

**Item No. 10.1.4 (iii)**

**Design Review Committee  
November 10, 2011**

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

**SUBMITTED BY:** Original signed  
\_\_\_\_\_  
Phillip Townsend, Director, Planning and Infrastructure

**DATE:** October 31, 2011

**SUBJECT:** Case 16655: Amendments to the Regional MPS, the Halifax MPS,  
and the Downtown Halifax MPS and LUB for the YMCA – CBC  
Project at Sackville and South Park Streets, Halifax

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**ORIGIN**

- Application by Michael Napier Architects
- Initiation by Regional Council, March 8, 2011

**RECOMMENDATION**

It is recommended that the Design Review Committee recommend that Regional Council:

1. Give first reading to the proposed amendments to the Regional Municipal Planning Strategy, the Halifax Municipal Planning Strategy, the Downtown Halifax Secondary Municipal Planning Strategy, and the Downtown Halifax Land Use By-Law, as contained in Attachments A, B, C, and D, and schedule a public hearing; and
2. Approve the proposed amendments to the Regional Municipal Planning Strategy, the Halifax Municipal Planning Strategy, the Downtown Halifax Secondary Municipal Planning Strategy, and the Downtown Halifax Land Use By-Law, as contained in Attachments A, B, C, and D.

## **EXECUTIVE SUMMARY**

The YMCA proposes amendments to the maximum permitted height requirements on the site of the CBC Radio building, at the corner of Sackville and South Park Street in Halifax, to allow a mixed-use development that includes a new YMCA recreational facility (Map 1). Maximum permitted building heights are relatively low along the streets that face Citadel Hill in order to ensure that buildings are sensitive to the historic fort. On the CBC site, the maximum permitted height is 23 metres; the YMCA's application is to change this to 49 metres. The YMCA submits that the allowance for additional height does not significantly compromise the overall relationship of development surrounding Citadel Hill. It also identifies that the new YMCA will offer significant benefits to the public.

This report recommends that Regional Council approve amendments to the height requirements to allow the proposal. Allowing greater height on this site is found to have limited impact upon Citadel Hill and will provide an important corner building at the edge of the Spring Garden Road Precinct and at the intersection of three important streets. In addition, the proposed recreation facility provides an important public benefit.

The taller building height on the CBC site is only to be allowed if a recreational centre of a minimum of 6,500 square metres in gross floor area is to be established. If a new recreational facility does not materialize, the maximum permitted height of 23 metres would continue to apply.

## **BACKGROUND**

### **Proposal**

The Halifax YMCA plans to redevelop its site on South Park Street, along with an adjoining property owned by the CBC, with a mixed-use project that will include a new YMCA recreational facility and two residential towers. The CBC will be relocating its radio operations to its Bell Road site. The YMCA and CBC lands are within the Downtown Halifax Secondary Plan Area. Among other matters, the Downtown Halifax Secondary Municipal Planning Strategy and Downtown Halifax Land Use By-Law regulate building heights. The height of the proposed project that is on the CBC site is approximately 46 metres, whereas the maximum permitted height is 23 metres. The YMCA proposes to amend the height requirement on the CBC site to 49 metres, consistent with the maximum height requirement that applies to current YMCA site.

The YMCA intends to replace the existing YMCA and CBC buildings with a new complex that has two parts, each with a residential tower, and that includes:

- 6,500 square metres for YMCA facilities including an aquatic complex, indoor running track, childcare services, a gymnasium, and fitness areas;
- 530 square metres of retail and office space along South Park Street;
- 30,600 square metres of mixed unit type residential space, with some areas being capable of being used for a boutique hotel;

- 300 parking spaces; and
- a pedestrian passageway located between the two building parts that provides an open space and linkage between South Park Street and Annandale Street.

The residential towers and other non-YMCA related land uses, are proposed to help off-set the costs of establishing the new recreational facility.

Images of the intended development are provided in Attachment E. However, it is important to note that an actual building is not under consideration at this time; the focus of the application is solely the change in the height allowance. The building being shown in the images may change. Ultimately, a future YMCA building project would be considered through the Site Plan Approval process. This would include reviews and an approval of the building's form and design by the Development Officer and the Design Review Committee, pursuant to the requirements of the Downtown Halifax Land Use By-Law.

As part of the YMCA's application, if the requirements are amended to allow for a building of up to 49 metres in height, it is proposed that a future building have increased setbacks from Sackville and South Park streets. These are beyond the typical setback requirements that are found in the built form requirements of the Downtown Halifax Land Use By-Law. The purpose of this is to reduce the impact of a future building upon Citadel Hill and the Public Gardens. In addition, the proposed setbacks retain a view from Citadel Hill to the Public Gardens.

## **DISCUSSION**

### **Policy Context for the Existing Height Limitation**

There are relatively limited maximum permitted heights facing the Citadel, along Sackville Street, Brunswick Street, and Rainnie Drive (Map 1). The purpose of this is expressed in the Halifax Municipal Planning Strategy through policy 6.3:

"The City shall maintain or recreate a sensitive and complimentary setting for Citadel Hill by controlling the height of new development in its vicinity to reflect the historic and traditional scale of development." (Section II, City-wide Objectives and Policies)

This policy was adopted by Council in 1985 following a comprehensive urban design analysis which was outlined in a 1984 staff report. The amendments, at first, established maximum building heights along Brunswick Street, and then shortly thereafter along Sackville Street, to 75 feet (23 metres) (further height restrictions along Rainnie Drive were not adopted at that time). This area of special height regulations was called Band A. In 2009, Council adopted the Downtown Secondary Municipal Planning Strategy and Land Use By-Law. Although no longer referred to as Band A, the same 23 metre maximum height requirement was largely carried forward, with the notion of lower building heights near to Citadel Hill being one of the elements that maximum heights are based upon in the downtown, through the following statement:

### “3.3.1 Heights Framework

The maximum heights framework provides a rational and balanced height pattern resulting from the synthesis of a complex set of urban design considerations tailored to the downtown Halifax context including:

- (a) protection of the pedestrian street level experience with a height-to-width ratio of approximately 1:1 which promotes skyviews and sunlight penetration to the street;
- (b) reinforcing the existing and desired character of the nine downtown precincts;
- (c) the introduction of Heritage Conservation Districts;
- (d) respecting the modestly scaled historic block and street pattern;
- (e) **a transition in heights to the Citadel**, heritage areas, low-rise neighbourhoods and the waterfront;
- (f) reinforcing a distributed and varied height pattern by directing taller buildings to areas where they already exist; and
- (g) upholding the Citadel View Planes and Ramparts requirements from the Land Use By-Law for Halifax Peninsula.” **[emphasis added]**

The Regional Plan, adopted in 2006, further entrenches the protection of views as a matter of regional significance through policy CH-5:

“HRM shall support views and viewplane policies and regulations adopted under the Halifax Secondary Planning Strategy and Halifax Peninsula Land Use By-Law, the Downtown Halifax Secondary Municipal Planning Strategy (RC-Jun 16/09;E-Oct 24/09) and Downtown Halifax Land Use By-Law and the Downtown Dartmouth Secondary Planning Strategy and Downtown Dartmouth Land Use By-Law. These shall not be relaxed by way of any land use regulation or development agreement process. Any alteration shall only be considered as an amendment to this Plan.”

The fact that the preservation of views and the heights of buildings relative to Citadel Hill are found in a multitude of municipal planning strategies, illustrates the importance of this matter to HRM. Aside from regulating the height of buildings on the streets to the north, south, and east of the Citadel, the other view protection regulations that apply are:

#### 1. View Planes

The View Planes refer to protected views that radiate from specific points of the Citadel Fort (Map 2). Within the bounds of each view plane, building heights are limited so as to preserve the view of specific features that are generally associated with the harbour, and from the harbour to the Citadel Fort. A view from the Citadel fort to George’s Island is an important example.

The YMCA proposal is not situated within any of the view planes.

**2. Rampart Views**

The Rampart View requirements regulate the height of tall buildings from specific locations of the parade grounds within the Citadel. The purpose of this is to prevent the top floors of modern buildings from being able to be viewed from inside the Citadel, over the rampart walls, thereby preserving an historic setting. These views limit the height of buildings such that they are not permitted to penetrate through the plane of these rampart views.

The YMCA proposal would adhere to the rampart view requirements.

**YMCA's Rationale for Requested Amendment**

The YMCA's application is solely to increase the maximum height requirement for the CBC site. Although limited in scope, the request is a substantial change to Council's planning policies. Through Policy 87, the Downtown Halifax Secondary Municipal Planning Strategy states that substantial changes to the Strategy are to be considered during a regular five-year review. However, it also allows that, "Development projects with highly significant benefits for the downtown and HRM at large that exceed the maximum height or building mass may be proposed from time to time." This is implemented through Policy 89, which states:

"Notwithstanding the foregoing policies, where a proposed amendment addresses unforeseen circumstances, or is deemed by Council to confer significant economic, or social, or cultural benefits to HRM beyond the bonus zoning provisions of this Plan, such amendments shall be considered by Council at any time regardless of the schedule for reviews."

The YMCA has submitted its application pursuant to policy 89, on the basis that its development will confer significant benefits to HRM through the establishment of a new YMCA facility for community use.

Permitting an increase in the maximum height requirement would allow for a residential tower on the CBC site, which in turn, as part of a larger development plan, would help the YMCA offset some of the costs associated with developing its new facility. In addition to the public benefit of a new YMCA facility, the YMCA suggests that allowing for additional height on the CBC site does not significantly compromise the intent of limiting heights facing the Citadel. It submits that its site is further away from the toe of slope of Citadel Hill when compared to other sites along Sackville and Brunswick streets. In addition, it notes that:

- the proposal has little shadowing impact upon the Public Gardens and greenhouses to the west, across South Park Street;
- the complete project complies with view requirements from the Citadel, including Rampart views and View Plane requirements; and
- the additional building height at the corner of Sackville and South Park streets creates an entrance into the downtown core and an important visual terminus from Bell Road.

## **Parks Canada**

Given the importance of the relationship between building heights and Citadel Hill, Parks Canada is a major stakeholder with respect to this application. It is not supportive of the proposed amendment to the height requirements. It has written an assessment that describes the heritage importance of Citadel Hill and the implications of the potential allowance for increased building height (Attachment F). The conclusion of the assessment states:

“There are a number of heritage values identified for the Halifax Citadel National Historic Site of Canada that would be negatively impacted by the proposed increase in the height allowance on the site of the CBC building. In particular, the height and scale of the fort will be diminished and its physical and visual relationship looking southwest towards the Commons and Northwest Arm would be obstructed by high-rise development in that location. These are key attributes of the site which contribute to public understanding and appreciation of the Halifax Citadel and its role in the defence of Halifax as a principal naval station of the British Empire. They are also features of the site which contribute to the “special character, history and beauty” of downtown Halifax, qualities that have been identified in municipal planning documents as having public benefit and, therefore, worthy of preservation. More than doubling the current allowable height on the boundaries of the site will negatively impact these heritage values by altering the landscape, obstructing views, and diminishing the historic scale of the fort, compromising the position of the Citadel – both literally and figuratively – in its relationship to the city.”

## **Other Interests**

Some residents of the neighbouring Martello building (above Park Lane) have been in contact with staff about the application. They indicate that the proposed increased building height allowance will negatively impact them with particular regard to a loss of view to the north-west. They have stated that they were aware of the height restriction on the CBC site and that this influenced their decision to purchase a unit within the Martello. HRM has generally not placed an emphasis upon protecting views from private property. However, the point being made by the Martello residents is a relevant consideration in that although the height restriction on the CBC site was not imposed for their benefit, they have made conscious decisions on the basis of its existence and retention.

## **Staff Review of the Merits of the Height Amendment**

Regional Council has assigned a high value on restricting building heights to the north, south, and east of Citadel Hill through its planning policies. The clear rationale for this is that taller buildings will diminish the visual experience of Citadel Hill, which is not only the fort but also the lands around it. Without the height limitations and the rampart view requirements and the view planes, there would be a potential for a “wall effect” of development around the Citadel, which staff views as undesirable. However, we look favourably upon allowing for additional height on the subject site on the basis of the following:

1. There is merit to the notion that a taller building at the convergence of Bell Road, Sackville Street, and South Park Street, creates an entrance to the Spring Garden Road area and establishes a terminus view from Bell Road. This is important from an urban design perspective.
2. Additional height on the subject site, on its own, will not result in the wall effect described earlier. The heights of building are regulated to the north, south, and east of Citadel Hill. The CBC site is on the edge of this “band” of height requirements.

As noted earlier in the report, the impact of the height amendment will impact some of the dwelling unit owners within the Martello building with respect to open views. While this cannot be negated, it is important to consider that not all views of the Citadel and its surroundings will be obscured.

With regard to the potential shadowing of the Public Gardens and greenhouses to the west, it is found that the proposal creates limited additional shadowing.

#### **Staff Review of the Merits of the Recreation Facility as a Public Benefit**

In order to understand the public benefit associated with the YMCA project, it is important to assess how its facilities might relate to other existing or future recreational facilities, such as those provided by HRM. HRM categorizes recreational facilities as follows:

- Community Centres (Category 1) facilities, which range in size of between 930 and 1,860 square metres and serve a population of approximately 10,000 to 15,000 people. They might include a gymnasium, multi-use program space, stage, meeting rooms, and kitchen space. Examples on the Peninsula include the St. Andrew's Centre, Needham Centre, Citadel Community Centre, and George Dixon Centre.
- Multi-district (Category 2) facilities are larger centres of between 9,290 and 11,150 square metres and serve a population of approximately 60,000 people. They might include elements such as skating rinks, gymnasiums, meeting rooms, community gathering places, art studios, playing fields, and indoor pools. Examples include Dartmouth Sportsplex, Cole Harbour Place, and the new Canada Games Centre.<sup>1</sup>

HRM does not have a Category 2 facility on the Peninsula. Proposed to be a minimum of 6,500 square metres in gross floor area, the YMCA proposal is smaller than what HRM refers to as a Category 2 facility. However, given its downtown context this is still a sizable facility that will contain a variety of recreational and community amenities that are identified as being able to serve the downtown and the Peninsula as a whole. Over the past year, HRM has examined the possibility of establishing such a facility at the site of the Halifax Forum, through a study entitled

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<sup>1</sup> Planning Together for Our Future, FAQ's, Halifax Peninsula, Recreation Facility and Services Review, <http://www.halifax.ca/facilities/CFMP/documents/FAQFinalHalifaxPeninsulaReview.pdf>

“Peninsula Recreation Facility and Service Review” and subsequently, through a more focused study entitled “Halifax Forum Revitalization Report.” With particular regard to the establishment of a municipal Category 2 facility, it has been found that if the YMCA proposal proceeds, a considerable degree of the need for such a facility will be met. Therefore, the new YMCA is viewed as offering a substantial public benefit, consistent with policy 89.

