict with By-law H-500, the requirements of By-law H-500 shall prevail.

## **Post-Bonus Height Provisions**

### **Buildings Higher than the Pre-Bonus Height Requirements**

- 12      (1)      A building that exceeds the Maximum Pre-Bonus Height as shown on Map 4 shall be required to provide a public benefit on the lot equal to a value of not less than \$4.00 per 0.1 square metre of gross floor area for all or part of any storey above the Pre-Bonus Heights. Where it is not feasible to provide the public benefit on the lot being developed, the developer shall provide the benefit off-site as may be agreed between the Municipality and the developer.
- (2)      The developer shall submit cost estimates, in a format acceptable to the Development Officer, which provide detailed costs of the public benefit.
- (3)      The rate of \$4.00 per 0.1 square metre in subsection (1) shall be adjusted annually in accordance with the Statistics Canada, Province of Nova Scotia Consumer Price Index, on the anniversary of adoption date of this By-law.
- (4)      The public benefit shall be completed at the time of the issuance of an Occupancy Permit pursuant to the *Building By-law* (HRM By-law B-201) or such other time as may be provided under the public benefit agreement.
- (5)      The provisions of subsection (1) do not apply to additional height provided for the Prominent Visual Terminus Sites identified on Map 9, unoccupied architectural features, and permitted height encroachments pursuant to subsection (9) of subsection 8.

### **Bonus Exception for Registered Heritage Buildings**

- (6)      Development which proposes the demolition of a Registered Heritage Building is not eligible for bonus height and cannot exceed the Maximum Pre-Bonus Height shown on Map 4.

### **Public Benefit Categories**

- (7)      Subject to meeting all applicable requirements of this By-law, development pursuant to subsection (1) shall be permitted where the developer provides one or a combination of the following public benefits:
- (a)      where the development includes a registered heritage property which is to be maintained, the preservation or enhancement of the heritage resource;

- (b) the provision of publicly accessible amenity or open space, where a deficiency in such spaces exists;
  - (c) the provision of residential units at a subsidized cost to contribute to housing affordability in the Downtown Halifax Secondary Municipal Planning Strategy plan area;
  - (d) the provision of 3 and 4 bedroom units with direct access to outdoor amenity space;
  - (e) the provision of rental commercial space made available at a subsidized cost for arts or cultural uses;
  - (f) the provision of public art;
  - (g) the provision of public parking facilities, where a deficiency in such facilities exists;
  - (h) investment in public transit or active transportation infrastructure;
  - (i) the provision of exemplary sustainable building practices.
- (8) The developer shall provide a written proposal which provides a description of the details and extent of the Public Benefit to be provided.

### **Public Benefit Agreement**

- (9) Prior to the issuance of a development permit by the Development Officer, the developer shall enter into an agreement with the Municipality which shall:
- (a) identify the particular parcel of land to be developed, where the public benefit is to be provided off-site of the development;
  - (b) include design drawings, provided by the developer for the required public benefit and where necessary, include detailed construction drawings, site plans, specifications, and cost estimates of the proposed work; and
  - (c) identify the required process and conditions for supervision and acceptance of the proposed public benefit before the work is accepted by the Municipality as the public benefit for the development.

## **Signs**

### **Permit Requirements**

- 13      (1)      No person shall erect a sign without first obtaining a development permit.
- (2)      Except as provided for in subsection (5), an owner shall have at all times a valid permit for every sign(s) on any premise.

### **Temporary Sign By-law**

- (3)      This By-law shall not apply to any sign regulated under HRM By-law S-800, A By-law Respecting Requirements for the Licensing of Temporary Signs.

### **Encroachment License**

- (4)      In addition to the provisions of this section, if a sign or advertising structure is intended to project or extend over any portion of any street, no permit for such sign or advertising structure shall be granted until the applicant obtains approval under the Encroachment By-law permitting such applicant to maintain such sign or advertising structure so projecting or extending over a portion of a street.

### **Permitted Signs**

- (5)      The following signs shall be permitted and do not require a development permit:
- (a)      name and street number of residential and non-residential buildings;
  - (b)      “No Trespassing” signs and other such signs regulating the use of a property, provided said signs do not exceed 0.2 square metres in area;
  - (c)      non-illuminated real estate sign less than 2 square metres in area pertaining to the sale, rental, or lease of the premises on which the sign is displayed. A sign so erected shall be removed within 14 days after the referenced sale, rental or lease;
  - (d)      signs regulating traffic within the lot or giving direction or identifying the function of part or all of a building, provided that such signs do not exceed 0.5 square metres in area;
  - (e)      signs erected by a governmental body or public authority;
  - (f)      memorial signs or tablets and signs denoting the date or erection of a building as well as signs identifying historic sites; and

- (g) non-illuminated signs which are incidental to construction and are located on the same lot, provided that such sign shall not exceed 2 square metres in area. A sign so erected shall be removed within 14 days after conclusion of the activity.

### **Prohibited Signs**

- (6) Notwithstanding any other Section of this By-law, the following signs shall not be permitted or erected in any zone:
  - (a) signs which create a hazard to public safety;
  - (b) signs located within the viewing triangle of a street or driveway or which obstruct the vision of drivers whether by virtue of their location, appearance or illumination or which obscure or obstruct any traffic control sign or device of any public authority;
  - (c) signs which obstruct access to or from a fire escape, door, window, or other required fire exit;
  - (d) signs which resemble traffic control signs of any public authority, whether by shape, colour, message or location which would interfere with or confuse traffic along a public road;
  - (e) signs which advertise a product which is no longer sold or a business which is no longer in operation;
  - (f) signs that are unrelated to the product, service or business that is upon a lot;
  - (g) signs on public property or public rights-of-way unless erected by a public authority or specifically permitted by the Municipality;
  - (h) signs located on or affixed to the roof of any structure;
  - (i) signs which project above a roof line;
  - (j) signs which project above a streetwall setback;
  - (k) ground signs or billboards;
  - (l) signs affixed to natural objects (trees, stones); and

- (m) signs which use fluorescent colours for either background or individual characters.

### **Signs on Registered Heritage Properties and Properties in a Heritage Conservation District**

- (7) Signs on Registered Heritage Properties and Properties in a Heritage Conservation District shall meet the requirements of the Design Manual.
- (8) The following types of signs are prohibited on registered heritage properties and properties in a heritage conservation district:
  - (a) internally-illuminated fascia signs or awning signs;
  - (b) stretch skin plastics for awning or canopy signs; and
  - (c) textile banners, with or without frames.

### **Signs on Buildings**

- (9) No sign that encroaches into a street shall be less than 3.1 metres above the surface of a sidewalk.
- (10) No part of a sign shall be closer than 3.1 metres horizontal from a curb face or the nearest edge of a vehicular passageway or traffic lane.

### **Illuminated Signs**

- (11) Where signs are illuminated, they shall be illuminated in such a manner not to cause a glare or hazard to motorists, pedestrians or neighbouring premises.

### **Fascia Signs**

- (12) Fascia signs shall not extend beyond the extremities of a wall on which they are affixed.
- (13) The maximum combined size of fascia signs on the wall of a building shall be no greater than 10% of the total area of said wall.

### **Window Signs**

- (14) The aggregate area of all window signs shall not exceed 25% of the window, or glass area of a door, to which they are affixed.

### **Canopies and Awning Signs**

- (15) Signs on awnings shall not cover more than 25% of the area of the awning and the length of the text shall not exceed 80% of the length of the front valance.

### **Projecting Signs**

- (16) Projecting signs shall;
  - (a) be separated a minimum distance of 2.5 metres from other projecting signs on the same property;
  - (b) have a minimum setback of 1.2 metres from an interior lot line; and
  - (c) have a maximum area of 1.9 square metres.
- (17) Only one projecting sign is permitted per business premise.



## **Parking**

### **Accessory Surface Parking Lots: General Requirements**

- 14 (1) Accessory Surface Parking Lots shall be prohibited in the following areas as depicted on Map 2:

Precinct 3: Spring Garden Road Area;  
Precinct 4: Lower Central Downtown;  
Precinct 5: Barrington Street Heritage Conservation District;  
Precinct 6: Upper Central Downtown; and  
Precinct 7: Historic Properties.

- (2) The following requirements shall apply to accessory surface parking lots:
- (a) accessory surface parking lots shall not have a parking surface area greater than the equivalent of 20 parking stalls plus area for ingress or egress of motor vehicles to a street or highway by means of driveways, aisles or for maneuvering;
  - (b) accessory surface parking lots shall be located in the rear or side yard no closer to the streetline than 50% of the lot depth;
  - (c) all accessory surface parking lots and access to accessory surface parking lots shall be hard surfaced with asphalt, concrete or pavers, and delineated by concrete curbing. All parking spaces and driving aisles shall be delineated with painted lines;
  - (d) all accessory surface parking lots visible from the street shall have a landscaped vegetated strip of at least 1.5 metres in depth adjacent to any street, exclusive of driveway accesses, and a further strip of at least 1 metre in depth along other lot lines. Landscaping may consist of grassed areas or planters, with one shrub planted for every 2 metres of length along side and rear lot lines, and one tree, staked, with a minimum base caliper of 50mm for every 4.5 metres abutting a street line;
  - (e) individual parking spaces shall be 2.7 metres by 6.1 metres except in the case of curb parking parallel to an internal driveway, in which case the length of the parking stall shall be increased to 6.7 metres;
  - (f) there shall be a minimum aisle width between parking stalls of 7.3 metres for two-way traffic or 4.3 metres for one-way traffic;

- (g) parking or storage of motor vehicles is not permitted in areas used for ingress or egress of motor vehicles to a street or highway, or in areas used for driveways, aisles or maneuvering areas;
  - (h) parking spaces shall not be immediately adjacent to doors or passageways from buildings; and
  - (i) parking areas and driving aisles in a front yard are not permitted. A driveway in the front yard is permitted only to provide access to parking areas located in a side or rear yard.
- (3) The design of accessory surface parking lots shall meet the requirements of the Design Manual.

### **Commercial Surface Parking Lots**

- (4) Commercial surface parking lots are prohibited in all zones.

### **Commercial Parking Garages: General Requirements**

- (5) Commercial parking garages shall be permitted in all precincts.
- (6) The following requirements shall apply to commercial parking garages:
- (a) individual parking spaces shall be 2.7 metres by 6.1 metres except in the case of curb parking parallel to an internal driveway, in which case the length of the parking stall shall be increased to 6.7 metres;
  - (b) parking or storage of motor vehicles is not permitted in areas used for ingress or egress of motor vehicles to a street or highway, or in areas used for driveways, aisles or maneuvering areas; and
  - (c) parking stalls shall not be adjacent to doors or passageways from buildings.

## **Commercial Parking Garage: Design**

- (7) Commercial parking garages shall provide a streetwall as specified on the Streetwall Height Map 7, and in no case shall the streetwall height be less than 11 metres high where the building height is less than the required streetwall height, but greater than 11 metres high. For those buildings less than 11 metres high the streetwall height shall be the full height of the building.
- (8) Rooftop parking and mechanical equipment shall be visually obscured from the street through the use of architectural features.
- (9) At-grade uses abutting a street shall be limited to:
  - (a) on Pedestrian-Oriented Commercial Streets those uses in subsections (2) and (3) of section 7; and
  - (b) on all other streets those uses permitted in the zone applicable to the lot.
- (10) Streetwalls greater than 15 metres in width measured parallel to the streetline shall have the appearance of two or more buildings by altering the appearance of the facade or roof in increments of 6 metres to 12 metres.
- (11) 75 % of the surface area of the face of the ground floor of the building shall be comprised of windows. For the purpose of calculating this requirement those openings in the building wall used for access of vehicles shall be excluded.
- (12) Commercial use storage, delivery bays and garbage receptacles shall be contained within the building.
- (13) Commercial parking garage mechanical equipment, meters and similar utilities shall be located on top of, or within, the building.
- (14) The design of commercial parking garages shall meet the criteria of the Design Manual.

## **Bicycle Parking: Required Number of Spaces**

- (15) The minimum and maximum number of required bicycle parking spaces shall be as follows:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling (four or more dwelling units)	0.5 spaces per dwelling unit 80% Class A, 20% Class B
Hotels, Inns	1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	1 space per 300 sq. m. GFA 20% Class A, 80% Class B Minimum 2 Class B spaces
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	1 space per 500 sq. m. GFA 50% Class A, 50% Class B Minimum 2 Class B spaces
Auditoriums, Theatres, Stadiums, Halls	1 space for every 20 seats 20% Class A, 80% Class B Minimum 2 Class B spaces Maximum requirement of 50 spaces
Schools, Colleges, Universities	1 space for every 250 sq. m. GFA 20% Class A, 80% Class B
Recreation Facilities, Community Centres, Libraries	1 space per 200 sq. m. GFA 20% Class A, 80% Class B Minimum 2 Class B spaces
Commercial Parking Garages	5% of motor vehicle parking provided Minimum 2 Class B spaces Maximum of 50 spaces
Any Uses Not Specified Above	1 space per 500 sq. m. GFA 50% Class A, 50% Class B

- (16) Bicycle parking shall not be required for the following land uses: single, two and three unit dwellings, townhouses, self storage facilities, car washes, cemeteries, and funeral homes.

### **Bicycle Parking: Class A Requirements**

- (17) Class A bicycle parking spaces shall be subject to the following requirements:
- (a) class A bicycle parking shall be located a maximum of 200 metres from an entrance.
  - (b) parking spaces shall have a minimum door opening of 0.6 metres, be no less than 0.6 metres long and 1.2 metres in height, with an aisle width of not less than 1.5 metres; and
  - (c) bicycle rooms and cages for the storage of multiple bicycles shall contain racks so that individual bicycles are supported.

### **Bicycle Parking: Class B Requirements**

- (18) Class B bicycle parking shall be subject to the following requirements:
- (a) covered parking spaces, in which bicycles are protected from precipitation, shall be located a maximum of 30 metres from an entrance;
  - (b) uncovered parking shall be located a maximum of 15 metres from an entrance;
  - (c) parking spaces shall be located at ground level and visible to passers-by or building security personnel;
  - (d) where parking spaces are not visible to passers-by, directional signage shall be provided;
  - (e) all bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.
  - (f) parking spaces shall have a minimum overhead clearance of 2 metres;
  - (g) access to and exit from parking spaces shall be provided with an aisle of not less than 1.2 metres in width, to be provided and maintained beside or between each row of bicycle parking;
  - (h) parking spaces shall be located a minimum of 0.6 metres from any wall or other obstruction; and
  - (i) parking spaces shall be a minimum of 0.6 metres wide and 2 metres long.

- (19) In cases of 100% lot coverage, or where it is otherwise impractical to provide on-site parking, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is a maximum of 100 metres from the location such parking is to serve.

## **Schedule S-2: Wind Assessment Performance Standards**

### **General**

- (1) A new building that is proposed to be greater than 20 metres in height or an addition to a building that will result in the building being greater than 20 metres in height shall be subject to a quantitative wind impact assessment.
- (2) The wind impact assessment shall address:
  - (a) Existing conditions, accounting for buildings and other physical features on the lot and any surrounding buildings and features that may influence the development or that may be influenced by the development.
  - (b) The impact of the development and such areas within the influence of such development on the following places:
    - (i) the public realm, including parks, plazas, and other open spaces, sidewalks and other pedestrian traveled ways, building entrances; and
    - (ii) private amenity spaces such as rooftop gardens.
  - (c) The expected level of comfort for various activities associated with the above-noted areas with regard to factors such as sitting, standing, and walking.
  - (d) The methodology and standards used in the assessment.

### **Qualitative Assessment**

- (3) A qualitative assessment shall include an analysis and description of expected wind impacts without the use of quantitative scale model simulation analysis.
- (4) For development that is minor in scope, such as a small addition in building height or a development where wind impact is not expected to be detrimental or may be improved upon in the opinion of the qualified professional, a qualitative wind assessment may be prepared.
- (5) The qualitative assessment shall be in the form of a report and shall be subject to the acceptance of the Development Officer or Design Review Committee.

### **Quantitative Assessment**

- (6) Where a quantitative wind assessment is required, such analysis shall be based upon scale model simulation analysis.

## **Determination**

- (7) Where the impact of the development upon the places identified in S-2(2)(b) can be mitigated, with consideration of the criteria of the Design Manual regarding overall building design, the development shall be approved by the Development Officer or Design Review Committee.

