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Item No. 9.1
Halifax Regional Council
April 29, 2014

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original signed by 
Richard Butts, Chief Administrative Officer

Original Signed by 
Mike Labrecque, Deputy Chief Administrative Officer

DATE: April 14, 2014

SUBJECT: **Case 19046: Appeal of the Design Review Committee Substantive Site Plan Approval for 22nd Commerce Square Development, Halifax**

ORIGIN

Appeal of the Design Review Committee's February 13, 2014 decision on a development proposal for the lands bounded by Hollis, George, Granville, and Duke Streets, Halifax.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter (HRM Charter), Part VIII, Planning & Development – including:

Section 246A: Design Review Committee for HRM by Design Downtown Plan Area;

Section 251: Variance Procedures; and

Section 252: Variance Appeals and Costs.

RECOMMENDATION

It is recommended that Halifax Regional Council deny the appeal and uphold the decision of the Design Review Committee to:

- Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A of the January 24, 2014 staff report with conditions that:
 - a) no pedway access be allowed; and
 - b) the development proceed with Option 2 at the base of the South Tower as set out in the February 12, 2014 Supplemental Report #2 from Lydon Lynch Architects

and revised Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301 (Attachment F).

EXECUTIVE SUMMARY

Lydon Lynch Architects has submitted a Substantial Site Plan Approval application to HRM for a mixed residential and commercial development, to be known as “22nd Commerce Square”, within the city block bordered by Hollis, George, Granville, and Duke Streets in Downtown Halifax (Attachment A). The proposed development requires Substantive Site Plan Approval based upon a review of the Design Manual of the Downtown Halifax Land Use By-Law which follows the approval process as outlined in Attachment B.

The proposed development includes two towers joined with a central atrium and exterior plazas located between the towers as shown on Attachment A of the January 24, 2014 staff report. The mixed use project includes ground floor retail and restaurant uses, commercial office space in the North Tower, and residential condominiums and hotel uses in the South Tower. Five municipal heritage buildings will be incorporated into the design of the development, including the preservation of the Bank of Commerce building at the corner of George and Granville Streets, and the conservation of the facades of the other four buildings. As the site includes five municipally registered heritage properties, the development also requires Regional Council approval for their substantial alteration as per the *Heritage Property Act*. This is the subject of a separate report to Regional Council which will appear on a meeting agenda after Council has heard this appeal.

The DRC is specifically charged with:

- considering the project as it relates to the Design Manual of the Downtown Halifax Land Use By-law and determining whether it meets the guidelines in the Design Manual;
- evaluating and making a decision on variances that are being sought;
- considering the results of the wind impact assessment that addressed the expected levels of pedestrian comfort that will result with the project; and
- recommending whether a proposed public benefit category should be approved to allow the project to exceed the pre-bonus maximum height requirement.

Staff reviewed the application relative to the Downtown Halifax Land Use By-law (LUB) and the Design Manual and provided a report to the DRC, dated January 24, 2014, that recommends the application be approved subject to design changes on two properties.

On February 13, 2014, the DRC received a presentation on the application and discussed staff's report before approving the application with conditions. As per the *HRM Charter*, a 14 day appeal period is required for decisions of the DRC. The Municipal Clerk received 4 notices of appeal of the application which are all identical, except for the signatures of the individual appellants (see Attachment C). Appeals of the decision of the DRC are heard by Regional Council and its role is to hear the appeal and make any decision that the DRC could have made (approve, approve with conditions, or refuse).

The purpose of this report is for staff to provide Regional Council with the background on the application, the appeal process and responses to the items raised in the notices of appeal.

BACKGROUND

This report is in response to an appeal of the Design Review Committee's (DRC) decision on the Substantive Site Plan Approval application, by Lydon Lynch Architects, to develop a mixed residential and commercial development, to be known as "22nd Commerce Square", within the block bordered by Hollis, George, Granville, and Duke Streets in Downtown Halifax (Attachment A). Staff prepared a report on the application, dated January 24, 2014, which was provided to the DRC on February 13, 2014 for review and a decision. The Committee approved the application with conditions as outlined later in this report. The decision of the DRC was appealed by four individuals for the reasons stated in Attachment C. Regional Council's role is to hear the appeal and make any decision that the DRC could have made (approve, approve with conditions, or refuse) relative to the application.

Site Plan Approval Process

Under the site plan approval process, development proposals within Downtown Halifax Plan area must conform to the land use and building envelope requirements of the Land Use By-law (LUB), as well as meet the requirements of the By-law's Design Manual as per the *HRM Charter*. The process requires approvals by the Development Officer and the DRC as follows:

Role of the Development Officer

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

Role of the Design Review Committee

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

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

If the DRC's decision is not appealed, the project cannot proceed to the permit and construction phases until Regional Council makes a decision on the substantial alterations to the five registered heritage buildings on the site. If the decision of the Design Review Committee is appealed, Regional Council will hear the appeal. If Regional Council upholds the decision of the DRC, the site plan for the project is approved subject to Council approving the substantial alterations to the registered heritage buildings pursuant to the *Nova Scotia Heritage Property Act* (HPA). However, if Regional Council overturns the decision of DRC, the site plan is refused.

Site Plan Approval Steps

A flow chart outlining the steps involved in the site plan approval process for Downtown Halifax is provided in Attachment B. An overview of the key process components is as follows:

- The proposal is reviewed by the Development Officer to confirm that it meets the standard requirements of the Land Use By-law for such matters as building height, step back, massing, conformance with Citadel view planes, etc. Any requested site plan variances are also identified.
- The proposal is assessed by Planning Applications' staff for compliance with the Design Manual adopted under HRMbyDesign. A staff report and recommendation is submitted to the Design Review Committee (DRC).
- The DRC evaluates the application, and any requested site plan variances, against the requirements of the Design Manual and makes a decision to approve, approve with conditions or refuse the proposal.
- Where a proposal is approved by the DRC, notice is given to all assessed property owners within the Downtown Halifax Secondary Municipal Planning Strategy plan area boundary plus 30 meters. Any assessed owner may then appeal the decision of the DRC to Regional Council. If no appeal is filed, the Development Officer may then issue the development permit for the proposal.

It is important to note that the *HRM Charter* provides that only the decision of the Design Review Committee may be appealed to Regional Council. There is no appeal of the aspects of the proposal that relate to the Development Officer's approval.

Project Description

The proposed development includes two towers joined with a central atrium and exterior plazas located between the towers as shown on Attachment A of this report. The mixed use development will include ground floor retail and restaurant uses, commercial office space in the North Tower and residential condominiums and hotel uses in the South Tower. Five municipally registered heritage buildings will be incorporated into the design of the development. For more detailed information on the proposal see Attachment A of this report.

Substantial Alterations to Heritage Buildings

The *Nova Scotia Heritage Property Act* and the HRM Heritage By-law (H-200) require substantial alterations to heritage properties to be approved by Regional Council with input from the Heritage Advisory Committee (HAC) and staff. This portion of the proposal has been the subject of a separate staff report which the HAC has considered and recommended that Regional Council refuse all of the proposed alterations to the subject heritage properties. This item is scheduled to be considered by Regional Council following an appeal for the decision of the DRC. Should Regional Council refuse the substantial alterations proposed with the subject application, this action would result in the refusal of the development permit by the Development Officer, which could then be appealed to the Nova Scotia Utility and Review Board by the applicant.

Design Review Committee

In the January 24, 2014 staff report to the Design Review Committee, staff recommended approval of the proposal, with conditions, in accordance with the Design Manual as outlined in Attachment A. The staff report outlines the rationale for staff's recommendation and includes an evaluation of the proposal against the applicable individual guidelines of the Design Manual. At their February 13, 2014 meeting, the Design Review Committee was provided with the following documents:

- Staff report – dated January 24, 2014 (Attachment A);
- Supplementary Information Package from the Applicant – January 21, 2014 (Attachment D);
- Supplementary Information Package from the Applicant – February 12, 2014 (Attachment E);
- Revised Elevations - February 12, 2014 (Attachment F); and
- Letter from Pink Larkin – February 12, 2014 (Attachment G).

At their February 13, 2014 meeting, the DRC approved the proposal with conditions and five variances. Attachment H contains a copy of the minutes from the meeting and the motions approved by the Committee.

The decision of the DRC is different from staff's recommendations on the application as outlined in Attachment A. The differences between the DRC motions and staff's recommendations are regarding the design elements of the application which are largely due to the applicant revising the design of the hotel portion of the development after the staff report was completed. The design change resulted in new drawings being added and one variance being no longer required. The DRC did not agree with staff's advice that changes to the Champlain and Bank of Commerce buildings were needed or that a pedway should be incorporated into the design of the building at this time.

Appeal Notice

In accordance with the Downtown Halifax LUB, notice of the decision of the DRC was given to all assessed property owners within the Downtown Halifax Secondary Municipal Planning Strategy plan area boundary, plus those owners within 30 metres of the boundary.

On March 10, 2014, notices of appeal were filed by 4 property owners within the Downtown Plan Area to the Clerk regarding DRC's decision. Attachment C contains copies of the 4 appeal notices and the reasons for the appeal. All 4 appeal notices stated the same reasons for appealing DRC's decision on the 22nd Commerce Square application.

DISCUSSION

The process and notification procedures and rights of appeal with respect to a decision of the DRC are the same as those that apply to a Development Officer's decision to grant or refuse to grant a variance. Appeals received through this process must be heard by Regional Council within 60 days, unless the parties to the appeal agree otherwise. As the appeal was filed on March 10, 2014, the 60 day time period will lapse on May 8, 2014. Regional Council must render its decision within 30 days after having heard the appeal. The matter before Regional Council pertains to the appeal of an approval by the DRC. Therefore, Regional Council may only hear from the applicant and the appellant(s) (not the general public) at the hearing.

Decision

In hearing an appeal, Regional Council may make any decision that the DRC could have made. In the case of Downtown Halifax, this is to say that Regional Council may make any decision in respect of the application of the Design Manual appended to the Downtown Halifax Land Use By-law and any “site plan variances” pursuant to Part 3 of that Manual. Regional Council may not substitute its decision for that of the Development Officer in respect of the application of the land use and built form requirements of the Land Use By-law.

The process concludes with the Development Officer issuing or refusing a development permit in accordance with Council’s ruling on the appeal provided the Development Officer is satisfied that all other requirements of the LUB have been met. A refused development permit may then be appealed to the Nova Scotia Utility & Review Board.

Grounds of Appeal

Within the notices of appeal, the appellants identified 6 items why Regional Council should overturn the decision of the DRC. This report provides staff’s comments on the items raised in the notices of appeal as follows:

- 1) The Committee erred in law by failing to make a finding as to whether the application proposes to demolish one or more heritage properties and recommending approval of a bonus height of 85 metres, contrary to subsection 12(6) of the Land Use By-law:**

The LUB does not permit bonus height for a development that proposes the demolition of a registered heritage property. In staff’s opinion, the proposed development does not include the demolition of a registered heritage property, and therefore, the development qualifies for bonus height provided one or a combination of the public benefits set out in section 12(7) of the Land Use By-law are provided.

The proposed development is requesting bonus height of 85 metres (the maximum pre-bonus height is 49 metres). The Development Officer has reviewed the application and has determined that it meets the requirements of the LUB. The role of the DRC on this issue is to advise the Development Officer on the category of public benefit. However, the final decision on this matter rests with the Development Officer.

The notices of appeal indicate that the Champlain Building, a registered heritage building, would be demolished and replaced based upon Note W-4 on the drawings submitted on February 12, 2014 (Attachment I). Some of the wording contained within Note W-4 was not updated from previous iterations. While much of the W-4 description remains relevant, some of its notations no longer are valid regarding the removal of portions of the building. The DRC was aware of the intentions within the proposed design both in staff’s report and during its presentation. Staff’s position is that the decision of Regional Council on the substantial alteration application for the project will maintain the front facades of the heritage buildings and override the wording on the plan. At the permit stage, the project must be consistent with the decision of Regional Council on both the appeal of the DRC decision and the substantial heritage alterations. If Regional Council wishes to provide greater clarity, it could revise the wording of Note W-4 as per Attachment J.

2) The Committee erred in law by concluding that its mandate is limited to considering the street facades of heritage properties;

The minutes of the meeting indicate that the DRC discussed the issue, but no motion was made by the Committee that limited its discussion or jurisdiction to only street facades. Staff provided background to the Committee relative to the *Nova Scotia Heritage Property Act (HPA)* which only gives HRM the authority to regulate alterations to the exterior appearance of registered heritage buildings. Internal elements, including structural walls between abutting buildings that are not part of each building's exterior character-defining elements are not protected by the HPA. This interpretation of the HPA was upheld in the 2009 Nova Scotia Utility and Review Board decision relative to the Armour Group Ltd.'s Waterside project on Duke, Hollis, and Lower Water Streets. More recently, in 2011, this approach was taken with the development of a tower addition to the TD Centre. This development incorporated only the heritage building (Macara-Barnstead building) façade.

Regional Council cannot prevent the replacement of the old historic structure behind the façade with a new structure. Rather, Regional Council can only regulate the conservation of the remaining exterior façade in accordance with the applicable Heritage Building Conservation Standards (which is addressed by HAC) and the design of the new structure in accordance with applicable Heritage Design Guidelines (addressed by DRC).

The appellants contend that "...Section 4.4 of the Design Manual, which required the Committee to conserve the three-dimensional character and building envelope of the registered heritage properties". Section 4.4 of the Design Manual deals with the "Guidelines for Integrated Developments and Additions" which the evaluation of the proposed application was based upon. In the introduction to section 4.4 of the Design Manual it states:

"In instances where the heritage value of a building includes its three-dimensional character (width, depth and height), the entire building envelope should be conserved, and the transition of new construction to, and from, heritage buildings should respect all three dimensions."[Emphasis added]

Staff advise that the wording in the Design Manual does not require the conservation of all three dimensions and building envelopes. Rather, the Design Manual only states that DRC should consider such aspects and the minutes of the DRC meeting indicate the Committee did consider the issue. The Design Manual also states under section 4.4 that "*sites with individual heritage buildings, or small groups of them, the primary design intent of the guidelines is to enable the preservation of the heritage resource through new development, while ensuring the visual prominence of the heritage asset*". The proposed development does preserve heritage value and each heritage asset is visually prominent through the use of modern materials and design details.

The treatment of the Hayes, Merchants Bank of Canada, and Flinn buildings complies with the Heritage Guidelines in the Design Manual. While there is a loss of historic fabric, the overall heritage value will be retained as indicated in staff's report, dated January 24, 2014 (see Attachment A). In regard to the Champlain and Bank of Commerce buildings, staff recommended that changes be made to the design of the buildings to maintain the front facades of the buildings. However, the DRC disagreed with staff's evaluation and approved the application without the recommended changes.

- 3) The Committee erred in law by not considering, and determining it had no mandate to consider, Heritage By-law (H-200) or the Heritage Building Conservation Standards contrary to subsection 8(3) of the Land Use By-law;**

Section 8 of the Land Use By-law deals with the Built Form Requirements of any proposed new development within Downtown Halifax. These requirements are to be assessed by the Development Officer when evaluating an application, not the Design Review Committee. Subsection 8(3) states:

“...In addition to the requirements of this By-law and the Heritage By-law, development on a Registered Heritage Property shall be subject to the Development in Heritage Contexts section of the Design Manual.”

The role of the DRC is to evaluate proposals with heritage properties relative to the heritage guidelines in the Design Manual. It is the role of Regional Council, with recommendations from HAC, to evaluate proposals subject to the Heritage By-law and the Heritage Conservation Standards, and the Heritage Section of the Design Manual. Staff’s evaluation of the proposal against these criteria was completed by way of a separate staff report that was presented to HAC for their recommendations to Regional Council. **As with item 1) above, this is not a matter for which Regional Council can consider under the site plan appeal process.**

- 4) The Committee erred in law in failing to consider or apply Standards 2 and 9 of the mandatory Heritage Building Conservation Standards, or sections 2.4(1) and 4.1 of the Design Manual; or, in the alternative, the Committee erred in approving the Application contrary to those provisions;**

The DRC evaluates and makes decisions on proposals relative to the Design Manual and not to the Heritage Building Conservation Standards under the Heritage By-law; this is the jurisdiction of Regional Council pursuant to an application for substantial alteration. The appellants contend that the decision of the DRC was contrary to sections 2.4(1) and 4.1 of the Design Manual. Section 2.4 of the Design Manual deals with properties and development within Precinct 4: Lower Central Downtown and states:

“The following general criteria shall apply: ...

- 1. To retain isolated heritage properties and protect them from inappropriate redevelopment.”*

The DRC reviewed the criteria contained in Section 2.4 before making its decision to approve the proposed development. The staff report indicates that the proposed development is appropriate as it incorporates the five heritage buildings within the development and the overall heritage value will be retained with minor changes.

Section 4.1 of the Design Manual deals with “*New Development In Heritage Contexts*” and sets out “*three conditions under which new buildings can be introduced into heritage contexts in downtown Halifax*” The appellants contend that DRC’s decision is contrary to a portion of Section 4.1 highlighted below:

“... As a principle of both heritage compatibility and sustainability, new additions, exterior alterations, or new construction should not destroy historic materials, features, or spatial relationships that characterize a property. The new work should be differentiated from the old and should be compatible with the historic materials, features, size, scale, height, proportion and massing to protect the integrity of the property and its environment.” [Note: Emphasis added through underlining]

The decision of the DRC is not contrary to the above statement as it provides flexibility to the Committee when making a decision as it uses the term “should”, not “shall”. There will be a loss of historic fabric, but the overall heritage value of the heritage buildings will be retained. Also, Section 4.1 of the Design Manual indicates that the DRC has flexibility in determining heritage compatibility and sustainability as follows:

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

The appellants contend that the DRC must interpret and apply the Downtown Halifax Secondary MPS policies when considering site plan approval applications. The role of the DRC is to interpret the Design Manual which was created from MPS policy adopted by Regional Council.

5) The Committee failed to consider or pay deference to the advice of the Heritage Advisory Committee which recommended that the application be denied as per paragraph 4(13)(b) of the Land Use By-law; and

Section 4(13) of the LUB outlines the role of the DRC regarding site plan approval applications. Subsection 4(13) (b) states that the DRC shall:

“...seek and consider the advice of the Heritage Advisory Committee on site plan applications on registered heritage properties or abutting registered heritage properties, and on applications within heritage conservation districts;”

The recommendations of the HAC were provided to the DRC on February 6, 2014 and were discussed at their meeting on February 13, 2014 prior to the Committee making its decision on the application. Attachment K to this report contains the Minutes of the Heritage Advisory Committee meeting. **As with items 1) and 3) above, this is not a matter for which Regional Council can consider under the site plan appeal process.**

6) The Committee erred in considering and relying upon late-filed materials which had no opportunity to review nor the public which is contrary to Administrative Order 1 Respecting the Procedures of the Council and the principles of natural justice.