### **Potential Amendments**

Several amendments to HRM’s planning documents are necessary to allow the development. In essence though, the amendments would allow a building to a maximum of 49 metres in height, if there is a recreational component of a minimum of 6,500 square metres in size. As noted earlier, if this option is exercised, there would be additional stepback and detailed height requirements, which are designed to reduce the impact of a building upon Citadel Hill and the Public Gardens, and to preserve views between the Citadel and the Public Gardens. This would be regulated through a special schedule (Attachment D, Schedule C). In addition to the requirements of this schedule, all other regulations of the Land Use By-Law would apply, including streetwall heights, stepbacks, landscaped open space, tower separation requirements, and land use provisions. If a new recreational facility does not materialize, the maximum permitted height of 23 metres would continue to apply.

### **BUDGET IMPLICATIONS**

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

### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

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

### **COMMUNITY ENGAGEMENT**

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a Public Information Meeting on April 21, 2011 (Attachment C). Notices of this meeting were posted on the HRM website, in the newspaper and mailed to property owners within the notification area (Map 1).

A public hearing has to be held by Regional Council before it can consider approval of any amendments. Should Council proceed with a Public Hearing on this application, in addition to published newspaper advertisements, property owners within the notification area will be notified of the public hearing by mail.



The proposal will potentially impact property owners and residents in the surrounding area. It will also impact Citadel Hill.

### **ALTERNATIVES**

1. Regional Council could approve the amendments to the planning documents as contained in the attachments. This is the recommended alternative.
2. Regional Council could choose to not amend the planning documents, thereby maintaining the existing height requirements and refusing the application. This is not recommended as the application has merit.
3. Council could approve the project but seek amendments to the planning documents which differ from those that have been proposed in the attachments. Depending on the magnitude of the desired amendments, a new review process and public hearing may be required. This is not recommended as the approach that has been taken with the amendments is consistent with the Site Plan Approval process.

### **ATTACHMENTS**

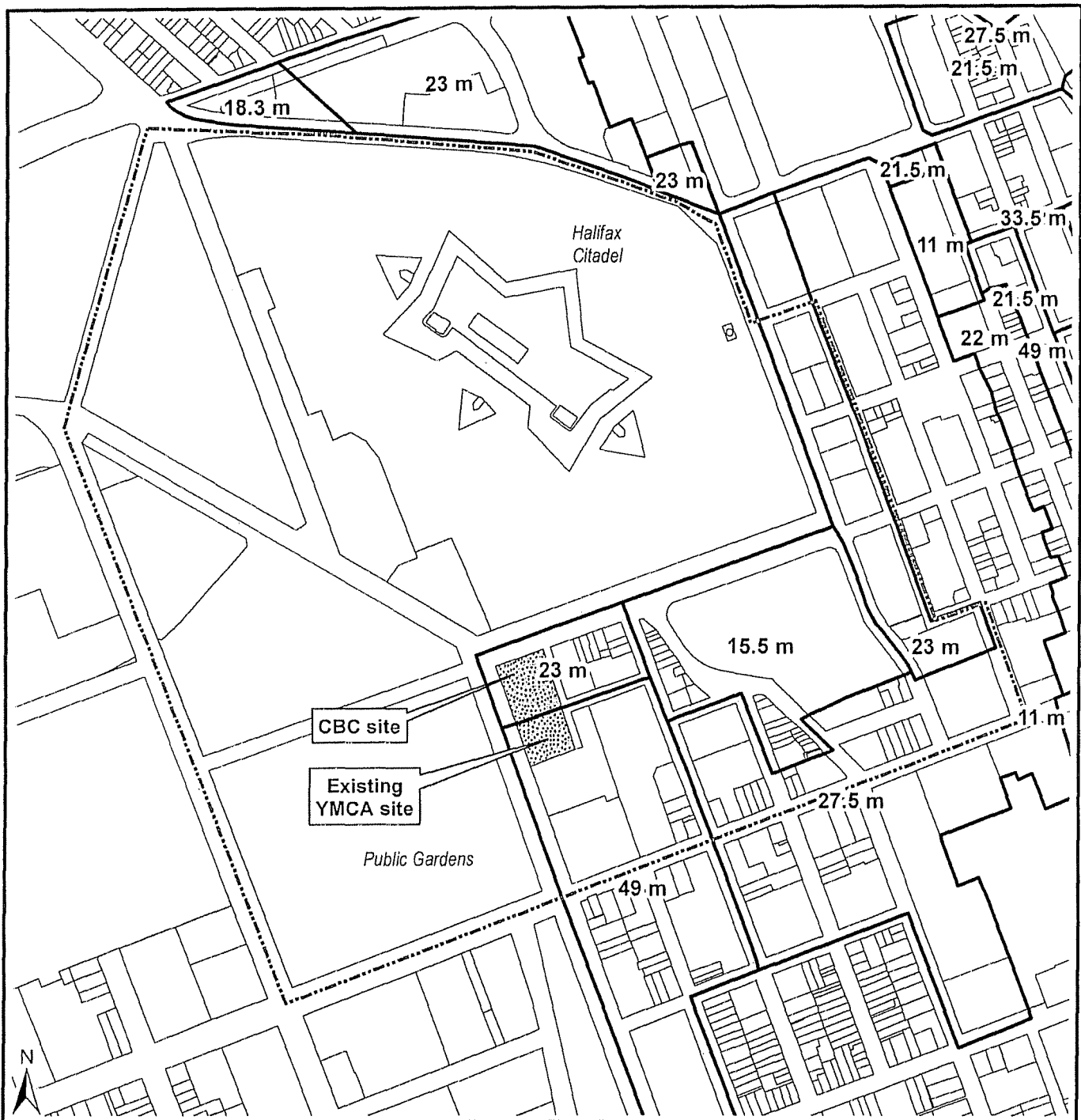
Map 1	Location and Zoning
Map 2	View Planes
Attachment A	Proposed Amendments to the Regional Municipal Planning Strategy
Attachment B	Proposed Amendments to the Halifax Municipal Planning Strategy
Attachment C	Proposed Amendments to the Downtown Halifax Secondary Municipal Planning Strategy
Attachment D	Proposed Amendments to the Downtown Halifax Land Use By-law
Attachment E	Images of the Proposed YMCA Development
Attachment F	Parks Canada, "Assessment of Impact on Heritage Values of the Halifax Citadel National Historic Site of Canada of Proposed Increase to Height Allowance on CBC Radio Site (Halifax, Nova Scotia)
Attachment G	Public Information Meeting Minutes

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Richard Harvey, Senior Planner, 490-5637



Report Approved by: **Original signed**  
Austin French, Manager, Planning Services, 490-6717

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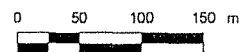
# Map 1 - Location and Maximum Post-bonus Heights

1565, 1599 and 1601 South Park Street  
and 5600 Sackville Street  
Halifax

-  Subject area
-  Post-bonus Height Area

Downtown Halifax  
Secondary Municipal Plan Area

**HALIFAX**  
REGIONAL MUNICIPALITY  
COMMUNITY DEVELOPMENT  
PLANNING SERVICES





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any representation on this plan



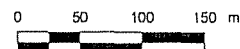
## Map 2 - View Planes

1565, 1599 and 1601 South Park Street  
and 5600 Sackville Street  
Halifax

-  Subject area
-  Area under view plane

Downtown Halifax  
Secondary Municipal Plan Area

**HALIFAX**  
REGIONAL MUNICIPALITY  
COMMUNITY DEVELOPMENT  
PLANNING SERVICES



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

**Attachment A**  
**Amendments to the Halifax Regional Municipal Planning Strategy**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Regional Municipal Planning Strategy is hereby amended by inserting the following text shown in **bold** as follows:

6.2.2 Scenic Views

Scenic resources are an important component of the cultural and heritage values of HRM. Significant views such as those from Citadel Hill and the Dartmouth Common to Halifax Harbour are of regional significance, and are already protected at the community planning level. Additional scenic views of Halifax Harbour will be considered through secondary and other associated planning processes. This Plan reinforces the importance of these views to the cultural identity of HRM, and seeks to extend these protections to other regionally significant views throughout HRM as identified through the Cultural Landscape Model for HRM.

Scenic views also include the gateways to HRM communities, often described as “the view from the road”. These scenic entry routes should encompass the outstanding natural features and picturesque landscape qualities of the area. To retain scenic views and culturally significant landscapes, such as the Northwest Arm of Halifax Harbour, prominent coastal headlands and coastal villages, HRM will consider identifying and preserving views as a component of cultural landscapes. In these areas, measures will be taken to preserve the integrity of the scenic views and cultural landscapes of a community.

**In addition to the above-noted views, it is important that there be a sensitive relationship between buildings and Citadel Hill, with particular regard to the height of buildings that immediately face it. Community plans limit building heights on lands that are upon Sackville Street, Brunswick Street, and Rainnie Drive. In 2011, a new YMCA recreation facility was proposed as part of a mixed-use development, extending from the south-east corner of Sackville and South Park Streets, on lands known as the CBC Radio and YMCA properties. Part of the proposal included a residential tower, to a maximum height of 49 metres, on lands where the maximum permitted height is 23 metres. The change in the height requirement to accommodate the proposal was viewed favourably given the public benefit of a recreation facility. In addition, allowing greater height on this site has limited impact upon Citadel Hill and provides an important corner building at the edge of the Spring Garden Road Precinct and at the intersection of three streets.**

CH-5 HRM shall support views and viewplane policies and regulations adopted under the Halifax Secondary Planning Strategy and Halifax Peninsula Land Use By-law, the Downtown Halifax Secondary Municipal Planning Strategy (RC-Jun 16/09;E-Oct 24/09) and Downtown Halifax Land Use By-law and the Downtown Dartmouth Secondary Planning Strategy and Downtown Dartmouth Land Use By-law. These shall not be relaxed by way of any land use regulation or development agreement process. Any alteration shall only be considered as an amendment to this Plan.

- CH-5a Notwithstanding Policy CH-5, lands within the Brightwood Viewplane and Dartmouth Common Viewplane where the potential for downstream views are negated by existing structures or policy permitted building height, may be developed in a manner where the building height does not further impact the existing Viewplane penetration.
- CH-5b Notwithstanding Policy CH-5, a reduction in a view corridor(s) may be permitted where it is demonstrated that additional view corridors will be created and/or an overall net gain of the intended protected view is achieved. (RC-Jul 8/08;E-Jul 26/08)
- CH-5c Notwithstanding Policy CH-5, but subject to the Rampart requirements of the Downtown Halifax Land Use By-law, HRM shall, permit an increase in the maximum building height on lands at the south-east corner of Sackville Street and South Park Street from 23 metres to 49 metres, where a new multi-district recreation facility is developed in whole or as part of a mixed-use development on the lands known as the CBC Radio and YMCA properties. With the additional height, there shall be provisions for the upper storeys of a building on these lands to be stepped back from Sackville Street and South Park Street.**
- CH-5d Pursuant to Policy CH-5c, a multi-district recreation facility means a building or part of a building that is a minimum of 6 500 square metres of gross floor area, which is used for community recreation activities, for which a membership or instruction fee may be charged, and that includes a gymnasium, an exercise room, a swimming pool, meeting rooms, and community gathering areas.**
- CH-6 HRM shall, when considering any alteration to the Armdale Rotary, consider maintaining the current views of the Northwest Arm from St. Margaret's Bay Road, Chebucto Road and Joseph Howe Drive.

**Attachment B**  
**Amendments to the Halifax Municipal Planning Strategy**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Halifax Municipal Planning Strategy is hereby amended by inserting the following text shown in **bold** as follows:

**6. HERITAGE RESOURCES**

**Definitions**

“Heritage Property” means an area, site, structure or streetscape of historic, architectural or cultural value registered in the Halifax Registry of Heritage Property.

“Heritage Conservation Area” means an area of concentration of properties unified by similar use, architectural style or historical development, which retains the atmosphere of a past era and which is registered in the Halifax Registry of Heritage Property.

Objective      The preservation and enhancement of areas, sites, structures, streetscapes and conditions in Halifax which reflect the City's past historically and/or architecturally.

- 6.1      The City shall continue to seek the retention, preservation, rehabilitation and/or restoration of those areas, sites, streetscapes, structures, and/or conditions such as views which impart to Halifax a sense of its heritage, particularly those which are relevant to important occasions, eras, or personages in the histories of the City, the Province, or the nation, or which are deemed to be architecturally significant. Where appropriate, in order to assure the continuing viability of such areas, sites, streetscapes, structures, and/or conditions, the City shall encourage suitable re-uses.
- 6.1.1      The criteria by which the City shall continue to identify such areas, sites, structures, streetscapes and/or conditions identified in Policy 6.1 are set out in the official City of Halifax report entitled An Evaluation and Protection System for Heritage Resources in Halifax (City Council, 1978).
- 6.1.2      The City should designate those properties which meet the adopted criteria as registered heritage properties or registered heritage conservation areas and protect them within the terms of the Heritage Property Act.
- 6.2      The City shall continue to make every effort to preserve or restore those conditions resulting from the physical and economic development pattern of Halifax which impart to Halifax a sense of its history, such as views from Citadel Hill, public access to the Halifax waterfront, and the street pattern of the Halifax Central Business District.