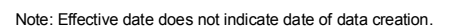


# APPENDIX A

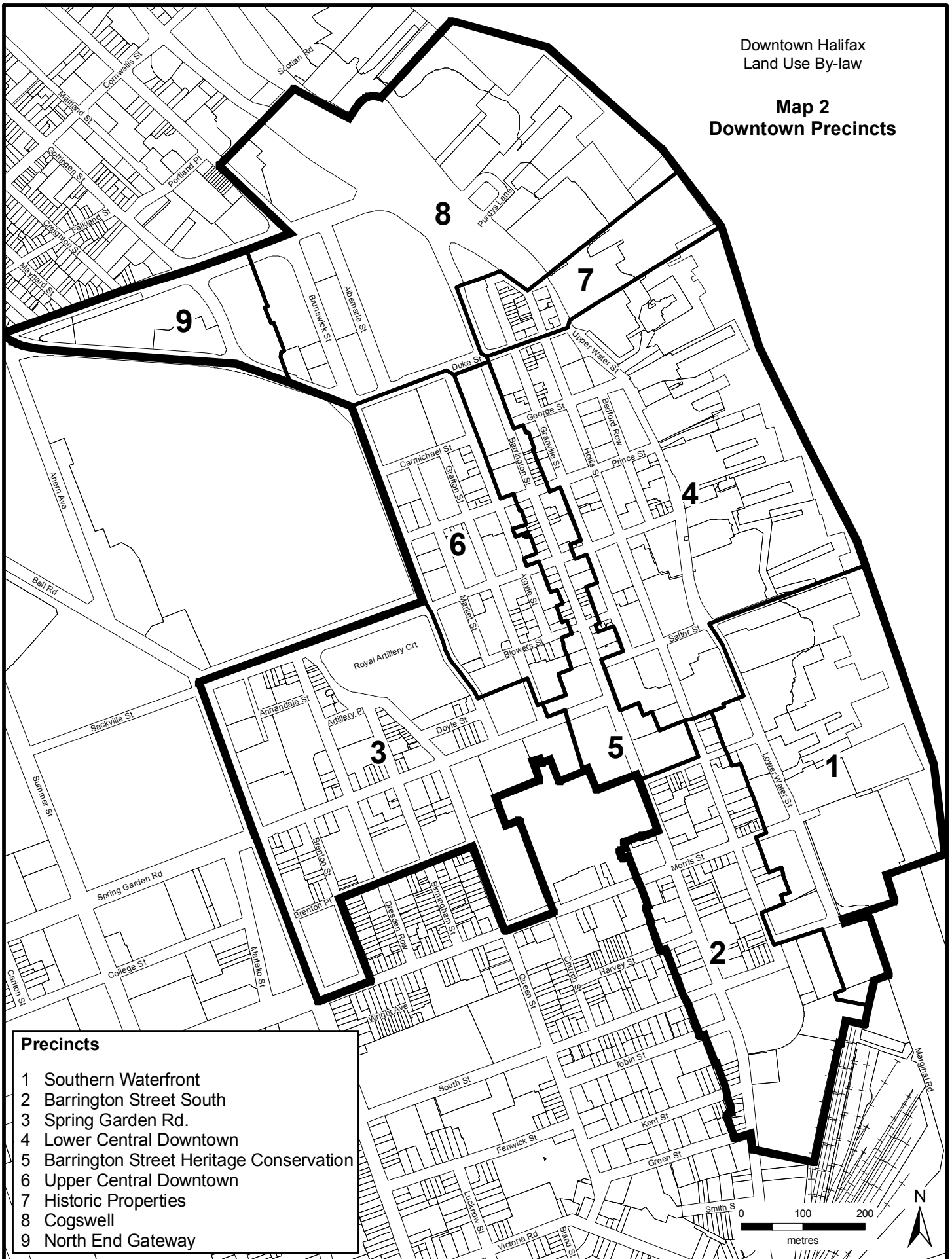
## MAPS



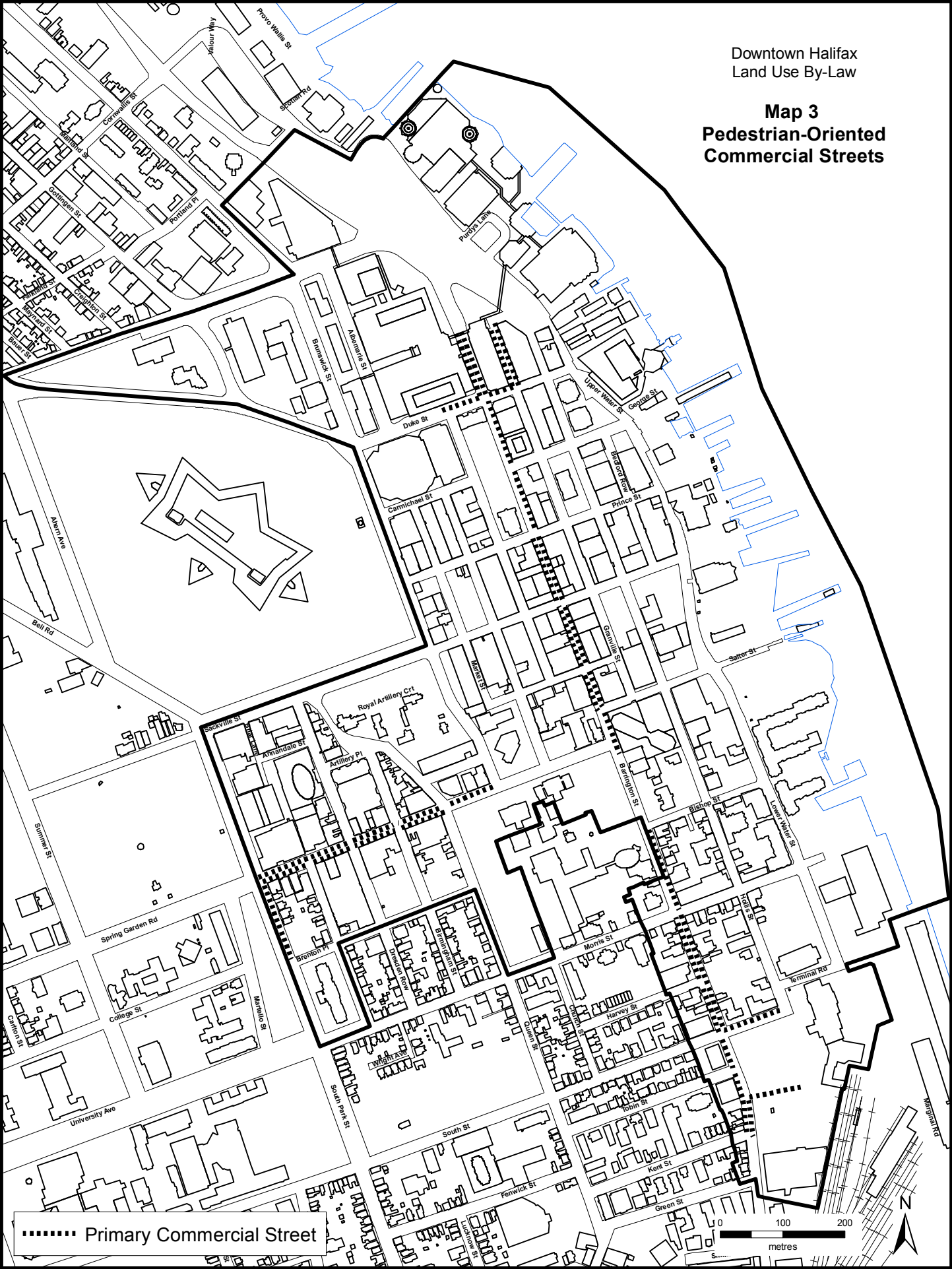
## Map 1 Zoning and Schedule



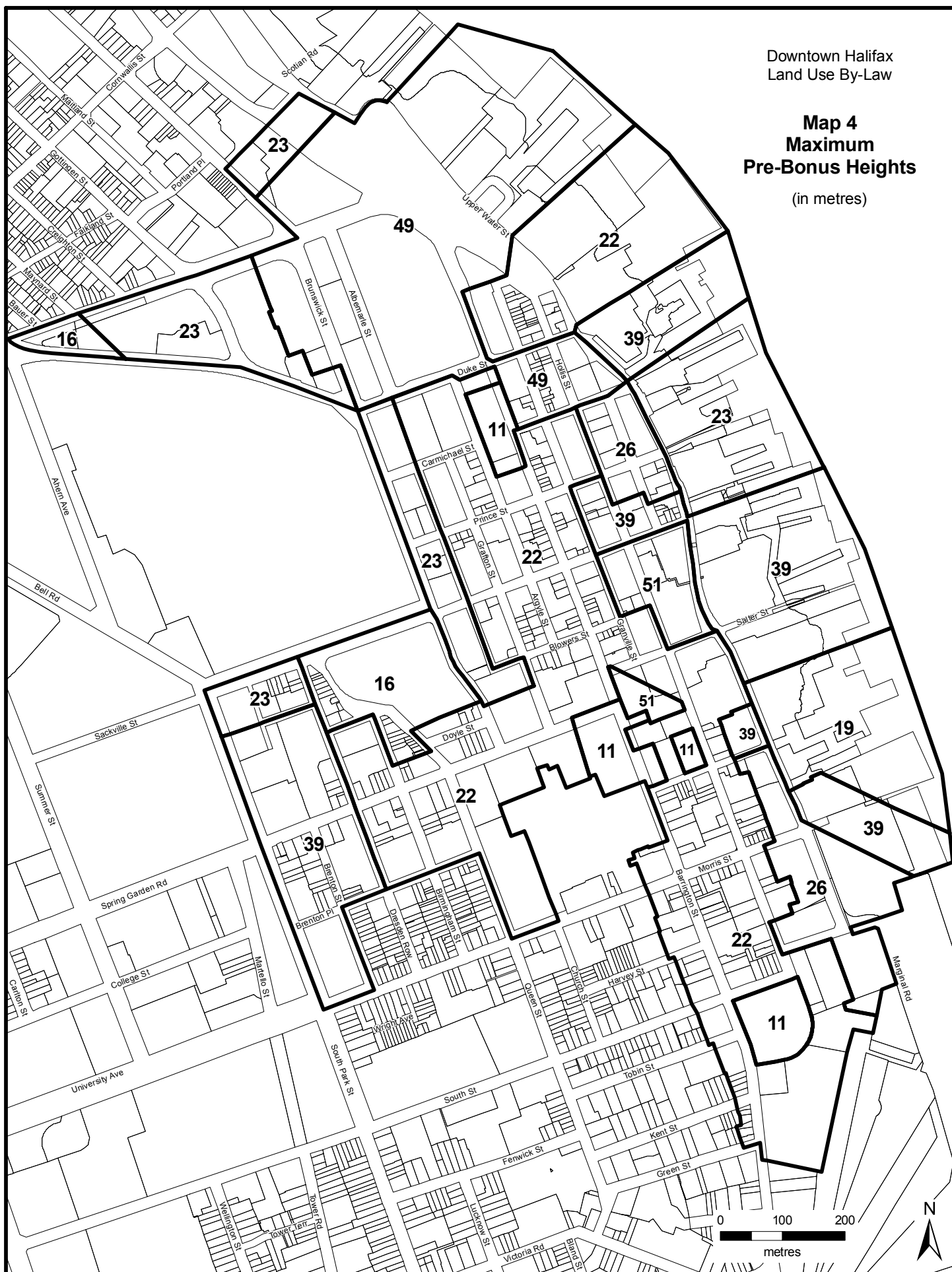
**Map 2  
Downtown Precincts**



**Map 3  
Pedestrian-Oriented  
Commercial Streets**

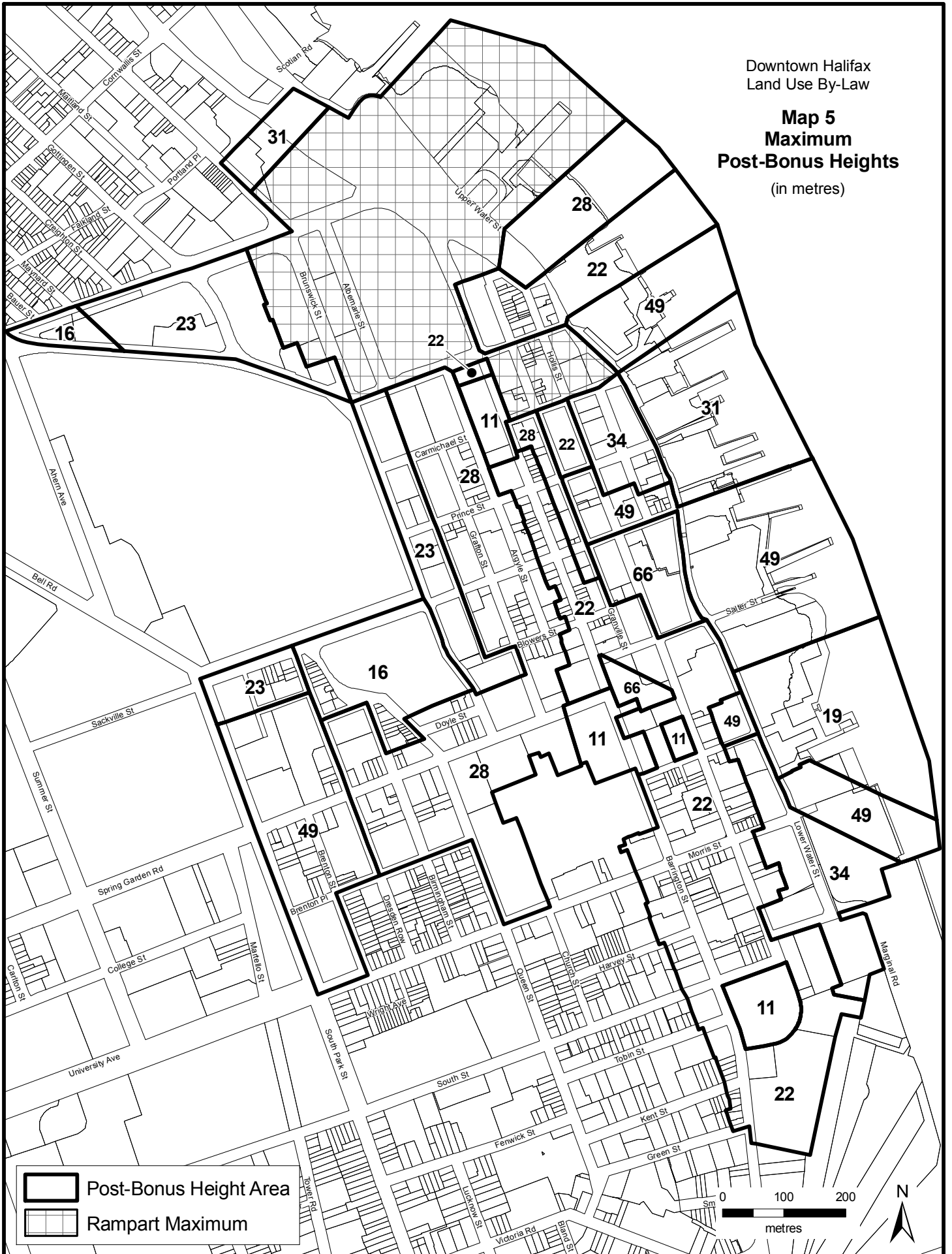


**Map 4**  
**Maximum**  
**Pre-Bonus Heights**  
(in metres)



Downtown Halifax  
Land Use By-Law

**Map 5**  
**Maximum**  
**Post-Bonus Heights**  
(in metres)

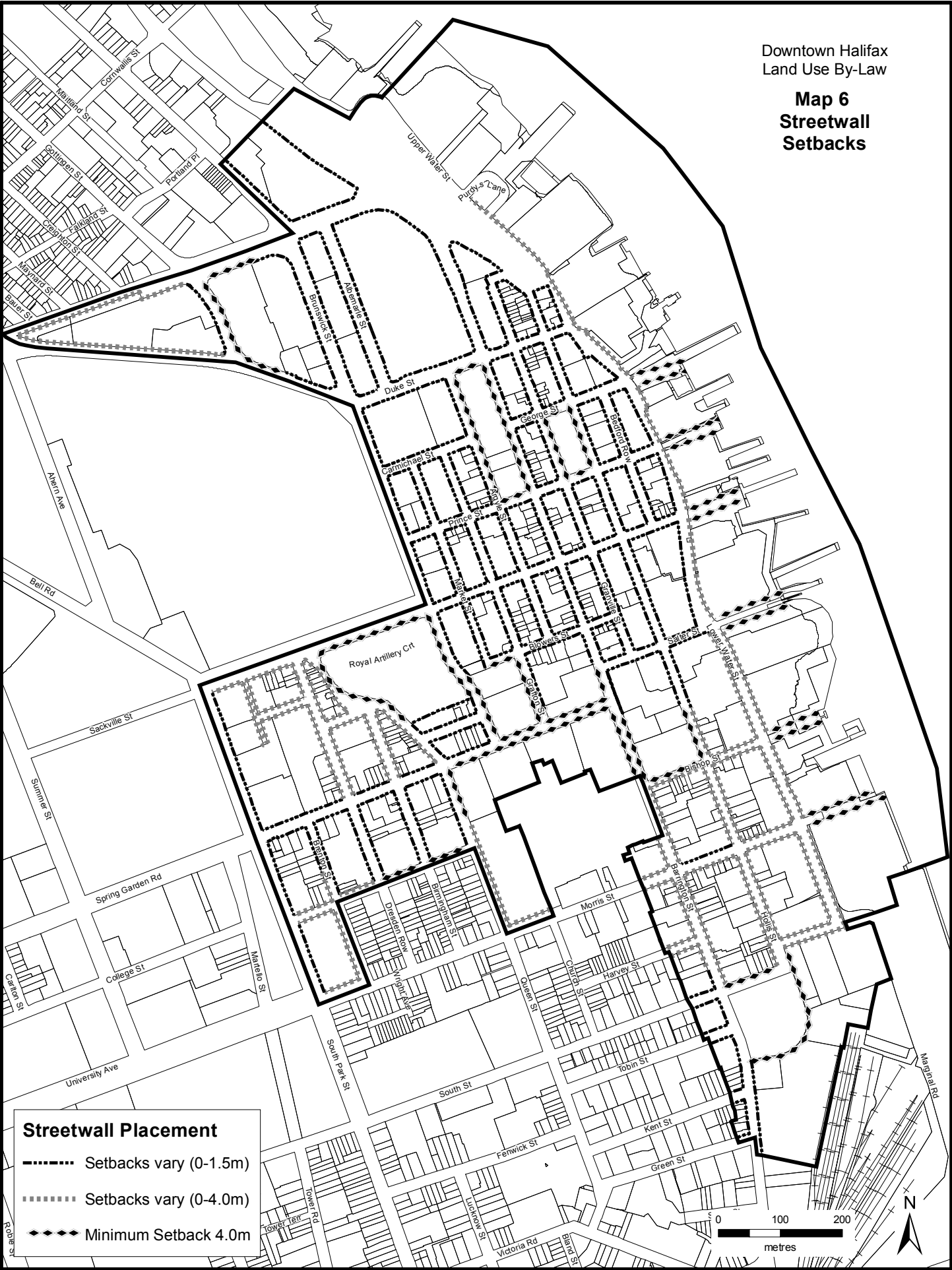


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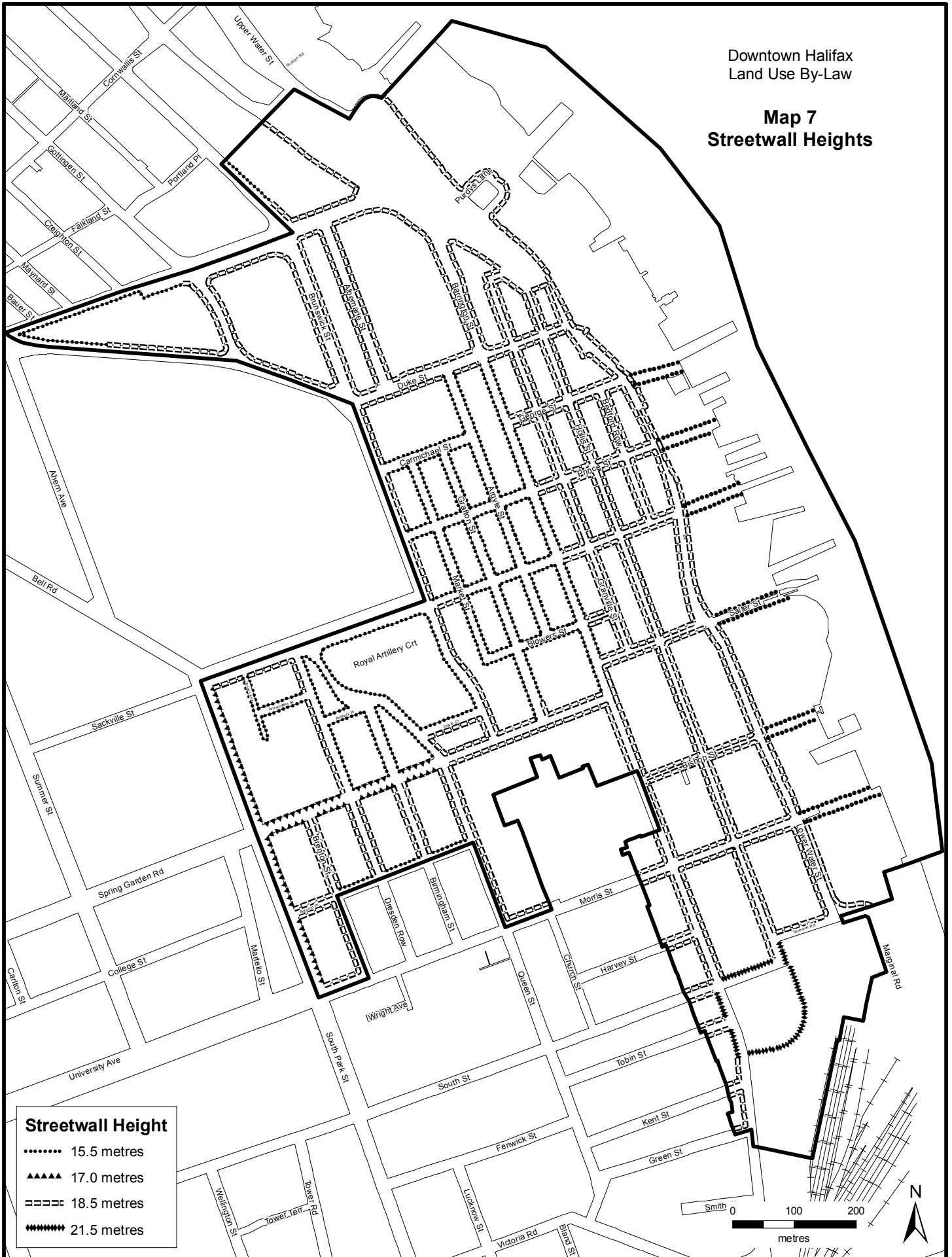
**Map 6  
Streetwall  
Setbacks**





Downtown Halifax  
Land Use By-Law

**Map 7  
Streetwall Heights**



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Downtown Halifax  
Land Use By-Law

**Map 8  
Central Blocks**

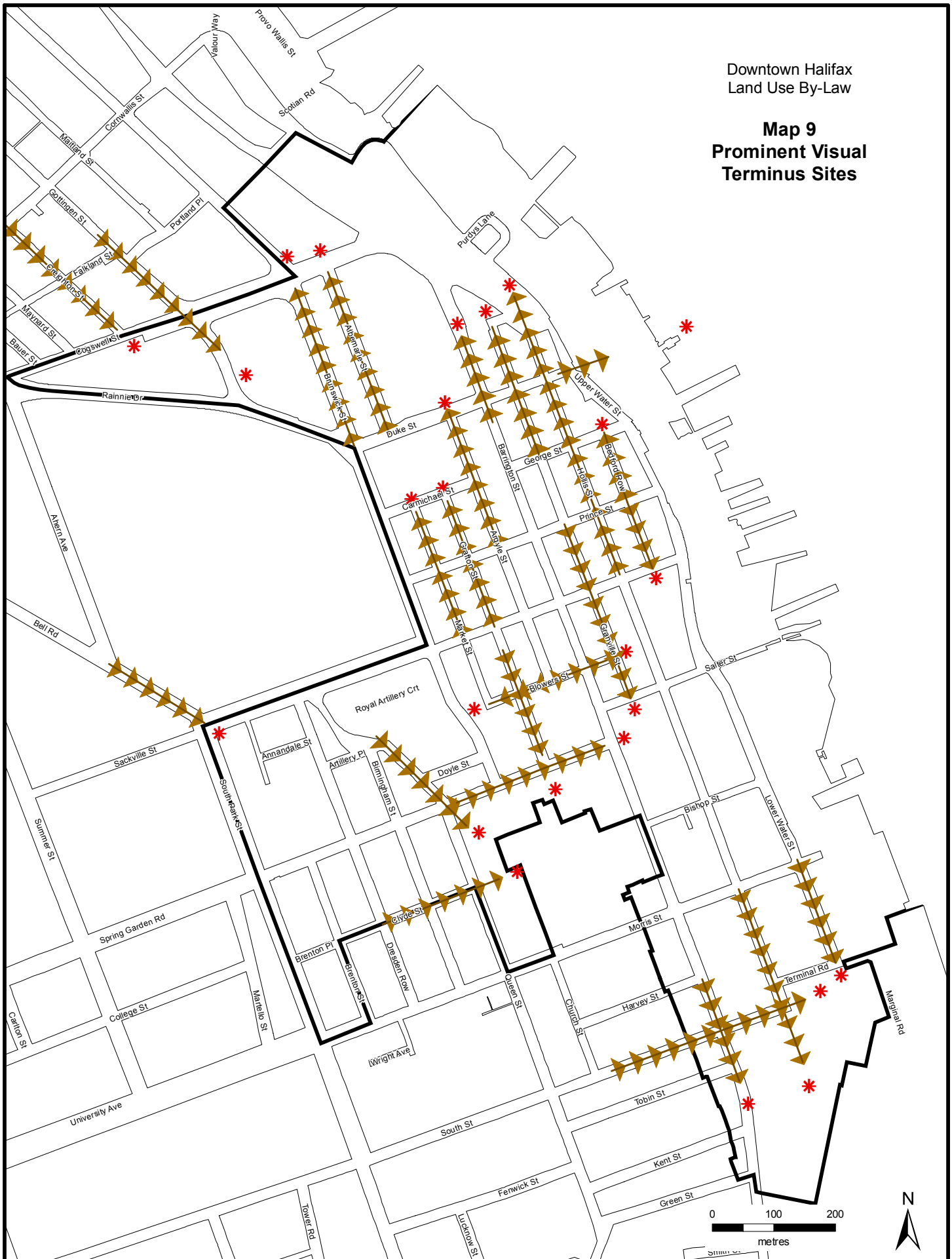


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Downtown Halifax  
Land Use By-Law

**Map 9**  
**Prominent Visual**  
**Terminus Sites**

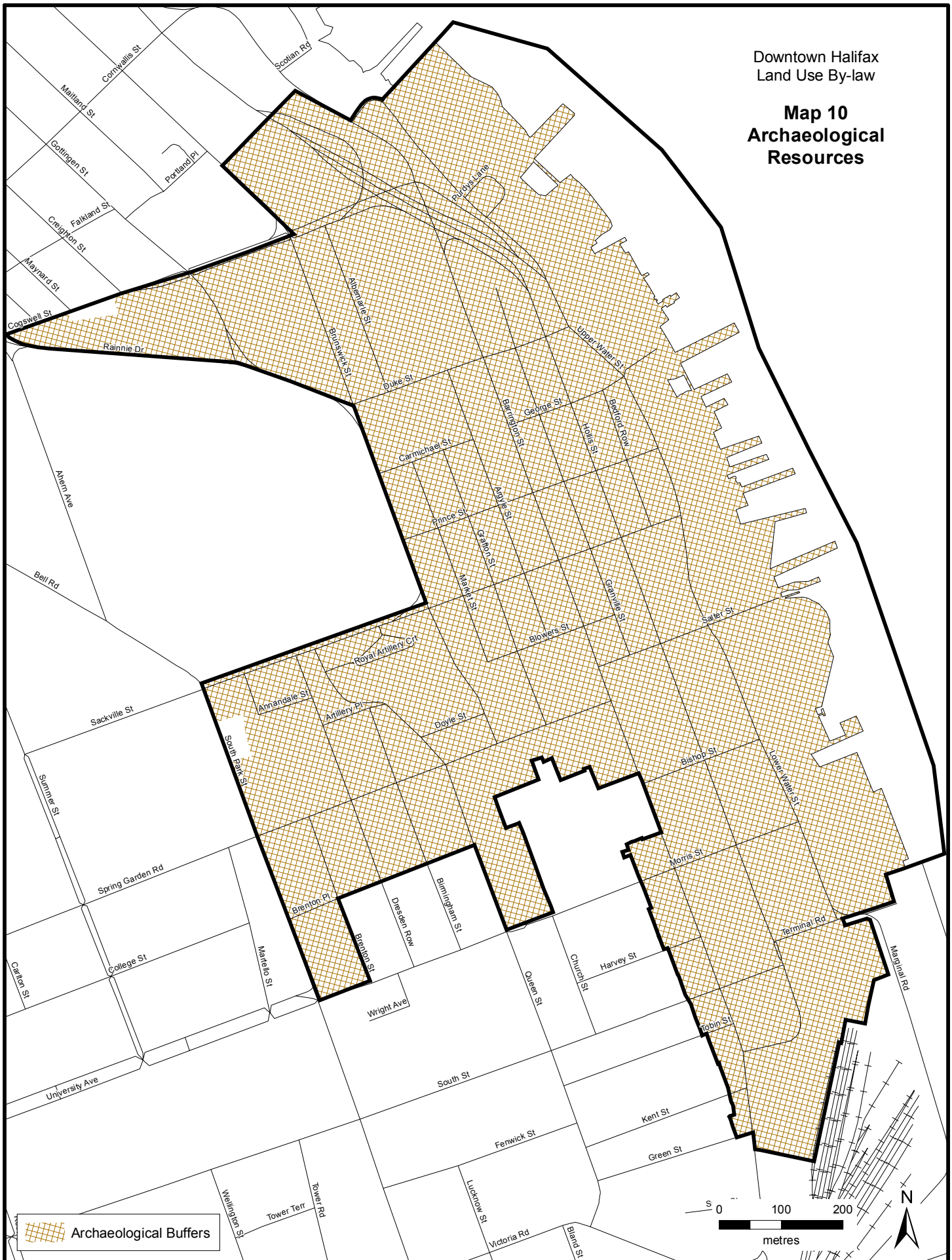


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Note: Effective date does not indicate date of data creation.

Downtown Halifax  
Land Use By-law

**Map 10  
Archaeological  
Resources**

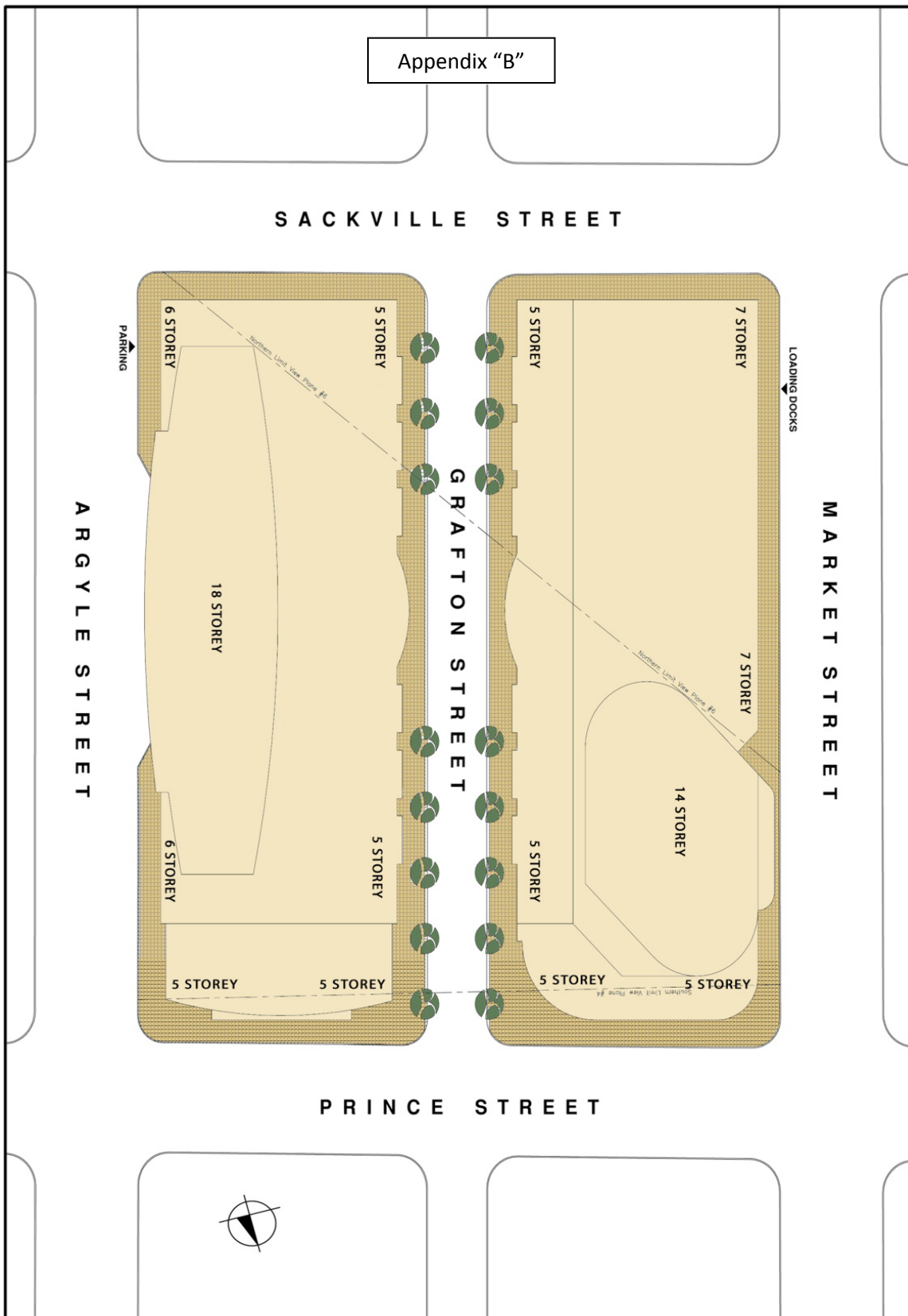


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Appendix "B"



# **Schedule S-1: Design Manual**

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## 1.1

### Purpose of the Design Manual

The Design Manual is to be the primary reference used during the design review component of the Site Plan Approval process for downtown Halifax development applications.