The staff report and associated information for the application were provided to the DRC on February 6, 2014 by e-mail and was couriered to the DRC members the same day. Lydon Lynch submitted a revised package of information to the clerk's office just before the meeting on February 13, 2014. The revised information package addressed new changes in the design of the proposed hotel facing on George Street. The Clerk's office sent the information to the members

of the DRC on February 12, 2014 by e-mail and hard copies of the information were provided to each member of the DRC at the February 13, 2014 meeting.

During its discussion of the application on February 13, 2014, the Committee dealt with the lateness of the material and the lack of time to review the new information. A motion was moved in accordance with Administrative Order One that:

“...the Committee defer the decision on this matter to a future meeting prior to February 24, 2014 to allow an opportunity for Committee members to undertake a complete review of late arriving information. There being no seconder to the motion, the Chair declared it to be defeated.”

The Chair indicated that the information distributed to the Committee on February 12, 2014 would be included in the Committee’s consideration. **Notwithstanding the foregoing commentary, as with items 1), 3) and 5) above, this matter is not relevant to the application of the Design Manual and is therefore not a matter for which Regional Council can consider under the site plan appeal process.**

Conclusion

The Design Manual outlines items which relate to the architecture and design of a proposed building. The Design Review Committee determined that this proposal met those requirements and approved the proposal with conditions and variances.

Staff advise that both the Development Officer and the Design Review Committee have approved the application based on the respective requirements of the Downtown Halifax Land Use By-law and Design Manual. As the decision of the Design Review Committee has been appealed, the matter is now before Council to hear the appeal and render a decision.

FINANCIAL IMPLICATIONS

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

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy and the requirements of the Downtown Halifax LUB regarding substantive site plan approvals. The level of engagement was information sharing, achieved through the HRM website, the developer’s website, public kiosks at HRM Customer Service Centres, and a public open house.

ENVIRONMENTAL IMPLICATIONS

No implications have been identified.

ALTERNATIVES

1. Regional Council may choose to approve the proposal with additional and/or different conditions. This may necessitate further submissions by the applicant, as well as a supplementary report from staff.
2. Regional Council may choose to overturn the decision of the Design Review Committee and refuse the application. Council must provide reasons for this refusal based on the specific guidelines of the Design Manual. This action would result in the refusal of the development permit by the Development Officer, which could then be appealed to the Nova Scotia Utility and Review Board.

ATTACHMENTS

Map 1: Location Map

Attachment A:	January 24, 2014 staff report to the Design Review Committee
Attachment B:	Downtown Halifax Site Plan Approval Process
Attachment C:	Notices of Appeal
Attachment D:	Supplementary Information Package from the Applicant: January 21, 2014
Attachment E:	Supplementary Information Package from the Applicant: February 12, 2014
Attachment F:	Revised Elevations - February 12, 2014 (Option 2)
Attachment G:	Letter from Pink Larkin
Attachment H:	Minutes of the February 13, 2014 Design Review Committee Meeting
Attachment I:	Existing Wording of Note W-4: Champlain Building
Attachment J:	Revised Wording for Note W-4: Champlain Building
Attachment K:	Minutes of the January 29, 2014 Heritage Advisory Committee Meeting

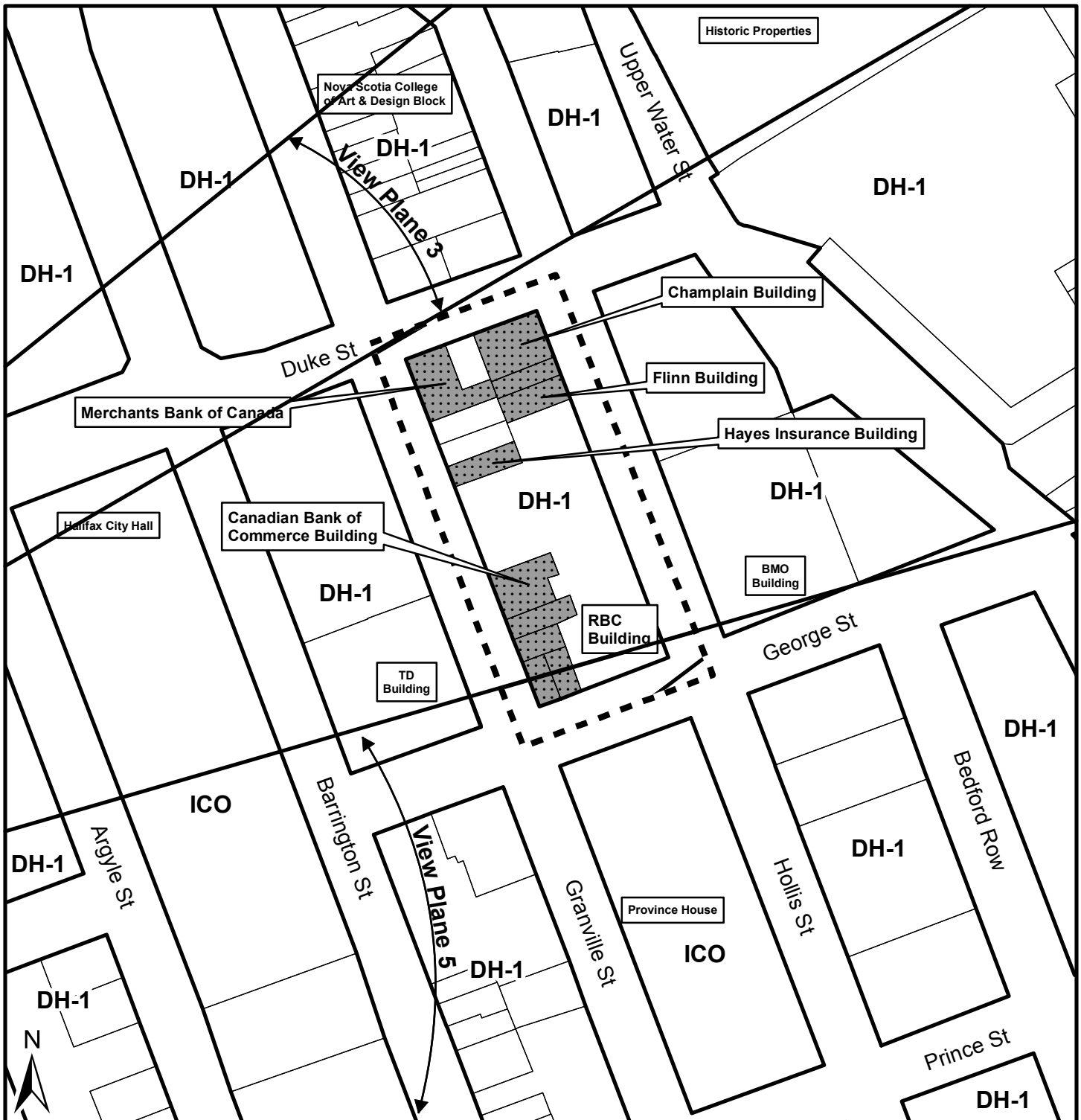
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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

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

Report Approved by: _____
John Traves, Director of Legal & Risk Management, 490-4219

Report Approved by: _____
Brad Anguish, Director, Community and Recreation Services, 490-4933



Map 1 - Location and Zoning

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



Subject site



Municipally registered
heritage property within
subject site

Zone

DH-1 Downtown Halifax 1

ICO Institutional, Cultural & Open Space

Downtown Halifax Plan Area

HALIFAX
REGIONAL MUNICIPALITY
DEVELOPMENT APPROVALS

0 20 40 m

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

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




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Item 7.1

**Design Review Committee
February 13, 2014**

TO: Chair and Members of Design Review Committee

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

DATE: January 24, 2014

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

ORIGIN

Application by Lydon Lynch Architects Limited

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, Part VIII, Planning & Development

RECOMMENDATION

It is recommended that the Design Review Committee:

1. Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A with conditions that:
 - a) the front façade of the rear addition of the Bank of Commerce Building be integrated into the main building; and
 - b) 5th and 6th storeys of the Champlain Building's front facade be retained or replicated;
2. Approve the requested variances to the Streetwall Setbacks, Streetwall Height, Land Uses at Grade, Depth of Building, Permitted Encroachments, and Prohibited External Cladding Material, as shown in Attachment A;
3. Accept the findings of the qualitative wind impact assessment found in Attachment F; and
4. Recommend that the Development Officer accept, as the post-bonus height public benefit for the development; preservation of existing heritage buildings, the provision of publically accessible amenity space, and exemplary sustainable building practices through pursuit of a LEED Platinum level.

EXECUTIVE SUMMARY

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

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

The Design Review Committee is specifically charged with:

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

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

BACKGROUND

Proposal

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

construction phases, the Design Review Committee must consider the proposal relative to the Design Manual within the Downtown Halifax Land Use By-Law (LUB).

Existing Context

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

Project Description

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

The following highlights the major elements of the proposal:

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

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

Regulatory Context

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

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

Role of the Development Officer

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

Role of the Design Review Committee

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

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

If the Design Review Committee approves the project, the decision of the Committee is subject to an appeal. If no appeals are received, the project cannot proceed to the permit and construction phases until a decision has been made by Regional Council on the substantial alterations to the five registered heritage buildings on the site, as required under the *Heritage Property Act*. If Regional Council approves the substantial alterations, the project would then proceed to the permitting and construction phase of the project.

DISCUSSION

Design Manual Guidelines

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

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

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

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

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

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

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

Utilities along Street Frontages (3.2.1g and 3.5.1e)

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

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

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

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

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

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

Streetwall Height and Building Articulation (3.1.3, 3.3.1a)

See the Variances Section of this report on page 10.

Elevated Pedestrian Walkways (3.2.6)

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

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

Materials (3.3.2b)

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

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

Lighting (3.5.4)

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

Proposal Review – Design Manual: Heritage Design Guidelines

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

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

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

New Development in Heritage Context (4.1)

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

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

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

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

Contemporary Design (4.1.3)

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

Solidity versus Transparency (4.1.6)

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

Integrated Developments and Additions (4.4 & 4.5.1a)

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

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

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

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

Upper Façade and Windows (4.5.4e and 4.5.5f)

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

Awning and Canopies (4.5.9c)

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

Summary of Compliance with Heritage Design Guidelines

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

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

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

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

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

Variances:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Wind Assessment

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

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

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

Proposed Public Benefit

The LUB specifies a maximum pre-bonus height and a maximum post-bonus height. Projects that propose to exceed the maximum pre-bonus height are required to provide a public benefit. The LUB lists the required public benefit categories, and establishes a public benefit value that is the equivalent of \$4.00 for every 0.1 square metres of gross floor area created by extending above the pre-bonus height¹. The maximum pre-bonus height for the proposal is 49 metres and the post-bonus height is limited by the Ramparts Maximum. The proposal is approximately 85 metres in height and the gross floor area to be gained is approximately 183,978 square metres.

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

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

Conclusion

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

FINANCIAL IMPLICATIONS

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

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy and the requirements of the Downtown Halifax LUB regarding Substantive Site Plan Approvals. The level of engagement was information sharing, achieved through the HRM website, the developer’s website, public kiosks at HRM Customer Service Centres, signage on the subject property, and a public open house.

ENVIRONMENTAL IMPLICATIONS

No implications have been identified.

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

ALTERNATIVES

1. The Design Review Committee may choose to approve the application for Substantive Site Plan Approval with the two conditions cited in this report. This is the recommended course of action.
2. The Design Review Committee may choose to approve the application for Substantive Site Plan Approval as submitted – with additional conditions. This is not recommended.
3. The Design Review Committee may choose to approve the application for Substantive Site Plan Approval as submitted – without conditions. This is not recommended.
4. The Design Review Committee may choose to deny the application. The Committee must provide reasons for this refusal, based on the specific guidelines of the Design Manual. An appeal of the Design Review Committee’s decision can be made to Regional Council. This is not the recommended course of action.

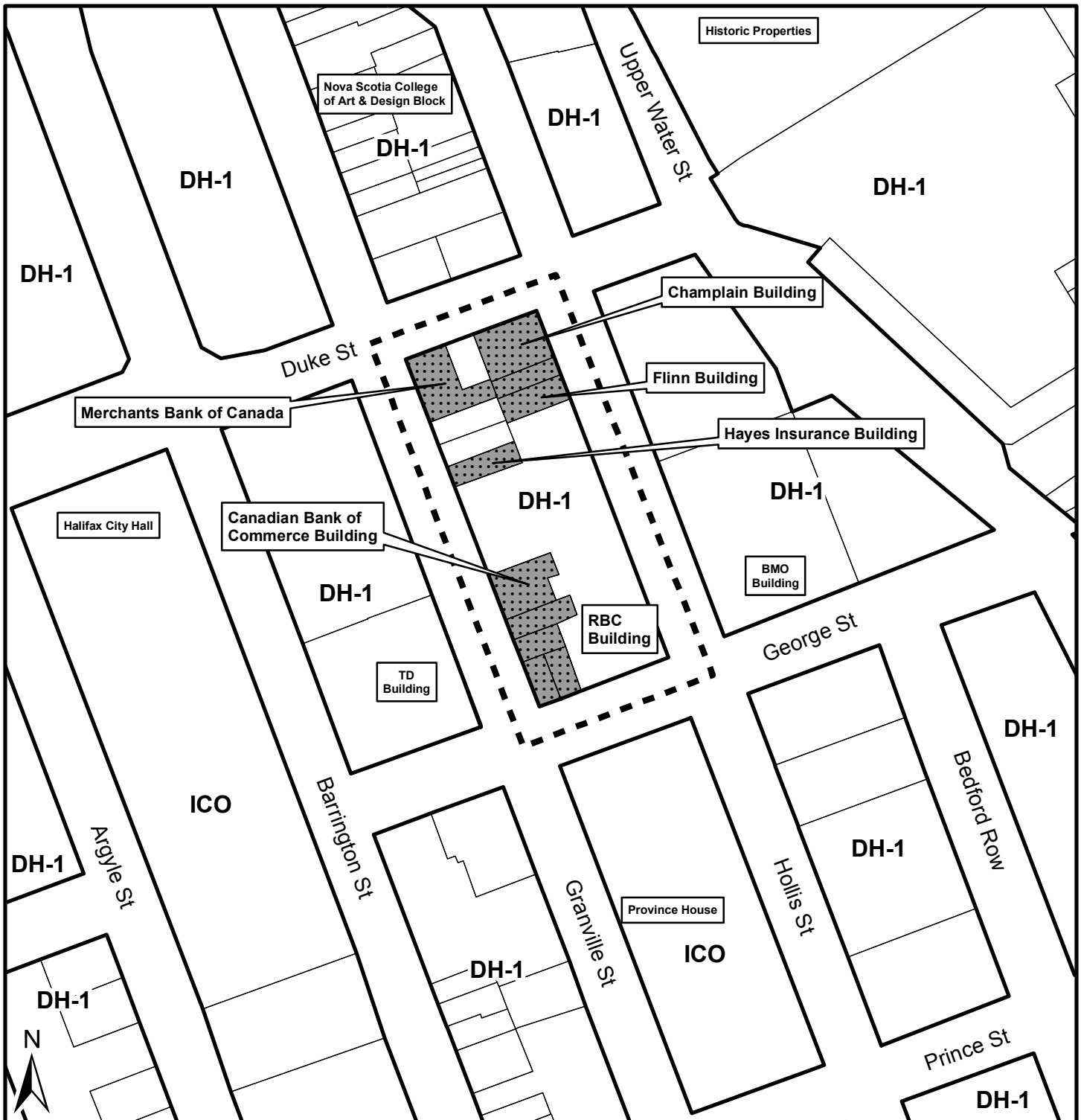
ATTACHMENTS

Map 1	Location and Zoning
Attachment A	Site Plan Approval Plans
Attachment B	Design Rationale
Attachment C	Building Renderings
Attachment D	Design Manual Checklist – Case 19046
Attachment E	Heritage Impact Statement
Attachment F	Wind Study

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

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

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



Map 1 - Location and Zoning

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



Subject site



Municipally registered
heritage property within
subject site

Zone

DH-1 Downtown Halifax 1

ICO Institutional, Cultural & Open Space

Downtown Halifax Plan Area

HALIFAX
REGIONAL MUNICIPALITY
DEVELOPMENT APPROVALS

0 20 40 m

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

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



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Wickham MacCormack Tremblay Architects
Interior Architecture
1000 Lakeshore Blvd. W.
Suite 1000, Toronto, ON
M6K 3B2
Tel: (416) 325-0000

Notes:
1. See also Part 2 of the Approved Building Permit.
2. All dimensions are in millimeters (mm) unless otherwise specified.
3. All dimensions are to the centerline of the wall or member unless otherwise specified.
4. All dimensions are to the finished surface unless otherwise specified.
5. All dimensions are to the centerline of the wall or member unless otherwise specified.