- 6.3 The City shall maintain or recreate a sensitive and complimentary setting for Citadel Hill by controlling the height of new development in its vicinity to reflect the historic and traditional scale of development.
- 6.3A **Notwithstanding Policy 6.3, but subject to the Rampart requirements of the Halifax Peninsula Land Use By-law, HRM shall permit an increase in the maximum building height on lands at the south-east corner of Sackville Street and South Park Street from 23 metres to 49 metres, where a new multi-district recreation facility is to be developed in whole or as part of a mixed-use development on the lands known as the CBC Radio and YMCA properties. With the additional height, there shall be provisions for the upper storeys of a building on these lands to be stepped back from Sackville Street and South Park Street.**
- 6.3A.1 **Pursuant to Policy 6.3A, a multi-district recreation facility means a building or part of a building that is a minimum of 6 500 square metres of gross floor area, which is used for community recreation activities, for which a membership or instruction fee may be charged, and that includes a gymnasium, an exercise room, a swimming pool, meeting rooms, and community gathering areas.**
- 6.3.1 Deleted (RC-June 16/09;E-Oct 24/09)



**Attachment C**  
**Amendments to the Downtown Halifax Secondary Municipal Planning Strategy**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Downtown Halifax Secondary Municipal Planning Strategy is hereby amended by inserting the following text shown in **bold** as follows:

3.3.1 Heights Framework

For the sake of ensuring clarity and predictability in the desired height and building pattern for downtown Halifax, this Plan establishes a maximum heights framework for development. For developments to achieve the maximum heights as shown on Map 5, developments must (1) conform with the built form and design provisions of the Land Use By-law and (2) provide public benefits in accordance with the bonus zoning provisions discussed in this Chapter. Except for minor architectural features, the maximum heights framework can only be modified through an amendment to this Plan.

The maximum heights framework provides a rational and balanced height pattern resulting from the synthesis of a complex set of urban design considerations tailored to the downtown Halifax context including:

- (a) protection of the pedestrian street level experience with a height-to-width ratio of approximately 1:1 which promotes skyviews and sunlight penetration to the street;
- (b) reinforcing the existing and desired character of the nine downtown precincts;
- (c) the introduction of Heritage Conservation Districts;
- (d) respecting the modestly scaled historic block and street pattern;
- (e) a transition in heights to the Citadel, heritage areas, low-rise neighbourhoods and the waterfront;
- (f) reinforcing a distributed and varied height pattern by directing taller buildings to areas where they already exist; and
- (g) upholding the Citadel View Planes and Ramparts requirements from the Land Use By-law for Halifax Peninsula.

Policy 9     HRM shall adopt the building heights shown on Map 5 as the maximum building heights permitted in the DHSMPS plan area subject to the bonus zoning provisions of this Plan.

In 2011, a new YMCA recreation facility was proposed as part of a mixed-use development, extending from the south-east corner of Sackville and South Park Streets, on lands known as the CBC Radio and YMCA properties. Part of the proposal included a residential tower, to a maximum height of 49 metres, on lands where the maximum permitted height is 23 metres. The change in the height requirement to accommodate the proposal was viewed favourably given the public benefit of the establishment of a recreation facility. In addition, allowing greater height on this site has limited impact upon Citadel Hill and provides an important corner building at the edge of the Spring Garden Road Precinct and at the intersection of three streets.

**Policy 9A** Notwithstanding the maximum building heights shown on Maps 4 and 5, but subject to the subject to the Rampart requirements of the Land Use By-law, HRM shall establish provisions in the Land Use By-law to permit an increase in the maximum building height on lands at the south-east corner of Sackville Street and South Park Street from 23 metres to 49 metres, where a new multi-district recreation facility is developed in whole or as part of a mixed-use development on the lands known as CBC Radio and YMCA properties. With the additional height, there shall be provisions for the upper storeys of a building on these lands to be stepped back from Sackville Street and South Park Street.

**Policy 9B** Pursuant to Policy 9A, a multi-district recreation facility means a building or part of a building that is a minimum of 6 500 square metres of gross floor area, which is used for community recreation activities, for which a membership or instruction fee may be charged, and that includes a gymnasium, an exercise room, a swimming pool, meeting rooms, and community gathering areas.

**Attachment D**  
**Amendments to the Downtown Halifax Land Use By-law**

BE IT ENACTED by the Regional Council of the Halifax Regional Municipality that the Downtown Halifax Land Use By-law is hereby amended as follows:

1. In Section 2, Definitions, by inserting the following text shown in **bold**:

(bca) ***Multi-district Recreation Facility* means a building or part of a building that is a minimum of 6 500 square metres of gross floor area, which is used for community recreation activities, for which a membership or instruction fee may be charged, and that includes a gymnasium, an exercise room, a swimming pool, meeting rooms, and community gathering areas.**

2. In Section 8, by deleting the following text shown in ~~strikeout~~ and inserting the following text shown in **bold**:

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.

**(7A) Notwithstanding subsections (6) and (7), but subject to all other requirements of this By-law, a multi-district recreation facility, in whole or as part of a mixed-use development, shall be permitted on lands at the south-east corner of Sackville Street and South Park Street, as shown on Appendix C, pursuant to the building height requirements specified therein.**

(8) The height requirements in subsections ~~(6) and (7)~~ (6), (7), and (7A) 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.

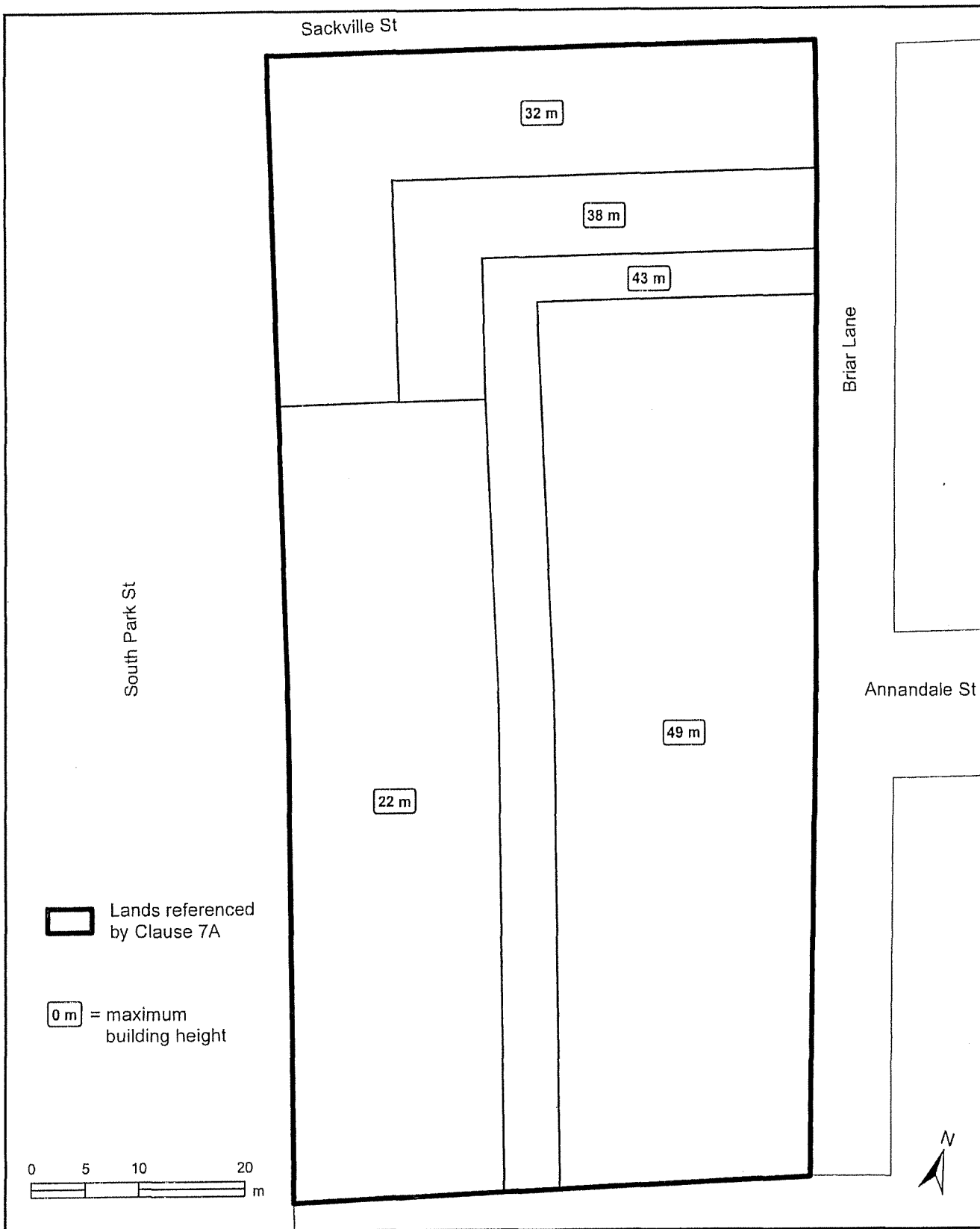
(9) The height requirements in subsections (6) and (7) may be exceeded on those properties identified as Prominent Visual Terminus Sites - Map 9, as provided for in the Design Manual.

(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.

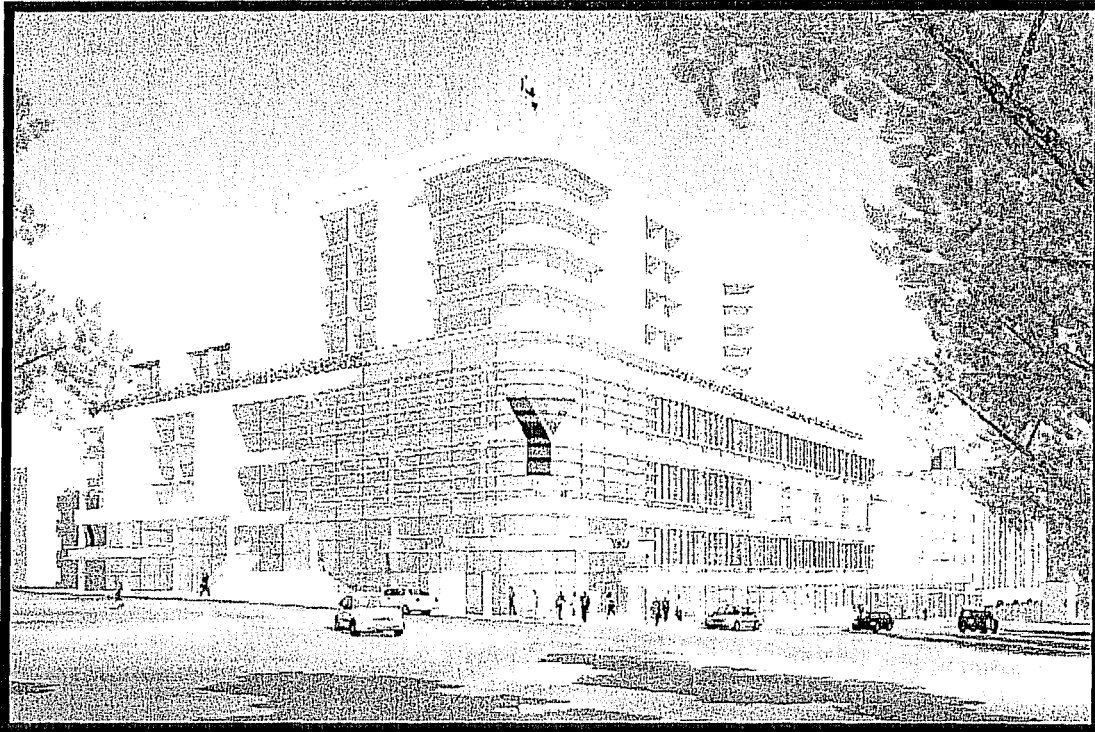
(11) The requirements of subsections (8) and (9) may be varied by site plan approval where the relaxation is consistent with the criteria of the Design Manual.