Site Plan Approval is a development approval process enabled under the *HRM Charter* that brings improved clarity, predictability and timeliness to development approvals. Under Site Plan Approval, the approval of any development application will proceed in two parts:

- a. The *quantitative* elements of an application (maximum height, setbacks, setbacks, lot coverage, etc.) are subject to approval based on the prescriptive criteria in the Downtown Halifax Land Use By-law. This will enable an applicant to understand exactly how much development is possible before the application is submitted. This part of the approval is *not* subject to the Design Manual.
- b. The *qualitative* elements of an application (architectural design, streetscape presence, public realm contribution, sustainability, etc.) are subject to a discretionary approval resulting from a design review process. It is this discretionary process for which the Design Manual is intended. Additionally, the Design Manual contains criteria by which modest modifications to the quantitative elements of the Land Use By-law may be made through the design review process.

## 1.2

### Relationship to the *Downtown Halifax Secondary Municipal Planning Strategy* and the *Downtown Halifax Land Use By-law*

The Downtown Halifax Secondary Municipal Planning Strategy (DHSMPs) sets policies governing both the quantitative and qualitative elements of development in downtown Halifax.

The quantitative policies are then elaborated in the Downtown Halifax Land Use By-law, and the qualitative policies are elaborated in this Design Manual.

Taken together, the Design Manual and the Land Use By-law give decision making authority to the policies of the Secondary Municipal Planning Strategy. The process by which that decision-making authority is exercised is Site Plan Approval.

## 2.0

### Introduction to Precincts

Downtown Halifax features distinct areas with varying characters, functional identities and building forms. The objective of defining these areas as precincts is to help focus and direct land uses, define appropriate development, protect heritage, and guide public investment to ensure their vitality and to strengthen their unique role in contributing to the assets and success of the downtown. Nine precincts have been created by identifying existing and potential areas with concentrations of common uses or distinct identities. The objective, over time, is to make land use planning decisions that cultivate or further develop the precincts' desirable functions and qualities. Later chapters of this Design Manual set forth design guidelines that apply to development throughout the downtown. The purpose of this chapter is to set forth the following specific design and development criteria that are unique for each of the nine precincts.

Precinct boundaries are found on Map 2 of the Land Use By-law.

## 2.1

### Precinct 1: Southern Waterfront

The following general criteria shall apply:

- a. Fill existing gaps created by vacant properties and parking lots with new development.
- b. Create a system of open space that includes:
  - extensions of east-west streets between Lower Water Street and the Harbour as key components of an open space network;
  - the boardwalk;
  - sidewalks along Lower Water Street, and;
  - plazas and small parks where the extensions of the east-west streets intersect the boardwalk.
- c. Tall and slender towers provided that their

placement and design are consistent with the objectives identified for this precinct and with the design guidelines.

- d. Ensure that development along Lower Water Street has streetwall and landscaping conditions that emphasize its meandering qualities and emergence as an important street. Encourage measures such as sound-proofing requirements for new development to reduce the conflict created by truck traffic travelling along Lower Water Street.
- e. Permit surface parking lots only when they are an accessory use and are in compliance with the Land Use By-Law and design guidelines.

## 2.2

### Precinct 2: Barrington Street South

The following general criteria shall apply:

- a. Retain, and to respect in future development, the small to mid-size types of buildings, or the effect achieved by buildings of that size range, and their relationship to the street, that currently exists along Barrington Street. Buildings that occupy larger floorplates and frontages should have design elements that replicate the existing rhythm of individual storefronts along the street.
- b. Ensure that buildings create an animated streetscape through active ground floor uses and pedestrian scaled design features.
- c. Infill development along Hollis Street should be of a similar scale and type as that found on Barrington Street.
- d. New development shall appropriately frame Cornwallis Park and respect the train station as a historic landmark.
- e. To permit surface parking lots only when they are an accessory use and are in compliance with the Land Use By-Law and Design Manual.
- f. Improve the pedestrian environment in the

public realm through a program of streetscape improvements as previously endorsed by Council (Capital District Streetscape Guidelines).

- g. Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.

## 2.3

### Precinct 3:

#### Spring Garden Road Area

The following general criteria shall apply:

- a. Development shall appropriately frame Citadel Hill, the Public Gardens, and Victoria Park through the provision of consistent, animated streetwalls of superior quality and design.
- b. Ensure that there continues to be adequate sunlight penetration on Spring Garden Road.
- c. Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.
- d. Prohibit new surface parking lots of any kind.
- e. Improve the pedestrian environment in the public realm through a program of streetscape improvements as previously endorsed by Council (Capital District Streetscape Guidelines).
- f. Development shall be in keeping with The Spring Garden Road/Queen Street Area Joint Public Lands Plan, including:
  - ensure that the Clyde Street parking lots are redeveloped with mid-rise development, underground parking, and massing that transitions to Schmidville;
  - ensure that the existing parking supply on the two Clyde Street parking lots will be preserved as part of the redevelopment of those lots, and that in addition, the redevelopment provides adequate parking for the new uses being introduced;
  - reinforce a development pattern of “monu-

mental” buildings on Spring Garden Road from Queen Street towards Barrington Street;

- a new public open space, 2,000 square metres minimum, shall be established at the terminus of Clyde Street, on the east side of Queen Street;
- Clyde Street and Brenton Place to become important pedestrian-oriented streets;
- allow for a mid-rise development at the corner of Morris and Queen Streets, and;
- to allow tall buildings on the western blocks of the precinct.

## 2.4

### Precinct 4:

#### Lower Central Downtown

The following general criteria shall apply:

- a. Allow for mixed-use high-rise infill development on large opportunity sites.
- b. Prohibit new surface parking lots of any kind.
- c. Ensure that existing surface parking lots and vacant sites are developed.
- d. Vacant sites shall be developed in a way that provides a continuous streetwall and uninterrupted pedestrian experiences.
- e. The precinct is to be characterized by animated streetscapes.
- f. Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.
- g. East-west streets shall continue to provide views between the Citadel and the Harbour.
- h. Extensions of east-west streets between Lower Water Street and the Harbour are required as key components in open space network.
- i. Establish the George Street and Carmichael

Street corridor as a major east-west pedestrian connection, given the linkage between the Town Clock, the Grand Parade, and the Harbour.

- j. To ensure that the Halifax Harnourwalk is of a width and quality to be an important open space linkage with other precincts.
- k. Ensure that Lower Water Street shall be developed with a continuous streetwall and public realm design that emphasizes its meandering qualities and its emergence as an important street.
- l. To retain isolated heritage properties and protect them from inappropriate redevelopment.
- m. New waterfront development shall adhere to Section 2.10 of the Design Manual.

## 2.5

### **Precinct 5: Barrington Street Heritage Conservation District**

The following general criteria shall apply:

- a. Preserve and maintain historic government buildings, churches, and historic open spaces.
- b. Protect heritage buildings from unwarranted demolition.
- c. Develop Grand Parade into its full potential as a public gathering place integrated with the historic George Street axis.
- d. Conserve the historic character of Barrington Street and ensure that new development is supportive of, and harmonious with it in terms of height, massing, size, scale, proportion, materials, and architectural features, while not necessarily mimicking heritage architecture.
- e. Respect the typical streetscape rhythm comprised of up to eight buildings in each block with one or more bay widths in each building.
- f. Respect the scale, configuration and rhythm of the traditional components of the lower facade of Barrington Street buildings, including ground floor height, bay width, and entrances to upper

floors.

- g. Allow and encourage contemporary shop front design in the precinct to support and stimulate commercial and retail revitalization.
- h. Respect the traditional appearance and proportions of the upper facades of heritage buildings in Barrington Street.
- i. Respect the importance of traditional windows in establishing the character of heritage buildings and to ensure that windows in new buildings respond to, or reference, traditional fenestration patterns.
- j. Retain the heritage character of the precinct by using building materials traditionally found in Barrington Street for both rehabilitation and new construction.
- k. Achieve the objectives of the precinct through accurate architectural reproduction of historic styles or through expressions of contemporary architecture.
- l. Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings. The use of awnings and canopies reminiscent of the original awnings of Barrington Street shall be required.
- m. Recognize the historic role of building cornices and parapets and to ensure these elements are conserved, replaced or installed on buildings in Barrington Street.
- n. Permit rooftop additions on historic buildings to encourage their economic revitalization while ensuring that such additions are visually inconspicuous and subordinate to the main building when viewed from the opposite side of the street, in accordance with the Heritage Design Guidelines contained in this Design Manual.
- o. Attract high quality retail, cultural, and entertainment uses at street level.
- p. Fill vacant space on upper floors and encourage residential conversion.

- q. Encourage the application of the Alternate Compliance Methods and Performance Based Equivalencies of the Nova Scotia Building Code Regulations in the precinct in order to facilitate the functional upgrading of buildings within the district.
- r. Prohibit new surface parking lots of any kind.
- s. Improve the pedestrian environment in the public realm through a program of streetscape improvements as previously endorsed by Council (Capital District Streetscape Guidelines).
- t. Through redevelopment and reuse in the district, restore investor confidence, trigger private investment, and thereby improve Barrington Street's image and marketing potential to attract further investment.
- uninterrupted pedestrian experience.
- g. Prohibit new surface parking lots of any kind.
- h. Pedestrian activity and retail commerce shall be encouraged by the protection of sidewalks from weather through the use of canopies and awnings.
- i. East-west streets shall provide views between the Citadel and the Harbour.
- j. George Street shall be established as an important east-west street, a grand promenade, given the linkage between the Town Clock, the Grand Parade, and the Harbour.
- k. Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.

## 2.6

### Precinct 6: Upper Central Downtown

The following general criteria shall apply:

- a. Encourage low to mid-rise mixed use development while respecting the historic block pattern.
- b. Improve the appearance and street-level functionality of larger buildings such as the Metro Centre with street-oriented infill and landscaped roofs.
- c. Encourage the historic downtown grid to be reinstated over the Metro Centre as redevelopment occurs.
- d. Development must appropriately frame Citadel Hill through the provision of consistent, animated streetwalls of superior quality and design.
- e. Improve public amenity along Brunswick Street and provide small areas of formal open space on the Citadel side of Brunswick Street as opportunities for views to the Harbour along east-west streets.
- f. Require that vacant sites be developed in a way that provides a continuous streetwall and
- l. The Argyle Street and Blower Street area shall be reinforced as a vibrant area of low to mid-rise buildings, small-scale retail uses, restaurants, bars, potential for permanent sidewalk cafes, hotels, cultural uses, and residential uses.
- m. As roofscapes are highly visible from the Citadel in this precinct, they shall be well-designed, carrying the architectural language of the building onto the roof. Flat roofs are required to be landscaped, with living "green roofs" given strong preference.

## 2.7

### Precinct 7: Historic Properties

The following general criteria shall apply:

- a. Protect and enhance the existing character of the precinct by preserving the existing buildings and their relationship to the street.
- b. New development shall respond the historic character of this precinct through complementary or differentiated building materials and design.
- c. Continue to promote the area for pedestrian activity by allowing for storefronts to spill-



out onto the pedestrian mall and by permitting permanent sidewalk cafes.

- d. Provide public access to, and open space on waterfront lands, which shall include continuous public access along the water's edge with the boardwalk system.
- e. The Granville Mall shall be preserved and enhanced as a major public open space, and its connections to the waterfront shall be improved.
- f. Prohibit new surface parking lots of any kind.

## 2.8

### **Precinct 8: Cogswell Area**

The following general criteria shall apply:

- a. Remove the interchange infrastructure and reestablish streets, blocks, and open spaces that are an extension and reinforcement of the historic downtown grid and that provide connectivity between the north end and downtown.
- b. Encourage the historic downtown grid to be reinstated as redevelopment occurs.
- c. Allow high-rise, mixed-use development comprised of relatively large podiums with point towers so as to maintain views of the water.
- d. Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.
- e. Define the area with modern landmark buildings.
- f. Redevelop larger existing sites such as Scotia Square and Purdy's Wharf with street-oriented infill.
- g. Provide for public access and open space on the waterfront lands which shall include continuous public access at the water's edge and green space at the terminus of each east-west street extension (i.e. Cogswell).

- h. Require that development step down to the water's edge and to the existing low-rise neighbourhoods to the north.

- i. Enhance important vistas and focal points such as the view of the water.

- j. Ensure that there are pedestrian-oriented street level uses, particularly at water's edge and fronting open spaces.

- k. Encourage intensification of underdeveloped existing sites such as the Trademart building and the police station.

- l. Consider this precinct as being an important location for new transit and parking facilities.

- m. Permit surface parking lots only when they are an accessory use and are in compliance with the Land Use By-Law and design guidelines.

- n. Architectural and open space design shall respond to the significant grade changes in this area. Refer to Section 3.2.5 of the Design Manual for further guidance.

## 2.9

### **Precinct 9: North End Gateway**

The following general criteria shall apply:

- a. Establish a low and mid-rise development pattern that is an extension of the neighbourhood to the north.

- b. Open up and preserve the views of the Citadel from the north-south streets and ensure that development frames these views. Given the significant grade changes between Cogswell Street and Rainnie Drive, views may be preserved over the rooftops of new development.

- c. Encourage signature architecture befitting this precinct as a gateway to the downtown.

- d. Permit surface parking lots only when they are an accessory use and are in compliance with the Land Use By-Law and design guidelines.

## 2.10

### Downtown Halifax Waterfront

*This section applies to waterfront lands in precincts 1 and 4 that lie between Lower Water Street and the Harbour, in addition to the requirements of precincts 1 and 4 above.*

The downtown Halifax Waterfront presents unique challenges in structuring development regulations. Because the parcels tend to be very large, and because the location of the water's edge is changeable, the creation of building massing rules based on front, side and rear property lines, like those in the rest of downtown, is not feasible. Additionally there is the requirement for the provision of public open space on a continuous boardwalk along, and unimpeded public access to, the waterfront.

These special conditions call for a special set of development rules that demand the highest level of development quality and public amenity while still being agile enough to respond to, and accommodate, a wide range of design solutions. Therefore, for waterfront lands in precincts 1 and 4 located between Lower Water Street and the Harbour, a more flexible, design guideline-driven development review process is required. To that end, HRM will work collaboratively with the landowners along this section of the waterfront to fulfill the objectives of the DHSMPs.

The Waterfront Development Corporation Limited (WDCL), as the primary landowner in this area, has a special and ongoing role to play in the development of the waterfront. WDCL is the provincial Crown Corporation responsible for purchasing, consolidating, redeveloping and revitalizing lands around Halifax Harbour. The WDCL works with private sector developers to facilitate public and private investment in public infrastructure and amenities to further reinforce the waterfront as a vibrant place to live, do business, invest and visit. In recognition of this, HRM and WDCL will seek to negotiate an agreement to ensure that the respective mandates of the two organizations are co-operatively fulfilled through the administration of the DHSMPs.

#### *Waterfront Objectives:*

In addition to the requirements of the underlying precincts (1 and 4), the following objectives shall therefore apply to all properties located between Lower Water Street and the water's edge within those precincts:

- a. Ensure that public access to the waterfront is maintained and improved, and that the waterfront is in use around the clock in all four seasons.
- b. Ensure that a generally complete and consistent streetwall is built along Lower Water Street that permits visual and physical access to the harbour along the eastward extension of the east-west streets to the water's edge, and at intermediate locations as deemed appropriate.
- c. Ensure that views of the harbour and of the sky are preserved by requiring that the upper storeys of buildings above the streetwall present a slender face to Lower Water Street, and that their long dimension is arranged perpendicular to Lower Water Street.
- d. Ensure that the waterfront boardwalk is maintained, extended and improved, and that the public enjoyment of the boardwalk is not negatively impacted by abutting development.
- e. Ensure that public open spaces are provided where the eastward extension of east-west streets intersects the boardwalk. These open spaces shall be accomplished through the use of active transportation reserves that extend from Lower Water Street to the water's edge.
- f. Ensure that waterfront development incorporates human-scaled building elements. This means a range of building details from small (masonry units, door knobs, window mountings, etc.) to medium (doors, windows, awnings, balconies, railings, signs, etc.) to large (expression of floor lines, expression of structural bays, cornice lines, etc.).
- g. Ensure that adequate consideration of future sea level rise has been incorporated into building design to avoid flooding, where ground floor

residential uses are proposed.

- h. Ensure that all buildings are setback from the ordinary high water mark or face of Seawall by no less than 8 metres.
- i. Ensure building height immediately adjacent to the 8 metre setback shall not be higher than 12.5 metres. Height may increase as distance from the boardwalk or the water's edge increases at a rate of approximately one metre of vertical height for every one metre of horizontal stepback from the boardwalk or water's edge.
- j. Ensure that every effort is made to provide north-south pedestrian connections through the middle of these large properties.
- k. Ensure that long, unbroken runs of building wall at the water's edge or boardwalk's edge are not permitted. The longest run of building face permissible abutting either the water's edge or the boardwalk shall be 21.5 metres. Building walls longer than 21.5 metres must be modulated through the use of such devices as articulation of the building mass, significant stepbacks from the water's edge or boardwalk's edge, the interruption of the building wall with public spaces, etc. The general massing approach is to be one of linear "finger" buildings perpendicular to Lower Water Street resulting in a pattern of narrowing and widening of the public realm along the water's or Halifax Harbourwalk's edge.
- l. Ensure that high quality, low-maintenance site furnishings and lighting styles that conform to the requirements of the HRM Municipal Service Systems Design Guidelines ("HRM Red Book") are used in both private and public developments along the waterfront.



### 3.1

#### The Streetwall

This section provides guidance for how buildings interface with the sidewalk and thereby the quality of the enclosure they provide to the street. A streetwall is formed when buildings line or front onto a street with consistent setbacks. The placement, scale and design quality of the building's streetwall, as well as the uses provided at-grade, can determine the nature and character of the streetscape and reinforce desired pedestrian and broader public realm objectives.

The three sections in this subchapter are concerned with:

- appropriately located pedestrian-oriented commercial uses;
- the setback of the streetwall from the front property line (streetwall placement), and;
- the height of the streetwall up to the point where upper storey setbacks are required.

##### 3.1.1 Pedestrian-Oriented Commercial

Grade related commercial uses such as retail stores and restaurants are permitted and encouraged on all streets in the downtown to enhance the pedestrian environment. On certain downtown streets pedestrian-oriented commercial uses are required to ensure a critical mass of activities that engage and animate the sidewalk. These streets will be defined by streetwalls with continuous retail uses and are shown on Map 3 of the Land Use By-law.

Pedestrian-oriented commercial uses are encouraged but not required on all remaining street frontages. These areas include streetwalls with an inconsistent retail environment due to a variety of at-grade uses or different building typologies such as house forms.

All retail frontages should be encouraged to reinforce the 'main street' qualities associated with the historic downtown, including:

- The articulation of narrow shop fronts, characterized by close placement to the sidewalk.
- High levels of transparency (non-reflective and non-tinted glazing on a minimum of 75% of the first floor elevation).
- Frequent entries.
- Protection of pedestrians from the elements with awnings and canopies is required along the pedestrian-oriented commercial frontages shown on Map 3, and is encouraged elsewhere throughout the downtown.
- Patios and other spill-out activity is permitted and encouraged where adequate width for pedestrian passage is maintained.
- Where non-commercial uses are proposed at-grade in those areas where permitted, they should be designed such that future conversion to retail or commercial uses is possible.

##### 3.1.2 Streetwall Setback

In downtown Halifax, the placement of the building relative to the front property line generally corresponds to the grade-level uses and intensity of pedestrian traffic. For the most part existing development in the downtown is uniformly placed at the sidewalk with little or no setback, and it is desirable that future development follow that example. However there are areas that are more residential or institutional in character that observe a variety of streetwall setbacks. To reinforce existing and desired streetscape and land use characteristics, streetwall placements are therefore categorized according to the following setback standards (see Map 6 of the Land Use By-law):

- Minimal to no Setback (0-1.5m): Corresponds to the traditional retail streets and business core of the downtown. Except at corners or where an entire block length is being redeveloped, new buildings should be consistent with the setback of the adjacent existing buildings.

- b. Setbacks vary (0-4m): Corresponds to streets where setbacks are not consistent and often associated with non-commercial and residential uses or house-form building types. New buildings should provide a setback that is no greater or lesser than the adjacent existing buildings.
- c. Institutional and Parkfront Setbacks (4m+): Corresponds to the generous landscaped setbacks generally associated with civic landmarks and institutional uses. Similar setbacks designed as landscaped or hardscaped public amenity areas may be considered where new public uses or cultural attractions are proposed along any downtown street. Also corresponds to building frontages on key urban parks and squares where an opportunity exists to provide a broader sidewalk to enable special streetscape treatments and spill out activity such as sidewalk patios.

### 3.1.3 Streetwall Height

To ensure a comfortable human-scaled street enclosure, streetwall height should generally be no less than 11 metres and generally no greater than a height proportional (1:1) to the width of the street as measured from building face to building face. Accordingly, maximum streetwall heights are defined and correspond to the varying widths of downtown streets – generally 15.5m, 17m or 18.5m. Consistent with the principle of creating strong edges to major public open spaces, a streetwall height of 21.5m is permitted around the perimeter of Cornwallis Park. Maximum Streetwall Heights are shown on Map 7 of the Land Use By-law.



Building base establishes a human-scaled streetwall above which the mid-rise building steps back



Consistent streetwall in a low-rise context



The edges of this urban park are strongly defined by an 12.5m streetwall, creating a sense of enclosure and “place” in the park



Streetwalls define the edges of the public realm



Consistent streetwall height



Taller elements should stepback to reinforce a consistent streetwall height

## 3.2

### Pedestrian Streetscapes

#### 3.2.1 Design of the Streetwall

In designing streetwalls, the following guidelines should be observed:

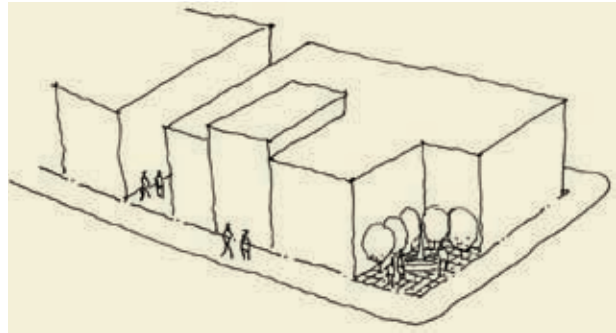
- a. The streetwall should contribute to the 'fine-grained' character of the streetscape by articulating the façade in a vertical rhythm that is consistent with the prevailing character of narrow buildings and storefronts.
- b. The streetwall should generally be built to occupy 100% of a property's frontage along streets.
- c. Generally, streetwall heights should be proportional to the width of the right of way, a 1:1 ratio between streetwall height and right of way width. Above the maximum streetwall height, further building heights are subject to upper storey stepbacks.
- d. In areas of contiguous heritage resources, streetwall height should be consistent with heritage buildings.
- e. Streetwalls should be designed to have the highest possible material quality and detail.
- f. Streetwalls should have many windows and doors to provide 'eyes on the street' and a sense of animation and engagement.
- g. Along pedestrian frontages at grade level, blank walls shall not be permitted, nor shall any mechanical or utility functions (vents, trash vestibules, propane vestibules, etc.) be permitted.



## 3.2.2 Building Orientation and Placement

The orientation and placement of a building on a property helps define the quality and character of the public realm.