Rev.	Date	Description
1	2013.12.27	ISSUING FOR PERMIT
2	2013.12.27	ISSUING FOR PERMIT
3	2013.12.27	ISSUING FOR PERMIT
4	2013.12.27	ISSUING FOR PERMIT
5	2013.12.27	ISSUING FOR PERMIT
6	2013.12.27	ISSUING FOR PERMIT
7	2013.12.27	ISSUING FOR PERMIT
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9	2013.12.27	ISSUING FOR PERMIT
10	2013.12.27	ISSUING FOR PERMIT

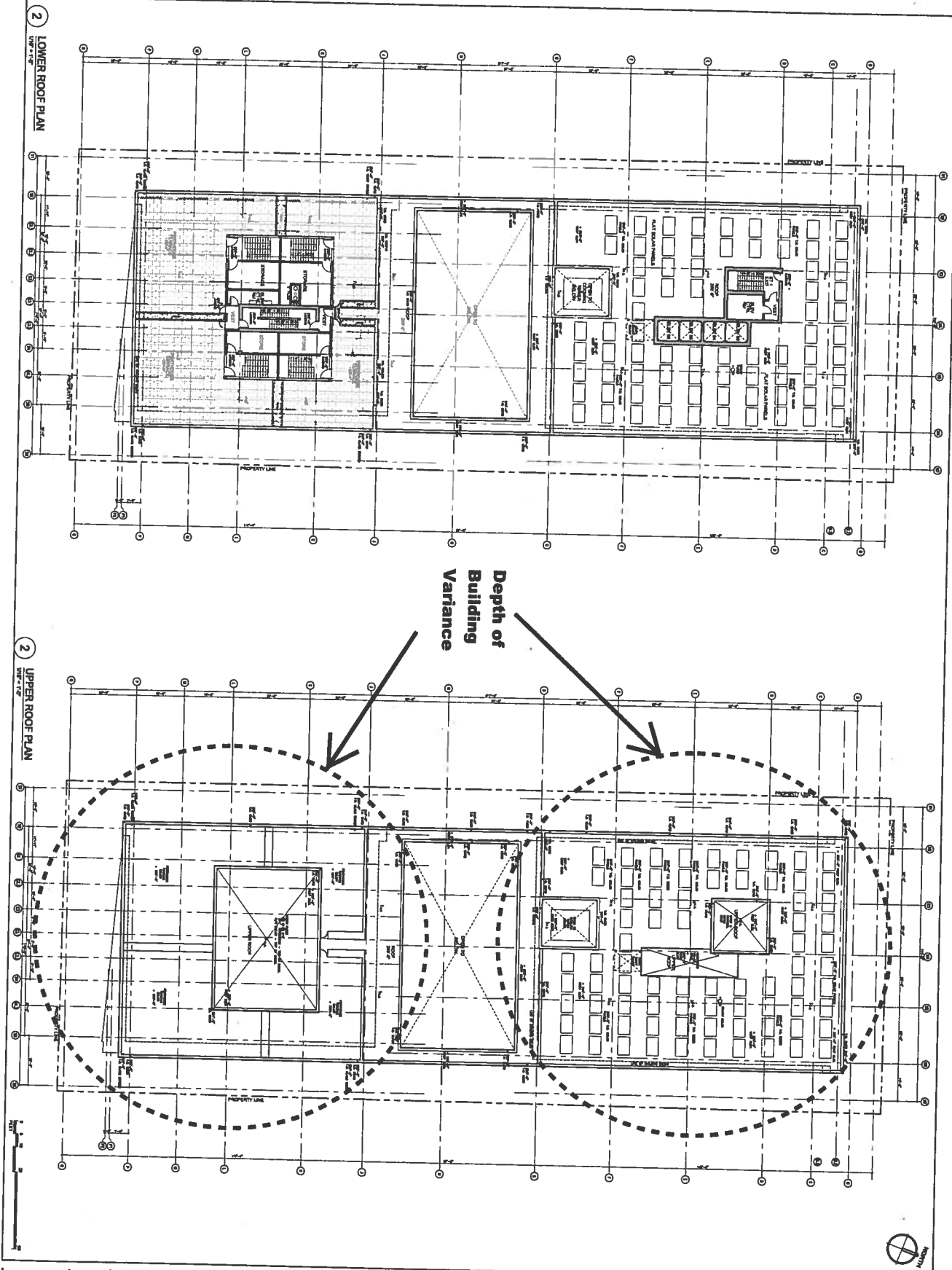


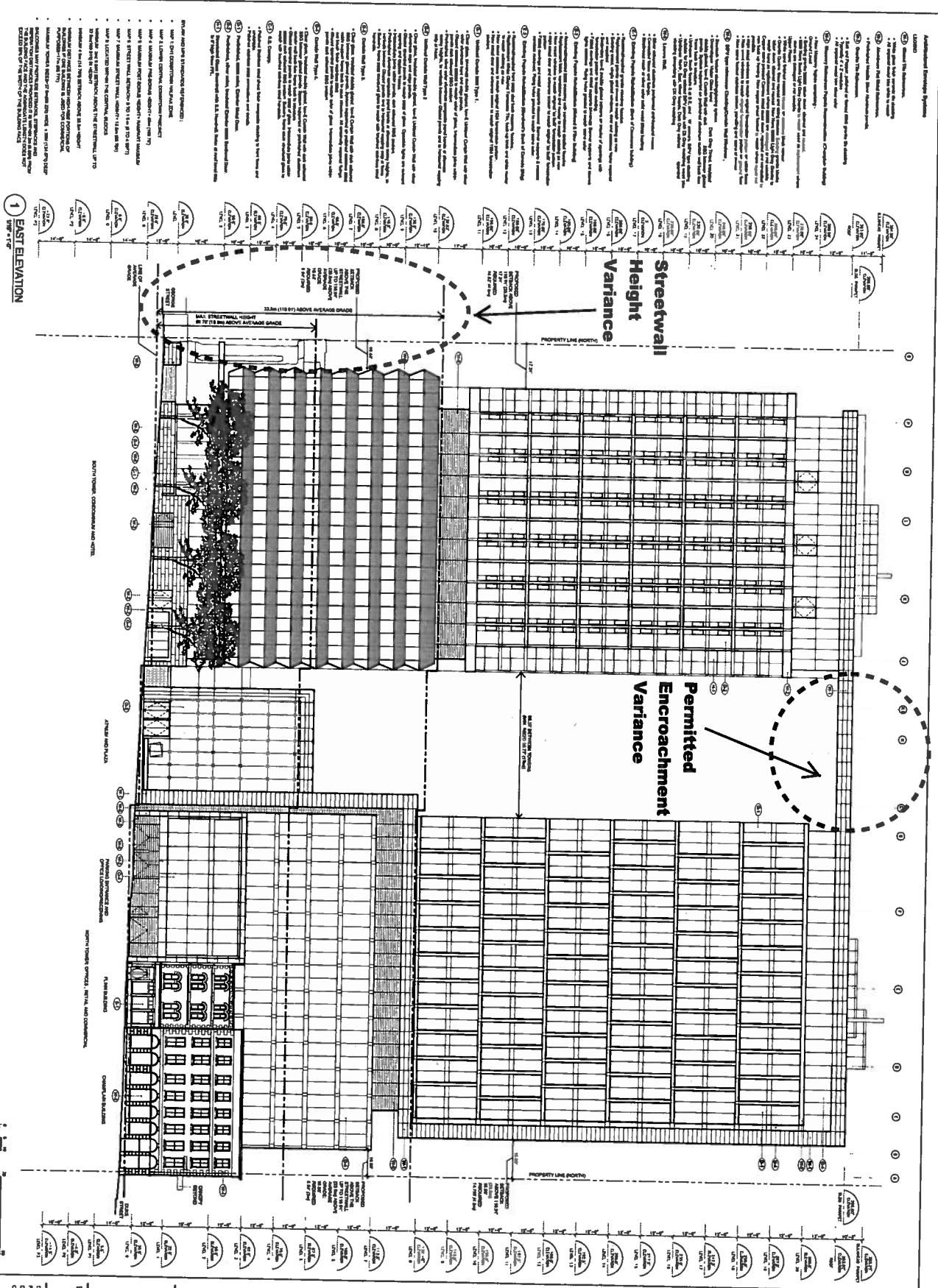
FLOOR PLANS
LEVEL 20 OFFICE & 23 & 24 CONDO
LOWER & UPPER ROOF PLANS
Drawing Title: 1107 - F-107
Drawing No.: 1107
Drawing Date: 11/08
Checked By: LLA
A-107

2 LOWER ROOF PLAN
1107 - F-107

2 UPPER ROOF PLAN
1107 - F-107

Depth of
Building
Variance





LYDON LYNCH

Client:
Ryder Vehicle Leasing Ltd

Project:
2800 COMMERCE SQUARE
N.A.S.A.L. WOLV. SCOTIA

Consultants:
Lydon Lynch Architects Limited
Architects / Interior Design
1208 Regent Road, 3rd Floor
WOLV. SCOTIA
Tel: (031) 423 1144
Fax: (031) 423 1144

Photo Engineering Ltd
2702 Regent Road, 3rd Floor
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Integrated Group
111 New Street,
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Wolston Macdonald Tarmann Architects
111 New Street,
WOLV. SCOTIA
Tel: (031) 423 1144
Fax: (031) 423 1144

Notes:
1. All elevations are to be constructed in accordance with the following specifications:
a. All elevations to be constructed in accordance with the following specifications:
b. All elevations to be constructed in accordance with the following specifications:
c. All elevations to be constructed in accordance with the following specifications:
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v. All elevations to be constructed in accordance with the following specifications:
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x. All elevations to be constructed in accordance with the following specifications:
y. All elevations to be constructed in accordance with the following specifications:
z. All elevations to be constructed in accordance with the following specifications:



ELEVATIONS

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

Project Name: 2800 COMMERCE SQUARE
Client: RYDER VEHICLE LEASING LTD
Drawing No: A-201

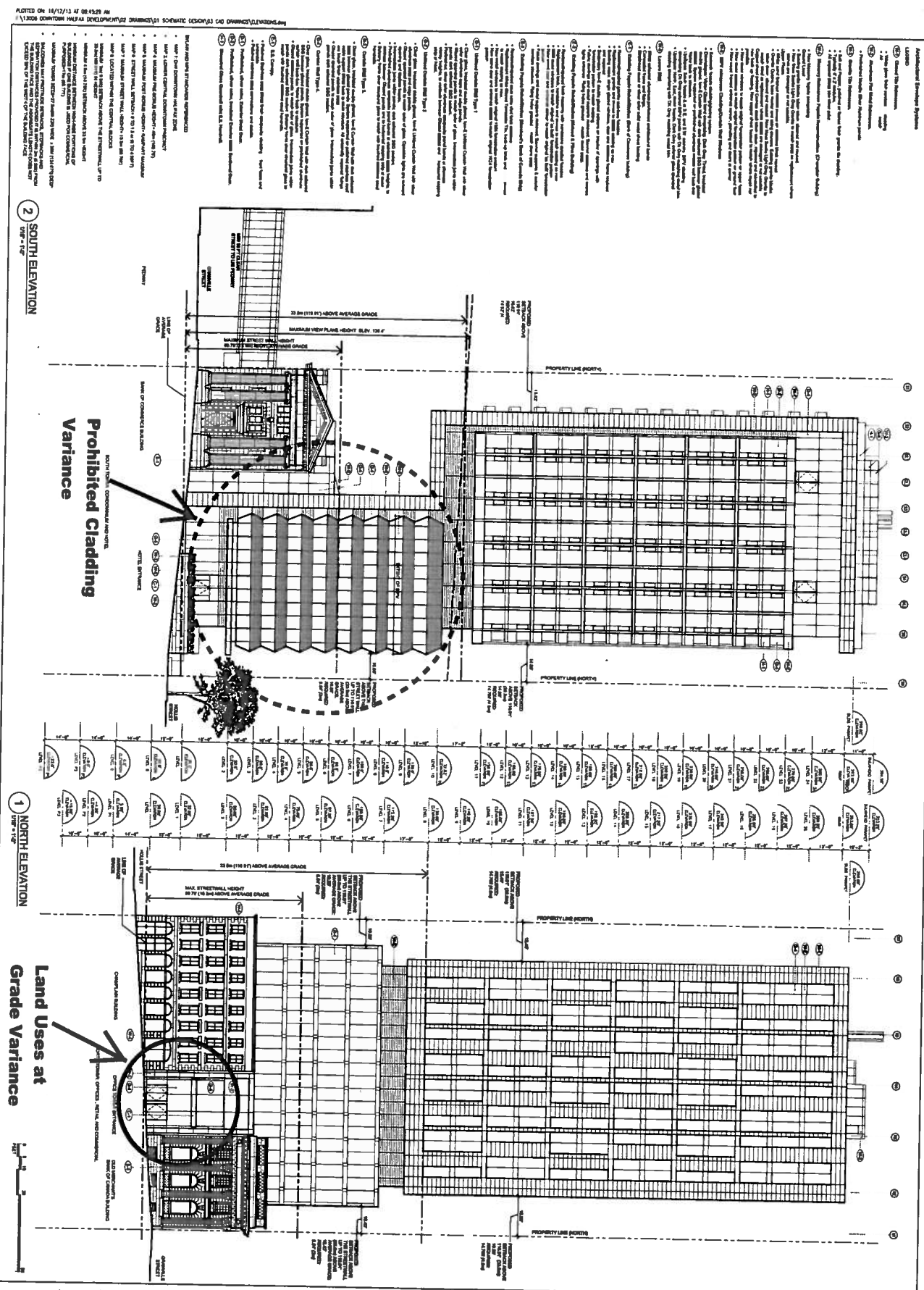
A-201

Land Uses at
Grade Variance

1 NORTH ELEVATION
SHEET 1 OF 2

2 SOUTH ELEVATION
SHEET 2 OF 2

NOTED ON 18/11/11 BY: [illegible] CHECKED BY: [illegible] DRAWN BY: [illegible] DATE: 18/11/11



SUBSTANTIVE SITE PLAN APPROVAL APPLICATION**22ND COMMERCE SQUARE, HALIFAX, NOVA SCOTIA**2013.12.27

1.0 Introduction and Summary

This report represents the completion of the Substantive Site Plan Approval Application stage for the 22nd Commerce Square Project in Halifax, Nova Scotia. The Redevelopment of the single City Block that is subject of this Application provides significant opportunity within a single project to accomplish a number of objectives, including:

- A major Live-Work Opportunity realized within the primary regional hub for commerce, culture and tourism.
- The Protection and restoration of historic facades, and a distinct historic landmark building.
- The addition of a new sequence of all weather public open spaces, including an indoor anchor space and outdoor plazas.
- The enhancement of the quality of streetscape (facades, materials and use opportunities) for pedestrian user.
- An opportunity to create a contemporary, well mannered and pedestrian friendly development.
- A development that supports existing Transit and active transportation systems.
- The continued evolution of established development patterns for the downtown – densification, diversification and upward growth.
- An Opportunity to showcase the Halifax by Design Policy and its potential.
- A development that provides ease of maintenance – reducing the burden of ownership and operation on the city and building owners.
- A project that contributes a positive and durable legacy in the City's evolving identity towards the 22nd century through Sustainable building design and construction, reducing the burden on the planet and future generations.

We are confident that all of these objectives may be met whilst meeting the expectations of the Owner, the Municipality and the Citizens of Halifax.

Reference is made to Halifax Regional Municipality documents throughout this report, with specific references noted in parenthesis at the end of sentences or paragraphs; citing the document and section or clause referred to. For example - (*HRM Design Manual 3.3.1(a)*)

2 Urban and Architectural Design Description

2.1 Overall Concept

This concept statement includes two parts; the enabling works stage, and the new construction phase.

The Development Proposal requires an enabling works phase comprising the demolition of the majority of structures within the boundary of the site, including the RBC Tower and associated low-rise building which fronts onto Hollis and Granville Street. The proposal also includes the demolition of smaller commercial buildings on Granville and Hollis Street that date from the 1960's and 70's. Excavation to an elevation of between 30 and 50 feet below present sidewalk height is required to provide parking for the new development.

The Proposal includes the conservation and reuse of five existing municipally registered Heritage structures. These are:

- Façade and major interior space of the Bank of Commerce Building. 5171 George Street. c.1906.
- The façade of the Old Merchants Bank Building. 1819 Granville Street. c.1911.
- The façade of the Flinn Building. 1820 Hollis Street. c. 1860.
- The original façade of Champlain Building to its pre-1911 condition. 5162 Duke Street. c.1860.
- The façade of the Hayes Insurance Building. c.1860.

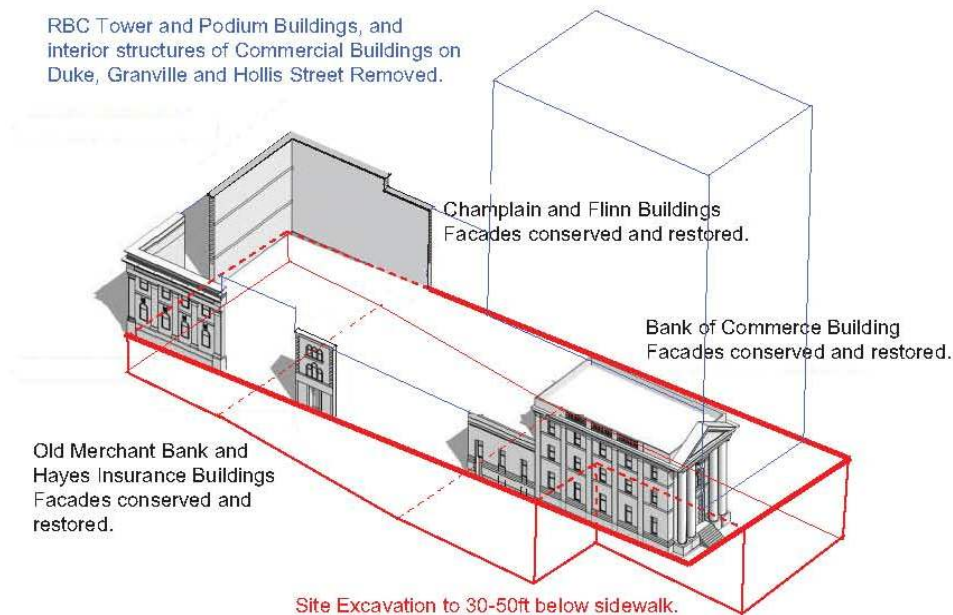


Fig.1 Sketch Illustration of proposed demolition, excavation and retention strategy.

Once this preparatory move has been undertaken, the site is available for development according to bylaw (Fig.2). The existing buildings place a limitation of the fullest opportunity (Fig.3) and so the opportunity to develop above the retained Bank of Commerce is taken so as to maximize floor area within the limitations bylaw (Fig.4).

Programmatic uses are distributed according to the best use for the various parts of the building. This places the office accommodation so as to use the Duke Street address, the placement of the hotel and condominium uses so as to make use of the southern aspect and uninterrupted views of the Legislature. The proximity of the former Bank of Commerce, and its intended use as a Restaurant compliment this use of the south tower. Whilst the base of the south tower is activated by the hotel and condominium entrance, retail uses are located below the north tower to activate the pedestrian frontage on three sides, and make best use of the existing facades on these streets (Fig.5).

The exterior form and articulation of the Building Envelope reconciles three determinants: legible and rational representation of these programmatic uses, the application and influence of bylaw requirements, and a considered and articulate response to urban context.

The four main elements of the scheme comprise a strong, street-scale base which includes several existing facades, a central body or middle comprising the two towers, and a concluding top plane of white ceramic tile which unifies the two towers into a single entity in a distinctive manner (Fig.6). (HRM Design Manual 3.3.4(a)) The fourth element is the minimally detailed Atrium whose glass enclosed wooden portals define a new Civic place in the city, and a connection between Hollis and Granville Streets; enhancing pedestrian permeability. (HRM Design Manual 3.3.1.(a))

The two towers appear with synonymous but distinct identities unified by a common theme in the form of a plane or ribbon of ceramic tile that descend from the roof plane sinuously around the masses of the project. (HRM Design Manual 3.3.4(b)) These vertical elements rise to meet this plane from a visually complex but rationally derived street wall podium that unifies the existing and retained facades amongst a more restrained contemporary language of elements and forms that are sympathetic in scale, articulation and material language

The white colored, glazed ceramic tile ribbon is a contextual reference intended to acknowledge the finely detailed white terracotta of the Merchants Bank of Canada Building whose façade is representative of the classic age of Mercantile Architecture in the early twentieth century. (HRM Design Manual 3.3.1.(b)) Its ribbon-like quality acts as a unifying element through the entire development (Fig.6A). As a compositional device, it rationalizes setbacks and changes in use while creating a unique architectural expression.