3. By inserting Appendix C, as attached, following Appendix B.

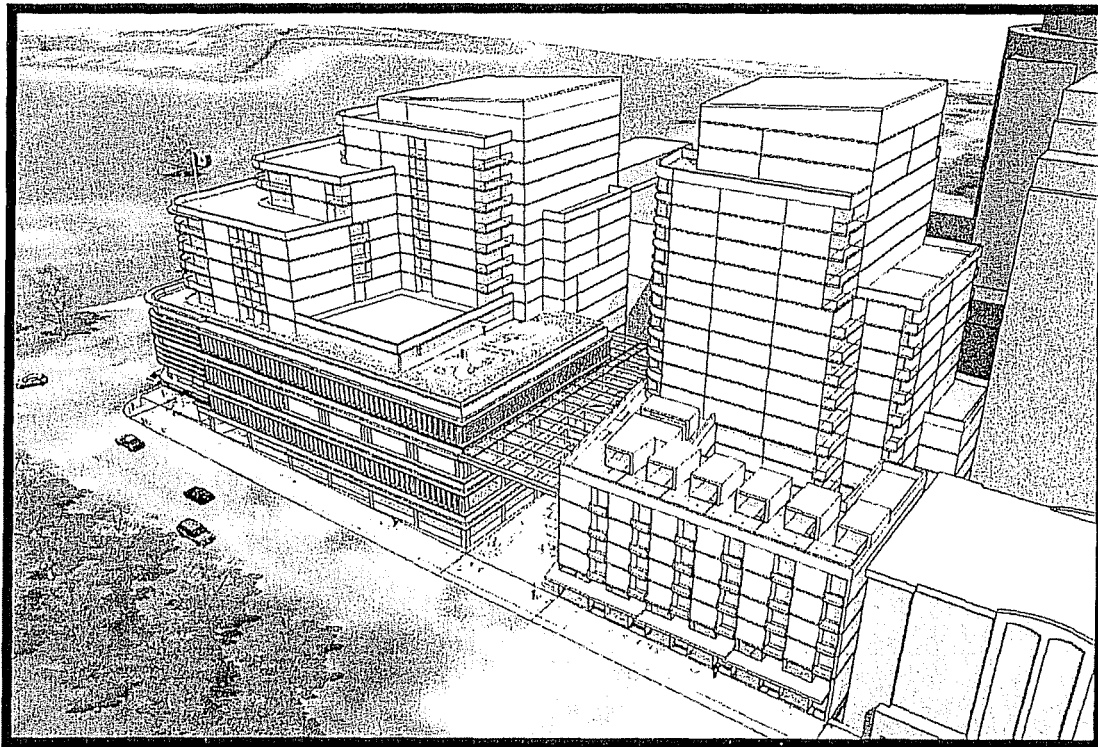
Appendix "C"  
Building Height Limits Pursuant to Clause 7A



Attachment E – Images of the Proposed YMCA Development

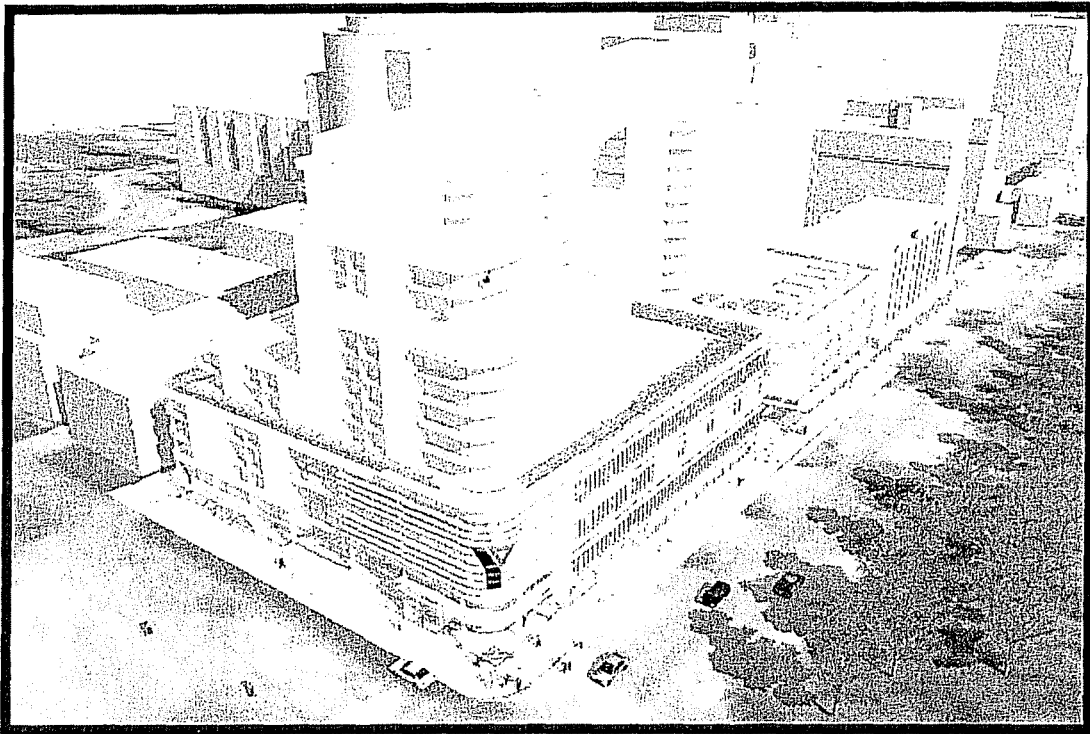


Bell Street View



South Park Street View

Attachment E – Images of the Proposed YMCA Development

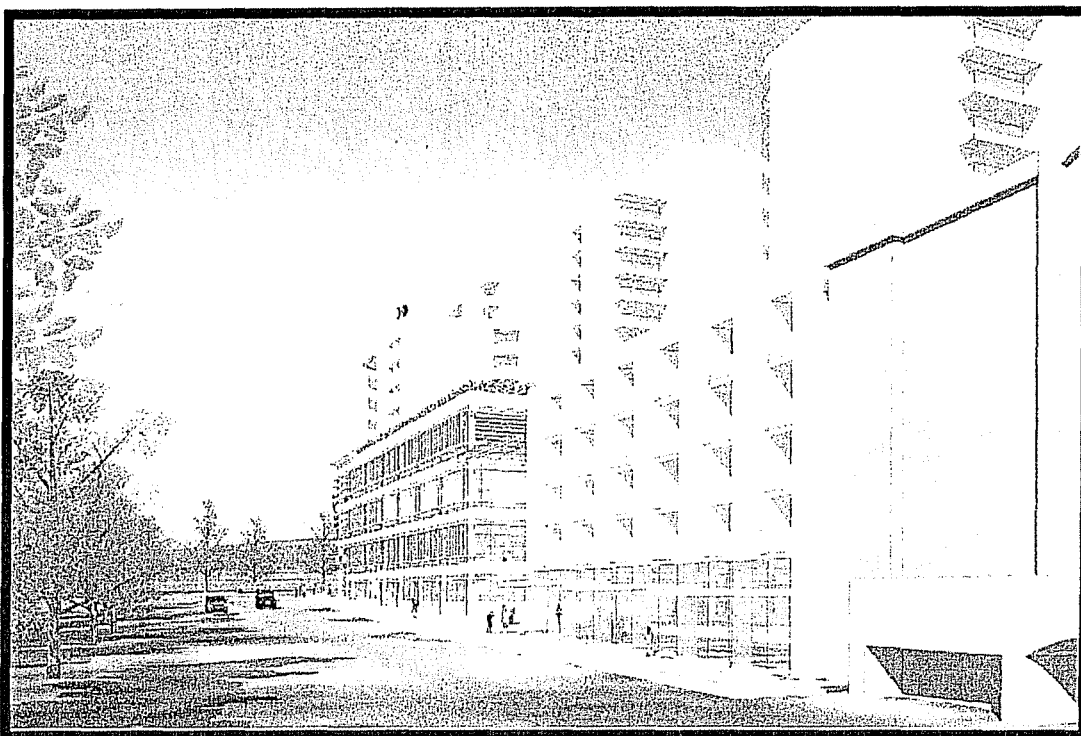


Bell Street Aerial View

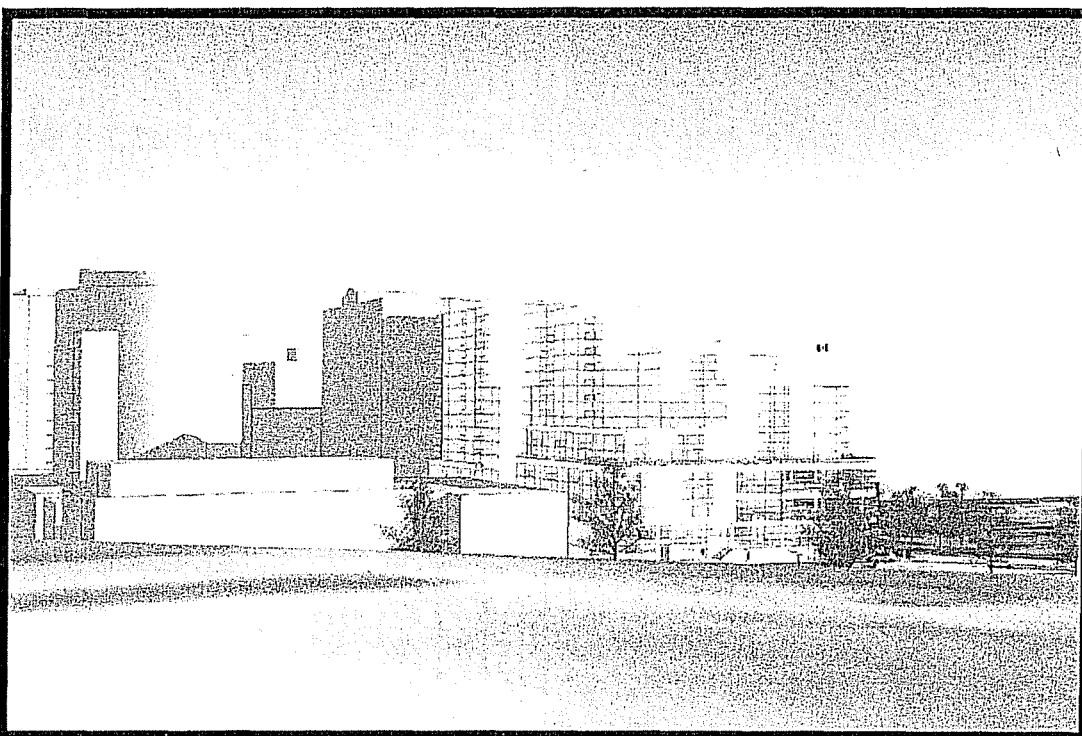


Briar Lane Aerial View

Attachment E – Images of the Proposed YMCA Development



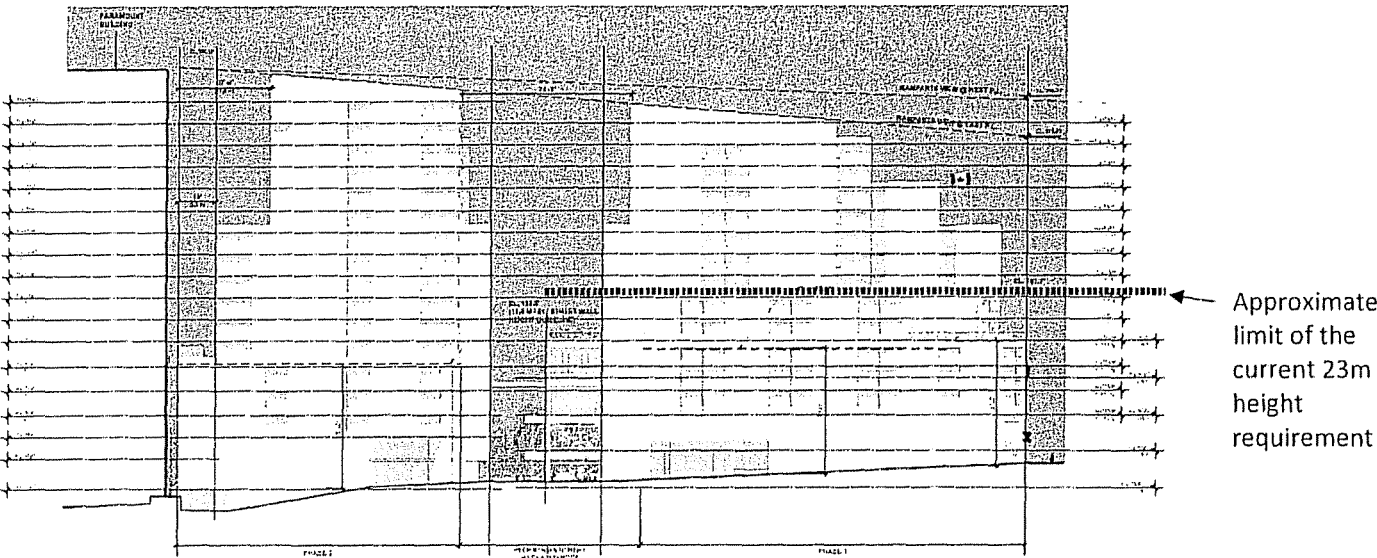
South Park Street View



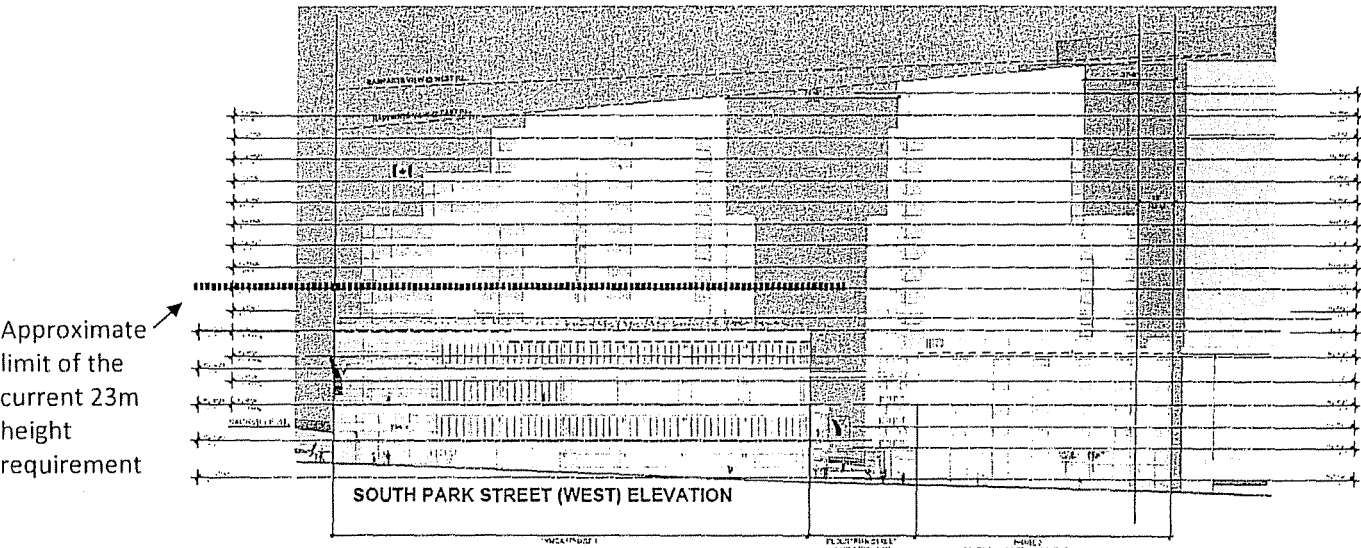
Citadel View



Attachment E – Images of the Proposed YMCA Development

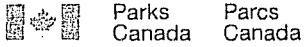


East elevation showing the approximate limit of the current 23m height requirement



West elevation showing the approximate limit of the current 23m height requirement

## Attachment F



### **ASSESSMENT OF IMPACT ON HERITAGE VALUES OF THE HALIFAX CITADEL NATIONAL HISTORIC SITE OF CANADA OF PROPOSED INCREASE TO HEIGHT ALLOWANCE ON CBC RADIO SITE (HALIFAX, NOVA SCOTIA)**



August 2011

# Attachment F

## 1. INTRODUCTION

Halifax Regional Municipality is considering an application to amend the existing maximum height allowance on the site of the CBC Radio building, at the corner of Sackville and South Park Streets, from 23 to 49 metres to allow the construction of a mixed-use development project. Parks Canada's interest in this proposed height amendment relates to the potential impact on the heritage values<sup>1</sup> of the Halifax Citadel National Historic Site of Canada. The *Parks Canada Agency Act* states that it is in the national interest to ensure the commemorative integrity of national historic sites. This is achieved through the protection of heritage values, the provision of opportunities for public understanding and appreciation, and the facilitation of meaningful and enjoyable visitor experiences.