- a. All buildings should orient to, and be placed at, the street edge with clearly defined primary entry points that directly access the sidewalk.
- b. Alternatively, buildings may be sited to define the edge of an on-site public open space, for example, plazas, promenades, or eroded building corners resulting in the creation of public space (see diagram at right). Such treatments are also appropriate for Prominent Visual Terminus sites identified on Map 9 of the Land Use By-law.
- c. Sideyard setbacks are not permitted in the Central Blocks defined on Map 8 of the Land Use By-law, except where required for through-block pedestrian connections or vehicular access.



Appropriate building void to create public space



Consistent setback and orientation to the street



Weather protection provided through the use of well-designed canopies



Dynamic display windows add interest to the sidewalk



Retail frontages should be highly transparent and located immediately adjacent to the sidewalk

### 3.2.3 Retail Uses

Retail uses are most successful, and help to animate a street when located at-grade in areas of high visibility and pedestrian traffic, and when appropriately designed and focused. The following guidelines shall apply to retail uses:

- a. All mandatory retail frontages (Map 3 of Land Use By-law) should have retail uses at-grade with a minimum 75% glazing to achieve maximum visual transparency and animation.
- b. Weather protection for pedestrians through the use of well-designed awnings and canopies is required along mandatory retail frontages (Map 3) and is strongly encouraged in all other areas.
- c. Where retail uses are not currently viable, the grade-level condition should be designed to easily accommodate conversion to retail at a later date.
- d. Minimize the transition zone between retail and the public realm. Locate retail immediately adjacent to, and accessible from, the sidewalk.
- e. Avoid deep columns or large building projections that hide retail display and signage from view.
- f. Ensure retail entrances are located at or near grade. Avoid split level, raised or sunken retail entrances. Where a changing grade along a building frontage may result in exceedingly raised or sunken entries it may be necessary to step the elevation of the main floor slab to meet the grade changes.
- g. Commercial signage should be well designed and of high material quality to add diversity and interest to retail streets, while not being overwhelming.

## 3.2.4 Residential Uses

Care should be taken to create building forms for residential uses that have a residential look and feel.

- a. Individually accessed residential units (i.e. town homes) should have front doors on the street, with appropriate front yard privacy measures such as setbacks and landscaping. Front entrances and first floor slabs should be raised above grade level for privacy, and should be accessed through means such as steps, stoops and porches.
- b. Residential units accessed by a common entrance and lobby may have the entrance and lobby elevated or located at grade-level, and the entrance should be clearly recognizable from the exterior through appropriate architectural treatment.
- c. Projects that feature a combination of individually-accessed units in the building base with common entrance or lobby-accessed units in the upper building, are encouraged.
- d. Units with multiple bedrooms (2 and 3 bedroom units) should be provided that have immediately accessible outdoor amenity space. The amenity space may be at-grade or on the landscaped roof of a podium.
- e. Units provided to meet housing affordability requirements shall be uniformly distributed throughout the development and shall be visually indistinguishable from market-rate units through the use of identical levels of design and material quality.
- f. Residential uses introduced adjacent to pre-existing or concurrently developed eating and drinking establishments should incorporate acoustic dampening building materials to mitigate unwanted sound transmission.



Residential should include individual units accessed from the street with elevated main floors for privacy



Common entrances for residential uses should be easily recognizable and active at-grade flanking uses should be provided





Building forms can respond to sloping conditions with flexible streetwall heights



Buildings on slopes should have windows and entrances to animate the frontage

### 3.2.5 Sloping Conditions

Many streets in the downtown are steeply sloped, and pose challenges to creating pedestrian-oriented streetwall conditions. Internal floors are by necessity flat, making it difficult to match the external grade for building entrances, and sometimes even to provide windows. New buildings must provide a good interface to these sloping street conditions, utilizing the design strategies outlined in these guidelines. Greater flexibility in interpretation of the guidelines is required, as is greater creativity and effort in design.

- a. Maintain active uses at-grade, related to the sidewalk, stepping with the slope. Avoid levels that are distant from grade.
- b. Provide a high quality architectural expression along facades. Consider additional detailing, ornamentation or public art to enhance the experience.
- c. Provide windows, doors and other design articulation along facades; blank walls are not permitted.
- d. Articulate the façade to express internal floor or ceiling lines; blank walls are not permitted.
- e. Wrap retail display windows a minimum of 4.5 metres around the corner along sloping streets, where retail is present on the sloping street.
- f. Wherever possible, provide pedestrian entrances on sloping streets. If buildings are fully accessible at other entrances, consider small flights of steps or ramps up or down internally to facilitate entrances on the slope.
- g. Flexibility in streetwall heights is required in order to transition from facades at a lower elevations to facades at higher elevations on the intersecting streets. Vertical corner elements (corner towers) can facilitate such transitions, as can offset or “broken” cornice lines at the top of streetwalls on sloping streets.

### 3.2.6 Elevated Pedestrian Walkways

The intent of these guidelines is to focus pedestrian activity and at the sidewalk level in support of sidewalk level retail establishments, and overall public realm vibrancy. Canopies and awnings are encouraged throughout the downtown for this reason. While weather-protected sidewalk-level connections are generally preferred, pedways may be appropriate or necessary in some cases, such as interconnecting convention and hotel spaces. When deemed necessary pedways shall:

- a. Not be constructed in a north-south direction such that they block views up and down the east-west streets in the downtown.
- b. Not be more than a single storey in height.
- c. Strive to have as low a profile as possible.
- d. Be constructed of highly transparent materials.
- e. Be of exceptionally high design and material quality.



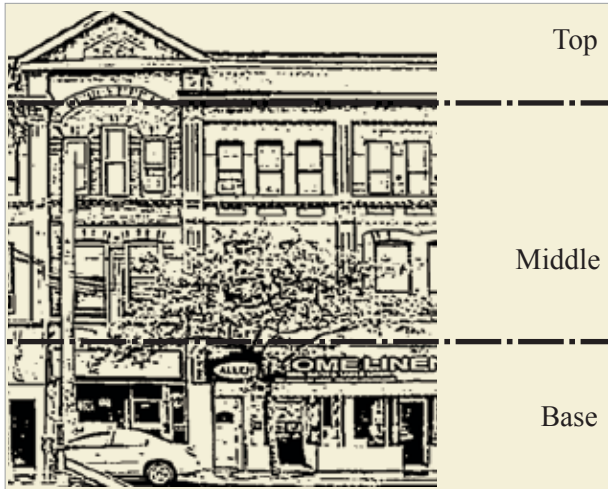
A well-designed, transparent pedway

### 3.2.7 Other Uses

All uses should help create an animated street environment with doors, windows and pedestrian activity fronting and directly accessing the public realm.

- a. Non-commercial uses at-grade should animate the street with frequent entries and windows.





Buildings should typically feature a well-defined base, middle and top



A traditional style building that expresses a 'Base', 'Middle' and 'Top'



A contemporary style building that expresses a 'Base', 'Middle' and 'Top'

### 3.3 Building Design

#### 3.3.1 Building Articulation

The articulation of a building is what gives it a human scale and a sense of quality, through attention to detail. Articulation implies a three-dimensional facade, where windows and other elements have depth, creating a dynamic play of light and shadows through the use of solids and voids. Typically the articulation will indicate the transition between floors and interior spaces, giving a human scale to the facade. This articulation can also include changes in materials, or material treatments.

- a. To encourage continuity in the streetscape and to ensure vertical 'breaks' in the façade, buildings shall be designed to reinforce the following key elements through the use of setbacks, extrusions, textures, materials, detailing, etc.:
  - **Base:** Within the first four storeys, a base should be clearly defined and positively contribute to the quality of the pedestrian environment through animation, transparency, articulation and material quality.
  - **Middle:** The body of the building above the base should contribute to the physical and visual quality of the overall streetscape.
  - **Top:** The roof condition should be distinguished from the rest of the building and designed to contribute to the visual quality of the skyline.
- b. Buildings should seek to contribute to a mix and variety of high quality architecture while remaining respectful of downtown's context and tradition.
- c. To provide architectural variety and visual interest, other opportunities to articulate the massing should be encouraged, including vertical and horizontal recesses or projections, datum lines, and changes in material, texture or colour.
- d. Street facing facades should have the highest design quality, however, all publicly viewed facades at the side and rear should have a consistent design expression.

## 3.3.2 Materials

Building materials help define the character and quality of a building and how it relates to its context. Where brick is predominant, new buildings will define themselves by the use, or lack of brick. Of importance in material selection is longevity and ability to age with grace. Materials like stone, brick and glass will endure well over time.

- a. Building materials should be chosen for their functional and aesthetic quality, and exterior finishes should exhibit quality of workmanship, sustainability and ease of maintenance.
- b. Too varied a range of building materials is discouraged in favour of achieving a unified building image.
- c. Materials used for the front façade should be carried around the building where any facades are exposed to public view at the side or rear.
- d. Changes in material should generally not occur at building corners.
- e. Building materials recommended for new construction include brick, stone, wood, glass, in-situ concrete and pre-cast concrete.
- f. In general, the appearance of building materials should be true to their nature and should not mimic other materials.
- g. Stucco and stucco-like finishes shall not be used as a principle exterior wall material.
- h. Vinyl siding, plastic, plywood, concrete block, EIFS (exterior insulation and finish systems where stucco is applied to rigid insulation), and metal siding utilizing exposed fasteners are prohibited.
- i. Darkly tinted or mirrored glass is prohibited. Clear glass is preferable to light tints. Glare reduction coatings are preferred.

- a. Emphasize entrances with such architectural expressions as height, massing, projection, shadow, punctuation, change in roof line, change in materials, etc.
- b. Ensure main building entrances are covered with a canopy, awning, recess or similar device to provide pedestrian weather protection.
- c. Modest exceptions to setback and stepback requirements are possible to achieve these goals.



Material variety used to articulate the building: stone base, brick facade and a variety of details to articulate the base, middle and top. Materials wrap visible facades.



Entrances are emphasized through building massing and articulation

## 3.3.3 Entrances

The entrance of a building is the most recognizable and used part of a facade, and provides an important visual cue. It must be prominent, recognizable and accessible.





Roof massing and profile should contribute to the skyline and integrate mechanical equipment in its design



Rooftop elements such as mechanical rooms, elevator caps and stairway exits should be consolidated into a single structure, the design of which relates to the design of the overall building



Flat rooftops should carefully consider their image viewed from above

### 3.3.4 Roof Line and Roofscapes

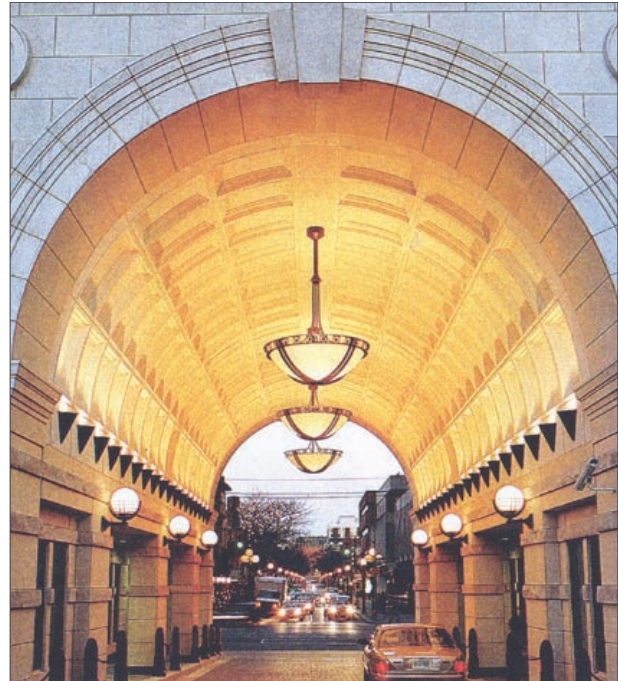
Roof lines and roofscapes have a significant impact on the image of the city. Due to the vantage points afforded by the sloping condition of downtown, the bridges, the Citadel, and the long views across the water, the design of roof conditions must be carefully considered. This is true of low, mid and high-rise buildings, and is true for the roofs of podiums and other building form articulations.

- a. Buildings above six storeys (mid and high-rise) contribute more to the skyline of individual precincts and the entire downtown, so their roof massing and profile must include sculpting, towers, night lighting or other unique features.
- b. The expression of the building 'top' (see previous) and roof, while clearly distinguished from the building 'middle', should incorporate elements of the middle and base such as pilasters, materials, massing forms or datum lines.
- c. Landscaping treatment of all flat rooftops is required. Special attention shall be given to landscaping rooftops in precincts 3, 5, 6 and 9, which abut Citadel Hill and are therefore preeminently visible. The incorporation of living "green roofs" is strongly encouraged.
- d. Ensure all rooftop mechanical equipment is screened from view by integrating it into the architectural design of the building and the expression of the building 'top'. Mechanical rooms and elevator and stairway head-houses should be incorporated into a single well-designed roof top structure. Sculptural and architectural elements are encouraged to add visual interest.
- e. Low-rise flat roofed buildings should provide screened mechanical equipment. Screening materials should be consistent with the main building design. Sculptural and architectural elements are encouraged for visual interest as the roofs of such structures have very high visibility.
- f. The street-side design treatment of a parapet should be carried over to the back-side of the parapet for a complete, finished look where they will be visible from other buildings and other high vantage points.

### 3.4

#### Civic Character

The downtown's civic character is largely defined by highly visible sites occupying important symbolic locations, or that have important public functions. These include sites that form view termini, sites adjacent to significant public open spaces, corner and gateway sites, and civic buildings. Since these sites help shape the image and character of an area, and of the whole downtown, they have a greater civic obligation to meet the highest possible standards in design and material quality. To enhance the distinction and landmark quality of new buildings in these locations, modest exceptions to setbacks and height restrictions are permitted to encourage massing and design that accentuate the visual prominence of the site.

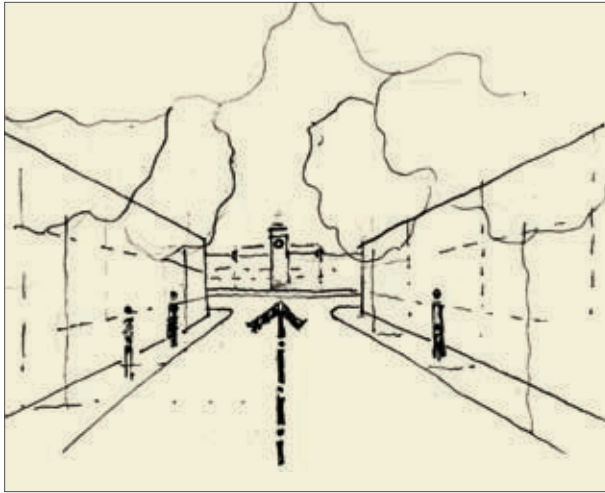


Gateway architecture contributes to civic character



The Old Town Clock is a striking example of a prominent view terminus that helps to define downtown's civic character





Strong view termini strengthen connectivity



Tower element responds to terminal view along the street



Tower element responds to view created by bend in the street

### 3.4.1 Prominent Frontages and View Termini

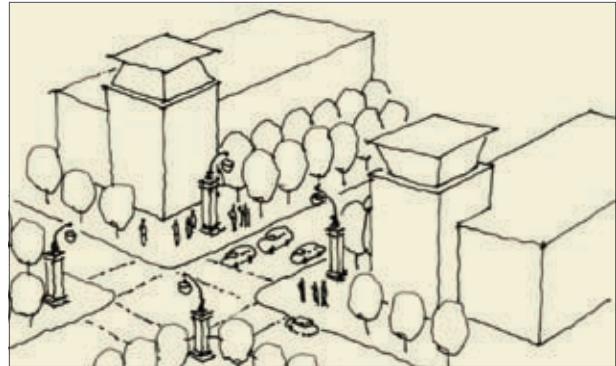
These are frontages and sites with exceptional visibility and opportunity for signature or landmark architectural treatments or features. These sites can enhance the quality of public areas, reinforce downtown or precinct identities, orient pedestrians and strengthen civic pride. Accordingly, development on these sites has a greater civic responsibility that obliges consideration for the highest possible design and material quality. The design of these buildings should provide distinctive massing articulation and architectural features so as to reinforce their visual prominence.

- a. **Prominent Visual Terminus Sites:** These sites identify existing or potential buildings and sites that terminate important view corridors and that can strengthen visual connectivity across downtown. On these sites distinctive architectural treatments such as spires, turrets, belvederes, porticos, arcades, or archways should be provided. Design elements (vertical elements, porticos, entries, etc.) should be aligned to the view axis. Prominent Visual Terminus Sites are shown on Map 9 in the Land Use By-law.
- b. **Prominent Civic Frontage:** These frontages identify highly visible building sites that front onto important public open spaces such as the Citadel and Cornwallis Park, as well as important symbolic or ceremonial visual and physical connections such as the waterfront boardwalks, the proposed Grand Promenade linking the waterfront to the Town Clock, and other east-west streets that connect the downtown to the waterfront. Prominent Civic Frontages are shown on Map 1 in Appendix A of the Design Manual.

## 3.4.2 Corner Sites

Corner buildings have a greater visual prominence given that they terminate two streetwalls and that they have excellent visual exposure from the open space created by street intersections. This special condition should be acknowledged with design responses such as:

- Provision of a change in the building massing at the corner, in relation to the streetwall.
- Provision of distinctive architectural treatments such as spires, turrets, belvederes, porticos, arcades, or archways.
- Developments on all corner sites must provide a frontal design to both street frontages.
- Alternatively, buildings may be sited to define the edge of an on-site public open space, for example, plazas, promenades, or eroded building corners resulting in the creation of public space.



Corner sites are excellent opportunities to define civic character



Taller massing and distinctive corner treatments

## 3.4.3 Civic Buildings

- Civic buildings entail a greater public use and function, and therefore should be prominent and recognizable, and be designed to reflect the importance of their civic role.
- Provide distinctive architectural treatments such as spires, turrets, belvederes, porticos, arcades, or archways.
- Ensure entrances are large and clearly visible. Provide a building name and other directional and wayfinding signage.
- Very important public buildings should have unique landmark design. Such buildings include transit terminals, museums, libraries, court houses, performing arts venues, etc.



Clearly visible entries and public space for public buildings





High quality treatments for service areas visible from streets.



Service vehicle access is through an access portal integrated with building façade. The width of the frontage it occupies is minimal.



Structured parking integrated with facade treatment and at-grade uses

### 3.5

## Parking, Services and Utilities

### 3.5.1 Vehicular Access, Circulation, Loading and Utilities

Service areas are a necessary part of buildings, but often do not create a welcoming pedestrian environment. Care must be given to the design in order to minimize their presence and impact on the public experience by locating them to less visible parts of the building and by integrating them within the building mass.

- Locate parking underground or internal to the building (preferred), or to the rear of buildings.
- Ensure vehicular and service access has a minimal impact on the streetscape, by minimizing the width of the frontage it occupies, and by designing integrated access portals and garages.
- Locate loading, storage, utilities, areas for delivery and trash pick up out of view from public streets and spaces, and residential uses.
- Where access and service areas must be visible from or shared with public space, provide high quality materials and features that can include continuous paving treatments, landscaping and well designed doors and entries.
- Coordinate and integrate utilities, mechanical equipment and meters with the design of the building, for example, using consolidated rooftop structures or internal utility rooms.
- Locate heating, venting and air conditioning vents away from public streets. Locate utility hook-ups and equipment (i.e. gas meters) away from public streets and to the sides and rear of buildings, or in underground vaults.

### 3.5.2 Parking Structures

- Where multi-storey parking facilities are to be integrated into new developments they should be visually obscured from abutting streets by

wrapping them with ‘sleeves’ of active uses.

- b. Animated at-grade uses should occupy the street frontage, predominantly retail, with 75% transparency.
- c. At-grade parking access and servicing access to retail stores should be provided to the rear and concealed from the street.
- d. Provide articulated bays in the façade to create fine-grained storefront appearance.
- e. Provide pedestrian amenities such as awnings, canopies, and sheltered entries.
- f. Provide façade treatment that conceals the parking levels and that gives the visual appearance of a multi-storey building articulated with ‘window’ openings.
- g. Design of parking structures such that they can be repurposed to other uses (i.e. level floor slabs) is encouraged.
- h. Provide cap treatment (at roof or cornice line) that disguises views of rooftop parking and mechanical equipment.
- i. Utilize high quality materials that are compatible with existing downtown buildings.
- j. Locate pedestrian access to parking at street edges, with direct access. Ensure stairs to parking levels are highly visible from the street on all levels.
- k. Ensure all interior and exterior spaces are well lit, inclusive of parking areas, vehicular circulation aisles, ramps, pedestrian accesses, and all entrances.
- l. Maintain continuous public access to parking at all hours and in all seasons.
- m. Minimize the width and height of vehicular access points to the greatest practical extent.
- n. Provide clear sightlines for vehicles and pedestrians at sidewalks, by setting back columns and walls, and providing durable low-maintenance mirrors.
- o. Bicycle parking must be provided in visible at-grade locations, and be weather-protected.



Preferred: parking integrated internal to block development, hidden behind ‘sleeves’ of active uses



At-grade uses and integrated with articulated facade design



Well defined and lit pedestrian access and circulation





Landscaped and modestly scaled surface parking lot



Dramatic lighting highlights architectural detail

### 3.5.3 Surface Parking

- a. Surface lots shall be located out of sight behind buildings or inside city blocks rather than adjacent to streets or at corners.
- b. Surface lots shall only be moderate in size (10-20 cars) for the handicapped and visitors, and must include bicycle parking opportunities.
- c. Surface parking shall be designed to include internal landscaping or hardscaping on islands at the ends of each parking aisle, clearly marked pedestrian access and paths, lighting and be concealed with landscaped buffers or other mitigating design measures.
- d. In addition to landscaping, a variety of hardscaping materials should be used to add visual texture and reduce apparent parking lot scale. Landscaping should be low maintenance.

### 3.5.4 Lighting

Night image is an important aspect of the downtown's urban character and form.

- a. Attractive landscape and architectural features can be highlighted with spot-lighting or general lighting placement.
- b. Consider a variety of lighting opportunities inclusive of street lighting, pedestrian lighting, building up- or down-lighting, internal building lighting, internal and external signage illumination (including street addressing), and decorative or display lighting.
- c. Illuminate landmark buildings and elements, such as towers or distinctive roof profiles.
- d. Encourage subtle night-lighting of retail display windows.
- e. Ensure there is no 'light trespass' onto adjacent residential areas by the use of shielded "full cut-off" fixtures.
- f. Lighting shall not create glare for pedestrians or motorists by presenting unshielded lighting elements in view.

### 3.5.5 Signs

Signs play an important role in the overall image of downtown. Signs should contribute to the quality of individual buildings and the public realm. They should reflect the unique characteristic of their context. This includes compatibility with heritage buildings and districts, where appropriate. High quality, imaginative, and innovative signs are encouraged. Design objectives for signs include:

- Integrate signs into the design of building facades by placing them within architectural bay, friezes or datum lines, including coordinated proportion, materials and colour.
- Signs should not obscure windows, cornices or other architectural elements.
- Sign scale should reinforce the pedestrian scale of the downtown, through location at or near grade level for viewing from sidewalks.
- Large freestanding signs (such as pylons), signs on top of rooftops, and large scale advertising (such as billboards) are prohibited.
- Signs on heritage buildings should be consistent with traditional sign placement such as on a sign band, window lettering, or within architectural orders.
- Street addressing shall be clearly visible for every building.
- The material used in signage shall be durable and of high quality, and should relate to the materials and design language of the building.



Signs that integrate with existing architectural orders, such as the sign at left, are preferred. Signs that obscure architectural elements, such as the sign at right, are discouraged.



The signs on these heritage buildings fit within architectural orders and enhance the public realm

### 3.6

#### Site Plan Variances

Where all other conditions are met, and subject to the conditions set out here, clearly specified variances of certain land use by-law requirements may be considered. The following types of variances may be considered throughout downtown Halifax by Site Plan Approval:

##### 3.6.1 Streetwall Setback Variance

Streetwall setbacks may be varied by Site Plan Approval where:

- a. the streetwall setback is consistent with the objectives and guidelines of the Design Manual;
- b. on an existing building, where an addition is to be constructed, the existing structural elements of the building or other similar features are prohibitive in achieving the streetwall setback requirement; or
- c. the streetwall setback of abutting buildings is such that the streetwall setback would be inconsistent with the character of the street.

##### 3.6.2 Side and Rear Yard Setback Variance

Side and rear yard setbacks may be varied by Site Plan Approval where:

- a. the modified setback is consistent with the objectives and guidelines of the Design Manual; and
- b. the modification does not negatively impact abutting uses by providing insufficient separation.

##### 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.

##### 3.6.4 Streetwall Width Variance

Streetwall widths may be varied by Site Plan Approval where:

- a. the streetwall width is consistent with the objectives and guidelines of the Design Manual; and
- b. the resulting gap in the streetwall has a clear purpose, is well-designed and makes a positive contribution to the streetscape.