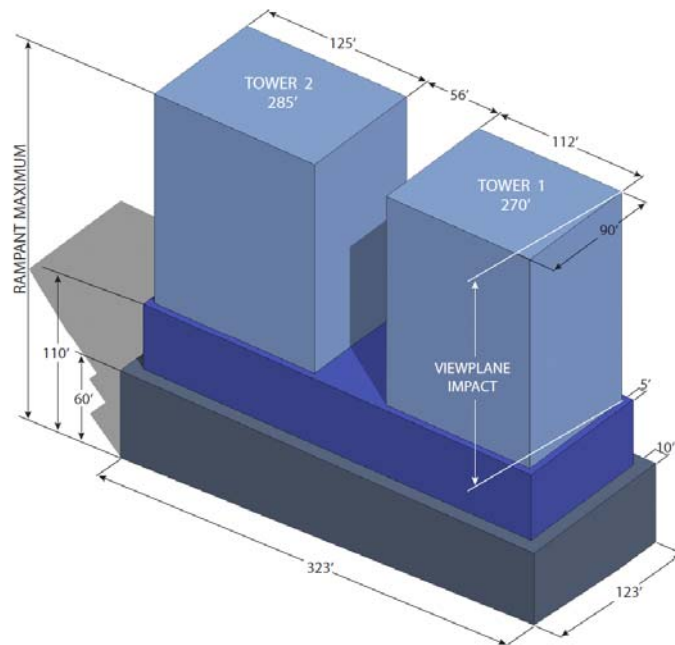


Fig.2A: Development opportunity as per HRM by-law.

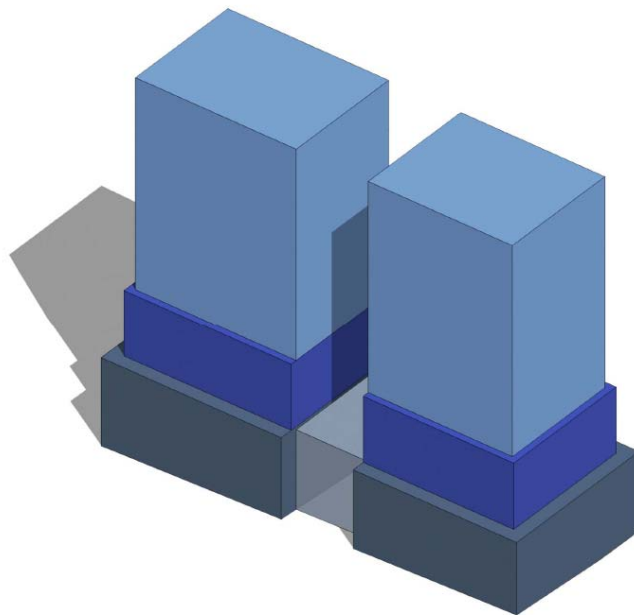


Fig.2B: Development opportunity as per HRM by-law with Atrium introduced.

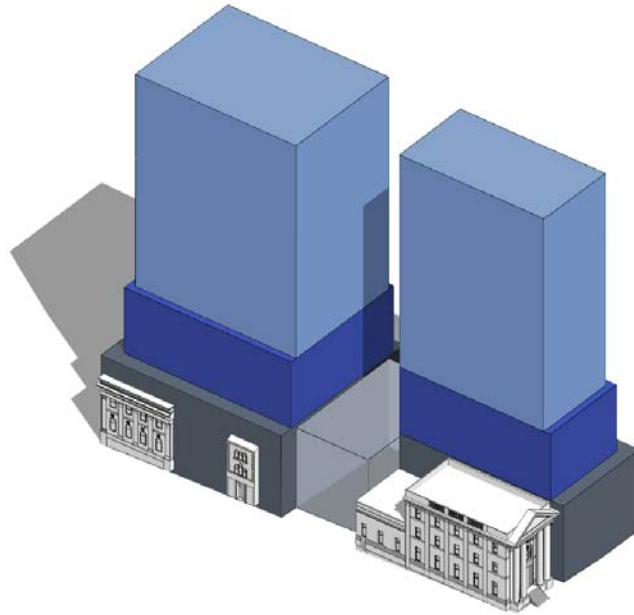


Fig.3: HRM By-law limitations due to existing heritage resources.

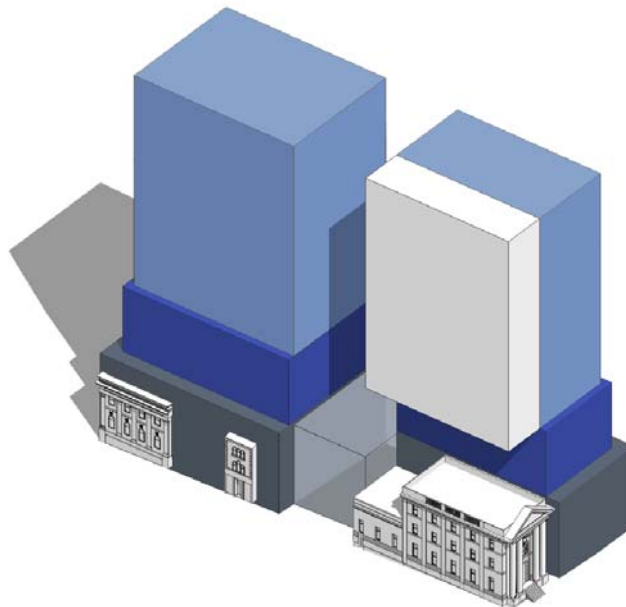


Fig 4: Recapturing of development opportunity above Bank of Commerce Building.

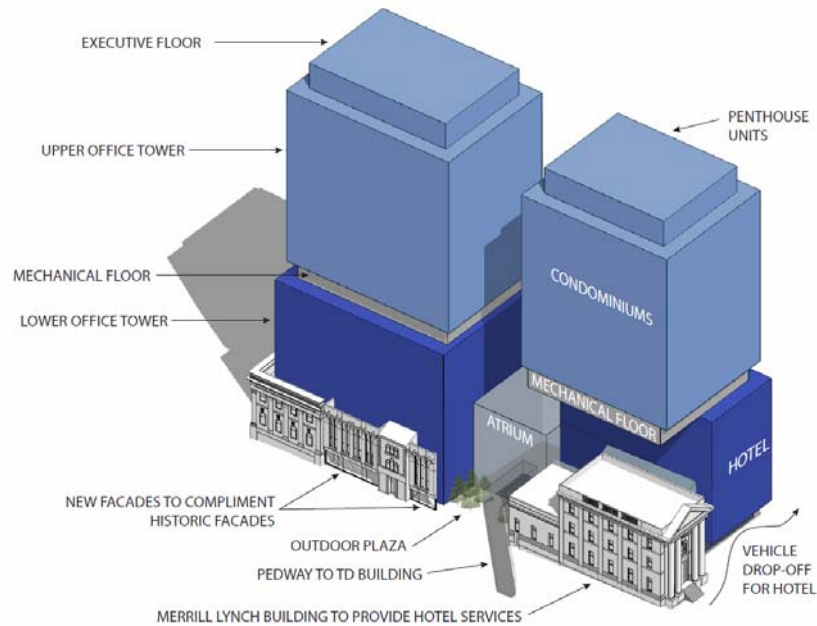


Fig.5: Distribution of programmatic uses.

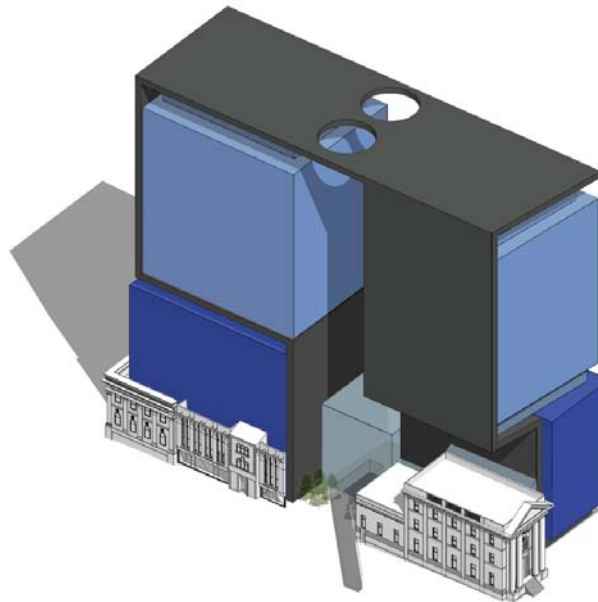


Fig.6A: Unification of volumes and uses with ceramic ribbon



Fig.6B: The Ceramic Ribbon in abstract.



Fig.6C: Architectural Model of the Proposed Development - George and Hollis Street Facades.



Fig.6D: Architectural Model of the Proposed Development - Granville Street Facade.

2.3 Streetwall - Podium - Atrium – Entrances.

The functional purpose of the streetwall is defined well in the Design manual. In addition, its primary urban design purpose is to contribute in a meaningful manner in defining the collective and established identity of the City, and the status and role the buildings within its curtilage have within that environment.

Streetwall

Existing streetwalls in the Commercial Hub of Halifax are typically 4 to 6 storeys in height and comprise for the large part formally articulated facades that are distinctly representative of their era. Most importantly, they address the street and pedestrian realm in a visually active and functional manner that reflects the period up until the mid 20th century where the city was primarily a pedestrian environment. With regards to the more modern buildings, which include the small infill building on Granville Street and the RBC building, they are representative of an era where pedestrian scale and use ceased to be the preeminent factor in the shaping of the city.

A central aim of this project is to reestablish the tradition of placing the pedestrian experience firmly at the helm in shaping the appearance of the streetwall. A further aim is to develop engagement with the addition of new public space, and add improvements to the pedestrian experience of the streets that surround the site. A challenge to this task is the sloped nature of the site, and the way building floor levels relate to the constantly varying sidewalk elevation without losing engagement. A key approach in achieving this aim is to reinforce established streetscape typologies identified in the MPS. (*Ref. HRM MPS Map 9*)

Contemporary elements of the revitalized streetwall such as the stone clad podium to the hotel, and the picture-frames that define the new retail facades and office entrance, allude to and reinvent the legacy of the use of a timeless material in facades within the City Centre. In the case of the three retail facades, the contemporary desire for transparency and a visual dialog between the street and occupants on multiple levels necessarily pushes the stone to the perimeter of the façade where it becomes a picture frame to the activities beyond. The central portion of these picture frames are broken between first and second floor in order to provide for tenant signage in a way that relates to the traditional fascias of existing shop facades while creating sheltered storefronts at street level. (*HRM Design Manual 3.3.1(b), 3.3.2*).

Podium

This theme of relating Contemporary elements to the podium with their historic context extends to the extensive granite base to the south tower that provides visual reference to the Bank Commerce's new informal role as Restaurant Annex to the proposed Hotel. This extended granite base also acts as a defining plane to the base of the south façade in the way the white ceramic ribbon does the top.

Rising from the Podium are five existing and conserved municipally registered Heritage Facades. These are:

- Bank of Commerce Building. 5171 George Street. c.1906.
- Old Merchants Bank Building. 1819 Granville Street. c.1911.
- Flinn Building. 1820 Hollis Street. c. 1860.
- Champlain Building. 5162 Duke Street. c.1860.
- Hayes Insurance Building. 1813 Granville Street. c.1863.

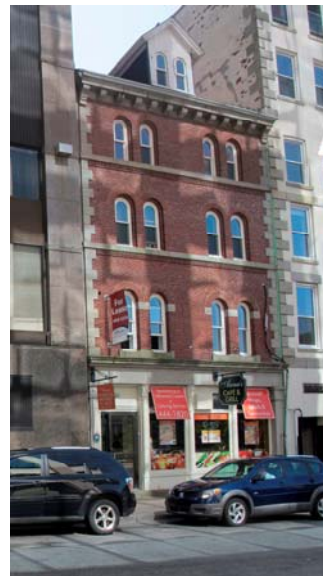


Fig.7-8: Photo of Existing Original Old Merchants Bank and Flinn Facades to be conserved.



Fig.9-10: Existing Facades of Champlain, Hayes Insurance Building, to be conserved.



Fig.11 Existing Facade and main space of the Bank of Commerce Building, to be conserved.

Approaches to the conservation of existing facades balance reverence for their inherent historic legacy, and the practical needs of the project as a whole. Approaches vary between the manageable repairs required for the Bank of Commerce, Hayes Insurance and Flinn Building facades, to the more extensive major repairs and restoration needed at the Old Merchants Bank Building, to the restoration of the dignified qualities of the Champlain Building's original 4-storey facade. Reference to the Heritage Impact Statement should be made in regards to proposed works to these buildings.

Atrium

The space between the two towers is deliberately understated and occupied by a minimalist glass enclosure signifying the open and public nature of this new contribution to the permeability of the city. This extends to the property boundary in the form of public open space described later. In this Atrium, it is intended to create a unique and positive space for Halifax; one which acts as both a connecting node within the building but also between buildings, streets and the downtown. As a 'go-to' space, its scale is carefully proportioned so as not to seem overwhelming but instead, transparent and welcoming.

Above the atrium, and spanning between the tower; the white ribbon extends across the void; but dissolving into two edge strands so as to diminish its visual weight and impact on day lighting to spaces below.

Entrance

Whilst the existing facades rely on traditional decorative elements such as cornices and pediments to create legibility and define functions such as entrances, the new buildings within the stone podium are punctuated by recessed openings within the stone streetwall, and overhead planes in contrasting polished metal in order to define Entrances to the four key building uses.

At the condominiums, three stainless steel lanterns punctuate through former window openings in the existing granite façade to signify the Main Granville Street Entrance. At the Duke Street Office Entrance, a larger, similar single stainless steel lantern float proud of the stone picture frame portal to denote this major entrance.

At the corner of George and Hollis Streets, the major public entrance area and lounge space of the hotel are defined by a common wrap-around canopy in polished stainless steel that also acts as an extended base to the saw-tooth facades above. The canopy, and distinctive sawtooth cladding above wrap-around and define a contemporary identity for this prominent corner site. (*HRM Design Manual 3.3.1.(c), 3.4.2.*)

In all cases, a simple and legible form results making use of the building by all users and at all times of the day as easy as possible. (*HRM Design Manual 3.3.3*)

2.4 North Tower

The white ribbon divides the north tower in two as a means of defining a transition in scale at mid height; reflecting the formal facades of the 6 storey buildings north of Duke Street. Above this height they create a deep-set articulation to the north face of the office tower. This pattern evokes a defensive posture to the exposed northern edge of the site and the winter wind. Glazed slots afford views to occupants though this shield of the harbour and bridges. East and west facades at the upper level are articulated in a two storey high pattern of unitized glazing panels. These deep-set glazed façade panels provide optimal shading to reduce cooling load on building energy systems, whilst retaining full storey height views to the surrounding city. (*HRM Design Manual 3.3.1.(c), 3.3.2*)

Below the band at mid-height, articulation of the facades become a simpler matter with the overall form of the building taking precedence as a base element, mediating between the grand scale of the building above and the finer articulation of the street wall facades below. This simpler articulation is also applied to the south façade of the tower, facing its sibling to the south; so as not to create a visually crowded

sense above the atrium. Shading to reduce cooling load is carried out by full height window blinds provided through the base building so as to unify the appearance at night of the facades.

The simple glazed mass of the lower reaches of the tower nestle within a fringe of new, and highly ornate existing facades, separated by an interstitial space behind the height of the existing facades. These spaces reconcile floor height differences between the new and existing, and avoid the often encountered problem of blank or spandrel panels in openings where existing facades are reused in new buildings. This also provides a deep-set shading device and acoustic barrier between the offices and the streets beyond. This approach allows an effective reconciliation between building function, the visual integrity of the existing facades and environmental requirements.

The main entry point to the north tower is located on the cities commercially important Duke Street and defined by a formal yet simple portal and canopy. The glazed opening within the portal is articulated slightly differently to its retail frontage siblings, and addresses the scale and regulating lines of the adjacent existing facades. Behind this façade, a two storey lobby presents an appropriate and dignified scale to the new office building.

Access and systems within the tower are provided by a central integrated core which includes stairs, elevators, lobbies, washrooms and service spaces.

The roof of this tower is covered with solar collectors contributing to the hot water systems of the building. All rainwater from the roof runs to a large cistern on a middle mechanical floor which is used within the building in lieu of municipal water. This approach meets the intent of the city which calls for flat roofs to be landscaped; partly for visual reasons, partly as a way of reducing storm-water run off into the cities sewer system. This roof is not visible in plan from the Citadel. *(HRM Design Manual 3.3.4.(c))*

This roof includes a small number of servicing spaces for equipment. These are either grouped into one central area, or recessed down into a well within the top floor; so as not to be visible from adjacent locations. The exception to this is the three stainless steel flues that cannot be hidden, but are located adjacent to the central core so as to minimize their visual impact. *(HRM Design Manual 3.3.4.(d))*

2.5 South Tower

The juxtaposition between the mannered symmetry of the Formal Entrance Façade of the Bank of Commerce, and the equally composed asymmetry of the South Tower is intended to establish a bold and memorable presence on the proposed Promenade of George Street. This contrast of ages faces onto the proposed Grand Promenade of George Street, presenting an extended formal presence befitting the Civic Importance of this new Linear Public Space. Acting as the keystone of the northern edge to the wider square that frames the formal grandure of the early 19th century Province House, it contributes to a sense of place that includes representation of the many Ages and styles of Architecture that define Halifax's unique and historic identity.

The South Tower comprises two separate residential uses in the form of the proposed hotel on the lower floors and the condominium units above. The white ceramic ribbon again is used to separate these uses at the mid height of the tower in a legible and rational manner, acknowledging the presence of the Bank of Commerce Building below.

The upper reached of the building echo the scale and textures of the north tower, with further articulation from balconies and opening lights. Balcony guardrails continue the glass and aluminum theme with their simple yet robust detailing. *(HRM Design Manual 3.3.1.(c))*

The lower floors at the proposed hotel introduce an entirely different texture to the street that is intended to be distinct within the palate of the project, and signify the hotel as a self contained element within the whole. The `sawtooth` vertical section is derived from the carefully considered geometry of a facade that includes skyward facing Building Integrated Photovoltaic panels, and streetward facing windows whose tilt provides shading from glare and reduced cooling load on building energy systems. This texture is continued on three sides. *(HRM Design Manual 3.3.1.(c))*

Access and systems within the tower are provided by a central integrated core which includes stairs, elevators and service spaces.

The roof of this tower is landscaped and includes terraces serving the upper floor penthouses, with dense hedges providing privacy between these areas. All rainwater from the roof runs to a large cistern on a middle mechanical floor which is used within the building in lieu of municipal water. This roof is not visible from the Citadel. There are no rooftop services or equipment other than three stainless steel flues that cannot be hidden, but are located on top of the central core so as to minimize their visual impact. *(HRM Design Manual 3.3.4.(c))*

2.6 Parking, Cycle Storage and Service Levels

The scheme aims to minimize the impact of on street parking by occupants and provides three floors on below street parking for occupants; accessed from Hollis Street. *(HRM Design Manual 3.5.1(a))* This provides a total of 141 spaces for office workers, and a further 148 spaces for hotel and condominium occupants using an innovative stackable parking system. This would be serviced by a quick-turn-around valet service from curbside or from either the hotel or condo lobbies. Such systems are more common in larger cities where residents may not want the inconvenience of parking at distance from their residence, or the time taken to park in multilevel parking structures.