The primary purposes of this document are:

- To outline and clarify the heritage values associated with the Halifax Citadel National Historic Site of Canada; and
- To assess the potential impact of increasing the maximum allowable height at the corner of Sackville and South Park Streets on these heritage values and on the commemorative integrity of the Halifax Citadel.

Parks Canada's management of national historic sites is governed by two main documents: Parks Canada's *Cultural Resource Management Policy* and the *Standards and Guidelines for the Conservation of Historic Places in Canada*.<sup>2</sup> These documents, in conjunction with the *Halifax Citadel National Historic Site of Canada Commemorative Integrity Statement*, a document which serves to clearly outline the reasons for its designation as a national historic site and associated heritage values, have been used to assess the impact of the proposed height increase.

## 2. HERITAGE VALUES

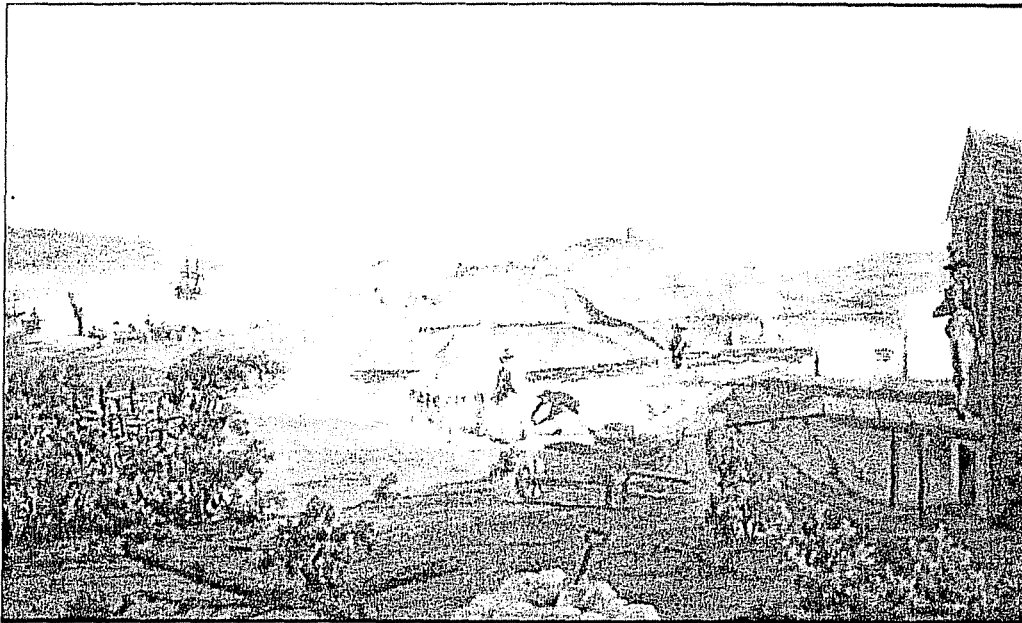
Built between 1828 and 1856, the present Halifax Citadel was actually the fourth fortification constructed by the British military atop what is now known as Citadel Hill for the purpose of protecting the town and harbour from enemy attack. In 1935, the Historic Sites and Monuments Board of Canada designated it a national historic site for its role in the protection of Halifax as a principal naval station of the British Empire. In 1951, the site was transferred from the Department of National Defence to the Parks Canada, which oversaw restoration of the fort in the 1970s.

Parks Canada takes a values-based approach to the management of national historic sites within its care. To ensure the preservation and presentation of the heritage values of the Halifax Citadel National Historic Site of Canada, Parks Canada has prepared a commemorative integrity statement (CIS) which identifies a number of heritage values that must be preserved if the site is to retain its historical significance and commemorative integrity. A national historic site is said to possess commemorative integrity when the resources that symbolize or represent its importance are not impaired or under threat; when the reasons for significance are effectively

## Attachment F

communicated to the public; and when the heritage value of the place is respected by all whose decisions or actions affect the site.

For the purpose of this assessment, the relevant heritage values are those associated with the site's *historic place*<sup>3</sup>, comprised of the glacis, the fort, extant buildings and structures, roadways and view planes. All are directly related to the reasons the site has been deemed to be of national historic significance by virtue of their associations with maintenance of the garrison, surveillance and defence. In particular, the natural landscape, encompassing a centrally-located drumlin eighty metres above sea level, is an important feature of the historic place for it provided an ideal location for a fortification to protect Halifax and its harbour.<sup>4</sup> The fort's siting on Citadel Hill facilitated this role by affording views of landward approaches as well as the harbour, which were crucial to enemy detection and for communications with other fortifications. It also contributed to the fort's dominant position overlooking the town it was built to defend, enhancing the aura of strength and authority which surrounded it.<sup>5</sup>



Northwest aspect of the Citadel and Halifax, Nova Scotia, 1781 (Credit: Library and Archives Canada)

The CIS states that the site's historic place should be safeguarded and respected if the site's commemorative integrity is to be preserved. This objective will be met when:

- the historic scale of the fort is not compromised by future development;
- the topography (e.g., glacis) is respected by future development;
- the site boundaries are protected from encroachment; and
- future development does not obscure historical view planes.<sup>6</sup>

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Parks Canada is concerned that more than doubling the current allowable height on the site of the CBC building at the corner of Sackville and South Park Streets will permit development that may be incompatible with the Halifax Citadel in terms of size and scale, negatively impacting these heritage values by affecting public appreciation and understanding of the site's role in the history of Halifax and of Canada. An assessment to determine the impact of this proposed height amendment has been conducted by the agency and a summary of the results follows.

### 3. IMPACT ASSESSMENT BASED ON THE CULTURAL RESOURCE MANAGEMENT POLICY

Parks Canada's *Cultural Resource Management (CRM) Policy* is a principle-based document, the primary objective of which is to "manage cultural resources ... in accordance with the principles of value, public benefit, understanding, respect and integrity." These principles "provide the means for determining the appropriateness of actions affecting cultural resources."<sup>7</sup> For the purpose of this review, the focus will be on the principles of **value, public benefit, understanding and respect**:

#### Principle of Value

*Parks Canada will value cultural resources in their context and will consider resources as a whole as well as discrete parts. (Sec. 1.1.3)*

*Cultural resources will be valued not only for their physical or material properties, but also for the associative and symbolic attributes with which they are imbued, and which frequently form the basis of their historic value. (Sec. 1.1.4)*

#### Principle of Public Benefit

*Cultural resources are dedicated and held in trust so that present and future generations may enjoy and benefit from them. (Sec. 1.2.1)*

*Parks Canada will encourage public involvement in the protection and presentation of cultural resources at national parks, national historic sites and historic canals. (Sec. 1.2.3)*

#### Principle of Understanding

*Parks Canada will avoid actions that reduce the potential for long-term conservation and for future understanding and appreciation of a cultural resource and the legacy that it represents. (Sec. 1.3.4)*

#### Principle of Respect

*Those who hold our heritage in trust are responsible for passing on that heritage in ways that maintain its potential for future understanding [and] appreciation... cultural*

## Attachment F

*resources will be managed with continuous care and with respect for their historic character; that is, for the qualities for which they are valued.... Uses of cultural resources will be respectful of, and compatible with, their historic character. This applies equally to the use of landscapes... (Sec.1.4.1)*

The principle of value requires that the potential impact of changes to the context of a site be taken into consideration prior to the intervention. It also suggests that impacts on the symbolic or associative values of the site, as well as the physical values, be considered. Based upon the preceding discussion of the heritage values of the Halifax Citadel, it is clear that many of the site's values are defined by its physical and visual relationship to the city and harbour (i.e., the site's context). Furthermore, the fort's relative size and scale as well as its height above its surroundings have symbolic value as they give an impression of strength and authority, providing an indication to the observer of the Citadel's historic role in local affairs. The construction of a high-rise building on its boundaries will alter the relationship between the Citadel and its surroundings by changing the topography of the landscape, thereby affecting visual perceptions of its size and height and negatively impacting both the physical and symbolic values of the site. Because the site's values are not confined within its jurisdictional boundaries but rather extend beyond them to encompass the area around it, it is necessary that others be involved in their protection. If the Halifax Citadel is to retain its historical significance in such a way that it may continue to be understood and appreciated by the public, these values must be preserved, which brings us to the principles of public benefit, understanding and respect.

On behalf of Canadians, Parks Canada is responsible for the protection and presentation of the national historic sites within its care to ensure their survival for the enjoyment of future generations. This is not a goal the agency can achieve on its own. While Parks Canada has invested heavily in the conservation and presentation of the Halifax Citadel as a national historic site of Canada, the support and cooperation of others is necessary to protect the site's heritage values where they may be impacted by adjacent development. Consequently, in the 2009 management plan for the Halifax Defence Complex, Parks Canada stated that it will "work with stakeholders, responsible authorities and owners of properties in the vicinity [of the Halifax Citadel] regarding complementary land uses..." For this reason, the agency has participated in many past municipal planning processes with the goal of encouraging public understanding and appreciation of the historical significance of the site and its place within the city, both historically and into the future. It is Parks Canada's role to safeguard this part of Halifax's – and Canada's – heritage for future generations but it is a responsibility that is shared with others. It is a goal that can only be achieved if those who share jurisdictional responsibilities in downtown Halifax work together.

#### **4. IMPACT ASSESSMENT BASED ON THE STANDARD AND GUIDELINES FOR THE CONSERVATION OF HISTORIC PLACES IN CANADA**

The *Standards and Guidelines for the Conservation of Historic Places in Canada* is the first-ever pan-Canadian benchmark for heritage conservation practice in this country and was the result of a major collaborative effort among federal, provincial, territorial and municipal governments, heritage conservation professionals, heritage developers and individual Canadians. It offers

## Attachment F

results-oriented guidance for sound decision-making when planning for, intervening on and using historic places. In essence, it is “a tool to help users decide how best to conserve historic places” and has been adopted by Parks Canada in the management of national historic sites.

For this impact assessment, the most relevant sections of the *Standards and Guidelines* are those which deal with the impact of changes to land patterns and visual relationships on historic places:

### Land Patterns

*Land pattern refers to the overall arrangement and interrelationship of the larger-scale aspects of a cultural landscape, whether natural or human-made.*

*Land patterns help us understand how naturally occurring elements such as forests, meadows, rivers, lakes, hills, or valleys, fit together with human-made elements such as farm fields, pastures, significant built features and major circulation systems. (Sec. 4.1.3)*

### Visual Relationships

*These guidelines provide direction when visual relationships have been identified as a character-defining element of an historic place. They pertain to the visual relationships between an observer and a landscape or landscape feature (a viewscape) or between the relative dimensions of landscape features. (Sec. 4.1.5)*

In situations where land patterns and/or visual relationships are considered to be character-defining elements of an historic place, the *Standards and Guidelines* recommend against “allowing land patterns to be altered or lost by incompatible development,” “introducing a new feature that is incompatible in size, scale or design” or which “alters or obscures the visual relationships in a cultural landscape.”<sup>8</sup> How the proposed height amendment will impact land patterns and visual relationships around the Citadel is discussed below.

As has been noted, the Halifax Citadel’s location atop a drumlin centrally located on the peninsula is considered to be a significant character-defining element of the site. From the founding of Halifax in 1749, Citadel Hill was identified as an important strategic position from which to defend the fledgling town. Immediately, the hill was incorporated into the defensive works constructed by the early settlers and has been continuously fortified ever since. The fact that Citadel Hill was a drumlin provided a number of strategic advantages, first and foremost of which was the 360° view it offered of the surrounding landscape. It also placed the Citadel in a commanding position relative to the town and harbour below and its physical domination – due to its relative height and scale – reinforced its position of authority within the community.

The slopes of the hill also provided a natural glacis for the fort. A glacis is a long slope leading up to a fortification, bare of vegetation or structures which might offer an approaching enemy cover from the fort’s guns. While the Citadel’s location offered important strategic views of the harbour from its entrance to the inner basin, leading many to assume its purpose was to defend Halifax from enemy ships in the harbour, the fort was actually built to protect the town and

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harbour from a landward attack originating from Northwest Arm. Consequently, in the first half of the 19<sup>th</sup> century while the fourth and present Citadel was being planned and constructed, the military went to great lengths to consolidate its control over a piece of land immediately to the west of the fort (now known as the Garrison Grounds) and to design a glacis that would offer the best protection from an attack by an enemy positioned at Camp Hill. Between the fort's glacis and Camp Hill was an area known as the Commons, used largely as pastureland for grazing cattle by locals and as an area for conducting exercises, reviews and parades by the military. As a result, the physical and visual relationship between the Citadel and the Commons were of prime strategic importance to the operations of the fort in the fulfilment of its defensive role.

## 5. RECOGNITION OF HERITAGE VALUES IN MUNICIPAL PLANNING DOCUMENTS

Today, just a portion of the original Commons remains as the open green space it once was. Despite this, the historic connection between the Halifax Citadel and the Halifax Common is still evident on the landscape as revealed by the strong physical and visual connections which remain, thanks largely to the municipality's commitment to its preservation as public space to be utilized for the public's benefit, as was stated in the *Halifax Common Plan*, approved by Halifax City Council in October 1994.