Note: In cases where the maximum streetwall height is within two storeys of the maximum building height, the Design Review Committee may reduce the maximum streetwall height to ensure an appropriate proportion of streetwall height to upper building height.

##### 3.6.5 Upper Storey Streetwall Stepback Variance

Upper storey streetwall stepbacks 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; or

##### 3.6.6 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 stepback 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.

### 3.6.7 Maximum Tower Width Variance

The maximum tower dimensions may be varied by Site Plan Approval where:

- a. the maximum tower width is consistent with the objectives and guidelines of the Design Manual; and
- b. the modification results in a clear public benefit such as the remediation of an existing blank building wall; or

### 3.6.8 Maximum Height Variance

Maximum building height may be subject to modest variance by Site Plan Approval where:

- a. the maximum height is consistent with the objectives and guidelines of the Design Manual; and
- b. the additional building height is for rooftop architectural features and the additional height does not result in an increase in gross floor area;
- c. the maximum building height is less than 1.5 metres below the View Plane or Rampart height requirements;
- d. where a landmark building element is provided pursuant to the Design Manual; or
- e. where the additional height is shown to enable the adaptive re-use of heritage buildings.

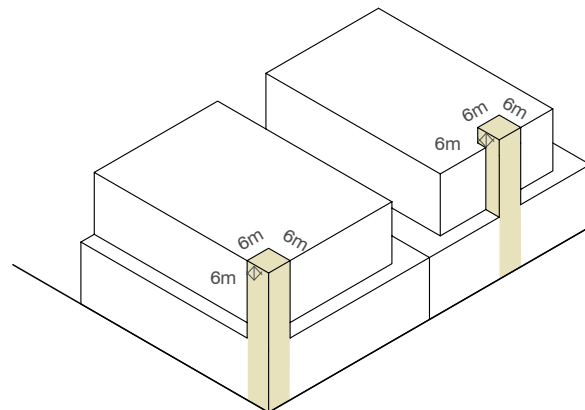
### 3.6.9 Landmark Element Variance

Modest encroachments may be considered by variance where the encroachments are demonstrated to result in a greatly improved building design. Examples of possible modest encroachments include architectural features such as balconies, designed roof treatments, porte cocheres and landmark elements such as corner or entry towers.

An encroachment envelope is defined below for identified Prominent Visual Terminus sites (see Map 9 in the Land Use By-law), and any corner site including where a sloping condition results in the convergence of two streetwalls of differing heights. This encroachment can be made available where the design of the development demonstrates a consistency with the urban design objectives for these highly visible sites. The width of the encroachment envelope may be up to 20% of the lot frontage, but shall not exceed 10 metres. The width of the encroachment envelope can extend to the exterior face of the streetwall, or both faces on a corner site, and extend to a height of no more than 6 metres above the height of the building providing it does not protrude through a View Plane or Rampart restriction.

Maximum height and envelope requirements may be varied by Site Plan Approval for landmark elements where:

- a. the maximum height is consistent with the objectives and guidelines of the Design Manual; and
- b. the additional building height is for rooftop architectural features and the additional height does not result in an increase in gross floor area; or
- c. the maximum building height is less than 1.5 metres below the View Plane or Rampart height requirements; or
- d. where a landmark building element is provided pursuant to the Design Manual; or
- e. where the additional height is shown to enable the adaptive re-use of heritage buildings.



Permitted encroachment for Prominent Corners, Gateways and Visual Terminus sites

### 3.6.10 Precinct 1 Built Form Variance

For lands located in “Schedule W” on Map 1 of the Downtown Halifax Land Use By-law, the built form requirements of Section 11(1) of the LUB may be varied by Site Plan Approval where the variance will:

- a. fill existing gaps created by vacant properties or parking lots with new development; or
- b. enhance the public realm in the area, including the extension of the east-west streets between Lower Water Street and the harbour and their intersection with the Halifax Harbour Walk, the pedestrian interface of the proposed building and the Halifax Harbour Walk, provide or improve sidewalks along Lower Water Street, or provide for public or private plazas or parks; or
- c. frame the open spaces identified above; or
- d. provide adequate separation between buildings; or
- e. propose tall and slender towers, where permitted, provided that their placement and design are consistent with the objectives identified for this precinct and with the Design Manual; or
- f. ensure Lower Water Street has streetwall and landscaping conditions that emphasize its meandering qualities and emergence as an important street.

### 3.6.11 Precinct 4 Built Form Variance

For lands located in “Schedule W” on Map 1 of the Downtown Halifax Land Use By-law, the built form requirements of Section 11(5) of the LUB may be varied by Site Plan Approval where the variance will:

- a. provide for mixed-use high-rise infill development on large opportunity sites; or
- b. fill existing gaps created by vacant properties or parking lots with new development; or
- c. develop vacant lots in a way that provides a continuous street wall and uninterrupted pedestrian experiences; or

- d. provide for animated streetscapes as detailed in the design manual; or
- e. focus pedestrian activities at sidewalk level through the provision of sidewalks protected from the weather through such means as well-designed canopies and awnings; or
- f. maintain or enhance the east-west streets to maintain important views between the Citadel and the harbour; or
- g. provide adequate separation between buildings; or
- h. ensure Lower Water Street has streetwall and landscaping conditions that emphasize its meandering qualities and emergence as an important street; or
- i. retain, enhance and protect isolated heritage properties.

### 3.6.12 Landscaped Open Space Variance

Landscaped open space requirements may be varied by Site Plan Approval where:

- a. The landscaped open space to be provided is consistent with the objectives and guidelines of the Design Manual; and
- b. The modification does not exceed 10% of the requirement.

### 3.6.14 Prohibited External Cladding Material Variance

The use of prohibited external cladding materials may be varied by Site Plan Approval where:

- a. The objectives and guidelines of the Design Manual are met;
- b. The use of the material is necessary for an appropriate architectural embellishment of the building; and
- c. The material does not exceed 10% of the total area of the facade.

## 4.1

### New Development in Heritage Contexts

As part of the city's evolution, new architecture will invariably be constructed on the same site as, and abutting, heritage resources. These guidelines ensure that as this evolution continues the goal of creating and protecting a coherent downtown is achieved.

There are three conditions under which new buildings can be introduced into heritage contexts in downtown Halifax, and different design strategies apply to them with the same objective of ensuring that as the downtown evolves, it continuously becomes more and more coherent:

1. **Infill** – This type of development occurs on sites that do not contain a heritage resource, but rather occur on vacant or underutilized sites that are in between other heritage properties, abutting them on each side. Typically, a strong contiguous heritage context exists around them.
2. **Abutting** – This type of development occurs on sites that do not contain a heritage resource but that are directly abutting a heritage resource on one side. This type of development occurs in a less contiguous heritage environment than infill.
3. **Integrated and Additions** – This type of development occurs on the same site as a heritage resource. *Integrated* developments occur on sites where existing heritage structures are part of a larger consolidated site or significant development proposal, and where heritage buildings are to be integrated into a larger building or building grouping. *Additions* are to existing heritage properties to which new construction will be added, often on top of existing buildings, but can be to the sides or rear in a manner that respects existing heritage attributes.

These three types of development in heritage contexts are discussed further in Sections 4.2, 4.3 and 4.4.

Design of buildings according to these guidelines needs to be balanced with good urban design principles and the vision for the downtown. New buildings should comply with all other relevant guidelines. Creative solutions should be considered that meet the spirit and intent of all guidelines.

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, scale, height, proportion and massing to protect the integrity of the property and its environment.

It is not necessary to mimic a specific historical era in heritage contexts. New buildings should vary in style. Style should not be a determinant of compatibility, rather material quality, massing and urban design considerations are given prominence in this approach. Elements of new building design and façade articulation can respond to specific heritage elements with new interpretations or traditions.

#### 4.1.1 Replicas and Reconstructed Buildings

On some sites the opportunity may exist to replicate a formerly existing structure with a new building, or as a part of a larger building proposal. This approach is possible where good documentary evidence exists. The replication of a historic building should proceed in a similar manner to the restoration of an existing but altered or deteriorated structure. Design of the building should be based on documentary evidence including photographs, maps, surveys and historic design and construction drawings. The interior space and basic structure of a replica building is not required to, but may, also use historic materials or details as long as the exterior presentation replicates the original structure.

#### 4.1.2 New Buildings in Heritage Contexts

Entirely new buildings may be proposed where no previous buildings existed, where original buildings are missing, or where severely deteriorated or non-historic buildings are removed. The intention in designing such new buildings should not be to create a false or ersatz historic building, instead the objective must be to create a sensitive well-designed new structure “of its time” that fits and is compatible with the character of the district or its immediate context. The design of new buildings should carefully consider requirements elsewhere in these guidelines for density, scale, height, setbacks, stepbacks, coverage, landscaped open space, view corridors, and shadowing. Design considerations include: contemporary design, material palette, proportions of parts, solidity vs. transparency and detailing.

#### 4.1.3 Contemporary Design

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. Quoting the past can be appropriate, however, it should avoid blurring the line between real historic buildings, bridges and other structures. “Contemporary” as a design statement does not simply mean current. Current designs with borrowed detailing inappropriately, inconsistently, or incorrectly used, such as pseudo-Victorian detailing, should be avoided.

#### 4.1.4 Material Palette

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 the success of a composition.

#### 4.1.5 Proportion of Parts

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.

#### 4.1.6 Solidity versus Transparency

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.

#### 4.1.7 Detailing

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.

## 4.2

### Guidelines for Infill

These guidelines apply to sites that are in between heritage buildings in the downtown. These guidelines will ensure visual consistency as seen from the public realm (i.e. from the street, from parks, plazas and open spaces, or from any other place where significant views exist).

Where there is a contiguous environment, new development needs to reinforce and be consistent with the prevailing character of the heritage resources as a group. This will require flexible application of the guidelines. For example, where prevailing streetwall heights of heritage buildings are 4 storeys but an adjacent historic building is 6 storeys, there can be a variety of strategies to ensure visual consistency related to height:

- transitioning new buildings from 6 to 4 storeys
- maintaining 6 storeys but emphasizing other prevailing elements of the district
- maintaining 4 storeys at the streetwall with a step back for the upper 2 storeys.

In 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, the heritage buildings should respect all three dimensions.

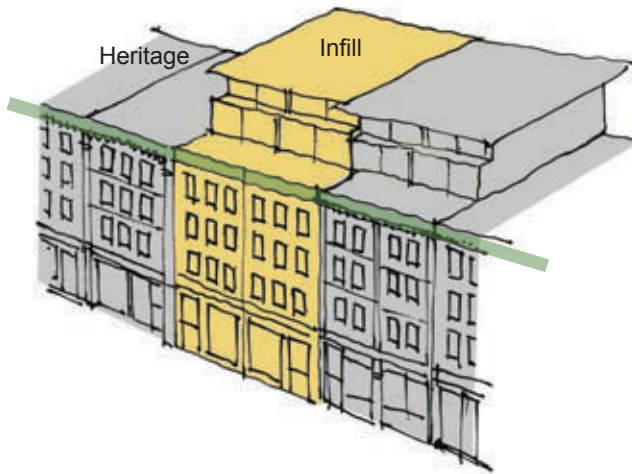


New building in an infill context. Cornice height similarity. Grade height similarity including window proportion and recessed door. Window proportion similarity. Material similarity. Upper storey setback. Stone inset and lettering enhance façade



New buildings reinforce heritage context. Cornice height similarity. Grade height similarity. Window proportion similarity. Material similarity



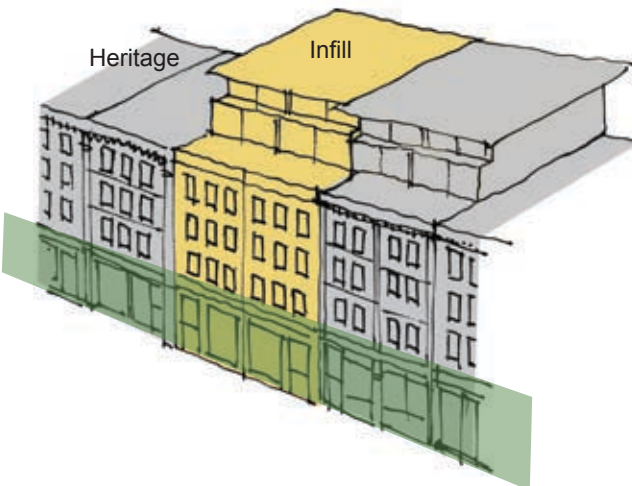


Consistent cornice line

#### 4.2.1 Cornice Line

The cornice is the topmost projecting part of a facade, typically detailed with a decorative moulding. The cornice line is the extended horizontal definition of the building that indicates where the facade ends and the roof begins. When abutting buildings have a continuous cornice line they result in a harmonious streetwall.

- a. Maintain the same or similar cornice height established by existing heritage buildings for the podium (building base) to create a consistent streetwall height, reinforcing the 'frame' for public streets and spaces.



Consistent first storey height

#### 4.2.2 Sidewalk Level Height and Articulation

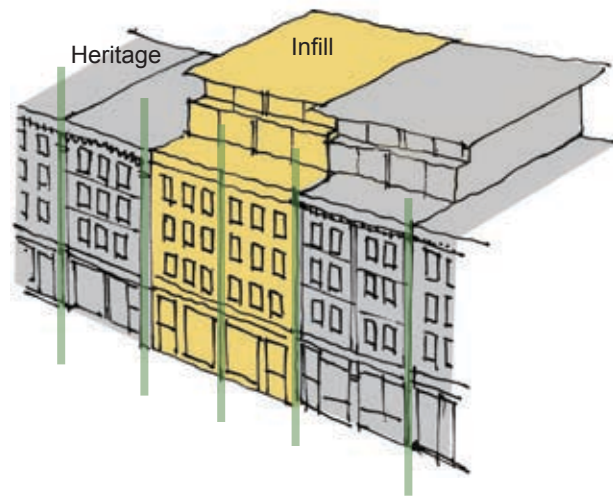
The sidewalk level of a building is the portion of a building with the greatest presence on the street. Over time a building may change use, and with that, will change the requirements of the sidewalk level. Buildings with a generous grade sidewalk level floor height, and with a detailed articulation, will have the greatest flexibility and prominence over time.

- a. Maintain the same or similar height of the first storey of new buildings to the first storey datum line of heritage buildings (i.e. the height of intermediate cornice lines or frieze boards between the first and second storeys).
- b. Maintain other heights and proportions in the first storey such as:
  - sign band height and size;
  - window height, size and proportion, including transoms;
  - door height, position, and setback, and;
  - maintain the prevailing at-grade use (i.e. retail or residential) while considering the intended use and role of the street.

## 4.2.3 Rhythm

The idea of rhythm on a buildings facade or along a streetwall makes reference to the recurrence at regular intervals of design elements that help structure their visual character and definition. For example, a vertical line dividing buildings approximately every 6m to 12m will create a rhythm for the street that speaks to a certain scale and intimate character.

- Maintain the rhythm of existing heritage buildings, generally at a fine scale, typically in 6m to 12m intervals (storefronts, individual buildings, etc.) in a vertical proportion.
- For larger or longer buildings, clearly articulate vertical divisions or bays in the façade at this rhythm.
- Where appropriate for consistency, provide retail bays or frontages at the same rhythm.

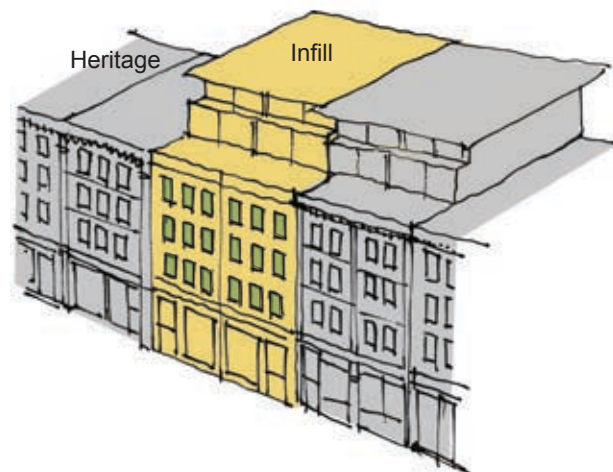


Structural rhythm is maintained

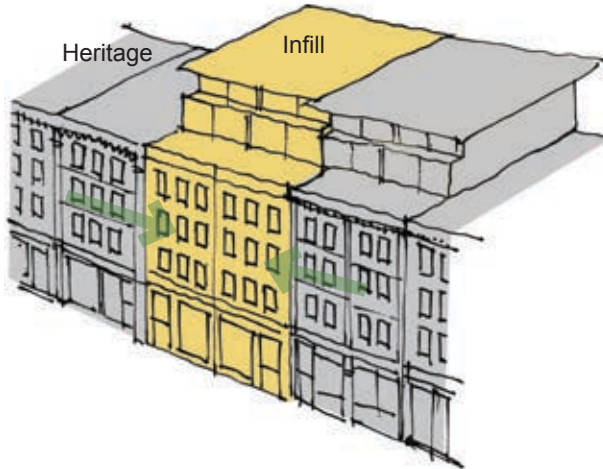
## 4.2.4 Window Proportion

The proportion of a window is defined by the relationship of its vertical and horizontal dimensions (i.e. 1 to 2; 1 to 3) and the resulting orientation (i.e. vertical or horizontal).

- Maintain the window proportions of existing heritage buildings (generally vertically oriented windows).
- Windows should be aligned above each other from storey to storey.



Window proportion is maintained

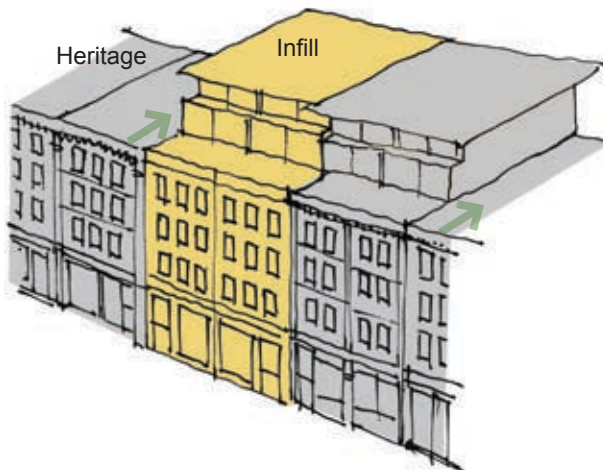


Infill utilizes similar material to existing heritage resources

#### 4.2.5 Materials

The building materials help define the character and quality of a building and how it relates to other buildings or structures in its context. In an area where brick is predominant, new buildings will define themselves by the use, or lack of brick. Also of importance in the selection of materials is their longevity and ability to age with grace. Materials like stone, brick and glass will endure well over time

- Provide similar materials to those in use in existing heritage buildings.
- Typical materials are masonry, usually brick or stone, in small modular units (bricks, cut stones).
- Where materials differ, for example concrete, provide fine scale articulation of the surface finish through score lines, modular units or other such means
- Provide similar colour palettes, typically neutrals and earth tones, and textures.
- New materials should be high quality and durable, ensuring they age well.



Building elements above the streetwall step back

#### 4.2.6 Upper Level Stepbacks

The stepback of a building occurs at the upper levels providing a transition from the street related levels. Stepbacks are a useful design solution to maintain a consistent streetwall and minimize the visual presence of upper levels, as well as reduce their impact on sunlight penetration.

- Building elements that are taller than the podium or streetwall height should step back.
- Stepbacks should generally be a minimum of 3 metres in areas of contiguous heritage resources.
- In the upper setback levels greater freedom of material choice and design expression is permitted.

## 4.3

### Guidelines for Abutting Developments

The following guidelines apply to sites that have no heritage buildings on them, but that share a property line with sites that do. These guidelines differ from the Infill Guidelines in Section 4.2 in that they allow greater flexibility. The primary design intent of these guidelines is to contribute to the conservation of heritage resources by ensuring their visual prominence. New buildings abutting heritage resources have flexibility for how they achieve the intent of the guidelines. However, because applicants for development on abutting properties have no interest in or control of the heritage property, angle plane controls are imposed that are not required under Section 4.4 for Integrated Development.

In 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. In instances where the heritage value is limited to a single (i.e. front) façade, as in a row building, then the transition to new development need only address the two-dimensional heritage façade.

#### 4.3.1 Cornice Line

The cornice line is the extended horizontal definition of the building that indicates where the facade ends and the roof begins. When adjacent buildings have a continuous cornice line they result in a harmonious streetwall.

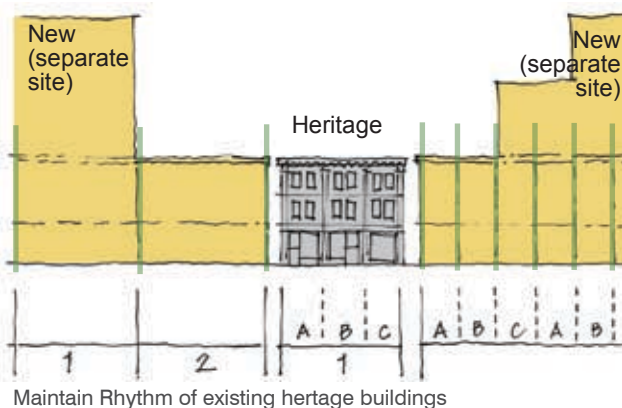
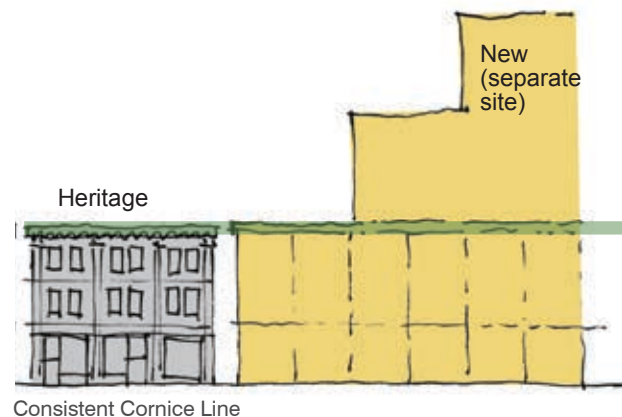
- Maintain the same or similar cornice height established by existing heritage buildings for the podium (building base) to create a consistent streetwall height, reinforcing the 'frame' for public streets and spaces.

#### 4.3.2 Rhythm

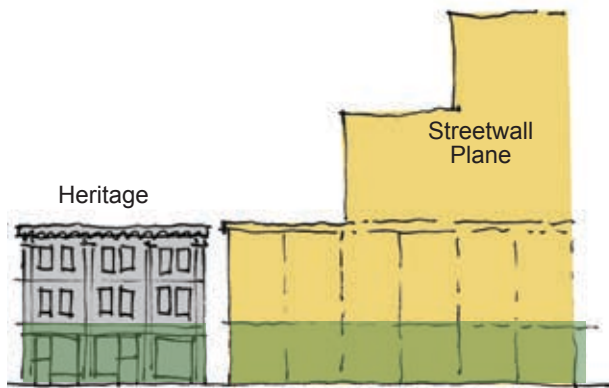
The idea of rhythm on a buildings façade or along a streetwall makes reference to the recurrence at regular intervals of design elements that help

structure their visual character and definition. For example, a vertical line dividing buildings every 10 metres, will create a rhythm for the street that speaks to a certain scale and intimate character.

- Maintain the rhythm of existing heritage buildings, generally at a fine scale, typically in 6m to 12m intervals (storefronts, individual buildings, etc.) in a vertical proportion.
- For larger or longer buildings, clearly articulate vertical divisions or bays in the façade at this rhythm.
- Where appropriate for consistency, provide retail bays or frontages at the same rhythm.
- Rhythm is of primary importance in the base of new buildings abutting heritage buildings, but some reference to the rhythm may be desirable above the cornice line as well.





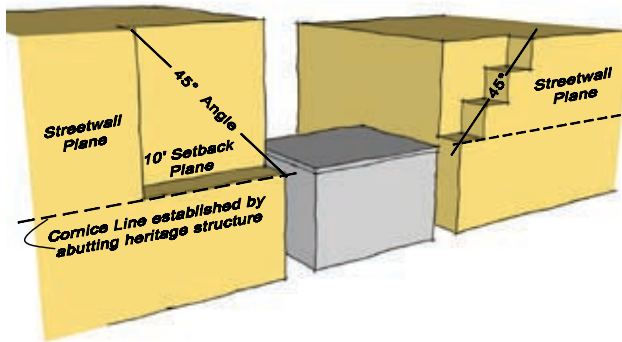


First storey height maintained

#### 4.3.3 Grade Level Height and Articulation

The continuity of the grade level is a significant aspect of experiencing the transition from a heritage building to a new building. The continuity should be reflected in matters of overall height and proportion, as well as design elements of rhythm and articulation and in the use of building materials.