Provision for cyclists is made in the form of Class A and Class B storage in accordance with Municipal and LEED Standards. This includes changing and showering facilities accessed off the Atrium. With cyclists personal security in mind, access would be controlled by card access and is via a dedicated entry door on

Hollis Street. Class B stalls are located along the street on this side of the building in amongst benches and street trees.

An unusual but memorable feature of the podium at this point is the glass 'vitrine' that punctures the granite plinth and extends into the widened sidewalk. This showcase to the cycle store both celebrates active transportation, and allows public surveillance of the store at all times.

Whilst not obvious above street level, the parking spaces do impact the facades in the form of ventilation louvers required to provide fresh air and remove exhaust air. These have been located in several locations and in a manner so as to diminish their otherwise industrial visual form and its undesirable impact on the public realm. (*HRM Design Manual 3.5.1*)

The parking entry and exit ramps are located on the most obvious location; Hollis Street, in order to mitigate risk to the public on the more busy pedestrian thoroughfares of Duke and George Street, and the quieter retail pedestrian nature of Granville Street. Gates to ramps are set back a full vehicle length of 20 feet to minimize the possibility of a vehicle blocking the sidewalk. Adequate lighting and signage will be provided to further reduce risk. (*HRM Design Manual 3.5.1, 3.5.4.*)

Much of the building mechanical and electrical spaces are located in these lower levels and access to them by servicing vehicles is a consideration in the design of headroom and space standards on the lower levels.

2.7 Pedway

In the long term, a Pedestrian Bridge or Pedway will provide an umbilical like connection between the new TD Tower across Granville Street, and the 22nd Commerce Square Building. The TD Tower contains few amenities other than the retail banking branch on Barrington Street. It is therefore the intention to extend the established public Pedway through downtown whilst providing occupants with all weather linkage to the facilities and food and retail uses that the new building will provide; some of which are accessible off the atrium and adjacent common areas.

The single storey Pedway will be designed to maximize its transparency in order to minimize its impact in views along Granville Street. Its design will also take account of Pedestrian comfort in regards to wind strength around and below its location. (*Ref. HRM MPS Map 12, HRM DG 3,2,6*)



Fig.12: Future location of proposed Pedway and impact on the TD building.

2.8 Exterior Landscape

The development includes both the formal Plaza and enclosed atrium space, and a series of small interstitial landscaped spaces around the periphery of the building edge. Materials used within these spaces will be consistent in type and quality so as to present a unified identity to the block. The use of flamed granite pavers and other materials of equal quality within that line will add to the richness of the material streetscape at the pedestrian scale.

The Central Space between the towers is framed with minimally detailed, exterior reflecting pools. These linked pools act as a picture frame around the atrium, and are punctuated by bridging spaces that tie Granville and at a lower level, Hollis Streets to the heart of the building. Flat surfaces suitable for sitting are provided as part of the pools to allow the public to enjoy these small, softer interventions in the otherwise hard edges of the city blocks. The Atrium provides an all weather/all season public space for meeting and informal social use, during normal business hours.

The widened sidewalk at the south end of the Hollis Street facade includes planters at the building edge, street trees and benches, along with the already mentioned Bicycle storage racks. This ensemble is

intended to enhance the pedestrian experience, and provide something of a buffer to what is a very busy vehicular street.

The Frontage to George Street is presently occupied by the formal Loggia of the Commercial Bank of Canada Building, and the open plaza that fronts the RBC tower. It is the intention of the Development to retain an open space as a contribution to the Civic qualities of the intended East-West Promenade along George Street, and as a gesture to the wider open rectangular space within which Province House presides. As an improvement over the current space, a flight of steps, landscaped planter and seating is provided to Hollis street, opening up this space for greater pedestrian use at this corner.

**SUBSTANTIVE SITE PLAN APPROVAL APPLICATION – DESIGN REVIEW COMMITTEE SUPPLEMENTAL
REPORT - RENDERINGS**

22ND COMMERCE SQUARE, HALIFAX, NOVA SCOTIA

2014.01.21.



View of South facing elevation from George Street.

**SUBSTANTIVE SITE PLAN APPROVAL APPLICATION – DESIGN REVIEW COMMITTEE SUPPLEMENTAL
REPORT - RENDERINGS**
22ND COMMERCE SQUARE, HALIFAX, NOVA SCOTIA
2014.01.21.



View of South facing façade from Hollis Street.

**SUBSTANTIVE SITE PLAN APPROVAL APPLICATION – DESIGN REVIEW COMMITTEE SUPPLEMENTAL
REPORT - RENDERINGS**
22ND COMMERCE SQUARE, HALIFAX, NOVA SCOTIA
2014.01.21.



View of North facing façade along Granville Street.

**SUBSTANTIVE SITE PLAN APPROVAL APPLICATION – DESIGN REVIEW COMMITTEE SUPPLEMENTAL
REPORT - RENDERINGS**
22ND COMMERCE SQUARE, HALIFAX, NOVA SCOTIA
2014.01.21.



View of North facing façade along Hollis Street.

**SUBSTANTIVE SITE PLAN APPROVAL APPLICATION – DESIGN REVIEW COMMITTEE SUPPLEMENTAL
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22ND COMMERCE SQUARE, HALIFAX, NOVA SCOTIA
2014.01.21.



View of Plaza and Atrium facing Hollis Street.

**SUBSTANTIVE SITE PLAN APPROVAL APPLICATION – DESIGN REVIEW COMMITTEE SUPPLEMENTAL
REPORT - RENDERINGS**
22ND COMMERCE SQUARE, HALIFAX, NOVA SCOTIA
2014.01.21.



View of West Plaza, Atrium and restored facades along Granville Street.

**Attachment D – Design Manual Checklist
Sections 2 and 3**

Section	Guideline	Complies	Discussion	N/A
2	Downtown Precinct Guide lines (<i>refer to Map 2 for Precinct Boundaries</i>)			
2.4	District 4: Lower Central Downtown			
2.4a	Allow for mixed-use high-rise infill development on large opportunity sites.	•		
2.4b	Prohibit new surface parking lots of any kind.			•
2.4c	Ensure that existing surface parking lots and vacant sites are developed.			•
2.4d	Vacant sites shall be developed in a way that provides a continuous streetwall and uninterrupted pedestrian experiences.			•
2.4e	The precinct is to be characterized by animated streetscapes.	•		
2.4f	Focus pedestrian activities at sidewalk level through the provision of weather protected sidewalks using well-designed canopies and awnings.		•	
2.4g	East-west streets shall continue to provide views between the Citadel and the Harbour.	•		
2.4h	Extensions of east-west streets between Lower Water Street and the Harbour are required as key components in open space network.			•
2.4i	Establish the George Street and Carmichael Street corridor as a major east-west pedestrian connection, given the linkage between the Town Clock, the Grand Parade, and the Harbour.	•		
2.4j	To ensure that the Halifax Harbour walk is of a width and quality to be an important open space linkage with other precincts.			•
2.4k	Ensure that Lower Water Street shall be developed with a continuous streetwall and public realm design that emphasizes its meandering qualities and its emergence as an important street.			•
2.4l	To retain isolated heritage properties and protect them	•		

**Attachment D – Design Manual Checklist
Sections 2 and 3**

Section	Guideline	Complies	Discussion	N/A
	from inappropriate redevelopment.			
2.4m	New waterfront development shall adhere to Section 2.10 of the Design Manual.			•
3	General Design Guidelines			
3.1	The Streetwall			
3.1.1	<p>Pedestrian-Oriented Commercial On certain downtown streets pedestrian-oriented commercial uses are required to ensure a critical mass of activities that engage and animate the sidewalk These streets will be defined by streetwalls with continuous retail uses and are shown on Map 3 of the Land Use By-law.</p> <p>All retail frontages should be encouraged to reinforce the ‘main street’ qualities associated with the historic downtown, including:</p>			•
3.1.1a	The articulation of narrow shop fronts, characterized by close placement to the sidewalk.	•		
3.1.1b	High levels of transparency (non-reflective and non-tinted glazing on a minimum of 75% of the first floor elevation).		•	
3.1.1c	Frequent entries.	•		
3.1.1d	Protection of pedestrians from the elements with awnings and canopies is required along the pedestrian-oriented commercial frontages shown on Map 3, and is encouraged elsewhere throughout the downtown.		•	
3.1.1e	Patios and other spill-out activity is permitted and encouraged where adequate width for pedestrian passage is maintained.			•
3.1.1f	Where non-commercial uses are proposed at grade in those areas where permitted, they should be designed such that future conversion to retail or commercial uses is possible.			•

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Sections 2 and 3**

Section	Guideline	Complies	Discussion	N/A
3.1.2	Streetwall Setback (<i>refer to Map 6</i>)			
3.1.2a	Minimal to no Setback (0-1.5m): Corresponds to the traditional retail streets and business core of the downtown. Except at corners or where an entire block length is being redeveloped, new buildings should be consistent with the setback of the adjacent existing buildings.		•	
3.1.3	Streetwall Height (<i>refer to Map 7</i>) To ensure a comfortable human-scaled street enclosure, streetwall height should generally be no less than 11 metres and generally no greater than a height proportional (1:1) to the width of the street as measured from building face to building face. Accordingly, maximum streetwall heights are defined and correspond to the varying widths of downtown streets B generally 15.5m, 17m or 18.5m. Consistent with the principle of creating strong edges to major public open spaces, a streetwall height of 21.5m is permitted around the perimeter of Cornwallis Park. Maximum Streetwall Heights are shown on Map 7 of the Land Use By-law.		•	
3.2	Pedestrian Streetscapes			
3.2.1	Design of the Streetwall			
3.2.1a	The streetwall should contribute to the ‘fine grained’ character of the streetscape by articulating the façade in a vertical rhythm that is consistent with the prevailing character of narrow buildings and storefronts.		•	
3.2.1b	The streetwall should generally be built to occupy 100% of a property’s frontage along streets.	•		
3.2.1c	Generally, streetwall heights should be proportional to the width of the right of way, a 1:1 ratio between streetwall height and right of way width. Above the maximum streetwall height, further building heights are subject to upper storey stepbacks.		•	
3.2.1d	In areas of contiguous heritage resources, streetwall height should be consistent with heritage buildings.	•		
3.2.1e	Streetwalls should be designed to have the highest	•		

**Attachment D – Design Manual Checklist
Sections 2 and 3**

Section	Guideline	Complies	Discussion	N/A
	possible material quality and detail.			
3.2.1f	Streetwalls should have many windows and doors to provide ‘eyes on the street’ and a sense of animation and engagement.	•		
3.2.1g	Along pedestrian frontages at grade level, blank walls shall not be permitted, nor shall any mechanical or utility functions (vents, trash vestibules, propane vestibules, etc.) be permitted.		•	
3.2.2	Building Orientation and Placement			
3.2.2a	All buildings should orient to, and be placed at, the street edge with clearly defined primary entry points that directly access the sidewalk.	•		
3.2.2b	Alternatively, buildings may be sited to define the edge of an on-site public open space, for example, plazas, promenades, or eroded building corners resulting in the creation of public space (see diagram at right). Such treatments are also appropriate for Prominent Visual Terminus sites identified on Map 9 of the Land Use By-law.	•		
3.2.2c	Sideyard setbacks are not permitted in the Central Blocks defined on Map 8 of the Land Use Bylaw, except where required for through-block pedestrian connections or vehicular access.			•
3.2.3	Retail Uses			
3.2.3a	All mandatory retail frontages (Map 3 of Land Use By-law) should have retail uses at-grade with a minimum 75% glazing to achieve maximum visual transparency and animation.			•
3.2.3b	Weather protection for pedestrians through the use of well-designed awnings and canopies is required along mandatory retail frontages (Map 3) and is strongly encouraged in all other areas.		•	
3.2.3c	Where retail uses are not currently viable, the grade-level condition should be designed to easily accommodate	•		

**Attachment D – Design Manual Checklist
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Section	Guideline	Complies	Discussion	N/A
	conversion to retail at a later date.			
3.2.3d	Minimize the transition zone between retail and the public realm. Locate retail immediately adjacent to, and accessible from, the sidewalk.	•		
3.2.3e	Avoid deep columns or large building projections that hide retail display and signage from view.	•		
3.2.3f	Ensure retail entrances are located at or near grade. Avoid split level, raised or sunken retail entrances. Where a changing grade along a building frontage may result in exceedingly raised or sunken entries it may be necessary to step the elevation of the main floor slab to meet the grade changes.	•		
3.2.3g	Commercial signage should be well designed and of high material quality to add diversity and interest to retail streets, while not being overwhelming.			•
3.2.4	Residential Uses			
3.2.4a	Individually accessed residential units (i.e. town homes) should have front doors on the street, with appropriate front yard privacy measures such as setbacks and landscaping. Front entrances and first floor slabs should be raised above grade level for privacy, and should be accessed through means such as steps, stoops and porches.			•
3.2.4b	Residential units accessed by a common entrance and lobby may have the entrance and lobby elevated or located at grade-level, and the entrance should be clearly recognizable from the exterior through appropriate architectural treatment.	•		
3.2.4c	Projects that feature a combination of individually accessed units in the building base with common entrance or lobby-accessed units in the upper building are encouraged.			•
3.2.4d	Units with multiple bedrooms (2 and 3 bedroom units) should be provided that have immediately accessible outdoor amenity space. The amenity space may be at-grade or on the landscaped roof of a podium.		•	

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Section	Guideline	Complies	Discussion	N/A
3.2.4e	Units provided to meet housing affordability requirements shall be uniformly distributed throughout the development and shall be visually indistinguishable from market-rate units through the use of identical levels of design and material quality.			•
3.2.4f	Residential uses introduced adjacent to pre-existing or concurrently developed eating and drinking establishments should incorporate acoustic dampening building materials to mitigate unwanted sound transmission.			•
3.2.5	Sloping Conditions			
3.2.5a	Maintain active uses at-grade, related to the sidewalk, stepping with the slope. Avoid levels that are distant from grade.	•		
3.2.5b	Provide a high quality architectural expression along facades. Consider additional detailing, ornamentation or public art to enhance the experience.	•		
3.2.5c	Provide windows, doors and other design articulation along facades; blank walls are not permitted.		•	
3.2.5d	Articulate the façade to express internal floor or ceiling lines; blank walls are not permitted.	•		
3.2.5e	Wrap retail display windows a minimum of 4.5 metres around the corner along sloping streets, where retail is present on the sloping street.	•		
3.2.5f	Wherever possible, provide pedestrian entrances on sloping streets. If buildings are fully accessible at other entrances, consider small flights of steps or ramps up or down internally to facilitate entrances on the slope.	•		
3.2.5g	Flexibility in streetwall heights is required in order to transition from facades at lower elevations to facades at higher elevations on the intersecting streets. Vertical corner elements (corner towers) can facilitate such transitions, as can offset or ‘broken’ cornice lines at the top of streetwalls on sloping streets.	•		

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Sections 2 and 3**

Section	Guideline	Complies	Discussion	N/A
3.2.6	Elevated Pedestrian Walkways <i>The intent of these guidelines is to focus pedestrian activity and at the sidewalk level in support of sidewalk level retail establishments, and overall public realm vibrancy. However pedways may be appropriate or necessary in some cases. When deemed necessary, pedways shall:</i>			
3.2.6a	Not be constructed in a north-south direction such that they block views up and down the east-west streets in the downtown.	•		
3.2.6b	Not be more than a single storey in height.	•		
3.2.6c	Strive to have as low a profile as possible.			•
3.2.6d	Be constructed of highly transparent materials.			•
3.2.6e	Be of exceptionally high design and material quality.	•		
3.2.7	Other Uses			
3.2.7a	Non-commercial uses at-grade should animate the street with frequent entries and windows.	•		
3.3	Building Design			
3.3.1	Building Articulation			
3.3.1a	To encourage continuity in the streetscape and to ensure vertical ‘breaks’ in the façade, buildings shall be designed to reinforce the following key elements through the use of setbacks, extrusions, textures, materials, detailing, etc.: <ul style="list-style-type: none"> • Base: Within the first four storeys, a base should be clearly defined and positively contribute to the quality of the pedestrian environment through animation, transparency, articulation and material quality. • Middle: The body of the building above the base should contribute to the physical and visual quality of the overall streetscape. • Top: The roof condition should be distinguished from the rest of the building and designed to contribute to the visual quality of the skyline. 		•	
3.3.1b	Buildings should seek to contribute to a mix and variety	•		

**Attachment D – Design Manual Checklist
Sections 2 and 3**

Section	Guideline	Complies	Discussion	N/A
	of high quality architecture while remaining respectful of downtown's context and tradition.			
3.3.1c	To provide architectural variety and visual interest, other opportunities to articulate the massing should be encouraged, including vertical and horizontal recesses or projections, datum lines, and changes in material, texture or colour.	•		
3.3.1d	Street facing facades should have the highest design quality, however, all publicly viewed facades at the side and rear should have a consistent design expression.	•		
3.3.2	Materials			
3.3.2a	Building materials should be chosen for their functional and aesthetic quality, and exterior finishes should exhibit quality of workmanship, sustainability and ease of maintenance.	•		
3.3.2b	Too varied a range of building materials is discouraged in favour of achieving a unified building image.		•	
3.3.2c	Materials used for the front façade should be carried around the building where any facades are exposed to public view at the side or rear.	•		
3.3.2d	Changes in material should generally not occur at building corners.	•		
3.3.2e	Building materials recommended for new construction include brick, stone, wood, glass, in-situ concrete and pre-cast concrete.	•		
3.3.2f	In general, the appearance of building materials should be true to their nature and should not mimic other materials.	•		
3.3.2g	Stucco and stucco-like finishes shall not be used as a principle exterior wall material.	•		
3.3.2h	Vinyl siding, plastic, plywood, concrete block, EIFS (exterior insulation and finish systems where stucco is applied to rigid insulation), and metal siding utilizing exposed fasteners are prohibited.	•		

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Sections 2 and 3**

Section	Guideline	Complies	Discussion	N/A
3.3.2i	Darkly tinted or mirrored glass is prohibited. Clear glass is preferable to light tints. Glare reduction coatings are preferred.		•	
3.3.2j	Unpainted or unstained wood, including pressure treated wood, is prohibited as a building material for permanent decks, balconies, patios, vernadas, porches, railings and other similar architectural embellishments, except that this guidelines shall not apply to seasonal sidewalk cafes.	•		
3.3.3	Entrances			
3.3.3a	Emphasize entrances with such architectural expressions as height, massing, projection, shadow, punctuation, change in roof line, change in materials, etc.	•		
3.3.3b	Ensure main building entrances are covered with a canopy, awning, recess or similar device to provide pedestrian weather protection.	•		
3.3.3c	Modest exceptions to setback and stepback requirements are possible to achieve these goals.	•		
3.3.4	Roof Line and Roofscapes			
3.3.4a	Buildings above six storeys (mid and high-rise) contribute more to the skyline of individual precincts and the entire downtown, so their roof massing and profile must include sculpting, towers, night lighting or other unique features.	•		
3.3.4b	The expression of the building ‘top’ (see previous) and roof, while clearly distinguished from the building ‘middle’, should incorporate elements of the middle and base such as pilasters, materials, massing forms or datum lines.	•		
3.3.4c	Landscaping treatment of all flat rooftops is required. Special attention shall be given to landscaping rooftops in precincts 3, 5, 6 and 9, which abut Citadel Hill and are therefore preeminently visible. The incorporation of living ‘green roofs’ is strongly encouraged.	•		
3.3.4d	Ensure all rooftop mechanical equipment is screened from view by integrating it into the architectural design	•		