This plan described in some detail the special characteristics of the Commons, listing open space, trees, views and landmarks, and historic significance as some of its most important features, adding that:

*The western slopes of the Citadel, including the Garrison Grounds, while not part of the Halifax Common, contribute significantly to a sense of open space. Also, this space offers special opportunity for special events and sporting events.*

*The visual interest and appeal of the open space is part of the distinct character. However, the importance of the open space goes much further than this. The city-owned open space is the most important park and recreational space on the Peninsula serving a wide range of needs.<sup>9</sup>*

To help "strengthen the Halifax Common as a place of special character, history and beauty," the plan made a number of recommendations aimed at maintaining and improving the visual and physical connections between the Commons and the Citadel. One of the views to be enhanced was that looking northwards along South Park Street from South Street to the Citadel, another was the view looking south from the Garrison Grounds towards the Public Gardens – views which will be impacted by a height increase on the corner of South Park and Sackville Streets.<sup>10</sup>

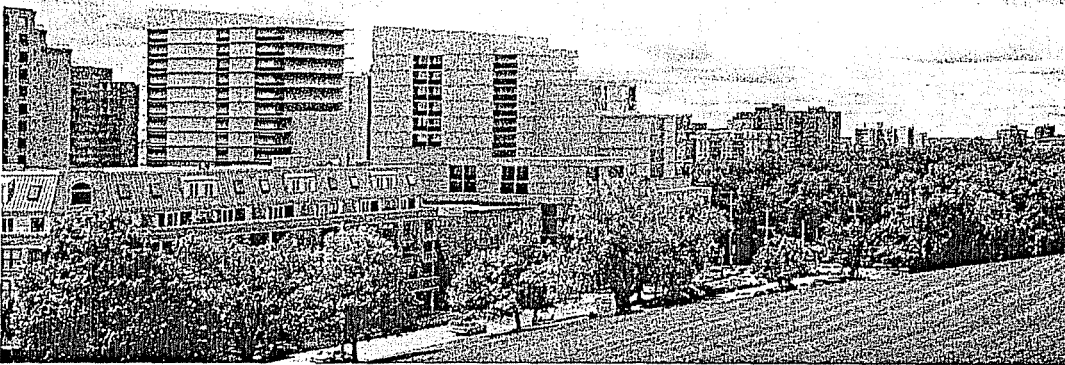
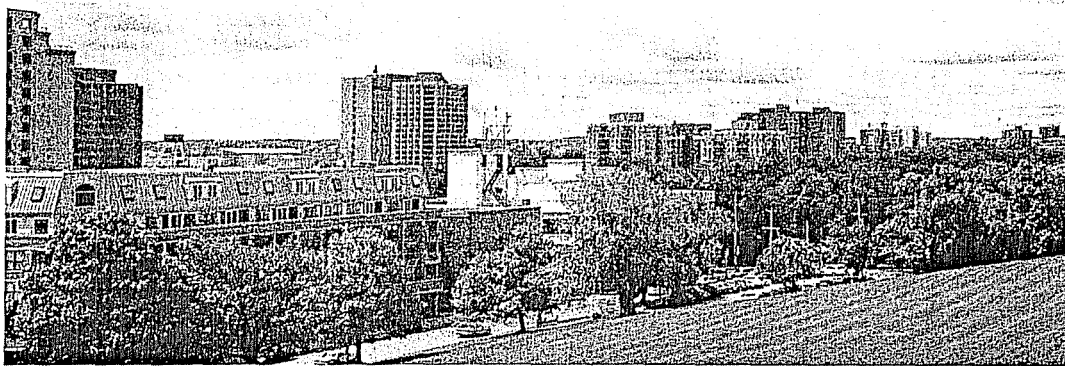
Halifax Regional Municipality has also recognized the values of the Halifax Citadel in a number of planning strategies as well as in municipal legislation. The establishment of viewplane legislation, ramparts by-law and Band A height restrictions in the 1970s and '80s are evidence of the municipality's commitment to preserving the heritage values of the Halifax Citadel for public benefit. This commitment was reaffirmed most recently in the Downtown Halifax Secondary



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Municipal Planning Strategy (DHSMPs), approved by Halifax Regional Council in 2009, which upheld the viewplane and ramparts legislation. One of the strategy's guiding principles was to "Maintain a distinctive downtown by preserving and reinforcing the elements that impart a sense of history, culture and a unique natural setting." This presumably is one of the reasons "a transition in heights to the Citadel, heritage areas, low-rise neighbourhoods and the Waterfront" was included in the design considerations for the strategy's heights framework and why maximum heights of 16 to 26 metres were established for the streets surrounding Citadel Hill.<sup>11</sup>

Halifax Regional Municipality and Parks Canada share common goals with regard to the preservation of "the special character, history and beauty" of Halifax. Both recognize the special relationship which existed historically and still exists today between the Halifax Common and the Halifax Citadel National Historic Site of Canada. Both have emphasized the role these areas play collectively in providing open, green space for public enjoyment and recreation in the city, not to mention public appreciation and understanding of the prominent role played by Halifax in the history of Canada and the British Empire. Increasing the current height allowance and permitting the construction of a high-rise building where the Commons and the Halifax Citadel meet does not support the achievement of these shared goals.



*Current view looking southwest from Garrison Grounds towards the Public Gardens (top) and with proposed building inserted (bottom)*  
(Credit: Parks Canada/G. Tuck)

# Attachment F

## 6. CONCLUSION

There are a number of heritage values identified for the Halifax Citadel National Historic Site of Canada that would be negatively impacted by the proposed increase in the height allowance on the site of the CBC building. In particular, the height and scale of the fort will be diminished and its physical and visual relationship looking southwest towards the Commons and Northwest Arm would be obstructed by high-rise development in that location. These are key attributes of the site which contribute to public understanding and appreciation of the Halifax Citadel and its role in the defence of Halifax as a principal naval station of the British Empire. They are also features of the site which contribute to the “special character, history and beauty” of downtown Halifax, qualities that have been identified in municipal planning documents as having public benefit and, therefore, worthy of preservation. More than doubling the current allowable height on the boundaries of the site will negatively impact these heritage values by altering the landscape, obstructing views, and diminishing the historic scale of the fort, compromising the position of the Citadel – both literally and figuratively – in its relationship to the city.

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<sup>1</sup> Heritage value may be defined as “the aesthetic, historic, scientific, cultural, social or spiritual importance or significance [of an historic place] for past, present and future generations. The heritage value of an historic place is embodied in its character-defining materials, forms, location, spatial configurations, uses and cultural associations or meanings.” *Standards and Guidelines for the Conservation of Historic Places in Canada*, 2<sup>nd</sup> edition, 2010, p. 5.

<sup>2</sup> The *Cultural Resource Management Policy* is available on the Parks Canada website (<http://www.pc.gc.ca/eng/docs/pc/poli/princip/sec3.aspx>). The *Standards and Guidelines* are available on the Canada’s Historic Places website (<http://www.historicplaces.ca/en/pages/standards-normes.aspx>).

<sup>3</sup> Although the CIS refers to the site’s historic place, the term currently used to refer to the area designated as a national historic site is “designated place.”

<sup>4</sup> Drumlins are mounds of earth left behind thousands of years ago by retreating glaciers. Citadel Hill is one of several significant examples of drumlins located in Halifax (e.g., Georges Island and Fort Needham Hill are also drumlins).

<sup>5</sup> Parks Canada, *Halifax Citadel National Historic Site of Canada Commemorative Integrity Statement*, 1998, pp. 6-7.

<sup>6</sup> Ibid, p. 7.

<sup>7</sup> Parks Canada Agency, *Cultural Resource Management (CRM) Policy*, 1994, p.3.

<sup>8</sup> *Standards and Guidelines*, pp. 60-1 and 69.

<sup>9</sup> Halifax City Council, *Halifax Common Plan*, October 1994, pp. ii-iii and 5-6.

<sup>10</sup> Ibid, pp. 6-7 and 20.

<sup>11</sup> Halifax Regional Municipality, *Downtown Halifax Secondary Municipal Planning Strategy*, 2009, pp. 7 and 21.

## **Attachment G – Public Information Meeting Minutes**

**Thursday, April 21, 2011**

**7:00 p.m.**

**Halifax Hall, 1841 Argyle Street, Halifax**

### **STAFF IN**

**ATTENDANCE:** Richard Harvey, Senior Planner, HRM Planning Services  
Shanan Pictou, Planning Technician, HRM Planning Services  
Cara McFarlane, Planning Controller, HRM Planning Services

### **ALSO IN**

**ATTENDANCE:** Councillor Dawn Sloane, District 12  
Bette Watson-Borg, President and CEO, YMCA  
Michael Napier, Architect  
Alan Endall, Architect

### **PUBLIC IN**

**ATTENDANCE:** Approximately 70

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#### **1. Call to Order, Purpose of Meeting -- Richard Harvey**

The public information meeting was called to order at approximately 7:00 p.m. Mr. Harvey introduced Shanan Pictou, Cara McFarlane, Councillor Dawn Sloane (District 12), and Michael Napier, the applicant.

Mr. Harvey explained that HRM has received an application to amend HRM's planning documents for the CBC site at the corner of Sackville and South Park streets. He stated that the purpose of the meeting was to explain the proposal and provide background about the planning process and then to receive feedback, comments, and questions from members of the public.

Mr. Harvey stated that no decisions would be made at the meeting and that any decisions would be made at a later date by Halifax Regional Council.

#### **2. Overview of planning process**

Mr. Harvey explained that the YMCA intends to redevelop its South Park Street site and the neighbouring CBC site in Halifax. The site was shown on the slide. The YMCA is proposing an amendment to the Downtown Halifax Municipal Planning Strategy (MPS) and Land Use By-law (LUB) to change the height requirement from 23 metres to 46 metres on the CBC site but would be in keeping with the 49 metre requirement. Changing the height allowances on this particular site, although seemingly just small by way of a change, is actually a substantial application and it requires several amendments to the MPS policies and LUB regulations.

By way of process, it was explained that an application has been before Regional Council. It decided to have planning staff look at the application in detail and seek public input. A significant amount of steps are to follow including: public consultation and a detailed review. With this a staff report would be devised, which would be considered by committees, who would make a recommendation to Regional Council. Regional Council would then consider the staff report and committee recommendations. If it wishes to further consider the proposal and amendments to the planning documents, it would need to hold a public hearing before making a decision.

### **3. Presentation of Proposal – Richard Harvey**

Mr. Harvey outlined that building heights facing the Citadel have been regulated since mid-1980s. At that time, in addition to view plane requirements, the council of the City of Halifax asked staff to consider special definitive heights in proximity to Citadel so that buildings would be sensitive towards Citadel Hill. At that time, in many areas of our downtown, maximum heights were not actually specified.

Mr. Harvey indicated that the result of this was the adoption of specific lower building height requirements along Brunswick and Sackville streets, which was referred to as Band A. He noted that the new Downtown Halifax Secondary Municipal Planning Strategy and Downtown Land Use By-law was just recently adopted. It carried forward that the same concept of lower heights around the Citadel was carried forward.

With the adoption of the new Downtown Halifax Secondary Municipal Planning Strategy and Downtown Land Use By-law, a new policy approach was introduced that suggests that the planning policies should only be reviewed and possibly changed in limited circumstances. One of these is when there are proposals that possibility confer significant public benefit. Policy 89 from the Downtown Halifax Secondary Municipal Planning Strategy that addresses this was reviewed.

Mr. Harvey indicated that the critical matter under consideration is suitability of amending the height on the CBC site from 23 metres to 49 metres. On this basis it was suggested that there were two critical matters to discuss: 1) what will be the impact of potentially changing the height on this corner with regards to the Citadel, the site itself, and the surroundings?; and 2) what is the public benefit associated with this project and should it influence whether or not the height should be changed on this corner? He indicated that there may be other matters to consider, but at this time, these are viewed as being very important for the application.

### **4. Presentation of Proposal – Bette Watson-Borg, President and Chief Executive Officer, YMCA**

Ms. Watson-Borg gave a detailed overview of the YMCA organization, its history in Halifax, and indicated that its South Park facility was outdated, too small, and in need of replacement. She indicated that this led to discussions with the CBC who have been facing similar issues with

its building. This resulted in a joint proposal.

She thanked everyone for giving up their time this evening and sharing their interest in this project.

## **5. Presentation of Proposal - Michael Napier and Alan Endall**

Michael Napier introduced that his firm has been working on this project for over a couple of years. He indicated that an analysis of all of the factors in the area, starting with the urban context, was done. Pictures of the existing CBC and YMCA buildings were shown along with the Citadel and other surrounding buildings.

Mr. Napier presented a number of slides to illustrate the context of the YMCA proposal.

Alan Endall was introduced and indicated has been involved with YMCA in several projects over the last several years in various locations throughout Canada. Over the last 20 to 25 years, his firm has been responsible for several major complex, urban, mixed use projects both in downtown Vancouver, other locations in Canada, and in Europe.

Mr. Endall presented a variety of sketches and drawings to show how the design of the proposal evolved on the basis of the site's context. He highlighted the importance of the site from a variety of perspectives including as an important civic function with it being at the terminus of an important view from Bell Road, in between the Public Gardens and Citadel Hill, and from a streetscape scale.

An overview of the entire building design was presented.

## **5. Questions and Comments**

Joe Skerry, Halifax, is familiar with the site and has a high regard for the wonderful work and dedicated staff of the YMCA. To think that no development would happen on that wonderful site would be asinine. He has no objection to the YMCA itself but does firmly oppose to putting another Fenwick on the corner of the location. Although opposed to putting and changing the height to 49 metres, he has no objection and is quite understanding with regard to locating it inside. He wondered why the public meeting was held on the night before a four day religious holiday. He would have appreciated the material being available for review before the meeting and believes that things should have been delineated in clearer focus. He wanted to record that he has no objection to tall buildings but does not want more Fenwick tower type development. He believes Fenwick and the Trillium are abominations where they are located. Another crime would be committed by allowing this project to take place on that corner. He asked when the height restriction of 23 metres established and what was the rationale in reaching that decision? Mr. Harvey explained that when the HRM by Design review was occurring, much of what is called Band A was not reviewed in any detail but was simply carried forward.