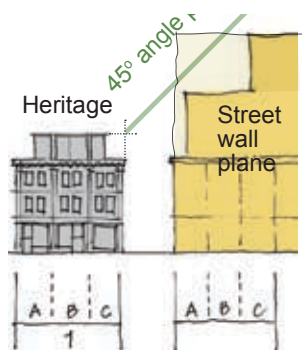
- Maintain the same or similar height of the first storey of new buildings to the first storey datum line of heritage buildings.
- Maintain other heights and proportions in the first storey such as:
  - sign band height and size;
  - window height, size and proportion, including transoms;
  - door height, position, and setback, and
  - maintain the prevailing at-grade use (i.e. retail or residential) but consider the intended use and role of the street.



#### 4.3.4 Height Transition

Ensuring a proper transition from heritage to abutting new buildings includes attending to their overall height and ensuring that significant heritage resources are not overwhelmed by new construction.

- Step back the streetwall of new buildings that are taller than the heritage building to an approximate 45 degree angle plane. This angle plane affects the form of the new building only to the depth of the upper storey setback plane (i.e. the front-most 3 metres of depth of the building). The angle plane originates at the outside edge of the heritage building and at a height equal to the highest point of the habitable portion of the heritage building as in the diagram.
- Above the cornice line established by the heritage building the streetwall plane of the new building abutting the heritage building must observe the approximately 45 degree angular plane. This angle plane affects the form of the new building only to the depth of the upper storey setback plane.



45 degree height transitions required in the streetwall plane of new development

#### 4.4

#### **Guidelines for Integrated Developments & Additions**

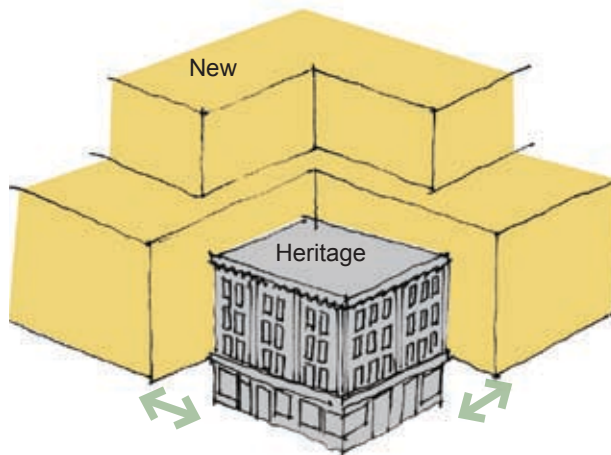
This section applies to development proposed for a site upon which a heritage resource exists.

There are situations in the downtown where heritage buildings are grouped together. Often the preservation of such groups of buildings is most effectively accomplished by allowing new development either next to, or above, the heritage grouping, or behind a preserved heritage facade. This kind of redevelopment can provide the financial means to preserve the heritage buildings or their facades so that they are not lost to deterioration or demolition.

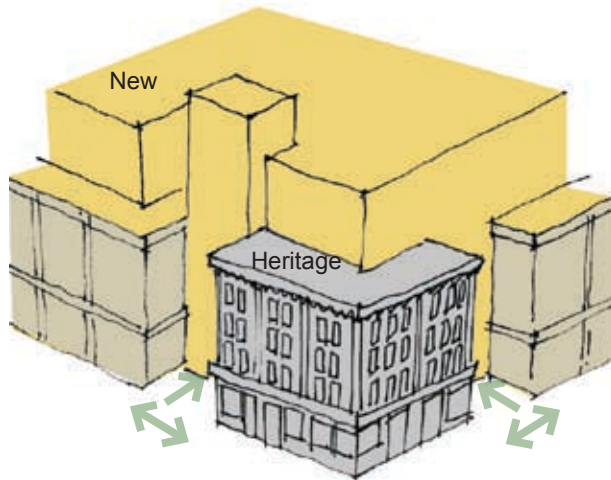
The following guidelines apply to sites with individual heritage buildings, or small groups of them where there is significant new development proposed. The primary design intent of the guidelines is to enable the preservation of the heritage resource through new development, while ensuring the visual prominence of the heritage asset.

In 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. In instances where the heritage value is limited to a single (i.e. front) facade, as in a row building, then the transition to new development need only address the two-dimensional heritage facade.

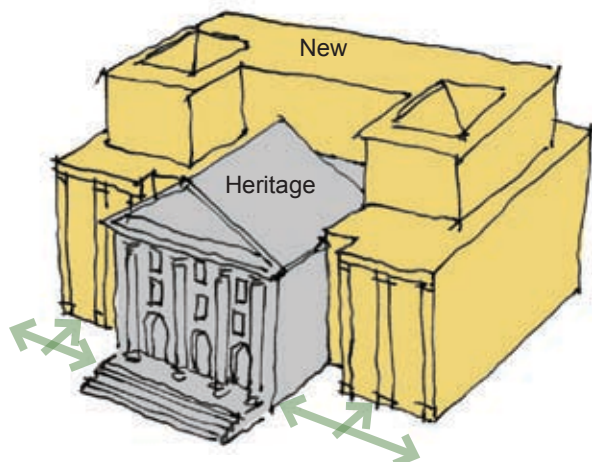




Option 1: New building as a whole is set back from heritage building



Option 2: Setback a portion of the façade along the frontage for joining buildings



Option 3: New building sets back along the entire frontage of a landmark heritage building

#### 4.4.1 Building Setback

A setback takes place at the grade level and is the distance between a building and an established alignment (i.e. a property line, or another building). A setback is often the best way to design a transition from heritage resources to new construction, giving the heritage resource visual prominence.

a. 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 free-standing heritage structure. This is suitable where multiple façades have heritage value (see diagram for *Option 1* at left).
- 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* at left).
- new construction is setback along its entire façade from the street line established by the heritage structure (see diagram for *Option 3* at left).

b. Consideration should only be given to the construction of new buildings abutting, or as an addition to, a heritage resource, when the parts of the heritage building that will be enclosed or hidden from view by the new construction do not contain significant heritage attributes.

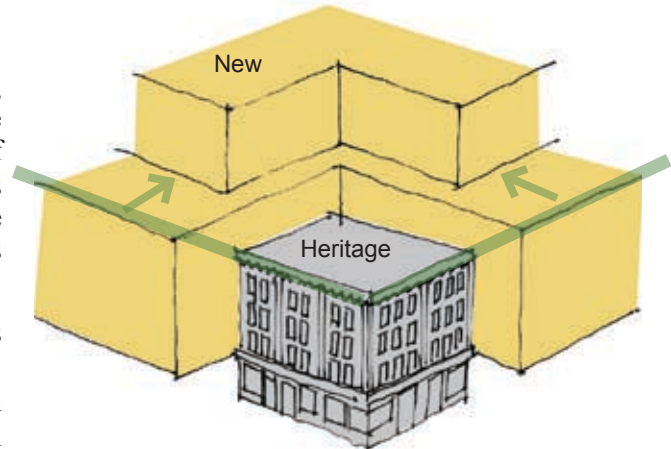


## 4.4.2 Cornice Line & Upper Level Stepbacks

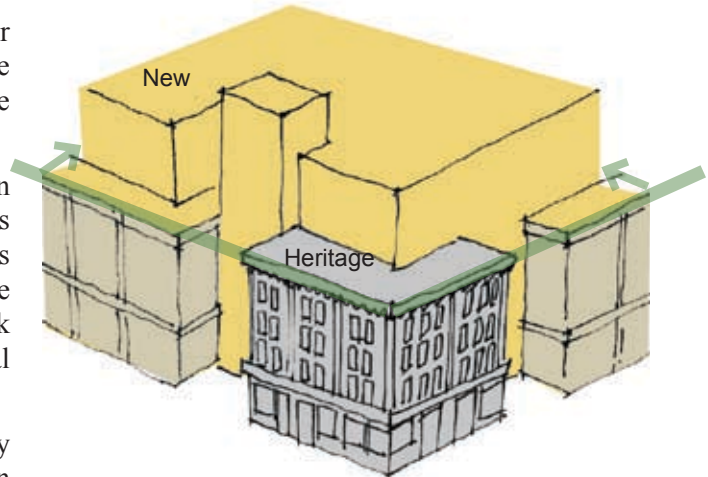
The cornice is the topmost projecting part of a facade, typically detailed with a decorative moulding. The cornice line is the extended horizontal definition of the building that indicates where the façade ends and the roof begins. When adjacent buildings have a continuous cornice line they result in a harmonious streetwall.

The stepback of a building occurs at the upper levels providing a transition from the street related levels. Stepbacks are a useful design solution to maintain a consistent streetwall and minimize the visual presence of upper levels, as well as reduce their impact on sunlight penetration.

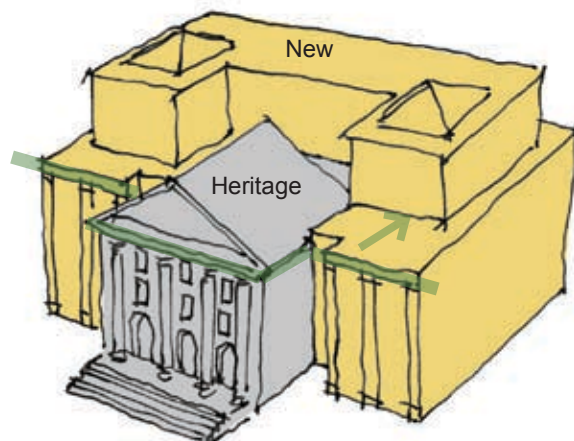
- Maintain the same or similar cornice height for the podium building (building base) to create a consistent streetwall height, reinforcing the 'frame' for public streets and spaces.
- Stepback building elements that are taller than the podium or streetwall height. Stepbacks should generally be a minimum of 3 metres for flat-roofed streetwall buildings and increase significantly (up to 10 metres) for landmark buildings, and buildings with unique architectural features such as peaked roofs or towers.
- Greater flexibility in the contemporary interpretation of historic materials and design elements is permitted.



Cornice lines of new development match existing cornice lines, and taller building elements stepback there from

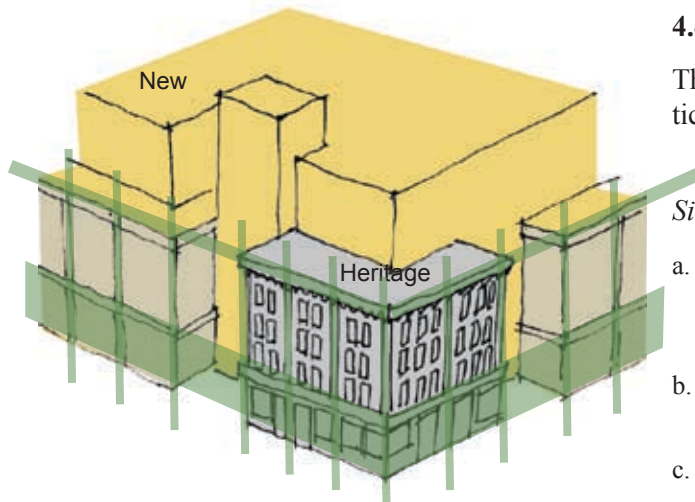


Cornice lines of new development match existing cornice lines, and taller building elements stepback there from

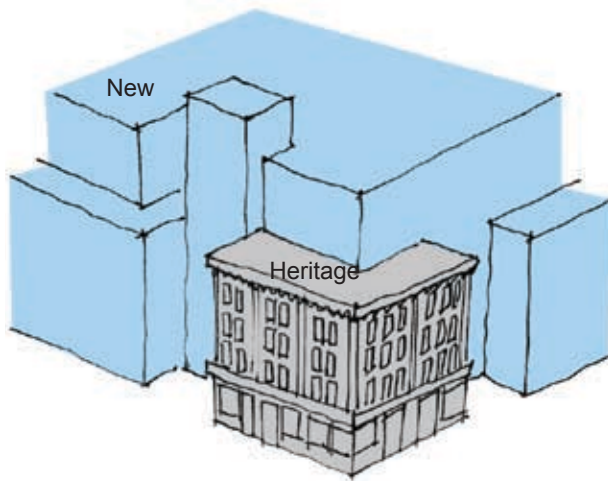


Cornice lines of new development match existing cornice lines, and taller building elements stepback there from





Materials, rhythm and orders are consistent with heritage building



Materials and articulation contrast with heritage building. Note other guidelines for streetwall cornice height, setbacks and upper level stepbacks still apply

#### 4.4.3 Façade Articulation and Materials

There are two alternative approaches to façade articulation: similarity and contrast.

##### *Similarity:*

- Maintain the same architectural order and rhythm of both horizontal and vertical divisions in the façade.
- Provide similar materials to existing heritage buildings.
- Typical materials are masonry, usually brick or stone, in small modular units (bricks, cut stones).
- Where materials differ, for example concrete, provide fine scale articulation of the surface through score lines or modular units.
- Provide similar colour palettes, typically neutrals and earth tones.

##### *Contrast:*

- Consider existing architectural order and rhythm of both horizontal and vertical divisions in the façade in the articulation of the new building.
- Provide contrasting materials and surface treatments that complement the heritage building. Use of glass can be effective both for its transparency and reflectivity.
- Ensure materials and detailing are of the highest quality. In a downtown-wide context, use of contrast should result in the most exemplary buildings in the downtown.

## 4.4.4 Examples of Integrated Development



New building provides a setback to heritage building in centre. Note use of glass to join new and old at sides and above, enhancing the distinctiveness and visual prominence of the heritage building. Upper level stepbacks. Cornice line similarity. Material similarity. Rhythm similarity.



New, larger building setback from heritage buildings. A portion of this new building (black) comes to street edge, where it maintains street rhythm and grade level height. Slight setback at street edge of upper levels. Window proportion similarity. Material contrast



New building negotiates several cornice lines and datum lines between multiple existing heritage buildings. Upper level stepbacks. Rhythm similarity. Material similarity. Window proportion similarity.





Rhythm of bays and shopfronts on Granville Mall

## 4.5

### Guidelines for Facade Alteration on Registered Heritage Buildings and Buildings in Heritage Conservation Districts

The intent of these guidelines is to conserve the character of historic buildings while allowing for reasonable change to improve their functional and economic viability and enable their rehabilitation and revitalization. These guidelines shall apply to all registered heritage buildings, and all buildings in heritage conservation districts.

#### 4.5.1 Rhythm of Bays and Shopfronts

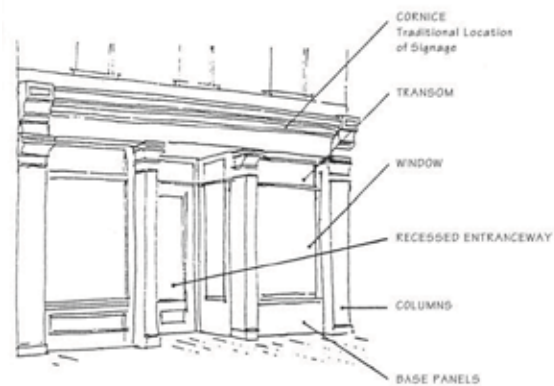
Typically, historic buildings in the downtown abut each other and create a streetscape rhythm comprised of up to eight buildings in each block with one or more shop fronts in each building. Some buildings still occupy 12m x 18.5m (40' x 60') lots that date from the original town plan while others occupy larger lot consolidations. Consequently, the buildings are of various widths and sizes with vertical bay divisions in both their upper and lower facades roughly corresponding with fractions of the original lot width of 12 metres. This creates a rich texture and visual interest within the streetscape

- a. The traditional architectural elements of historic building facades such as columns, pilasters, entries and shopfronts which establish a pedestrian scale and rhythm, should be retained.
- b. Consolidating two (or more) shopfronts into one is discouraged, since it reduces pedestrian interest. If such consolidation is proposed, the retention of original historic building features should not be compromised, even if this means retaining a redundant entry configuration.

## 4.5.2 Lower Facade (Storefront)

The lower facade is typically framed by structural columns and defined at its upper edge by a minor cornice and a decorative band, often a signband. Shopfronts traditionally had high ceilings, were very transparent with large display windows with clear glazing, often with a glazed transom, and recessed entryway, sometimes embellished with decorative tiles, stone or terrazzo paving. The base panel below the display windows was typically of wood and sometimes decorated with moulded panels. Traditionally, street level entry doors for stairs to upper floors were incorporated into the facade in a separate vertical bay with details relating to the design of the shopfront entry.

- a. Existing traditional shopfronts should be retained.
- b. Historic photos and drawings should be used to support the restoration or replication of decorative elements of historic significance in the shopfront.
- c. The following features should be incorporated in the design of rehabilitated or restored shopfronts, as applicable:
  - restoration of cast iron or masonry elements; or
  - a high percentage of glazing, in the display window area, transom windows and in the entry door(s); or
  - a recessed entry with a rectangular or trapezoidal plan; or
  - transom window above the entry and display windows, often stretching the full width of the shopfront; or
  - base panels rich in detail and of durable materials; or
  - a shopfront cornice and signband which is generally a reduced version of the main cornice atop the building; or
  - access to upper floors should be in the original configuration.



Traditional Storefront Components



Shopfront and side entry to upper floors



Pacific Building, 1941



Pacific Building, 2006



### 4.5.3 Contemporary Expression Within the Historic Shopfront Frame

The objective is to allow and encourage contemporary shopfront design in historic commercial buildings to support and stimulate retail revitalization. The historic frame is the supporting structure for the upper facade, comprised of visible elements such as pilasters or columns which visually frame the shopfront

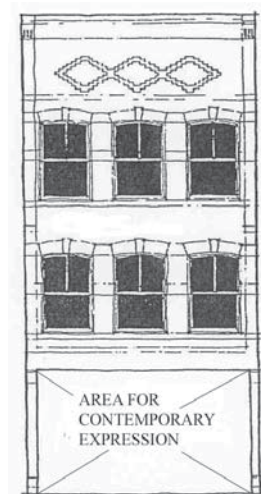
Contemporary design expression within the historic storefront frame shall be permitted provided that original structural elements are retained and provided that the predominant material is clear glass. Various approaches to contemporary expression, with varying degrees of success, are illustrated below.

In Building #1 a modern storefront has been recreated in the traditional style, respecting the original structural divisions and proportions of the facade. This approach is encouraged.

In Building #2, the historic frame has been hidden by a veneer of renovations. The storefront cornice and transom windows are covered by an oversize, moulded panel. The stone columns which originally framed the storefront and visually connected the upper facade with the ground have been covered with wide wooden panelling. The entrance to the upper floors remains intact but the storefront display window has been recessed at an angle to the street. Although the renovated storefront has a cohesive theme within itself, it does not respect the proportions and structure of the original historic frame of the building.

In Building #3, the historic frame is intact but has been disguised by a paint scheme which de-emphasizes the character defining vertical elements and transom windows. This approach is also discouraged

In Building #4 the original storefront had display windows with upper transoms and a dentilled cornice over a recessed, central entry. 1960s-era renovations covered the transoms with an oversized signboard and re-arranged the doors. Most recently, the transom windows have been re-established, the signband returned closer to its original proportions, and the storefront has been fitted with infolding window and door panels within the original structural facade divisions, with one bay transformed into a spacious lobby and entry to the upper floors. This functional reorganization of the shopfront gives the building a contemporary face while respecting its character defining elements, and is encouraged.



1. Traditional Approach    2. Veneer of Renovations    3. Details Painted Over    4. Infolding Windows and Doors

## 4.5.4 Upper Facade

Upper facades on historic commercial buildings are typically characterized by punched window openings in a masonry surface with a roughly equal solid to void ratio and vertical proportions (height greater than width).

- a. To maintain this upper floor pattern and texture, new window openings are encouraged to be repetitive, and organized in relationship to the vertical elements which frame and divide the facade.
- b. Vertical elements such as pilasters, columns, cornices, and projecting bays should be retained.
- c. Historic photos and drawings should be used to support the restoration or replication of decorative elements of historic significance on the upper facade.
- d. Existing projecting bays or other architectural elements, such as cornices that project over the public right-of-way, should be retained provided that Building By-law, life-safety and other pertinent concerns have been satisfactorily addressed.
- e. Existing fenestration patterns should be retained. Where new openings are proposed, they should be compatible with the existing architectural features of the building.



Upper facades on Granville Street



Upper facades on Barrington Street

## 4.5.5 Windows

Windows are extremely important to the character of historic commercial buildings in the downtown. Made of wood, traditional windows are mostly double or single hung (vertically sliding) sash or fixed sash. They are sometimes found individually or grouped in pairs or threes or fours, forming a horizontal band of vertical units in the facade.

The intent of these guidelines is to encourage the retention, repair, rehabilitation, and restoration of original windows.





Windows grouped in paired surrounds



A picture window has disrupted fenestration

- a. Where there are existing windows within historic window openings which are either original or more recent replacements in the historical form and material, every effort should be made to retain and repair them.
- b. Repair of existing wood windows should use wood sash and frames.
- c. Where existing appropriate windows are too deteriorated to repair, replacement windows should replicate either original windows, as documented by historical photographs or drawings or the existing windows.
- d. Replacement of wooden windows should be in wood, and should match the shape, proportion, type of operation, detail, colour and clarity of glass of the wood original when painted.
- e. Where they exist, lintels, sills, and other historic window surround elements should be retained.
- f. The original fenestration pattern should be retained. Where new openings are proposed, they should be compatible with the original composition in terms of alignment, proportion, surrounds, and ornamentation.
- g. In the event that the original windows have been replaced and the existing windows are inappropriate to the building, then new windows should be designed to replicate the original window's size, configuration and appearance as based on archival information. If such information is not available, the following criteria should be referenced:
  - The dimensions of frames, sashes, muntins, etc., should be similar to traditional wood windows.
  - The window should be divided into a minimum of two sash or panes; more divisions are also possible.
  - Operable windows are encouraged and the method of opening should replicate that of traditional window types.
  - Horizontally sliding windows are discouraged

as they are not traditional.

- Glass should be clear; tints, colours or mirrored surfaces are not acceptable.
- Frames and sashes should preferably be of painted or stained wood but aluminum clad windows are also acceptable.
- Vinyl windows are not permitted.
- The sash should be recessed within the window frame at least 4 inches from the exterior surface of the building facade.

## 4.5.6 Materials

The objective is to retain the character of historic building facades by using traditional materials for both rehabilitation and new construction. These are:

- Brick in a range of buff/beige through red colours, traditional dimension.
- Building stone, particularly granite and sandstone.
- Terracotta, tile and glazed brick materials and decorative elements.
- Cast iron and pressed metal decorative elements, particularly cornices.
- Wood elements for shopfront base panels, windows, bay window framing.
- Parged or cement rendered surfaces.
- Specially treated concrete finishes for rear or for some secondary surfaces.
- Wooden clapboards or shingles.

For existing buildings, where new materials are required for repair, they should match the old materials they are replacing. If this is not feasible for cost, technical or availability reasons, then new substitute materials should be largely indistinguishable from original materials. The treatment of existing materials is primarily that of good conservation tech-



Yellow and red brick with terra cotta accents on cornices, string courses and window heads



Brick cladding with sandstone pilasters and window surrounds



niques. Detailed recommendations for conservation of materials can be found in the *Federal Standards and Guidelines for Conservation of Historic Buildings in Canada*.

- i. Vinyl siding, plastic, plywood, concrete block, and EIFS (exterior insulation and finish systems where stucco is applied to rigid insulation), and metal siding utilizing exposed fasteners are prohibited for use on historic buildings in the downtown.
- j. Darkly tinted or mirrored glass is also prohibited.

Generally, roofs on historic commercial buildings in the downtown are flat and covered with bituminous membrane, tar and gravel finish, etc. These materials are acceptable for both replacement roofs on existing buildings and new roofs on building additions. Some historic buildings have slate or wood shingle roofs. Where possible, these should be repaired or replaced with like materials. Where this is not feasible, then asphalt shingle roofs in black or dark grey tones are acceptable.

#### 4.5.7 Cornices and Parapets

The objective is to recognize the architectural heritage value of cornices and parapets and to ensure these elements are conserved or replaced.

- a. The retention of original cornices and parapets is required.
- b. Repairs should be undertaken with matching materials and anchoring systems should be reinforced to ensure safety.
- c. If cost or structural considerations make conservation of existing cornices difficult, substitute materials can be considered.
- d. Where original cornices have disappeared, their replacement can be considered based on archival evidence.



Cornices and parapets on Barrington Street

## 4.5.8 Penthouses & Minor Rooftop Structures

The objective is to encourage the retention of existing rooftop features such as mechanical penthouses and permit the addition of appropriate new rooftop elements.

- a. Where feasible, existing mechanical penthouses should be retained.
- b. New rooftop elements or equipment on top of heritage buildings, such as satellite dishes and skylights should be set back far enough from the front or other facades to be inconspicuous from the sidewalk on the opposite side of the street.
- c. The cladding material for new rooftop elements should be compatible with and distinguishable from those of the main building.