**Attachment D – Design Manual Checklist
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Section	Guideline	Complies	Discussion	N/A
	of the building and the expression of the building “top”. Mechanical rooms and elevator and stairway head-houses should be incorporated into a single well-designed roof top structure. Sculptural and architectural elements are encouraged to add visual interest.			
3.3.4e	Low-rise flat roofed buildings should provide screened mechanical equipment. Screening materials should be consistent with the main building design. Sculptural and architectural elements are encouraged for visual interest as the roofs of such structures have very high visibility.			•
3.3.4f	The street-side design treatment of a parapet should be carried over to the back-side of the parapet for a complete, finished look where they will be visible from other buildings and other high vantage points.			•
3.4	Civic Character			
3.4.1	Prominent Frontages and View Termini			
3.4.1a	Prominent Visual Terminus Sites: These sites identify existing or potential buildings and sites that terminate important view corridors and that can strengthen visual connectivity across downtown. On these sites distinctive architectural treatments such as spires, turrets, belvederes, porticos, arcades, or archways should be provided. Design elements (vertical elements, porticos, entries, etc.) should be aligned to the view axis. Prominent Visual Terminus Sites are shown on Map 9 in the Land Use By-law.			•
3.4.1b	Prominent Civic Frontage: These frontages identify highly visible building sites that front onto important public open spaces such as the Citadel and Cornwallis Park, as well as important symbolic or ceremonial visual and physical connections such as the waterfront boardwalks, the proposed Grand Promenade linking the waterfront to the Town Clock, and other eastwest streets that connect the downtown to the waterfront. Prominent Civic Frontages are shown on Map 1 in Appendix A of the Design Manual.	•		

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Sections 2 and 3**

Section	Guideline	Complies	Discussion	N/A
3.4.2	Corner Sites			
3.4.2a	Provision of a change in the building massing at the corner, in relation to the streetwall.	•		
3.4.2b	Provision of distinctive architectural treatments such as spires, turrets, belvederes, porticos, arcades, or archways.	•		
3.4.2c	Developments on all corner sites must provide a frontal design to both street frontages.	•		
3.4.2d	Alternatively, buildings may be sited to define the edge of an on-site public open space, for example, plazas, promenades, or eroded building corners resulting in the creation of public space.	•		
3.4.3	Civic Buildings <i>(not applicable)</i>			
3.5	Parking Services and Utilities			
3.5.1	Vehicular Access, Circulation, Loading and Utilities			
3.5.1a	Locate parking underground or internal to the building (preferred), or to the rear of buildings.	•		
3.5.1b	Ensure vehicular and service access has a minimal impact on the streetscape, by minimizing the width of the frontage it occupies, and by designing integrated access portals and garages.	•		
3.5.1c	Locate loading, storage, utilities, areas for delivery and trash pick-up out of view from public streets and spaces, and residential uses.	•		
3.5.1d	Where access and service areas must be visible from or shared with public space, provide high quality materials and features that can include continuous paving treatments, landscaping and well-designed doors and entries.	•		
3.5.1e	Coordinate and integrate utilities, mechanical equipment and meters with the design of the building, for example, using consolidated rooftop structures or internal utility rooms.	"	É	

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Section	Guideline	Complies	Discussion	N/A
3.5.2	Parking Structures (<i>not applicable</i>)			
3.5.3	Surface Parking (<i>not applicable</i>)			
3.5.4	Lighting			
3.5.4a	Attractive landscape and architectural features can be highlighted with spot-lighting or general lighting placement.		•	
3.5.4b	Consider a variety of lighting opportunities inclusive of street lighting, pedestrian lighting, building up- or down-lighting, internal building lighting, internal and external signage illumination (including street addressing), and decorative or display lighting.		•	
3.5.4c	Illuminate landmark buildings and elements, such as towers or distinctive roof profiles.		•	
3.5.4d	Encourage subtle night-lighting of retail display windows.		•	
3.5.4e	Ensure there is no >light trespass= onto adjacent residential areas by the use of shielded Afull cutoff@ fixtures.		•	
3.5.4f	Lighting shall not create glare for pedestrians or motorists by presenting unshielded lighting elements in view.		•	
3.5.5	Signs			
3.5.5a	Integrate signs into the design of building facades by placing them within architectural bay, friezes or datum lines, including coordinated proportion, materials and colour.	•		
3.5.5b	Signs should not obscure windows, cornices or other architectural elements.	•		
3.5.5c	Sign scale should reinforce the pedestrian scale of the downtown, through location at or near grade level for viewing from sidewalks.	•		
3.5.5d	Large freestanding signs (such as pylons), signs on top of rooftops, and large scale advertising (such as			•

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Section	Guideline	Complies	Discussion	N/A
	billboards) are prohibited.			
3.5.5e	Signs on heritage buildings should be consistent with traditional sign placement such as on a sign band, window lettering, or within architectural orders.			•
3.5.5f	Street addressing shall be clearly visible for every building.			•
3.5.5g	The material used in signage shall be durable and of high quality, and should relate to the materials and design language of the building.			•
3.6	Site Plan Variance			
3.6.1	Street Wall Setback Variance			
3.6.1a	the streetwall setback is consistent with the objectives and guidelines of the Design Manual;		•	
3.6.1b	on an existing building, where an addition is to be constructed, the existing structural elements of the building or other similar features are prohibitive in achieving the streetwall setback requirement; or			•
3.6.1c	the streetwall setback of abutting buildings is such that the streetwall setback would be inconsistent with the character of the street.		•	
3.6.3	Streetwall Height Variance			
3.6.3a	the streetwall height is consistent with the objectives and guidelines of the Design Manual; and		•	
3.6.3b	the modification is for a corner element that is used to join streetwalls of differing heights; or			•
3.6.3c	the streetwall height of abutting buildings is such that the streetwall height would be inconsistent with the character of the street; or			•
3.6.3d	where a landmark building element is called for pursuant to the Design Manual			•

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Sections 2 and 3**

Section	Guideline	Complies	Discussion	N/A
3.6.7	Maximum Tower Width Variance			
3.6.7a	the maximum tower width is consistent with the objectives and guidelines of the Design Manual; and		•	
3.6.7b	the modification results in a clear public benefit such as the remediation of an existing blank building wall; or			•
3.6.14	Prohibited External Cladding Material Variance			
3.6.14a	The objectives and guidelines of the Design Manual are met;		•	
3.6.14b	The use of the material is necessary for an appropriate architectural embellishment of the building; and		•	
3.6.14c	The material does not exceed 10% of the total area of the facade.		•	
3.6.15	Land Uses at Grade Variance The minimum floor-to-floor height may be varied for the ground floor of a building where:			
3.6.15a	the proposed floor-to-floor height of the ground floor is consistent with the objectives and guidelines of the Design Manual; and,	•		
3.6.15b	the proposed floor-to-floor height of the ground floor does not result in a sunken ground floor condition;	•		
	And at least one of the following:			
3.6.15c	in the case of the proposed addition to an existing building, the proposed height of the ground floor of the addition matches or is greater than the floor-to-floor height of the ground floor of the existing building; or,			•
3.6.15d	in the case of a proposed infill building, the floor-to-floor heights of the ground floors of abutting buildings along a common street frontage are such that the required floor-to-floor height for the ground floor of the infill building would be inconsistent with the established character of the street; or,			•
3.6.15e	in the case of a new building or an addition to an existing building being proposed along a sloping street(s), the site of the proposed new building or the proposed addition to			•

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Section	Guideline	Complies	Discussion	N/A
	an existing building is constrained by sloping conditions to such a degree that it becomes unfeasible to properly step up or step down the floor plate of the building to meet the slope and would thus result in a ground floor floor-to-floor height at its highest point that would be impractical; or,			
3.6.15f	in the case of a new building to be situated on a site located outside of the Central Blocks and off a Pedestrian-Oriented Commercial Street, the floor-to-floor height of the ground floor may be reduced to 3.5 metres if it is to be fully occupied by residential uses.			•

**Attachment D – Design Manual Checklist
Section 4**

Section	Guideline	Complies	Discussion	N/A
4	Heritage Design Guidelines		•	
4.1	New Development in Heritage Context		•	
4.1.3	Contemporary Design		•	
	New work in heritage contexts should not be aggressively idiosyncratic but rather it should be neighbourly and respectful of its heritage context, while at the same time representing current design philosophy. Quoting the past can be appropriate; however, it should avoid blurring the line between real historic buildings, bridges and other structures. “Contemporary” as a design statement does not simply mean current. Current designs with borrowed detailing inappropriately, inconsistently, or incorrectly used, such as pseudo-Victorian detailing, should be avoided.		•	
4.1.4	Material Palette			
	As there is a very broad range of materials in today’s design palette, materials proposed for new buildings in a heritage context should include those historically in use. The use and placement of these materials in a contemporary composition and their incorporation with other modern materials is critical to the success of the fit of the proposed building in its context. The proportional use of materials, drawing lines out of the surrounding context, careful consideration of colour and texture all add to success of a composition.	•		
4.1.5	Proportion of Parts			
	Architectural composition has always had at its root the study of proportion. In the design of new buildings in a heritage context, work should take into account the proportions of buildings in the immediate context and consider a design solution with proportional relationships that make a good fit. An example of this might be windows. Nineteenth century buildings tended to use a vertical proportion system in the design and layout of windows including both overall windows singly or in built up groups and the layout of individual	•		

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	panes.			
4.1.6	Solidity versus Transparency			
	<p>Similar to proportion, it is a characteristic of historic buildings of the 19th century to have more solid walls with punched window openings. This relationship of solid to void makes these buildings less transparent. It was a characteristic that was based upon technology, societal standards for privacy, and architectural tradition. In contrast buildings of many 20th century styles use large areas of glass and transparency as part of the design philosophy. The relationship of solidity to transparency is a characteristic of new buildings that should be carefully considered. It is an element of fit. The level of transparency in the new work should be set at a level that provides a good fit on street frontages with existing buildings that define the character of the street in a positive way.</p>		•	
4.1.7	Detailing			
	<p>For new buildings, detailing should refer to the heritage attributes of the immediate context. Detailing can be more contemporary yet with deference to scale, repetition, lines and levels, beam and column, solid and transparent that relates to the immediate context. In past styles, structure was often unseen, hidden behind a veneer of other surfaces, and detailing was largely provided by the use of coloured, shaped, patterned or carved masonry or added traditional ornament, moldings, finials, cresting and so on. In contemporary buildings every element of a building can potentially add to the artistic composition of architectural, structural, mechanical and even electrical systems.</p>	•		
4.4	Guidelines for Integrated Developments and Additions			
	<p>In instances where the heritage value of a building includes its three-dimensional character (width, depth and height), the entire building envelope should be conserved, and the transition of new construction to, and from, heritage building should respect all three dimensions.</p>		•	
4.4.1	Building Set Back			

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4.4.1a	<p>New buildings proposed to abut heritage buildings on the same site (integrated development) should generally transition to heritage buildings by introducing a building setback from the building line. This setback can be accomplished in several alternate ways, including:</p> <ul style="list-style-type: none"> • new construction is entirely setback from the heritage building, resulting in a freestanding heritage structure . This is suitable where multiple façades have heritage value (see diagram for Option 1 at left). • new construction is setback from the street frontage of the heritage building, but only to a depth required to give the heritage structure visual prominence (see diagram for Option 2 at left). • new construction is setback along its entire façade from the street line established by the heritage structure (see diagrams in design manual) 	•		
4.4.1b	Consideration should only be given to the construction of new buildings abutting, or as an addition to, a heritage resource, when the parts of the heritage building that will be enclosed or hidden from view by the new construction do not contain significant heritage attributes.		•	
4.4.2	Cornice Line and Upper Level Setbacks			
4.4.2a	Maintain the same or similar cornice height for the podium building (building base) to create a consistent streetwall height, reinforcing the frame for public streets and spaces.	•		
4.4.2b	Stepback building elements that are taller than the podium or streetwall height. Stepbacks should generally be a minimum of 3 metres for flat-roofed streetwall buildings and increase significantly (up to 10 metres) for landmark buildings, and buildings with unique architectural features such as peaked roofs or towers.		•	
4.4.2c	Greater flexibility in the contemporary interpretation of historic materials and design elements is permitted.	•		
4.4.3	Facade Articulation and Materials			
	<i>Contrast:</i>			

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Section 4**

4.4.3f	Consider existing architectural order and rhythm of both horizontal and vertical divisions in the façade in the articulation of the new building.	•		
4.4.3g	Provide contrasting materials and surface treatments that complement the heritage building. Use of glass can be effective both for its transparency and reflectivity.	•		
4.4.3h	Ensure materials and detailing are of the highest quality. In a downtown-wide context, use of contrast should result in the most exemplary buildings in the downtown.	•		
4.5	Guidelines for Facade Alteration on Registered Heritage Buildings and Buildings in Heritage Conservation Districts <i>These guidelines shall apply to all registered heritage buildings, and all buildings in heritage conservation districts.</i>			
4.5.1	Rhythm of Bays and Shop Fronts			
4.5.1a	The traditional architectural elements of historic building facades such as columns, pilasters, entries and shop fronts which establish a pedestrian scale and rhythm, should be retained.		•	
4.5.1b	Consolidating two (or more) shop fronts into one is discouraged, since it reduces pedestrian interest. If such consolidation is proposed, the retention of original historic building features should not be compromised, even if this means retaining a redundant entry configuration.	•		
4.5.2	Lower Facade (Storefront)			
4.5.2a	Existing traditional shop fronts should be retained.	•		
4.5.2b	Historic photos and drawings should be used to support the restoration or replication of decorative elements of historic significance in the shop front.	•		
4.5.2c	The following features should be incorporated in the design of rehabilitated or restored shop fronts, as applicable: <ul style="list-style-type: none"> • Restoration of cast iron or masonry elements; or • A high percentage of glazing, in the display window 	•		

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	<p>area, transom windows and in the entry door(s); or</p> <ul style="list-style-type: none"> • A recessed entry with a rectangular or trapezoidal plan; or • Transom window above the entry and display windows, often stretching the full width of the shop front; or • Base panels rich in detail and of durable materials; or • A shop front cornice and sign band which is generally a reduced version of the main cornice atop the building; or • Access to upper floors should be in the original configuration. 			
4.5.3	Contemporary Expression Within the Historic Shop front Frame			
	<p>The objective is to allow and encourage contemporary shop front design in historic commercial buildings to support and stimulate revitalization, through the following approaches:</p> <ul style="list-style-type: none"> • Traditional Approach • Veneer of Renovations • Details Painted Over • Infolding Windows and Doors 			•
4.5.4	Upper Facade			
4.5.4a	To maintain this upper floor pattern and texture, new window openings are encouraged to be repetitive, and organized in relationship to the vertical elements which frame and divide the facade.			•
4.5.4b	Vertical elements such as pilasters, columns, cornices, and projecting bays should be retained.	•		
4.5.4c	Historic photos and drawings should be used to support the restoration or replication of decorative elements of historic significance on the upper facade.	•		
4.5.4d	Existing projecting bays or other architectural elements, such as cornices that project over the public right-of-way, should be retained provided that Building By-law, life-safety and other pertinent concerns have been satisfactorily addressed.	•		

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4.5.4e	Existing fenestration patterns should be retained. Where new openings are proposed, they should be compatible with the existing architectural features of the building.		•	
4.5.5	Windows			
4.5.5a	Where there are existing windows within historic window openings which are either original or more recent replacements in the historical form and material, every effort should be made to retain and repair them.	•		
4.5.5b	Repair of existing wood windows should use wood sash and frames.			•
4.5.5c	Where existing appropriate windows are too deteriorated to repair, replacement windows should replicate either original windows, as documented by historical photographs or drawings or the existing windows.	•		
4.5.5d	Replacement of wooden windows should be in wood, and should match the shape, proportion, type of operation, detail, colour and clarity of glass of the wood original when painted.	•		
4.5.5e	Where they exist, lintels, sills, and other historic window surround elements should be retained.	•		
4.5.5f	The original fenestration pattern should be retained. Where new openings are proposed, they should be compatible with the original composition in terms of alignment, proportion, surrounds, and ornamentation.		•	
4.5.5g	<p>In the event that the original windows have been replaced and the existing windows are inappropriate to the building, then new windows should be designed to replicate the original window's size, configuration and appearance as based on archival information. If such information is not available, the following criteria should be referenced:</p> <ul style="list-style-type: none"> • The dimensions of frames, sashes, muntins, etc., should be similar to traditional wood windows. • The window should be divided into a minimum of two sash or panes; more divisions are also possible. • Operable windows are encouraged and the method of opening should replicate that of traditional window types. 			•

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	<ul style="list-style-type: none"> • Horizontally sliding windows are discouraged as they are not traditional. • Glass should be clear; tints, colours or mirrored surfaces are not acceptable • Frames and sashes should preferably be of painted or stained wood but aluminum clad windows are also acceptable. • Vinyl windows are not permitted • The sash should be recessed within the window frame at least 4 inches from the exterior surface of the building facade. 			
4.5.6	Materials – The objective is to retain the character of historic building facades by using traditional materials for both rehabilitation and new construction.			
4.5.6a	Brick in a range of buff/beige through red colours, traditional dimension.	•		
4.5.6b	Building stone, particularly granite and sandstone.	•		
4.5.6c	Terracotta, tile and glazed brick materials and decorative elements.	•		
4.5.6d	Cast iron and pressed metal decorative elements, particularly cornices.	•		
4.5.6e	Wood elements for shop front base panels, windows, bay window framing.	•		
4.5.6f	Parged or cement rendered surfaces.	•		
4.5.6g	Specially treated concrete finishes for rear or for some secondary surfaces.			•
4.5.6h	Wooden clapboards or shingles.			•
	For existing buildings, where new materials are required for repair, they should match the old materials they are replacing. If this is not feasible for cost, technical or availability reasons, then new substitute materials should be largely indistinguishable from original materials. The treatment of existing materials is primarily that of good conservation techniques. Detailed recommendations for conservation of materials can be found in the Federal Standards and Guidelines for Conservation of Historic Buildings in Canada.	•		

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4.5.6i	Vinyl siding, plastic, plywood, concrete block, and EIFS (exterior insulation and finish systems where stucco is applied to rigid insulation), and metal siding utilizing exposed fasteners are prohibited for use on historic buildings in the downtown.	•		
4.5.6j	Darkly tinted or mirrored glass is also prohibited.	•		
	Generally, roofs on historic commercial buildings in the downtown are flat and covered with bituminous membrane, tar and gravel finish, etc. These materials are acceptable for both replacement roofs on existing buildings and new roofs on building additions. Some historic buildings have slate or wood shingle roofs. Where possible, these should be repaired or replaced with like materials. Where this is not feasible, then asphalt shingle roofs in black or dark grey tones are acceptable.	•		
4.5.7	Cornice and Parapets			
4.5.7a	The retention of original cornices and parapets is required.	•		
4.5.7b	Repairs should be undertaken with matching materials and anchoring systems should be reinforced to ensure safety.			•
4.5.7c	If cost or structural considerations make conservation of existing cornices difficult, substitute materials can be considered.		•	
4.5.7d	Where original cornices have disappeared, their replacement can be considered based on archival evidence.			•
4.5.8	Penthouse & Minor Rooftop Structures			
4.5.8a	Where feasible, existing mechanical penthouses should be retained.			•
4.5.8b	New rooftop elements or equipment on top of heritage buildings, such as satellite dishes and skylights should be set back far enough from the front or other facades to be inconspicuous from the sidewalk on the opposite side of the street.			•

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4.5.8c	The cladding material for new rooftop elements should be compatible with and distinguishable from those of the main building.	•		
4.5.9	Awnings and Canopies			
4.5.9a	Retractable fabric awnings are encouraged for use on all buildings. The fabric (usually heavy canvas, not shiny or translucent vinyl) can be a solid colour, preferably a traditional dark colour, or striped and usually the ends of the frame are left open.			•
4.5.9b	Plain valences, often with a sign band are acceptable.			•
4.5.9c	In some instances, metal and glass fixed canopies are appropriate, particularly if there is archival evidence of their precedent on the building or on similar historic buildings.		•	
4.5.9d	Stretch skin plastic or vinyl awnings are prohibited.			•
4.5.9e	Curved stretch skin plastic and idiosyncratically shaped fixed awnings are prohibited.			•
4.5.9f	Internal illumination of awnings or canopies is prohibited.			•

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HERITAGE IMPACT STATEMENT

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1.0 INTRODUCTION

1.1 INTRODUCTION

This Heritage Impact Statement (HIS) has been prepared by Lydon Lynch Architects in collaboration with Watson MacEwen Teramura Architects. The purpose of this report is to identify the cultural heritage value of five registered heritage buildings and how these may be impacted by the proposed development of the city block bounded by George, Granville, Duke and Hollis Streets in downtown Halifax.