Kenzie MacDonald stated that for most of the last 22 years, he has use this neighbourhood everyday. The impact and potential change of the height is beneficial to the entire neighbourhood

and public. There are very few recreational options for the public south of the Citadel. There are a couple of schools and a gym. What is being proposed here is a tremendous asset to the entire neighbourhood. He believes it should be allowed.

One resident, a consultant physician at QEII, says that if he knew this was being proposed he would never have bought a condo on the 15 floor of his building because it will take away his view completely. He stated he now see the setting sun and the Public Gardens. There is a lot of activity at the Metro Centre and trying to get out of this area after an event may take an hour because there is so much traffic. This development will add to the traffic chaos. Currently, there is heavy traffic on Dresden Row and he is concerned about congestion. Mr. Napier said that there are no changes proposed to Annandale as it exists right now. The proposal would be extension from Annandale through the property to the Public Gardens. As such, the pedestrian passageway we are talking about would not affect any of the existing parking access. The hope is that more people will actually be able to walk through there and have some place to go rather than the kind of dreary parking garage area that is there now.

The resident said that on two occasions in his building there were fire alarms and coming down the stairs was quite a job particular for the elderly. He asked how there were going to conquer that? He strongly opposes this development although he appreciates the aspirations of the YMCA.

Jim MacFadzean, Halifax, stated that this is a very exciting project to come to this city. The Public Gardens is there to restore the mind and soul is a neighbor. People walk through the gardens to refresh themselves spiritually and recreationally. The enhanced YMCA provides an incredible facility which connects with the meaning of the Public Gardens. The new YMCA provides increased and world class facilities for fitness, health and wellbeing. The Wanderer's Grounds have been omitted in this conversation. This is another area that is presently extremely lifeless and needs some very careful work done to it. Upgrades could be done in conjunction with this project. He stated that he is a member of the Friends of the Public Gardens and feels very, very strongly that the Public Gardens and everything around it will be enhanced. He added it is not going to be perfect for everybody. People are concerned about the view from Citadel Hill down to the corner at South Park and Sackville Streets. He doesn't believe that many people go up to Citadel Hill to gaze on the corner of South Park and Sackville Streets. He is passionate about this project, a friend of the Public Gardens, a friend of Citadel Hill, and a friend of the city which he loves very much.

Jennifer Powley, Halifax, is with the Ecology Action Centre and is curious as to why, just after two years after the adoption of HRM by Design, is HRM already looking at making changes to the height requirement. Mr. Harvey said it is an important issue but there is policy context from council to consider this. Anyone can make an application at any particular point in time. It is up to the council at the end of the day if it wishes to consider this or not. Mr. Napier said that they originally were going to present this to council before HRM by Design came into effect. Through deliberations with staff and councilors, it was decided not to come in as a grandfathered proposal. It is felt that to a large extent, besides asking for the height change at the corner, that there are a lot of rational reasons why it should be granted.

Ms. Powley said that there are many public benefits but are there any environmental principles in order to get those additional storeys. She added a question about affordable housing. Mr. Napier said that many different aspects have been looked at but presently there is not an affordable housing aspect. His firm is very interested in all the environmental and green issues but we don't have full control over that at this point because they are not necessarily going to be the developers. The actual RFP that will go out will have goals that hopefully will be adopted with the developers. With the YMCA and everything else that is being proposed, he believes the firm is over the top as far as giving back on a bonus basis. Ms. Powley stated that is a beautiful proposal.

Bill Hyde, Bedford, stated is a retired architect and a member of the HRM by Design Task Force. He is keeping an open mind on the project and will not comment on the project itself but he does have a couple of questions for clarification. Exactly what is the proposal regarding the change in maximum height. Would it just be the CBC property? Assuming the maximum height is changed, and assuming that this proposal doesn't go ahead, does the change in height remain or benefit any future projects or does it disappear with the project? Mr. Harvey said the proposal is strictly for the CBC site. What does need to be considered is whether this height allowance will actually tied strictly to this particular proposal such that it would only apply if a recreation facility is proposed. That is a consideration staff would have to work through as a more detailed review is done.

Allan Robertson, Halifax, is unsure about the proposal. He stated that everyone loves the YMCA. He went there at 10 years old, still uses it and his grandchildren use the daycare. He thinks the YMCA has to be a little careful about how it is using its "goodwill capital". They don't want to be accused of being a bad corporate citizen although he believes they will be. He uses "corporate" in the broadest sense. He noted that the YMCA, notwithstanding its charitable work and so on, is a very large well-managed national corporation and it's advised by a board which is very, very well established in the corporate sense in Halifax. It's done properly and he has great respect for it. In looking at the website about this particular project, there are a number of guiding principles. The first one is that the YMCA will only ask for what it needs as a minimum to meet the vision. He sees it as asking for the ability to violate the height restrictions in HRM by Design. Most are aware that the development process in Halifax used to be, and maybe still is, a bargaining procedure where the developer asks for much more than they expect to get. They allow themselves to be bargained back to the goal which itself is always more than allowed. I sense that the YMCA is going to be accused of being exactly like this kind of developer. That doesn't mean good corporate citizenship.

The second guiding principle says they YMCA is going to provide the city with the gift of a new centre. It's not a gift. Although a new YMCA would be truly wonderful, and he does support the concept, don't forget that the YMCA is a large, sophisticated corporation using professional architects, a professional development company, and it's going to pursue a large commercial real estate development to make as much money as possible. There is nothing wrong with that but don't say it is a gift. This is abusing the YMCA's corporate goodwill.

The third principle is to remain as a good neighbor in this special area of Peninsula Halifax. How does one remain a good neighbor if the letter and the spirit of neighbourhood planning principles

are violated? Countless hours were spent over the past two or three years in the HRM by Design process. Probably more than one million dollars was spent when counting up the consulting time, the time spent, all of the costs of doing the various public sessions and so on. Most didn't charge anything for it because we are just ordinary citizens. It took a long time but at least it clearly specified the development process, rules and clear height provisions for Citadel Hill which have worked so well in the past and were endorsed unanimously by the public.

The by-law was approved by council less than two years ago. The intent was that there was going to be a clear set of rules and that site by site decisions would be a thing of the past. Where are we now? Again, we're being asked for height, and maybe setback, variances as well. He doesn't see how that makes the YMCA a good neighbor. The issues are really quite simple. There are guidelines that have to be followed.

Dr. Carla Wheaton introduced herself as the Cultural Research Manager for the Mainland Nova Scotia Field Unit of Parks Canada that is responsible for managing the Halifax Citadel National Historic Place of Canada. Their mandate is to protect and present the natural and cultural treasures within their care for present and future generations of Canadians. As a member of the community and as a stakeholder, she is here to offer Parks Canada's perspective that the current maximum height of 23 metres at the corner of Sackville and South Park Streets should be retained. The height allowance dates back to the 1980s with the establishment of the area known as Band A on the street surrounding the Halifax Citadel for the purpose of maintaining a sensitive and complimentary setting for Citadel Hill by controlling the height of new development in its vicinity to reflect the historic and traditional scale of development. The current MPS approved by council in 2009, following the extensive public consultations under HRM by Design, has reaffirmed this objective by establishing a heights framework guided in part by this principle. In this and in many other ways, the HRM has been visionary in its efforts to adopt measures that encourage development that is respectful of heritage. It was for this reason that Parks Canada supported HRM by Design and it is why we continue to support the Downtown Halifax SPS. Parks Canada would welcome neighbouring development that respects the current MPS and the existing height allowances. She stated that it is our view that by doubling the height allowance adjacent to the site will weaken protections that have been established to ensure the continued relevance of the Halifax Citadel National Historic Site Canada as an iconic destination and as a nationally recognized symbol of the City of Halifax.

Brahm Segal, Halifax, is not opposed to the YMCA. There are people from the neighborhood that really support the YMCA's mission and all the good they do as an institution coast to coast. On the other hand, there are ways of delivering on the mission without changing the HRM by Design concept. The public is being asked to buy into a concept of a black box. The developers are unknown and the plan does not show how the development will look five years after it is built (is it another Paramount – not necessarily good). Does it only contain tenants or is it owners who occupy the building? To what grade will this be developed? What will the density be? To listen to reasons as to why we need to fill this mission that it has had for the last 150 years in the Peninsula is not a very good tenancy. In fact it is disingenuous and a lot more information is needed than what has been presented tonight. He expects there to be a lot more opposition once the facts are known. He hopes the process becomes a lot more transparent.



Mr. Segal would like to know if the decision makers of the HRM council level have any prior relationship with the sponsors of this project and whether they are allowed to accept any type of donations to their campaigns from anybody connected with the development. Councillor Dawn Sloane said she has never received any money from any of these individuals. Mr. Segal asked if she would undertake never to accept any type of contribution from anybody involved in this project while it was pending. Councillor Sloane said that there are ethics involved. She said when there is an actual election, she gives her agent specifics on what she will agree and not agree to when it comes to any donations, particularly when it comes to any kind of development.

Mr. Segal stated that he does not want to see another Fenwick building on Sackville Street. Mr. Napier said that this is not a Fenwick building. Fenwick Towers is 33 storeys tall and built back in 1969. This is a new building with a maximum of about 17 or 18 storeys, has been broken down into two separate structures and it is a totally different concept. We have a street wall which is on a main corridor.

Lonnie Holland was twice elected to City Council and thought it shameful that the YMCA (Young Man's Christen Association) would have a meeting on Holy Thursday evening. When constructed, the Garden Crest was set back, the original height maintained and the height in the back of the building was limited. From discussion back then relating to the sun shadows, the Public Gardens will not see as much sun under this development as it gets now. From the Public Gardens point of view, he is very much against the proposal. It puts it into a bit of a cake box and takes it away from its natural environment. The same can be said about the Citadel. The Citadel is almost open on all sides. It's setback on a number of sides and there is nothing very high around it. On the south side of the Public Gardens there is nothing high and most of it is setback quite a bit. This project on the corner is anything but setback and low. Mr. Napier said that they have done extensive shadow studies, but did not have the full animation. A slide was shown of the full extent of the shadow from the project. The time of day the sunlight leaves the Public Gardens at three different times of the year was illustrated and basically by 9:15 or 9:20 at the worst case scenario the shadow from this project will not be in the Public Gardens. He showed that there was limited impact on the Gardens.

John Lindsay introduced himself as past Chairman of the YMCA and an active volunteer in this project. He thinks that the question of principles brought forward is very important. The YMCA did not want to be doing something in which we came forward and played the developers game of asking for more and getting less. Over the many, many years of planning and being ready to make this application have we wondered how much money will be needed in addition to our absolute maximum fundraising capacity to be able to have a renewed YMCA. It is in fact important that the YMCA be seen as what it is which is an integrated and holistic place of health and personal development. What is being proposed is the minimum amount to be able to achieve the ability to have a new YMCA. It would be much easier for everybody here, and there probably wouldn't be a meeting, if it was all wonderful and there wasn't the necessity to ask but there is. With that, we have chosen to ask in the most respectful way. The YMCA is not a corporation but an organization that was founded and handled by community members. It is a trust that is handed and stewarded through generations and this current generation is now facing the issue of renewing the facility.

Annette Harris, introduced herself as an Occupational Therapist and a technical medical student at Dalhousie. She has volunteered with the AIM (Abilities In Motion) Program at the YMCA for the past three years. For the past 12 years, the AIM Program has enabled persons with physical disabilities in the community to exercise at the Nova Scotia Rehab Centre. It's a wonderful opportunity for students to volunteer and learn. Currently, there have been a few limitations at the NS Rehab gym. One is the limited hours that people can go to the NS Rehab gym. There are volunteers there for two hours four days a week. It is a long day for people to get on an Access A Bus, get to the NS Rehab Centre and back home again. She is really excited about a project like this because it will allow people from the program to go the YMCA at any point during the day and exercise. Her vision would be to have accessible equipment and access to a pool which is currently another limitation at the NS Rehab gym. There are a lot of therapies that have been proven to be very effective for persons with disabilities in improving their strength, gait and things of that nature. Lastly, in order to expand the AIM Program, it would be wonderful to see this developed at the projected site. There is an opportunity for a lot of students, like herself, to learn from the participants and to benefit them as well. She hopes to refer her future patients to a brand new accessible building.

Rhonda Newcombe, Halifax, introduced herself as a parent who lives in this community and thinks that many of us are privileged to have all sorts of things within this community. Looking at what was presented tonight, she sees an encouragement to appreciate the Citadel and Public Gardens more by the views that go from the YMCA to the Citadel and Public Gardens. She asked that everyone who has the privilege of living in the downtown core to think of the entire community and the benefits to the community. Through the years, herself and three children have benefitted from the YMCA family. Many others have benefitted as well. A new building is needed entirely as the existing one is in sad need of many repairs and has been used to its maximum. When looking at your own situation and where you are right now in life, think of others in their lives, where they are and what their needs are. There are many more people and needs than just ourselves.

Natasha Warren, is a physical activity practitioner who promotes physical activity to upper population levels. Currently in Nova Scotia, over 50% of the population is physically inactive and Halifax is no second to that. Seven percent of teenagers are inactive. Physical activity is only one aspect of what this facility could offer. She commented that the strongest evidence right now for making a population level change for physical activity is looking at the built in environment. She applauded the concept rendering and looking at a mixed use area which is another indicator of making a change around the population physical activity and having healthy communities. She thinks it is important to critically and strategically have these kinds of conversations that are looking at the HRM by Design. I participated in some of those consultations. She has been a pedestrian in this city for eight years and walks everywhere day and night so is very hyper aware of things like wind, sun, shade and all of the things that you experience as a pedestrian. The benefits, pros and cons have to be weighed and not forsake the future and the potential of this facility for the sake of the viewplanes. Sadly, Haligonians and Nova Scotians do not make use of the Citadel Hill. She stated that we are here to represent first and foremost the citizens of Halifax. She supports tourism and appreciates Citadel Hill. The CBC building is not a pretty site and anything is an improvement.