Small penthouse above a Barrington Street building



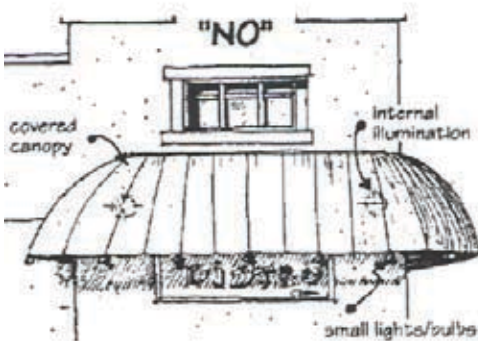
Traditional Awnings on Barrington Street



Yes: Retractable Fabric Awnings



Yes: Fixed metal and glass canopies



No: Curved, stretched skin plastic awnings are prohibited

#### 4.5.9 Awnings and Canopies

Most historic commercial buildings in downtown Halifax had awnings for sun or rain protection. Awnings played an important role in the streetscape and public realm of the area. Retractable fabric awnings were the most common type.

New awnings and canopies should be designed to fit within the dominant structuring elements of the lower facade. This usually means fitting the awning below the intermediate cornice and between vertical columns or pilasters. Furthermore, they should respect the edges of facade features; for example they should meet the facade at the top or bottom of transom windows or signbands and not in the middle.

- Retractable fabric awnings are encouraged for use on all buildings. The fabric (usually heavy canvas, not shiny or translucent vinyl) can be a solid colour, preferably a traditional dark colour, or striped and usually the ends of the frame are left open.
- Plain valences, often with a signband are acceptable.
- In some instances, metal and glass fixed canopies are appropriate, particularly if there is archival evidence of their precedent on the building or on similar historic buildings.
- Stretch skin plastic or vinyl awnings are prohibited.
- Curved stretch skin plastic and idiosyncratically shaped fixed awnings are prohibited.
- Internal illumination of awnings or canopies is prohibited.

#### 4.5.10 Paint Colour

It is important for colours to be suited both to the style and era of a historic building as well as to complement the colour of the building's exterior materials. At the same time it is not the intent of these guidelines to dictate choice of colour, nor to unduly limit creative expression in storefront design in historic commercial buildings.



The colours of exterior materials on historic buildings include red brown brick in a variety of hues and tones, as well as blue-grey brick, pale yellow brick, blue-green glazed brick, pink and white stucco, sandstone and granite in earth tones, and white and brown terra cotta. As most historic buildings in the downtown are of masonry construction, paint is used only on wooden elements - on windows, doors, storefronts, cornices, trim and signs. Traditionally, the paint colours used in combination with masonry materials were analogous or similar to them in tone and hue.

- a. Most paint manufactures supply a range of mid-toned 'heritage colours' that complement traditional masonry materials and, in general, any and all of these are suitable for use on Barrington Street.
- b. While it is possible to research original colours by scraping down, this has limited value because of the extent of renovation on the street - many wooden features are not original. Rather, it is recommended that paint to be used in a way that enhances the architectural character of the building.
- c. Paint schemes should respect and reinforce the articulation of architectural features such as pilasters, columns, base panels, window casings, moulded trim elements, cornices, dentils, and brackets, etc.
- d. Colours appropriate to the era of the building are encouraged, with the exception of the area described in Section 4.5.3 Contemporary Expression Within the Historic Shopfront Frame. Within that area, higher-toned colours of individual choice are allowed, although vivid day-glow and fluorescent colours are not allowed. Appropriate colours for areas outside the shopfront (i.e., structural elements framing the shopfront and painted elements on upper storeys) are defined as colours within the 'heritage colour' palettes of major paint manufacturers.



Here, black and gold have been used to highlight the architectural features of this jewellery store



Here, an unsympathetic paint scheme has created a vivid contrast with exterior masonry on the upper facade and obscured architectural detail within the storefront

## 4.6

### Guidelines for Signs on Registered Heritage Buildings and Buildings in Heritage Conservation Districts

#### 4.6.1 Basic Principles

For the purpose of these guidelines, the main function of ‘business signs’ is to identify the business. Business signs are intended to be permanent, exterior signs, usually mounted on buildings. These signs do not carry advertising or temporary or changeable messages. Content is restricted to include only the business name and visual identity graphics, plus brief text and appropriate graphics to describe products and services.

No sign should be located so that it disfigures or conceals any significant architectural feature of the building.

Sign sizes and location should be considerate of view planes to neighbouring businesses and their signs.

A ‘good neighbour approach’ will ensure that each business has good visibility, with their signage mass roughly proportional to the size of their premises. This approach should help implement highly visible signage for all, without creating a clutter of competing signs.

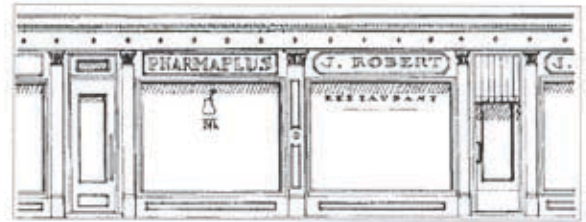
These guidelines shall apply to all registered heritage buildings, and all buildings in heritage conservation districts.

#### 4.6.2 Sign Lighting

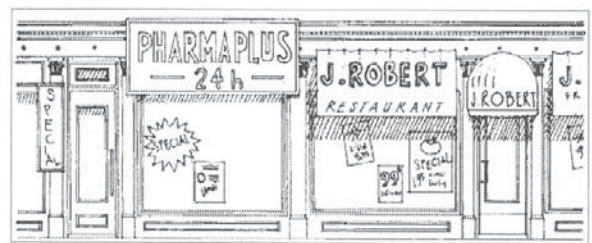
With the exception of restrictions on internally lit sign boxes, or awnings, for aesthetic reasons (see next section ) there are no specific restrictions in these guidelines for lighting methods.

In general, non illuminated signs or indirectly illuminated signs (which reflect light from a source intentionally directed upon it) are preferred.

Lighting which washes the facades of buildings,



Yes: These signs fit within the architectural frame



No: These signs conceal architectural features

enhances architectural features (i.e. marquee-style lighting which outlines such features) or lighting that illuminates doorways is encouraged when it can be used to help make the storefront more legible or more accessible at night.

Any lighting used to illuminate signs or facades should be designed in such a way that the light source is not visible from the street. Lighting hardware which is visible on building facades should respect the integrity of the architecture in the same way intended for signage (i.e. it should not disfigure or conceal any significant architectural feature of the building, and its style, material, and finish should be compatible with the building architecture and materials).

Regulations concerning colours of lights, and lights that create a glare or hazard to motorists, pedestrians or neighbouring premises are covered in the Land Use By-law and must be adhered to.

## 4.6.3 Materials

It is not the intent of these guidelines to restrict design creativity by restricting materials, except for the specific examples mentioned below. Owners and their designers are encouraged to select durable, high quality material for signs which complement or contrast with their storefronts, and which are designed and placed so as to help businesses use their entire storefronts to communicate awareness of their identity, image and location.

Prohibited Materials include:

- internally lit box signs or internally lit awning signs;
- stretch skin plastics for awning or canopy signs; and
- textile banners, with or without frames. Banners are not suitable for permanent business signage.

Use of non-traditional sign materials is allowed and encouraged where it helps create an exciting, interesting ambience for the building and the streetscape. Examples of non-traditional materials include lit neon tubes, formable plastics, shaped, incised rock and aggregates, porcelain enamel, digital colour output (when treated and sealed for weather and ultra-violet protection, etc.), cast and sheet metals, etc.

For window signs, materials such as gold, silver and aluminum leaf (or simulations of same), glass etching, vinyl applique and paint are recommended, for placement on the interior face of the windows.

## 4.6.4 Allowable sign types

### 4.6.4.1 Fascia Signs and Flat Wall-Mounted Signs

A fascia sign is typically a sign board mounted parallel to (or individual letters fixed to) the face of a building to create a sign in the format of a horizontal band.

- Fascia signs should be installed in the architectural frieze above the storefront, if one exists, in which case the size of the frieze dictates the maximum size of the sign.

- If no frieze or other similar architectural feature exists, fascia signs for ground-floor businesses should be located in a horizontal band above the upper line of ground floor windows and doors, and below the lower sill of second storey windows. Fascia signs for upper floor occupants would be similarly located above the upper line of windows on their respective floor.



Sign located in frieze

Wall-mounted signs are also suitable for placement at eye level for viewing by pedestrians approaching, or in front of the premises. As a result, the size of such signs should be scaled for reading at close proximity. These types of signs are also useful for identifying businesses on upper floors of a building, which are accessed from a street level door. In these cases, signs should be placed close to the door at a height comfortable for viewing from the street.

- The size of such a wall-mounted should be no greater than 50% of the area of the door.
- Flat wall-mounted signs should project no more than 10cm from the wall if they are located closer than 2.5m vertical to the sidewalk. Wall signs which are above that elevation (i.e. typically those used to sign upper storey occupants) should project no more than 30cm from the wall.



The maximum size of fascia and wall mounted signs is regulated by the Land Use By-law.





Sign fits on front panel of awning



Projecting signs identify businesses and enhance streetscape

#### 4.6.4.2 Awning Signs

Awnings are encouraged for ground storey installation on historic commercial buildings.

- Permanent sign graphics may be placed on the sloped front surface of awnings, on the front valance, or on side panels, where these exist.
- If multiple awnings are used on one wall, only the two outermost side panels may be used for signage.

The maximum size of awning signs is regulated through the Land Use By-law.

#### 4.6.4.3 Projecting Signs

These are signs which project horizontally from an exterior wall of a building using brackets or other hardware to frame or hang the sign. Such signs typically have two faces, back-to-back, but may be multifaceted and have more than two faces.

- Projecting signs that identify a ground floor business should be located above or adjacent to the entrance to the business premises.
- Projecting signs can also be used to identify businesses in upper storeys if they are accessible from a street level door. In this case one projecting sign is allowable for each such entrance in addition to projecting signage for the ground floor occupant.
- Projecting signs may be comprised of 3-dimensional, flat and contour shapes, including effigy signs and symbols. In most cases the imagery represented by sculptural effects or shapes should relate to the business, its products and services so that they serve to identify the business and convey its image.

#### 4.6.4.4 Window Signs

Window signs are typically those where the name of the business is painted on a window to both identify the business and provide a visual screen through which the window display can be viewed. For these

reasons, window signs should be designed so that they do not unduly obscure vision through the window. Generally, this can be achieved by choosing slender fonts and limiting sign area to no more than 25% of the window area - the size limit established by the Land Use By-law. Businesses do have the freedom to place temporary signs and other display material inside their premises, viewable through the window, and these guidelines do not restrict the use of windows for viewing interior advertising and promotional material. Multiple window signs may also be used, subject to the 25% coverage limit per window. Signs may also be used on upper storey windows to identify business occupants.

Windows, doors and glass transoms above doors are also often good locations for painted civic number signs. Generally, the size of lettering for civic number signs should be no greater than 15cm.

#### 4.6.4.5 Free-standing (Ground) signs

There are very few opportunities for freestanding (ground) signs in front of historic commercial buildings in the downtown, as buildings typically abut the sidewalk.

In the very few cases where there is a set back or apron area at sidewalk grade in front of the building, these should be considered special cases and should be designed to suit site-specific details and the spirit of these guidelines, using the guidelines for fascia, wall mounted and projecting signs as a basis for determining appropriate style and size.

The location and maximum size of freestanding (ground) signs are regulated through the Land Use By-law and must also conform to HRM By-law S-800, Temporary Signs By-law.

#### 4.5.4.6 Number of signs

In order to minimize signage clutter, only two of any of the following sign types should be used for any one business:

- a. Fascia or awning sign (front panel).



A painted window sign



- b. Projecting sign or awning side panels (max 2 panels).
- c. Wall mounted sign or window sign (including multiple window signs).
- d. Free-standing (ground) sign.



Sandwich board signs enhance pedestrian experience

#### 4.6.4.7 Sandwich Boards

Sandwich board signs add vibrancy to commercial streetscapes if they are well designed. Generally, the design of sandwich board signs should be co-ordinated with a building's other signs to achieve consistency of image.

Sandwich boards should:

- a. be located near the entrance to the business they advertise;
- b. be located so as not to obstruct passage along any sidewalk in conformance with Capital District streetscaping policy;
- c. not exceed a single face area of 0.6 square metres;
- d. be non-illuminated;
- e. be displayed only during business hours, and;
- f. be limited to one sandwich board sign per business entrance.

Specific regulations for siting and size of sandwich boards are contained in HRM By-law S-800, Temporary Sign By-law.



Building identification sign in fascia

#### 4.6.4.8 Building Identification Signs

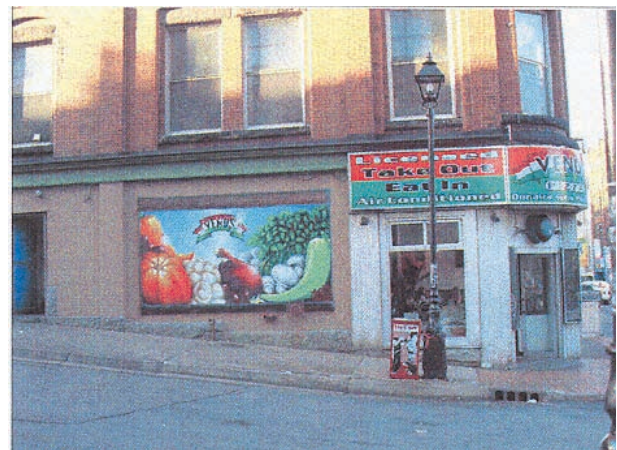
A sign which denotes the address and name of a building (but excluding the name of the business) shall be permitted in addition to other permitted signs. Such signs shall meet the guidelines applicable to the sign type (fascia, hanging, etc.).

## 4.6.4.9 Murals and Mural Signs

A mural is a painting on a building wall or structure which contains no advertising message or sign, and which is intended to serve only as public art or to provide a historical interpretation.

A mural sign is a painted sign which is applied directly to the wall of a building or a panel attached to a wall for decorative and illustrative purposes and which contains words, logos, messages or images as an accessory to permitted advertising.

Murals and mural signs which cover all or a portion of any wall and which complement advertising of a business, service, or profession within the building on which the mural is located shall be permitted, provided that any text or logos which serve as part of the mural do not exceed the maximum allowable area for fascia signs (as regulated through the Land Use By-law) and provided that the alignment and proportions of the mural complement the architectural features of the building.



Mural signs

## 4.6.4.10 New Signs Modelled on Historic Signs

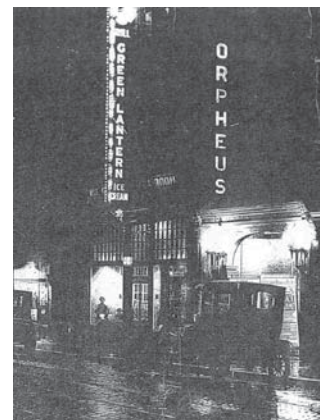
New signs modelled on historic signs which may not meet these guidelines but for which there is historical evidence may also be permitted subject to referral to and recommendation by the Design Review Committee and Heritage Advisory Committee and subject to such signs being approved under the Land Use By-law.



Buckingham Cigarettes Sign, c1950



Paramount sign, c1950



Green Lantern & Orpheus signs, c1920s





Site run-off incorporated into open space and wetlands



Green roofs reduce urban heat island effects and have insulating properties



Dedicated bike storage

## 5.1 Sustainable Design

Until HRM acquires the provincial authority to require that the guidelines in this chapter be met for all developments, the bonus zoning program will be used to encourage them in downtown Halifax. This chapter will also provide guidance for applicants who wish to voluntarily incorporate sustainable design in their projects.

## 5.2 Sustainability Guidelines

### 5.2.1 Sustainable Sites

- a. Ensure that erosion and sedimentation controls are in place during construction.
- b. Develop “brownfield” sites in accordance with provincial standards.
- c. Implement a plan that preserves or restores indigenous topsoil and plants.
- d. Limit site disturbance to 12 metres beyond building (on green fields) or restore 50% of non-building area by planting native vegetation.
- e. Plant at least one tree on the site for every 100 square metres of impermeable surface on the building lot, including parking, walkways, and plazas.
- f. Use light-coloured roofing materials with high reflectance.
- g. Use light-coloured materials on parking lots and walkways and any other hard surfaces.
- h. Use pervious paving materials for non-landscaped areas on the site.
- i. Design exterior lighting to be shielded or full cutoff as required. Exterior lighting shall fall within the property.
- j. Decrease storm water rate and quantity by 25% and remove 80% total suspended solids and 40% of total phosphorous.

## 5.2.2 Transportation

- Provide bicycle storage and convenient changing facilities for 5% of building occupants.
- Provide transit and pedestrian-friendly physical links to mass transit infrastructure. Bus stops or ferry terminals must within 500 metres of the site.
- Provide carpool parking for 10% of occupants and provide preferred parking for low consumption automobiles.

## 5.2.3 Water Conservation

- Eliminate potable water for landscape irrigation.
- Reduce potable water for sewage conveyance by 50% or treat 100% of wastewater to tertiary standards on-site.
- Employ strategies that use 30% less water than baseline building usage.

## 5.2.4 Construction Waste Management

- Develop a construction and demolition waste management plan that incorporates recycling and is in compliance with HRM By-law No. S-600.

## 5.2.5 Atmosphere

- New buildings should be designed to exceed requirements of the Model National Energy Code for buildings by 40% and eliminate CFC-based refrigerants.

## 5.2.6 Materials

- Provide a recycling room and program to conform to HRM By-law S-600. All buildings over 4 storeys must provide elevator access to the recycling room.
- When renovating existing buildings, maintain 75% of the building shell.



This roof captures rainwater for use in building toilets



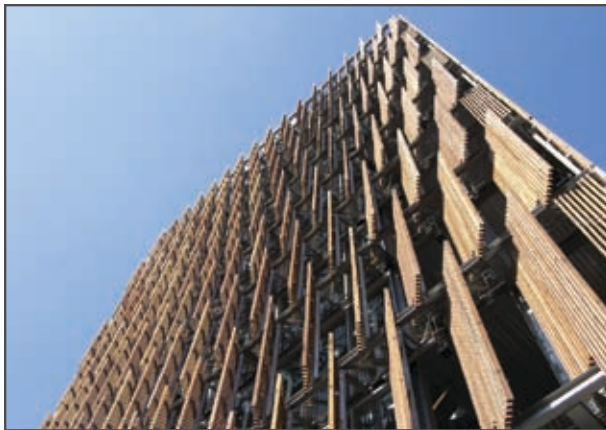
Green roofs, natural ventilation and solar panels



Tenant recycling program



Building with recycled and salvaged materials



Louvres open and close automatically based on sunlight

### 5.2.7 Indoor Air Quality

- a. Provide a ventilation system that meets the most current American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard and conforms to the Provincial Smoke Free Places Act.
- b. The building shall be designed to provide daylighting to all full time occupied spaces.
- c. Develop a Construction IAQ program so that ventilation system components will be protected from contaminants.
- d. Install permanent air-monitoring systems in buildings.
- e. HVAC and refrigeration equipment should not contain CFCs or HCFCs.
- f. Use building materials that do not use CFCs or HCFCs .
- g. Provide thermal comfort and control of climate systems for individual occupants.
- h. Provide views to the outdoors to as many occupants as possible.
- i. Limit the Volatile Organic Compound content in architectural materials.

### 5.2.8 Building Materials

- a. Use local materials where possible, and employ post-consumer recycled content and post-industrial recycled content.
- b. Specify and use salvaged or refurbished materials where possible.
- c. Promote the use of rapidly renewable materials.
- d. Incorporate green roofs wherever possible in new development and in retrofitting existing development.
- e. Design buildings with durability in mind.

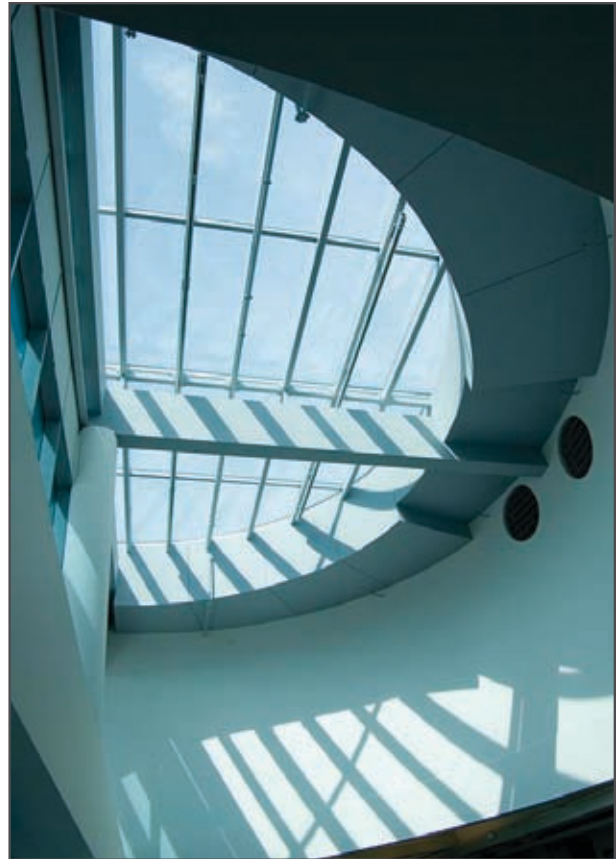


### 5.2.9 Energy Conservation

- a. Buildings should use natural ventilation and passive energy design where possible.
- b. Installation of a waste heat recovery system is recommended.
- c. Promote use of on-site and off-site renewable energy.
- d. Consider a district energy system.
- e. Encourage building systems that monitor and control excessive energy consumption.
- f. Develop lighting controls that manage energy consumption. These may include task lighting, daylighting, and energy efficient artificial lighting.

### 5.2.10 General Sustainable Development Guidelines

- a. Coordinate programmed areas that will benefit from sun exposures in appropriate zones within the building.
- b. Manipulate building envelopes to respond to climate and orientation.
- c. Develop exterior and interior shading devices that minimize heat gain and control daylighting.
- d. Employ wood products harvested from certified forests.
- e. Specify and require biodegradable materials when appropriate.
- f. If possible, select materials based on life-cycle costs.
- g. Encourage recycled grey-water for appropriate uses.
- h. Encourage operable windows that provide fresh air to interior work spaces.
- i. Install a grey water system that recovers non-sewage waste water or uses roof or ground storm water collection systems, or recovers ground water from sump pumps.



Natural light to illuminate interior work spaces

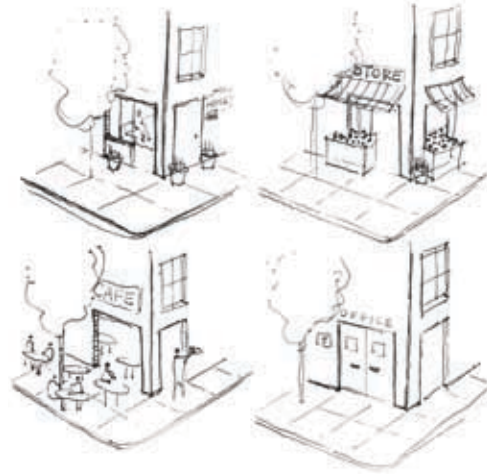


Surface runoff from parking is treated by vegetated system



## Adaptability

The capacity of a building or space to be changed so as to respond to changing social, technological and economic conditions.



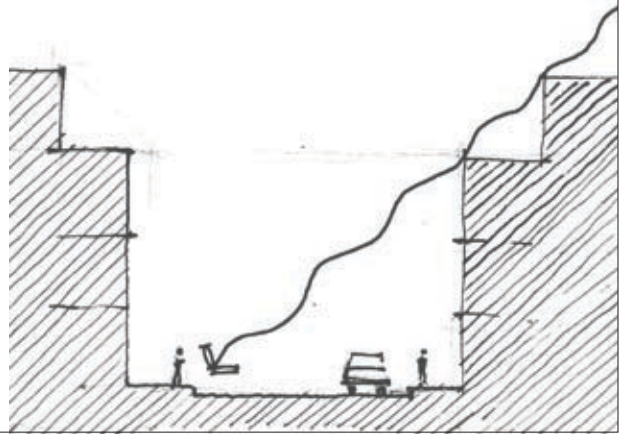
## Amenity

Aesthetic or other features of a development that increase its marketability or usability to the public.



## Angular Plane

The angle of a building's mass that is required to protect sunlight and sky views for pedestrians. Achieved by ensuring that the mass of a building or buildings is within a certain angle (often 45 degrees). Often entails terracing and setbacks.