Assisting in the preparation of this report was Allan Teramura, of Watson MacEwen Teramura Architects, Ottawa. WMTA was retained as the heritage conservation consultant for the project. Mr. Teramura is a specialist in the conservation, restoration and adaptive re-use of heritage buildings including the Halifax Armouries conservation, Supreme Court of Canada modernizations, National War Memorial conservation and the East Block interim Senate Chamber Study. WMTA conducted archival research into each of the five heritage buildings (provided in the attached report). WMTA coordinated and assisted in a detailed conditions assessment of each heritage building. As well, they were consulted on the overall strategies for the incorporation of heritage assets within the design and in the preparation of the Heritage Impact Statement.

Trevor Gillingwater, masonry conservation specialist, Montreal. Refer to Appendix A for Mr. Gillingwater's CV. Mr. Gillingwater conducted an extensive conditions assessment of the facades of each heritage building. The conditions assessment provides a detailed review of each façade with recommendations for how it may be restored and/or replaced.

In addition, we consulted with Malcolm Pinto of Pinto Engineering (structural engineer for the project) as well as Maritime Canstone, Stantec and Dexter Construction to investigate and discuss preliminary strategies for overall site demolition, site excavation and heritage asset retention and restoration.

This Heritage Impact Statement has been prepared to identify the cultural heritage value of five registered heritage buildings and how these may be impacted by the proposed development of the city block bounded by George, Granville, Duke and Hollis Streets in downtown Halifax. The report format follows the outline recommended by the Halifax Regional Municipality for the preparation of Heritage Impact Statements, which includes:

- Identification of heritage value and character defining elements
- Description of the proposed development
- Measurement of the development impact
- Consideration of mitigated measures
- Implementation and monitoring
- Summary statement and recommended conservation measures

Several resources were consulted in the preparation of this report. Key sources include:

- HRM Land Use Bylaw, including
 - Schedule S-1: Design Manual

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- Downtown Halifax Secondary Municipal Planning strategy
- HRM By-law Number H-200, Respecting the Establishment of a Heritage Advisory Committee and a Civic Registry of Heritage Property, including
 - Schedule A: Content of Heritage Impact Statements
- Parks Canada, Standards and Guidelines for the Conservation of Historic Places in Canada, 2nd Edition, 2011
- US Secretary of the Interior, Standards for the Treatment of Historic Properties, 1995
- Nova Scotia Heritage Property Act
- Nova Scotia Archives, including
 - Building Reports
 - Historic photos
- HRM Archives, including
 - 1911 addition, Champlain Building
 - 1960s addition, Canada Savings and Loan (formerly Merchant's Bank)
 - other plans and property reports
- HRM Heritage Branch files and reports for all buildings

While HRM uses the United States Secretary of the Interior Standards for the Treatment of Historic Properties as a reference for conservation standards, the present report also refers to Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada. This is a comprehensive tool for assessing heritage value and impacts, and is specific to the Canadian planning context.

In addition to the above, a number of secondary sources were consulted including reference material on Halifax's architectural and cultural history and development. A short bibliography is included at the end of this report.

The approach taken here is to assess the historic resources for their cultural and architectural value; explore how these heritage resources can be comfortably integrated to the wider vision for development of this city block; identify elements to be protected; and establish appropriate / acceptable levels of change for each building.

We believe it is essential that the development be viewed, from a heritage perspective, in a holistic and comprehensive manner, which takes into consideration the overall approach to heritage preservation and integration within the proposed development. Consideration needs to be given to the realities and challenges of incorporating such buildings and facades into a comprehensive development and viewed in terms of the overall public benefit and the evolution of heritage resources within their immediate surroundings and within the overall context of the city.

It is currently estimated that the full extent of heritage retention, restoration and integration will require an investment of \$15M, which represents a significant proportion of the overall construction costs for the entire development. This is a significant investment in heritage conservation that is unprecedented in Halifax. It is a testament to the owner's commitment to heritage and their recognition of the important role it plays in our city's past, present and future.

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1.2 INTRODUCTION TO SITE: LOCATION, CURRENT CONDITIONS

The development site is located in Precinct 4, lower central downtown Halifax¹. The site is bound by George Street to the south, Duke Street to the north, and Hollis and Granville Streets to the east and west, respectively. This city block contains five registered heritage buildings. These include:

5171 George Street:	Bank of Commerce Building (Merrill Lynch Building)
1813 Granville Street:	Hayes Insurance Building (Thumpers Hair Salon)
1819 Granville Street:	Merchant's Bank of Canada Building (Prenor Trust)
5162 Duke /1824 Hollis Streets:	Champlain Building (Bluenose Restaurant)
1820 Hollis Street:	Flinn Building (Anna's Café)

This city block once consisted of several individual buildings and lots. Over time, as is the history of urban development, some buildings and lots were consolidated, while others were demolished and rebuilt. With this, the lot sizes were also subdivided and subsequently consolidated through the evolution of property ownership. The present-day block consists of fourteen (14) legal lots, all held by the same property owner, which will undergo an overall lot consolidation to enable this development to proceed.

The block contains a total of eight (8) buildings. The largest is the 15-storey RBC Tower, built in 1968, and which covers approximately 55% of the block. Surrounding the podium of the RBC Tower are the five heritage buildings listed above, as well as two additional in-fill office buildings. Together, these smaller buildings cover the remaining 45% of the block. There are no open spaces or empty lots.

In the 1950s a small infill office building was inserted between the Merchant's Bank of Canada and the Champlain Building (along Duke Street). This 5-storey building spans the two buildings and extends onto the roof of the Merchant's Bank of Canada, effectively creating a modern penthouse. In 1965, another 5-storey infill was inserted between the Merchant's Bank of Canada and the Hayes Insurance Building, along Granville Street. This Brutalist-Modernist style building was designed to integrate with and expand the Merchant's Bank building, which had then become the Eastern Canada Savings and Loan. While expressive of the design trends of their time, both buildings remain rather modest examples of their respective styles.

The four corners of this block are each anchored by different buildings: the main entrance to the RBC Tower faces the Province House across the street and anchors the corner of George and Hollis Street. The Bank of Commerce Building also faces Province House and anchors the corner of George and Granville. The Merchant's Bank of Canada Building anchors Granville and Duke, while the Champlain Building anchors Duke and Hollis. The two remaining heritage buildings are located in their respective mid-blocks along Granville and Hollis Streets.

The five heritage buildings under consideration in this report were municipally designated for their heritage value in about 1981. At the time, heritage designations tended to focus on the architectural composition and elements of the building. Accordingly, the designation reports for these five buildings list the architectural qualities and features, but make little to no mention of their contextual or cultural value. The heritage

¹ *Downtown Halifax, Secondary Municipal Planning Strategy, 2009, p.12.*

designations do not include the interiors of the buildings. The two 1950/1960s infill buildings do not have heritage designations.



Bank of Commerce Building



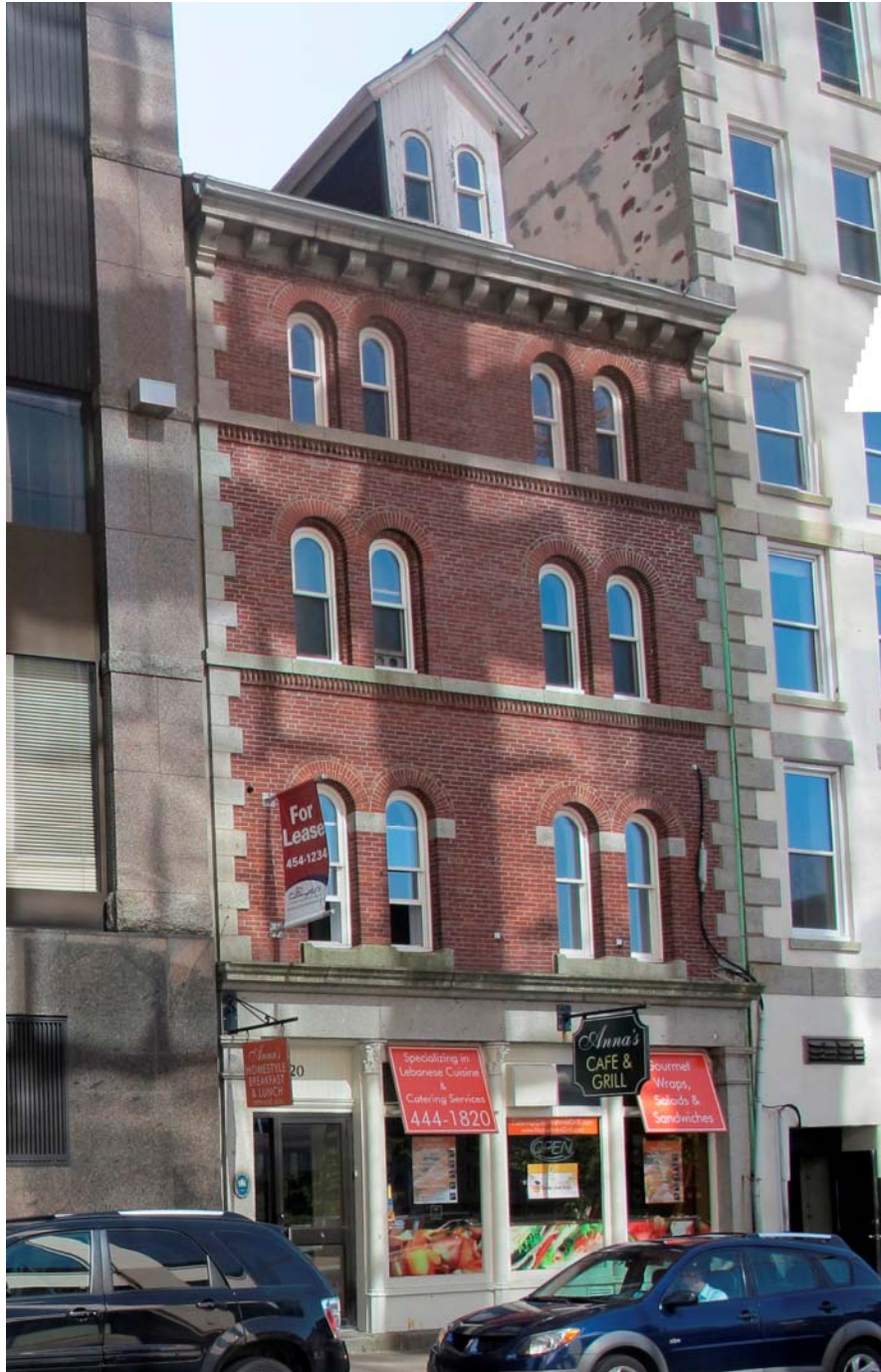
Hayes Insurance Building



Merchant's Bank of Canada Building



Champlain Building



Flinn Building

Each building has unique characteristics and values in terms of their prominence, their history and the values associated with their design and development. Accordingly, each building was carefully assessed and considered as to its historic, economic and environmental contribution to the landscape of downtown Halifax. The integration of each of these buildings into a larger development project presents unique challenges and opportunities, specifically in how they can and should be sensitively incorporated into the design for redevelopment of the block. The goal has been to find the right balance that respects the value of the heritage assets while fostering a meaningful and appropriate development opportunity.

Many of the challenges revolve around the ability to integrate several heritage buildings into a single, comprehensive development. Since each building was constructed as separate, independent buildings, they do not necessarily relate to one another in terms of construction methods and materials; alignment of floor levels; ability to interconnect; overall height; or architectural style. Consequently, they create challenges as to how the block can be redeveloped. Notwithstanding, they each have varying degrees of heritage value that need to be respected and incorporated into the design.

Other key challenges include the conditions of the buildings and in particular, their respective facades. It was determined that a variety of conditions exist whereas some buildings and facades are in very good condition, some in very poor condition and others in a varying state of in-between.

Each building can also be considered to have its own degree of heritage value. This value may be assessed in terms of its significance within the history of Halifax, its contribution or prominence to the streetscape, the extent to which it has remained as originally built, its character defining elements, or the extent to which it has been altered over time.

1.3 SITE CONTEXT

The development site is located in an established and historic part of downtown Halifax, an area which began to flourish commercially in the mid-19th century. Today, the area is characterized by a mixture of historic and new buildings, many of which are high-rise commercial towers. As the central business district, this area is gradually evolving to include a variety of high rise developments set amidst the context of historic buildings. This development trend has been ongoing since the 1960s. Indeed, the city block under review in this report is the location of one of Halifax's first high-rise office towers — the Royal Bank Tower, built in 1968.

The five heritage buildings located on this block have served a variety of commercial functions over time. The Flinn Building, Hayes Insurance Building and the original Champlain Building are the oldest, having been constructed within a few years of each other following the Great Fire of 1859. The two banking buildings — Bank of Commerce and Merchant's Bank of Canada — were built later, around 1906 and 1911, respectively.

Immediately north of the proposed development site is the Granville Block National Historic Site of Canada. This complex features a harmonious block of intact 19th century commercial buildings. The facades and select interior elements were preserved as part of a 1970s rehabilitation project, which established a precedent for Halifax and the heritage conservation movement generally. The redevelopment showed that historic buildings could be integrated rather than being replaced. The facades are primarily four and five storeys and feature fine

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architectural detailing. This part of Granville Street presents a cohesive block, with common roof lines, use of similar building materials, similar floor-to-floor heights and a general “sameness of character.”²

The preservation of the Granville Block provides testimony to the role of Halifax in the commercial and maritime history of Canada³. The five buildings being studied here also contribute to this heritage environment.

To the south of the development site, immediately across George Street, is Nova Scotia’s legislature building, known as Province House. This provincially registered heritage property is a fine neo-classical building, set within a formal garden. The imposing structure is valued for its architecture and its role in the history of Nova Scotia’s democratic system.

To the west and continuing south of the development site is the Barrington Street Heritage Conservation District (HCD), which extends from Duke Street in the north to Bishop Street in the south. This historic street developed later than Hollis and Granville Streets and today serves as a main-street in downtown Halifax. Barrington Street is characterized by its collection of Victorian, Edwardian and early modern commercial buildings, which give this area its unique commercial heritage character.

To the east, a bit afield, are Halifax’s Historic Properties, a group of stone and wood-frame warehouses on Halifax’s waterfront. They are valued for “playing an important civic and commercial role since the early beginnings of settlement in Halifax and stand as representative of the great days of sail.”⁴

The new Waterside Centre is located across the intersection of Duke and Hollis Streets. This new office building incorporates the facades of several heritage facades as part of a comprehensive development project. Similarly, across Granville Street, the redevelopment of the TD Centre incorporates the largely reconstructed façade of the Macara-Barnstead building.

More modern additions to the immediate context includes 1801 Hollis Street, BMO Centre, TD Centre, and the CIBC Building. All of these buildings were constructed within the last 40 years as high-rise office complexes.

Given this historic context, it is fair to say that the five heritage buildings being studied here contribute to this heritage environment, albeit in a less cohesive way than either of the Granville Block or the Barrington Street HCD. Nonetheless, the fact of three historic buildings occupying prominent corner locations provides the advantage of allowing this block to continue to be understood as part of the historic urban landscape. This contributes to the heritage value of these buildings and the area as a whole, and will be an important consideration in the redevelopment proposal.

² *A Sense of Place, Granville Street*, p. 10.

³ *Statement of Significance, Granville Block National Historic Site of Canada*, www.historicplaces.ca.

⁴ *Statement of Significance, Historic Waterfront Buildings*, www.historicplaces.ca.

1.4 PLANNING CONTEXT

The development site is subject to the following:

- The Downtown Precinct Guidelines and the Heritage Design Guidelines, contained in the Land Use By-law Design Manual.
- HRM's Building Conservation Standards for Heritage Properties.
- The bonus zoning program.

2.0 DESCRIPTION and HISTORY

Considerable research was undertaken and valuable historic materials obtained. This background material provided an important historical timeline for each heritage resource, allowing for a fulsome description of architectural style, original purpose, and subsequent changes either in use or physical alterations. Reference material also provided the relevant context, describing the period in which these buildings were built and influences that were at play at the time. Archival research is included as Appendix B to this report.

Beginning in the 1840s, commercial building and upgrading began to characterize this area of Halifax — specifically Granville and Hollis Streets, which were beginning to challenge Water Street as the “prime commercial row” in the city.⁵ Bank buildings filled Hollis Street, while fine commercial establishments began to differentiate Granville Street. Until the Great Fire of 1859, many buildings were constructed as 2-storey wood-frame structures. Following this event —and other fires in 1857 and 1861— building standards required that new construction be of stone and brick.

Replacement buildings were typically three to four storeys high, reflecting the sustained confidence among business owners that Halifax would continue to develop and prosper commercially. The effect was the development of coherent streetscapes, defined by similar building heights, materials and designs, including popularity for flat roof construction.