Brian Lane supports the proposed development that the YMCA is presenting here tonight. He has more than a passing interest in Halifax, the YMCA and sport in Nova Scotia. He is CEO of IH Matters, a marine business for almost 104 years in Halifax and neighbors of the YMCA on Birmingham Street. He also has a long history with the YMCA as part of the leadership program, and his daughter currently is a counselor at Big Cove Camp. He has a great understanding of sport and what sport facilities can do. He is a past chair of Sport Nova Scotia and on the board and the sport division chair for Halifax 2011 Canada Games. He believes there is significant public benefit with this development. The YMCA is an integral part of helping many HRM residents maintain a healthy mind, body and spirit. We should be assisting the YMCA to continue this good work. The variance requested and why it is needed is that it is necessary for the YMCA to yield an upper turn at the present site in order to be able to build this \$22 million facility that will in fact be the economic engine that will ensure that the YMCA can continue to deliver the services that it has over time. This well designed mixed use development will also provide more than \$1 million in tax revenues to the city and help to curb urban sprawl by helping to develop and maintain downtown and keep it more vibrant. Sydney, Moncton and Fredericton have a new YMCA. Our YMCA is over 60 years old and functionally obsolete with limited access for physically challenged people and aging members. A new YMCA will address the shortfalls and take us forward with a facility that can address these needs. The height variance setbacks from the corner of Sackville and South Park Streets affects 18% of the site so relatively speaking it's not a big factor. Finally, the current YMCA site can be built onto a height of 160 feet. It makes aesthetic and good urban design sense to integrate the CBC and YMCA sites to make a transition from one site to the next inside of a blunt wall. The bottom line is that this is a great development and for downtown Halifax, it's being done for all the right reasons.

Hugh Gillis, a fitness instructor at the YMCA for almost 24 years, believes it is an absolute public benefit. People who are challenged mentally, physically, and financially go to the YMCA and provide people with confidence. People become volunteers and leaders as they see the benefits. There is a huge public benefit. The YMCA is invaluable. When is the appropriate time to make changes to HRM by Design. If it is a good development then it should be considered. He thinks council should think about it very seriously.

Peggy Cameron feels that it was inappropriate and ill-conceived to have a public consultation meeting on a Thursday of a holiday weekend and recommends there be another opportunity for the public to have another information session in fairness to the people who couldn't attend. There aren't many opportunities for Nova Scotians to have 4 day weekends. Given the size of the crowd here tonight, it is evident that there is interest in the community for this project. In addressing the two factors that are presented, the impact of the potential changes of the height requirement, in particular regard to the impact on the Citadel and its surroundings, really is a contextual question. Unfortunately in Halifax we need to start having discussions about what is the context. Very often the debate becomes polarized and the conversations are not very mature because we end up believing people are opposed to each other and they become less constructive. However, it is very important to take into account the scale and what the context of Halifax is. Compared to Vancouver, Halifax is a very different kind of population density and scale of landscape. Citadel Hill is the icon for Halifax.

Ms. Cameron stated that she is a co-founder of an organization called the Friends of the Halifax

Commons and has lots of experience being on the wrong side of the debate and decisions of City Hall. Councillors are reminded that in 1994 there was an excellent process that was undertaken with public consensus in agreement about a plan in how the Halifax Common would be treated. Today, less than one third of the Halifax Common remains public open space. All of the good intentions with that plan have never held up to any test that has been put forward by any kind of development. She is rather frustrated as someone who has participated in the HRM by Design process to believe that two years later, the matter is being reviewed. In 1994, the perimeter of the Halifax Common Plan included Cunard Street all the way to South Street, bounded on the west by Robie Street and on the east by North Park, Ahern, Bell Road and South Park Street. The recommendation in that plan was to have all of the streetscape respected in a historic sense. A view of Citadel Hill from that area was emphasized in the plan. She does agree with one of the comments regarding the ability to appreciate the view from the interior of the YMCA looking out; however, anywhere on the exterior the sky would not be visible.

Ms. Cameron is concerned about the increase of traffic and congestion and people moving in and out of those areas. She is a pedestrian who travels frequently in that area. Since some of the new buildings adjacent to the Lord Nelson and towards that corner have been developed, there are exits and entrances that have made the area somewhat unsafe for pedestrians.

Ms. Cameron has concerns about wind and shade as well.

Ms. Cameron has a masters in Environmental Studies and is concerned about the materials that are going into the building and what is being lost when the buildings are destroyed. She does agree that the YMCA would benefit from having a new facility; however, some thought has to be given as to cost of materials and energy for a larger the building.

Ms. Cameron wasn't aware of the \$22 million budget for the building but believes the YMCA would get a large amount of that from fundraising.

Ms. Cameron referred to a building in Meran, Northern Italy, call the Therme. The building is an open concept, very energy efficient and a tourist destination because it's a wonderful two storey recreational centre.

Peter Conrod, introduced himself as a businessman in Halifax and a former chair of the YMCA, and has lived in Halifax most of his life. He is aware of the wonderful things that the YMCA does in this community for both families and for youth. Tonight, speakers talk about our inactive youth and the need for those that are physically disabled for such a facility. This is the oldest province in the country and seniors will also be in need of support facilities and services that will keep them active and allow them to lead the lifestyle they want. The YMCA is a charitable organization, not a corporation and this is not a for profit venture. This is trying to find balance to build a facility that this community needs and at the same time be realistic about raising the money to fund it. A lot of the opposition to this project may come from people who live in high rises in the area. Those people have derived a tremendous benefit from the views but somehow seem to be resentful of the fact that others may also benefit from that.

Alan Ruffman, Ferguson's Cove, is on the board for the Friends of the Public Gardens and has

been aware of this project for some time. On April 9, 1912, in London, England, a fellow from Halifax, George Wright, filled out a new will before he boarded the Titanic. George did not survive the Titanic and his body was never recovered. There's no graveyard. There is a memorial in Dartmouth and a number of his siblings have survived. He was a very wealthy man and effectively a millionaire. He left his estate including \$20,000 that should be put aside to build a meeting place in Halifax. The estate fought over this \$20,000. They failed to convince the judge that it should be given to the relatives. That money sat until 1950/51 when there were two groups that went to the court and asked for access to this money to fulfill the requirements of George's rights and will. The YMCA was successful in getting the money.

Mr. Ruffman said the money had grown into about \$85,000 and paid for a major part of the YMCA that is presently being declared unfit and out of date. He and a friend looked for the meeting place about a decade ago and were unable to find it. The meeting room has now become the men's changing room. The YMCA had left the plaque on the wall. The plaque is now somewhere behind the foyer. He believes the YMCA has an obligation, maybe even legal, to George Wright and his estate. Where is the meeting place?

Mr. Ruffman asked if both of the properties have been purchased outright from the CBC. One property is the Hugh MacLennan house and the other is the old garage. Is the property owned outright by the YMCA or was it simply auctioned? He asked for the square footage of the proposed new YMCA in terms of the part servicing the exercise function as opposed to the boutiques or the cafes that might be added. He also would like to know the estimated cost of restoring, renovating and adding to the present YMCA in terms of building behind it, along the sides and getting some extra height to generate some revenue.

Mr. Ruffman asked if there are copies of the book shown at the beginning of the meeting in the public libraries. Having it on the website is one thing but it's not realistic.

Mr. Ruffman would like to know what will happen to the sculpture by Mad Dog (the sculpture in front of YMCA).

Mr. Ruffman said there is the CBC building, the main garage, old MacLennan house and then there is the YMCA. Is it YMCA's intention to retain ownership of the new lot or will they call for proposals? Will it simply become the YMCA or perhaps be torn down and left as a vacant lot? Will the two be tied together? He believes the answer is no. This is not the way to do a joint development where one is approved and hope that someone will come along and build the other. Tearing down the MacLennan home site and the CBC site is an act of sacrilege and he is ashamed of it being rewarded by obviously selling the lot. CBC is in need of some new space. How much space has been added on top of the CBC building? It will cost a fortune to knock down because the floors of that building were able to hold trucks and parking. It is probably strong enough to add a couple of storeys. Why in fact couldn't CBC stay there?

Mr. Ruffman said you can't say public benefit site without weighing what is happening to the other site. The YMCA is moving from one site and going to sell the other for a very large sum of money. We're talking about the new site with a big tower busing through the height limit to generate enough revenue to make the YMCA self-sufficient financially. To give the public all

the things it must have. Are we not talking about at the same time selling the other property or marketing for a very long lease for a large sum of money? Is that part of the equation? He would certainly like to see that.

Mr. Ruffman explained that municipal planning strategy amendments are not appealable to anybody, whereas a rezoning is. It is appealable by an interested or an aggrieved party to the Nova Scotia Utility and Review Board. We have the most restrictive access to planning appeals than any part of Canada. Most appeals launched are one developer against another. Very few are launched by citizens or citizen groups. Very few are won by citizen or citizen groups. Once a plan change is made, it doesn't matter what happens on the property. In effect, under HRM by Design, nobody can make an appeal. This is a very closed process and yet already there are proposals for changes to HRM by Design. He can't agree and is not at all comfortable with going through the height barrier. This proposal should conform to HRM by Design and should live with it. Mr. Napier said that the project will be developed as one property and one developer would be responsible for the whole thing. That is the present plan. As far as the application process, the buildings would be all part of the same development agreement that will go before council before anything is allowed to be built.

George Rodgers, Boutilier's Cove, introduced himself as being the project manager employed by the YMCA. There is one site being developed at one time. The form of ownership is unknown but it will most likely be a condominium parcel for the YMCA and an amenity space, and would likely be a condominium or like corporation on one tower with somebody else owning the other tower. The outline of the design and the improvements made by the public information process tonight will be one application which will be what the built form entitlement that the YMCA will sell to the developer(s). He finds it advantageous that it is a larger site and it does allow us to develop this and make the highest and best use potential out of it within the context. The size of the YMCA will relate to the market here because not only will the YMCA become a part of the public benefit but the public dollars will not have to pay for this recreation centre. It will be privately supplied to a charity and it will operate on a balanced budget every year without the cost of the taxpayer. A significant public benefit without getting into the programs or the history of the YMCA is that it is a charity. There has been significant and will be more participation. As a donation, he will make as many copies as needed. It's too late to rebuild the MacLennan home and it's too late for a lot of things but it's not too late for a good open dialogue of what he believes to be a very excellent mixed use project.

David Suey, a YMCA volunteer, asked if the change in height is less than 18% of the space used. Mr. Napier said approximately in that ratio. Mr. Suey pointed out the importance of avoiding the YMCA going up to its total height on its site and creating an ugly wall from the Citadel looking downtown. A more important issue is that a good, strong financially, viable YMCA is needed in this community. The YMCA has a long history of providing support to young people and we need the YMCA to be strong so that the youth of this community will continue to have things such as camps. The population that has been moving into the downtown is going to require a facility like this. He commends the YMCA for building such a program and for undertaking the initiative to engage the CBC so that the city will benefit from a comprehensive program of development. There is a real benefit to the population that will be moving into downtown because of higher gas prices and what not. He thinks it's appropriate that the YMCA put

numbers out there so that questions can be answered so people know how much will be asked from the public. In summary, the public benefit is there and it's needed. He was taken this evening by hearing a number of facts particularly on the height that makes real sense to have a comprehensive design that will allow that plot of land look decent from the Citadel.

Mary Ellen Gurnham, Halifax, introduced herself as the current chair for the YMCA and stated that she volunteers at the YMCA to give back to the community and she believes in the values of the YMCA. She is also a healthcare professional. I am the chief officer and executive director of Learning and Capital Health. In this province we have the highest rate of heart disease, cancer, cardio vascular disease, respiratory disease, diabetes, obesity, etc. We are reaching out to our communities to help us deliver our mandate because we cannot do it on our own. We have a number of programs, some of which were mentioned tonight, that the YMCA offers. I believe that we can offer more programs with a facility that is accessible and user friendly with different kinds of amenities than the current facility does. Her interest in this and plea to this community is that we really need to get a handle on our primary and secondary prevention needs in this community. The partnership with the YMCA and this building would do that.

Phil Pacey, Halifax, said there was a lot of information given within the first hour that was not particularly relevant. This meeting is about an increase in the height limit and if the height limit is increased as indicated, and what may come back from that RFP, may not resemble any of the pictures shown. Another comment was made about access and vibrancy that would come from this project. He reminded people that there are already 10 to 13 million square feet of development allowed for by HRM by Design and 40 or 50 developments can occur if this development breaks the height limit.

Mr. Pacey said that Citadel Hill was established as a fort 260 years ago. Halifax is where it is because of the hill and very importantly, it had a view for 360 degrees, the complete horizon. Residents use the hill for recreation and have for at least 250 years. He uses it for recreation and very much appreciates the view as a great many other people do. There have been statements in the press that this building will not block views from the Citadel. That is incorrect. No images were shown tonight. Views of the public gardens from the Citadel, and vice versa, will be blocked by this development.

Mr. Pacey referred to the history of Band A and his involvement. Band A was almost unanimously adopted by the public and the council at the time. It is an extremely important protection for the Citadel. It's very important that the context of the Citadel be of limited height. The words, historic and traditional scale appear in the policies and it is very important to preserve those. There are a variety of heritage buildings in the vicinity of this proposal. A good job has been done to protect the parameter of the Citadel.

Mr. Pacey said that it is a benefit for people to be able to go to the Citadel and see the maximum view, 360 degrees, as they possibly can. The change in height limit will definitely restrict that and decrease the amount of view from the Citadel and that would be extremely negative. It would not be of benefit to the city but would damage the economy, cultural and historic life of the city. Yes, it might be nice to have a new YMCA but the view is something that belongs to everybody in HRM. That is more important than a new YMCA.

## **5. Closing Comments**

Mr. Harvey said how much he appreciated the dialogue this evening and there are a lot of things to think about. He thanked everyone for coming and taking their time to look at this thoughtfully and expressing their comments and concerns.

## **6. Adjournment**

The meeting adjourned at approximately 9:35 p.m.