## Articulation

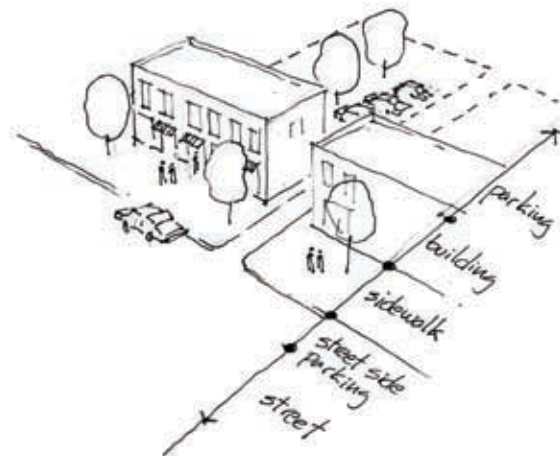
The division of a building façade into distinct sections; the materials, patterns, textures, and colors that add visual interest to a building or façade; areas with higher levels of articulation are typically more inviting pedestrian environments.

## At-Grade

Used to express that a feature and a public right of way meet at the same elevation. Things that happen on the ground. A street café is at-grade.

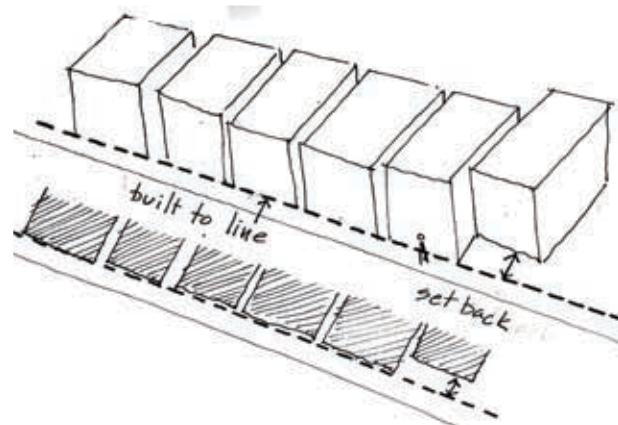
## Back Lot Parking

Parking that is contained behind buildings, in the middle of a block, linked yet hidden from the pedestrian's experience of a street.



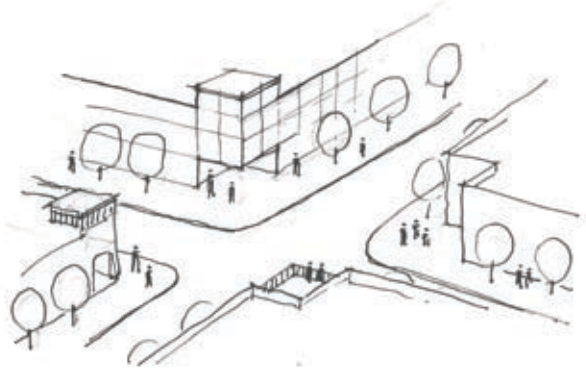
## Built-to-Line

The required placement of the front of a building to ensure an appropriate street or open space enclosure. The objective of a build-to-line is to maintain a consistent setback and to create a continuity of buildings along the edge of a street.



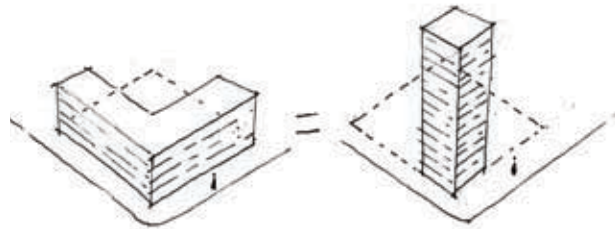
### Corner Treatment

A unique built feature on a corner building that acknowledges its prominence on the street in terms of views and architectural presence. Can be achieved by adding to building volume with elements such as a turret, or by subtracting from the building volume resulting in conditions such as recessed entries.



### Density

The floor space of a building, or buildings, in relation to a given area of land.



### Design Lines

These are the main composition lines that help define the scale, rhythm, and disposition of building elements such as doors, windows and cornices. A new building for example, can integrate with an older building by following similar design lines.



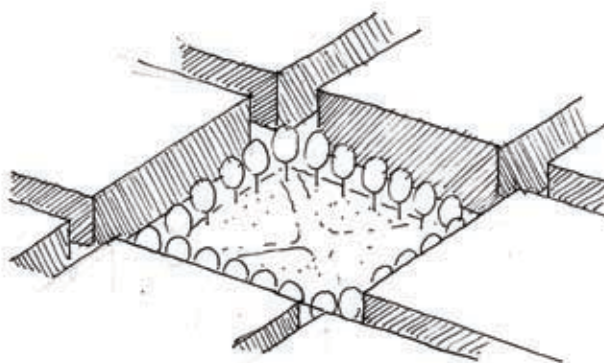
## Elevation

The façade of a building, or the drawing of a façade.



## Enclosure

The use of buildings to create a sense of defined space.



## Envelope

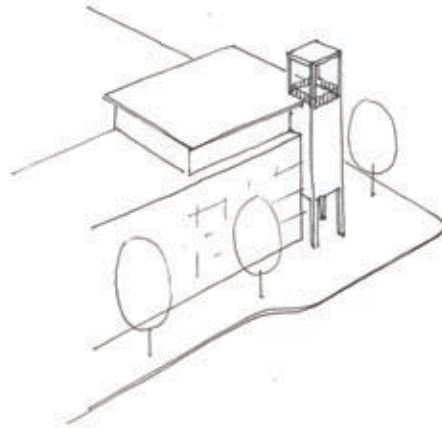
The physical outer layer of a building's fabric (the cladding and the roof, for example). Also an imaginary outline of the massing that a building could take according to zoning provisions.

## Frontage

The portion of a property adjoining a public right of way, that is, the portion facing a road, waterway, walkway etc.

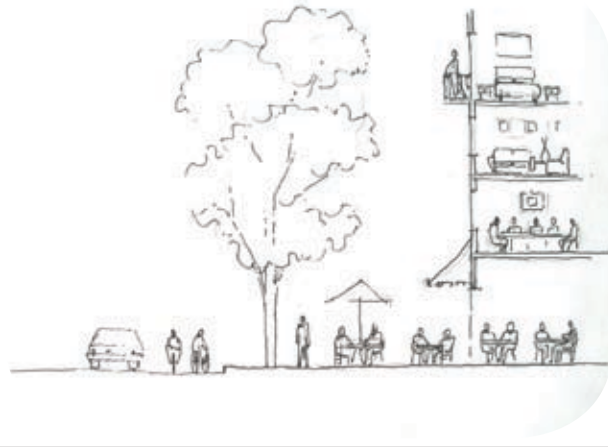
## Gateway Treatment

A design feature intended to signify entrance to a distinct area, usually in places where a new character or sense of identity should be recognized. Achieved through details of the built form, or through landscaping.



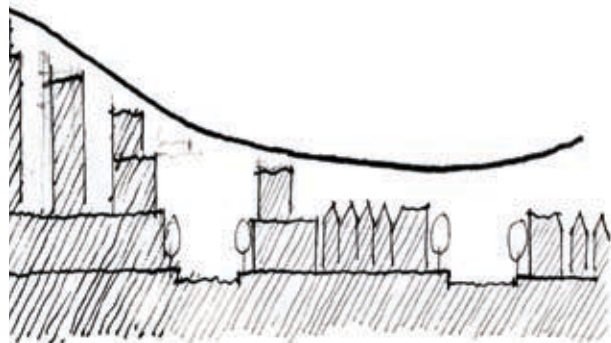
## Ground Level Condition

The way that a building is experienced at-grade. Active uses (i.e. retail, public spaces), with an open and public presence (i.e. windows and doors) provide engaging ground level conditions. Blank façade result in inactive ground level conditions.



## Height Transition

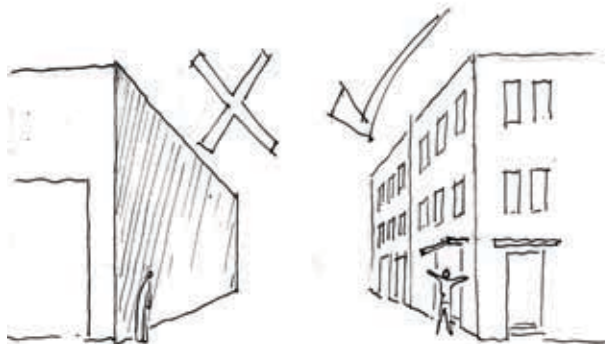
The tapering of building heights as a way of achieving compatibility of built forms and mitigating impacts (views, sunlight, etc.) of shifts from areas of one character (i.e. low-rise) to another (i.e. high-rise).





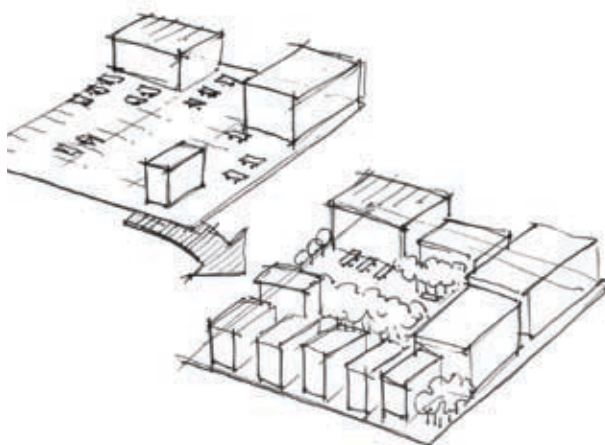
## Human Scale

The impression of a building when seen in relation to its surroundings, or the size and proportion of parts of a building or its details, that relates in a positive way to the visual and physical experience of a pedestrian.



## Infill Development

In land use and transit planning, the development of vacant parcels in urbanized or suburbanized areas, typically bringing the density of the area closer to that allowed by the existing zoning regulations.

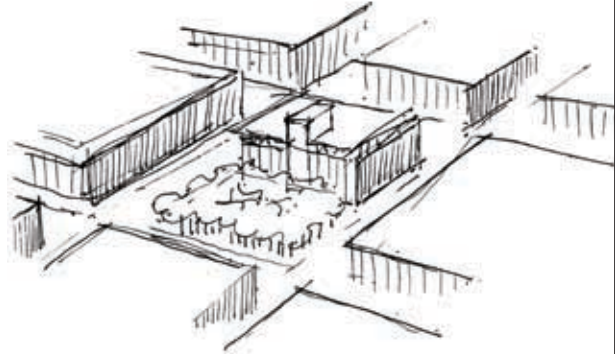


## Interface

The threshold between two elements of the built environment. This is often marked by walls or fences, but can refer to the space in between things as well.

### Landmark

A building or structure that stands out from its background by virtue of height, size or some other aspect of design.



### Lot Types

#### Corner Lot

A property on the end of a block, with frontage on two streets, and adjoining other properties on its two other sides.

#### Flank Lot

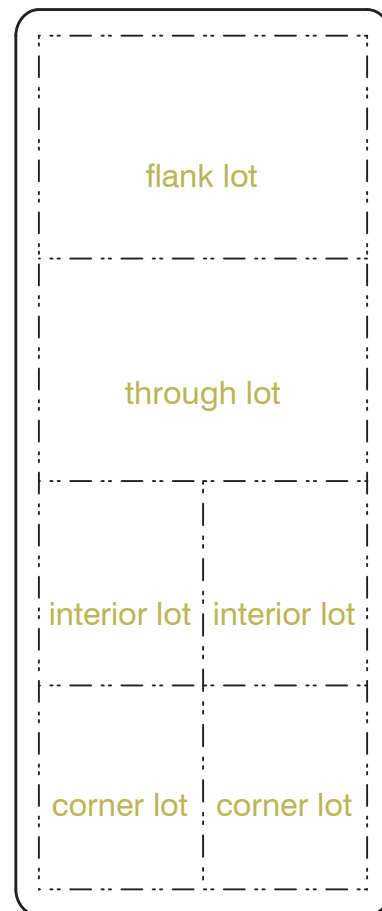
A property on the end of a block, with frontage on three streets, and adjoining other properties on its interior side.

#### Interior Lot

A property in the middle of a block, with a single street frontage, and adjoining other properties on both sides and its rear.

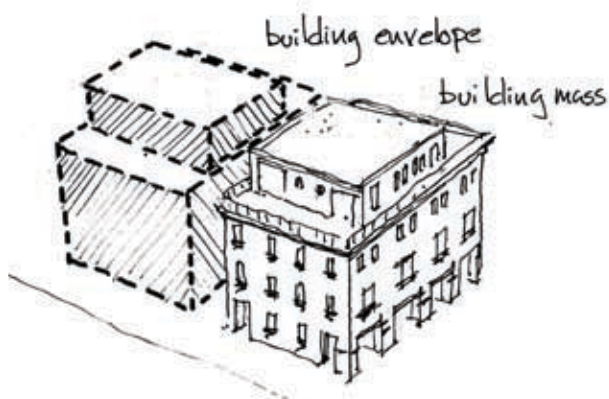
#### Through Lot

A property in the middle of a block, with two street frontages on opposing sides, and adjoining other properties on both sides.



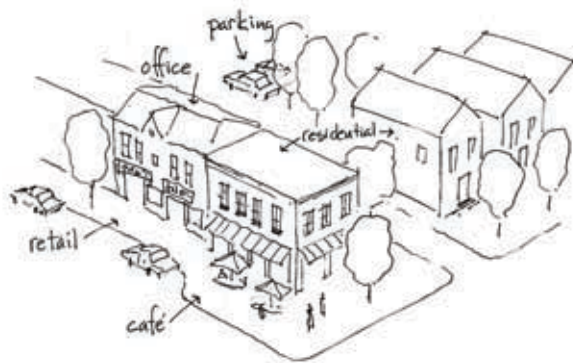
## Massing

The combined effect of the height, bulk, and silhouette of a building or group of buildings.



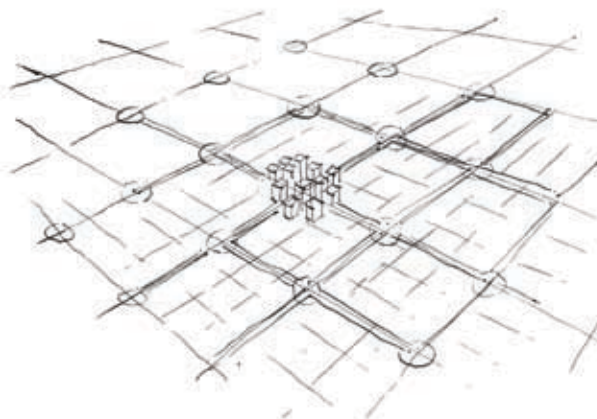
## Mixed Use

A mix of uses within a building, on a site or within a particular area, possibly including employment, residential, commercial, live/work, or retail.



## Node

A place where activity and routes are concentrated often used as a synonym for junction.



## Pedestrian Friendly

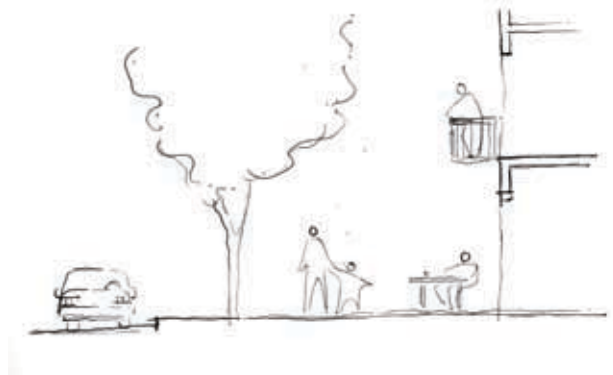
A built environment that emphasizes and is conducive to walking between destinations. A pedestrian-friendly environment may include sidewalks, street trees, benches, fountains, transit stops, pedestrian-oriented signs and lighting, public art, and buildings that are visually interesting with high levels of transparency and articulation.

## Pedestrian Scale

Describes an area designed to allow pedestrians to comfortably walk from one location to another and interact with the built environment; an effort to create an appropriate relationship between human beings and the size/function of surrounding buildings; an emphasis on building features and characteristics which can be observed in close proximity, at the speed a pedestrian would travel.

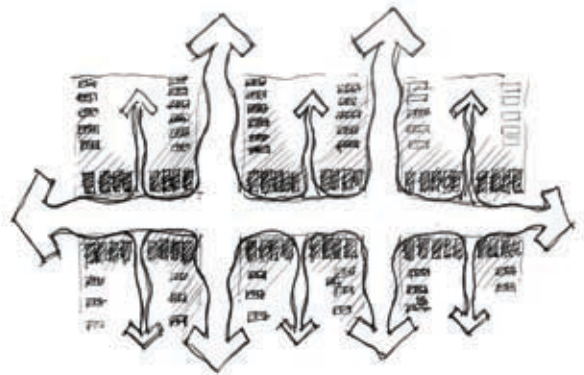
## Pedestrian-Orientated

The characteristics of an area where the location and access to buildings, types of uses permitted on the street level, and storefront design are based on the needs of persons on foot.



## Permeability

The degree to which an area has a variety of pleasant, convenient and safe routes through it.



## Public Open Space

All space for formal and informal, active or passive recreation, with access generally open to the public. Includes nature reserves, cemeteries, reservoirs, parks and plazas, among others.

## Private Realm

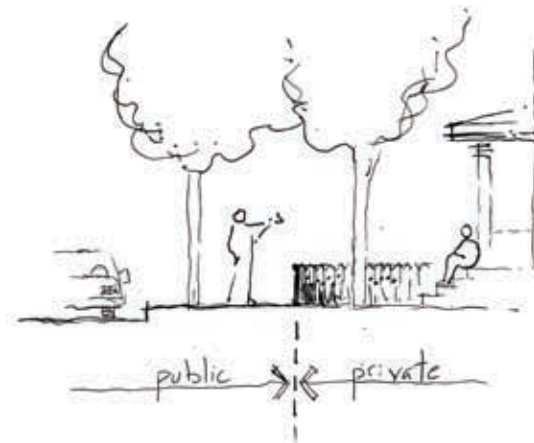
Privately owned land and structures, such as buildings and the uses and functions on a property, including sidewalk extensions if in private ownership, vehicular drop off, private amenity areas, etc.

## Public Realm

The parts of an urban place whether publicly or privately owned that are available for everyone to see, use and enjoy, including streets, squares and parks; all land to which everyone has ready, free and legal access at all times. It includes the features and amenities within those lands, such as benches, lights, sidewalks, etc. Also commonly referred to as “public domain” and “public space”.

## Public / Private Interface

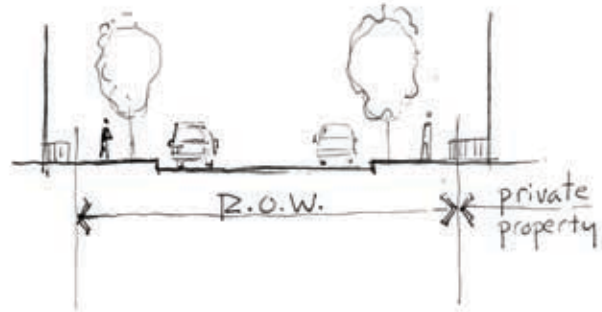
The point at which public areas and buildings meet private ones.





### Right-of-Way (ROW)

A strip of land in public ownership, including the space above and below the surface, that is platted, dedicated, established by prescription or otherwise legally established for the use of pedestrians, vehicles, or utilities. It usually includes the road surface for vehicles, sidewalks, and may include boulevards with trees.



### Setback

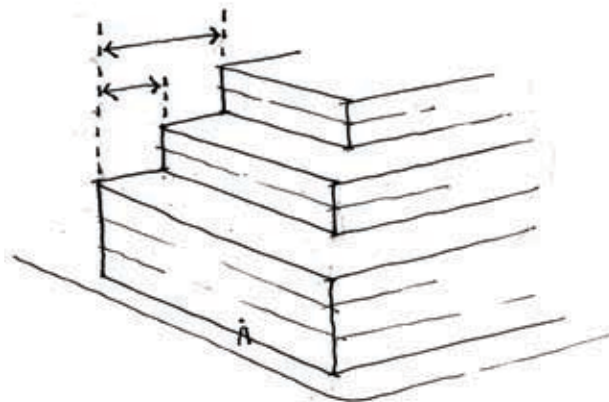
The distance from the property line to the nearest part of the associated building or structure, measured perpendicular to the property line. Zoning By-laws typically require minimum setbacks to ensure that the use of a property does not infringe on the rights of neighbors; to allow room for wider sidewalks, lawns and trees; to preserve access to light, sunshine, and views; for amenity spaces; or for access and circulation.

### Sidewalk Bump Out

An extension of the sidewalk or curb line into the roadway, often the on-street parking lane, to reduce the effective pavement width, often at intersections but also mid-block. Also known as curb bulb-outs or neck-downs. Curb extensions significantly improve pedestrian crossings by reducing the crossing distance, visually and physically narrowing the roadway, improving the ability of pedestrians and motorists to see each other, and reducing the time that pedestrians are in the street.

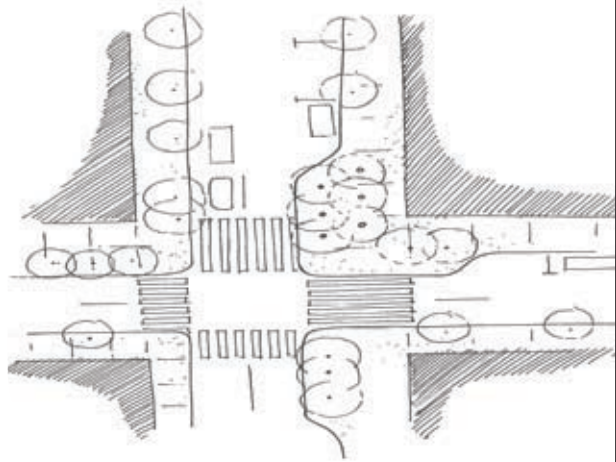
### Step back

A built form typology that involves recessing taller elements of a building in order to ensure an appropriate built form presence on the street edge. Usually achieved by creating a distinct podium, or base, to a building. Measured above grade.



## Street Side Parking

Parking that lines the side of a street, usually parallel or angled.



## Street Furnishing

Objects in the street, such as bus shelters, litter bins, seating, lighting, benches, signs, and bollards, among others. Well designed, integrated and carefully sited, they contribute to the amenity and attractiveness of a street.

## Streetscape

The elements within and along the street that define its appearance and street scenery (overall appearance of the street), identity, and functionality, including adjacent buildings and land uses, street furniture, landscaping, trees, sidewalks, and pavement treatments, among others.

## Streetwall

A condition where buildings consistently line or front onto the edge of a street. Best achieved where buildings have consistent setbacks built out to the sidewalk.



## Streetwall Elements

The components that, taken together, give a streetwall its unique character, such as recessed entries or bay windows or signage treatments or canopies.



## Transparency

A street level development standard that defines a requirement for clear or lightly tinted glass in terms of a percentage of the façade area between an area falling within 0.5 metres and 3 metres above the adjacent sidewalk or walkway.



## Typology

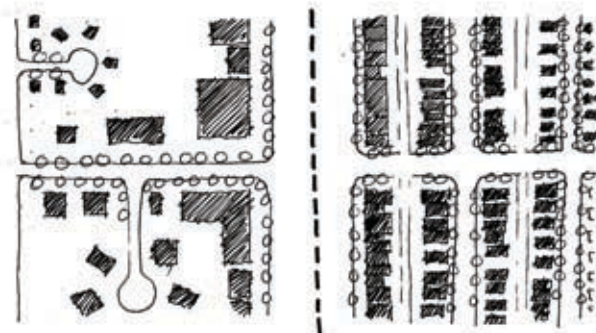
Classification by type of buildings, streets, or urban elements. For example, typologies of open spaces may include parks, plazas, forecourts and courtyards.

## Urban Form

The physical form and configuration of an urban place. It includes the pattern and frequency of streets, the scale and relationships of the buildings, the size and distribution of open spaces, and the relationship to natural features including the topography.

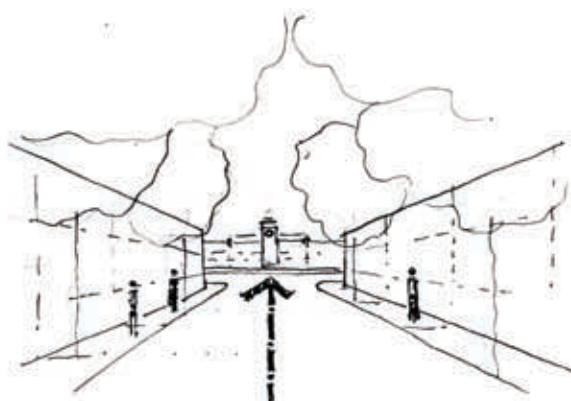
## Urban Grain

The pattern of the arrangement and size of buildings and uses and their plots in an area, usually along a street. Fine urban grain refers to a pattern of street blocks and building sites that are small and frequent, thereby creating a dynamic and animated urban environment for the pedestrian.



## Visual Terminus

The end point of a view line. Often accentuated through design elements – public art, adding or subtracting from the building mass, or landscaping.



## Walkable

Refers to a single route, or a system of routes, between points that is relatively short, barrier free, interesting, safe, well-lit, comfortable and inviting to pedestrian travel.