The subsequent development of this city block, as with a good part of downtown Halifax, is marked by the gradual grafting of layers and replacement of buildings over time. The effect is a literal building-up of the downtown city blocks. As noted earlier, infill buildings were added to the east and south of the Merchant’s Bank of Canada building in the 1950s and 1960s, respectively. Both of these infill buildings replaced earlier structures. By creating links from the original bank building into the new infill buildings, these two additions served to expand the functional use of the original bank building.

The history of the Champlain Building is also an interesting, albeit less evident example of the story of grafting and expansion. Following the Great Fire of 1859, a four-storey brick building was erected at the corner of Duke and Hollis streets. It was flanked by other four-storey masonry buildings along both Duke and Hollis streets. The rectangular Champlain building featured six bays on the Hollis Street elevation and nine bays along the Duke Street elevation. An 1871 photo of the building suggests that a main floor commercial entrance was located within the two central bays along Hollis Street. The same photo also shows an adjacent two-bay building inserted between the Champlain and the Flinn Buildings along Hollis Street. While its floor-to-floor heights and cornice line appear to match those of the Champlain Building relatively closely, the design of its commercial storefront appears to be more like the adjacent Flinn Building. Absent are the dressed granite columns and arched openings; rather the commercial level appears to have a simple cornice with a large opening, possibly containing steel frame windows. Neither does this small building appear to feature the granite quoins of the adjacent Champlain Building; however its window sills do appear to have been built with granite (or some other stone) that contrasted the wall surface.

⁵ *Buggey, p.92.*

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Fire insurance plans dating from 1878 through 1914 show these two buildings as two separate structures, with clearly different functions: the Champlain Building served as a Wholesale Drugstore and Warehouse, whereas the adjacent structure served variably for a 'Tailor' and 'Office.'

At the same time, an adjacent 'Warehouse' along Duke Street was preparing to be integrated to the Champlain Building. Beginning in 1895, the City of Halifax Insurance Plan shows then-occupant Brown and Webb Company expanding its operations into the adjacent Duke Street building. At this time, all three buildings remain as separate four-storey structures.

In 1911, architect G.H. Jost prepared plans for an expansion to the Champlain Building. The new occupant is J&M Murphy Ltd, one of Halifax's first and oldest dry goods companies. The plans propose a two-storey addition to the top of the Champlain Building and the adjacent 'Warehouse' building along Duke Street. Indeed, the fire insurance plans of the same year show the Champlain Building and the 'Warehouse' as six-storey structures, with an interior doorway opened between the two structures.

Meanwhile, the small 'Office' along Hollis Street remains a four-storey structure. By the time of the 1914 Insurance Plan of Halifax, all three buildings appear to be occupied by J & M Murphy Ltd, and all three buildings are described as six-storeys. It is not known who designed the two-storey addition onto the 'Office' on Hollis Street; nor is it known at what point the two buildings (Champlain and 'Office') were visually integrated.

By the time of the 1952-65 Insurance Plan of the City of Halifax, the 'Warehouse' along Duke Street has been replaced by a new modern infill building, an expansion to the Merchant's Bank of Canada Building. The Champlain Building is illustrated and described as a single 6-storey building, with only a broken line suggesting the original division between this and the 'Office' on Hollis Street. At first glance, the building we see today presents as if this were its original configuration. Upon closer inspection, it becomes evident that floors were added, and that the two southern-most bays along Hollis Street were originally part of a separate and different building.

Aside from the 1859 fire, the other most dramatic change to this city block is owed to the Royal Bank of Canada (RBC). This institution began its existence as the Merchant's Bank of Halifax, founded in 1864 and incorporated in 1869 by a group of enterprising Halifax merchants. The Bank's original head office was located in a rented building on Bedford Row, where it took advantage of its waterside location to provide financial services to the fishing and timber industries, as well as the trade of retail goods from Europe into the colony. Sometime in the 1870s, the main branch and office moved to the corner of George and Hollis Streets — a prestigious corner with views of the waterfront, Citadel Hill and, of course, Province House immediately across the street. In 1901, to avoid confusion with the Merchant's Bank of Canada, and to reflect its pan-Canadian scope, the name of the institution was changed to The Royal Bank of Canada. To further reinforce the Bank's "coming of national age," the head office moved from Halifax to Montreal in 1907.⁶

Despite moving its headquarters to Montreal, RBC maintained a strong foothold at its George Street address in Halifax. The RBC was in good company at this location, as many banking institutions were relocating from the waterfront to prestigious locations around Province House. Its immediate neighbours included the Bank of Nova

⁶ *rbc.com*

Scotia, the Bank of British North America, the Bank of Commerce, and later the Bank of Montreal, among others. Beginning in about 1918, alterations were brought to the original Royal Bank building at 5161 George Street, including alterations to the roof, and relocating the main entrance to the banking hall. In the 1930's, the Royal Bank purchased and expanded into the Bank of Nova Scotia building — located immediately north along Hollis Street. By the 1960s, additional properties had been acquired within the same block, including the renowned Wood Brothers Dry Goods Store, an operation that spanned several buildings bridging Hollis and Granville Streets. Many of these buildings appear to have stood vacant while the RBC prepared for another expansion.

In one powerful gesture, the Royal Bank demolished and replaced its own building and all the other buildings acquired on this block with an altogether new and modern structure. This would affirm the Royal Bank's place within Halifax and mark a turning point in the development and intensification of downtown by constructing one of the city's first high-rise office buildings. The new RBC Tower opened on 5 September 1968. At the time, the media reported that the opening was of special significance; the Royal Bank having had its humble beginnings on the Halifax waterfront over 100 years prior.

2.1 Building Descriptions and Design

Archival research is included as Appendix B to this report. Considerable research was undertaken and valuable historic materials obtained. This provides an important historical timeline for each heritage resource, describing architectural style, original purpose, subsequent changes either in use or physical alterations, and relevant context as to when it was built.

These five heritage buildings are independent structures built between the 1860s and 1911. All are of masonry construction and range in height from 4 to 6 storeys. The following descriptions are derived in part from the heritage designation reports and files held by HRM.

The Bank of Commerce building, located at 5171 George Street, was designed in a classical-revival style. Built as a banking establishment in 1906 to the designs of Albert Kahn and Ernest Wilby, this building served the Bank of Commerce until 1977, at which point it was adapted for use as offices and a restaurant. The building is designed in the style of a Greco-Roman temple, an expression of both power and stability. The design features four free-standing Ionic columns, framing a recessed entranceway, and supporting a monumental pediment. The facade is entirely composed in granite, a suitably noble material that relates well to its context, specifically to Province House.

The Hayes Insurance Building, at 1813 Granville Street, was originally one part of a tripartite brick and stone structure, built in about the mid-1860s to the designs of Henry Elliot, a prominent Halifax architect. Only this southernmost portion of the building remains extant today, the other two-thirds having been replaced by an expansion to the Eastern Canada Savings and Loan Company (see description of the Merchant's Bank below). The building features an Italianate design with deep bracketed cornice, moulded stone window lintels, supported by stone pilasters on two floors, and a stone cornice framing the store front. The latter is a

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reinstatement of the original wood frame pilasters and large windows, which replaced an unsympathetic modification from many years earlier. The building has served a variety of commercial businesses, with Smith Brothers Dry Goods being the most notable tenant, starting in the 1870s.

The Merchant's Bank of Canada building, at 1819 Granville Street, was another purpose-built bank, constructed in 1911 to the designs of Hogle & Davis architects of Montreal. The classical design features a flat roof structure, with a deep parapet mounted by a robust balustrade. The walls are articulated by fluted pilasters. The exterior finish in white glazed terra cotta would seem an unusual finish in Halifax, where stone and brick predominate. The two-storey banking hall features tall windows and ornate plaster detailing on the ceiling and walls. The Merchant's Bank of Canada was merged with the Bank of Montreal in 1921. The building subsequently served most of its history as the head office of the Eastern Canada Savings and Loan Company. During this period the building was expanded, first on the east side with the 1958 five-storey addition along Duke Street, and then to the south in 1965 with another five-storey addition. The Duke Street addition, designed by Allan F. Duffus, also added an additional storey on top of the bank building. The Granville Street addition, to the designs of J. Philip Dumaesq included a major renovation of the original bank building to enable the three structures to function as one integrated office. The original bank building now serves a retail function, while the adjacent buildings host a variety of office, retail and restaurant tenants.

The Champlain Building, at 5162 Duke Street, was built in the early 1860s, before the Flinn Building. It served as a warehouse and store for a variety of dry goods companies, the most notable of which were J & M Murphy, a company that is still in operation to this day. This commercial building, designed in Victorian style, features a stuccoed finish applied over brick walls and granite quoins. The retail level features a dressed granite arcade; however, the arched portion of these window openings has been concealed. The generous detailing in the granite quoins, stringcourse, window sills and lintels lend a sense of substance to this otherwise unadorned building. The flat roof structure is defined by a generous but simply detailed cornice, which is clad in copper. The building was built as a four-storey structure. It was expanded to six-storeys in about 1911, and at the same time incorporated the last two bays on the Hollis Street elevation to create a seemingly single larger structure.

The Flinn Building, at 1820 Hollis Street, is a four storey commercial building, designed in the Italianate style. This building replaced an earlier structure on the same footprint in about 1863. The design features use of red brick with granite details, a side gable roof and gabled dormer window. The facade is divided into two bays featuring pairs of arched windows in each bay. The windows on the upper floors feature continuous bracketed granite sills. The cornice is also granite and is bracketed. The storefront level features granite columns at the outer edges and wood-clad intermediate columns. The building was restored in around the same time as it was designated.

3.0 HERITAGE VALUE and CHARACTER DEFINING ELEMENTS

Each of the buildings considered in this report has its own distinct character and value. While one may argue that some are more valuable or charismatic than others, they are all considered to be heritage resources. Therefore, it is with a sense of basic equality that we may then determine what aspect of these buildings and their context are open to change, and which attributes require special care and protection.

3.1 HERITAGE VALUE

The HRM Heritage Registry does not rank the registered properties or buildings according to a hierarchy of significance. However, it is evident that some of the built resources on this city block are more valuable (in a tangible sense) than others. Despite being of different styles, this dispersed ensemble of buildings represents the rebuilding of the city after successive mid-19th century fires, and the continued growth of the city, specifically the role of the banking sector and fine retail establishments in this growth.

Despite being of different styles, the ensemble of the Hayes Insurance, Champlain and Flinn buildings represents the rebuilding of the city after successive mid-19th century fires. The Hayes Insurance and Flinn buildings, in particular, were designed in a style that reflected the merchant's confidence in the future of the city. In a broader sense, both the Italianate style of these commercial buildings and the robustness of the Champlain building gave expression to an era of confidence and prosperity in Halifax's history.⁷

Due to their association with some of Canada's earliest banks, as well as their grand use of classical architectural style and materials, both the Bank of Commerce and Merchant's Bank of Canada buildings are of considerable value and character. The use of granite and glazed terra cotta, respectively, their finely crafted detail and ornamentation, and their formal scale contribute to their consideration as highly valuable resources.

While few buildings of the first half of the 19th century were architect-designed — most having been created by skilled builders who adapted designs from pattern books to incorporate the use of local materials — the period after the fires would see an influx of architects and design builders to the city. Indeed, as Susan Bugey notes in her study of the development of Halifax following the great fires, "central to the expansion of downtown Halifax were the architects, builders and artisans who carried out the building process."⁸ Each of these five buildings can be associated with some prominent figures in the development of the city, be they architects or the merchants who hired them.

The prominent corner location of the Bank of Commerce, Merchant's Bank and Champlain buildings contributes significantly to their respective heritage value. In a broader sense, the anchoring of these corners with historic buildings reinforces the overall heritage environment of downtown Halifax and allows this part of the city to continue to be read and understood as an historic urban landscape, albeit one that continues to evolve and grow.

⁷ *Architects of Nova Scotia*, p. 142.

⁸ *Bugey*, p. 96.

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These five buildings form part of a broader heritage environment and reinforce this environment in several ways: by their integrity; their prominence in the streetscape, specifically the Bank of Commerce which is arguably a landmark structure; by their similarity and compatibility with other contemporaneous commercial buildings; and by their respective and individual designs, each of which expresses of an era of confidence and prosperity in Halifax's history.

Bank of Commerce, 5171 George Street

The Bank of Commerce is a landmark structure that benefits a prominent location with direct views of Province House. The Bank's classical design, in the style of a Greek temple, expresses both the power and stability of the banking sector. The design is attributed to the Detroit firm of Albert Kahn Architect, with Ernest Wilby Associate. Best known for his contribution to North America's industrial architectural heritage, Albert Kahn is sometimes referred to as the Architect of Detroit owing to his design of several automotive plants and countless other buildings in and around that city. Perhaps less well-represented are his designs for university buildings, office towers and private commissions such as banks, private residences and mausoleums.

While Kahn expressed a clear interest in historically-styled buildings, it is unclear what his level of involvement would have been in the firms' smaller, more classical commissions in Canada. At the time the Bank of Commerce was commissioned, Kahn was collaborating with British-born architect Ernest Wilby, a talented designer in his own right. Many of their Canadian commissions, largely in the Windsor area, were jointly attributed to Kahn as architect and Wilby as associate. It seems likely then, that "Kahn may have delegated the smaller Canadian commissions to [Ernest] Wilby, who contributed much to the designs for banks, residences and commercial projects in the Windsor area."⁹ Indeed, the Halifax branch of the Bank of Commerce is nearly identical to the branch they designed for Walkerville, Ontario around the same time.

Appropriate to its prestigious location, the building's exterior is composed entirely in granite, a suitably noble material given the purpose and context of this building. While not designated, the interior of this building is largely original and intact and features fine workmanship, and use of materials and detailing. The Bank of Commerce is perhaps the most publicly recognizable of the five buildings in question.

The significance of the Bank of Commerce relates to:

- The importance of Halifax as a financial centre and the many fine bank buildings designed to express this.
- The 20th century development of Halifax's banking sector, specifically with the move of these establishments from the waterfront to prestigious locations around Province House.
- Albert Kahn, renowned Detroit-based architect responsible for much of Detroit's industrial heritage, as well as a number of buildings in Walkerville, Ontario (now part of Windsor, Ontario). This was one of only two such buildings designed and constructed by the Detroit firm.
- This building is one of the last remaining of a cluster of bank buildings designed around the turn of the 20th century, and designed in the grand styles.

⁹ <http://www.dictionaryofarchitectsincanada.org/architects/view/1722>, entry: Kahn, Albert.

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Merchant's Bank of Canada, 1819 Granville Street

The Merchant's Bank of Canada is a fine example of the use of architectural terra cotta. The Halifax branch was designed by the firm of Hogle and Davis, a Montreal-based architectural practice that was commissioned to design most, if not all, of the Merchant's Bank of Canada branches across Canada. The classical design of this building was typical of bank architecture, and sought to convey a sense of nobility and stability with its robust Corinthian pilasters and heavily articulated balustrades.

The Merchant's Bank of Canada was merged with the Bank of Montreal in 1921, and is presumably the time at which this banking company moved out of the building. It would then be occupied by the Eastern Canada Savings and Loan Company, the tenant responsible for expansion of the building with two infill additions on the east and south sides. This building makes an important contribution to the Duke Street viewscape and successfully extends the theme of banking and commercial development onto this corner.

The significance of the Merchant's Bank of Canada relates to:

- Association with the development of an important banking sector in Halifax's economy
- Association with the Merchant's Bank of Canada, which would later be merged into the Bank of Montreal
- Association with Hogle & Davis, architects of the Merchant's Bank of Canada buildings
- Association with the Eastern Canada Savings & Loan Company, a later and long time occupant of the building

Hayes Insurance Building, 1813 Granville Street

The Hayes Insurance Building, built 1863, was once part of a larger three-bay building, of which this extent portion represents but one bay. Designed by Halifax architect, Henry Elliot and built by Malcom Robert, the building features stone detailing in a unique Italiante style.¹⁰ Henry Elliot was responsible for the design of many fine residences in Halifax and Dartmouth, and was recognized for his expertise in the Italianate style. In addition to the Hayes Insurance Building, he was also responsible for a number of other fine commercial buildings on Prince Street, Bedford Row and Hollis Street.

The significance of the Hayes Insurance Building relates to:

- The rebuilding of downtown Halifax following the Great Fire of 1859.
- Smith Brothers Dry Goods, the original occupant of the building.
- More broadly, an association with the development of Granville Streets as the premiere location for fine merchants and dry goods retailers and wholesalers.
- Association with Henry Elliot, Halifax architects.

¹⁰ *Architects of Nova Scotia*, p. 101.

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Flinn Building, 1820 Hollis Street

The Flinn Building is a small commercial building, characterized by the use of Italianate detailing and motif. Despite being located mid-block, the building is recognizable for its distinctive paired arch windows, and simple yet elegant granite detailing. Not much is known about the history and development of this building. However, the design of adjacent commercial buildings (since demolished) have been attributed to Henry Elliot, the same architect as the Hayes Insurance Building on Granville Street. Given the similarities between the Hayes Insurance and the Flinn buildings, it seems plausible that Elliot may also have been the architect of the Flinn Building. This building remains representative of the confident aspirations of a growing commercial sector in mid-19th century Halifax.

The significance of the Flinn Building relates to:

- The rebuilding of downtown Halifax following the Great Fire of 1859.
- The development of Hollis Street, along with Granville Streets, as the premiere location for fine merchants and dry goods retailers and wholesalers.

Champlain Building, 5160 Duke Street / 1824 Hollis Street

The Champlain Building was built as a wholesale warehouse and office. While it benefits a relatively prominent location, its design does not celebrate this advantage. The plain detailing and relatively utilitarian design expresses the building's original function. Nonetheless, the substantial detailing of the granite quoins, stringcourse, window sills and lintels lend a sense of confidence and stability to this otherwise unadorned building. The building lost much of its original character when the original wood sash windows were replaced with vinyl units. A further detraction is the loss from view of the original arched storefront windows. It is assumed that the arches remain intact, and were simply covered over at some point in time.

Despite its modest features, the significance of the Champlain Building relates to its associative values, namely:

- The rebuilding of downtown Halifax following the Great Fire of 1859.
- J&M Murphy Dry Goods, one of Halifax's earliest and oldest dry goods businesses — the firm still being in operation to this day¹¹ — and who occupied the building in the early part of the 20th century and were responsible for the two-storey addition in 1911.
- More broadly, an association with the development of Granville and Hollis Streets as the hub for fine merchants and dry goods retailers and wholesalers.
- The continued and growing commercial development of downtown Halifax, expressed in the addition of two floors in 1911, and incorporation of the adjacent 'Office' building along Hollis Street.
- Association with George Henry Jost, a Halifax-based architect responsible for many commercial buildings including the reconstruction of the Herald Building (now the Dennis Building), the Orpheus Music Hall, and the Garden Crest Apartments on Summer Street.¹²

¹¹ <http://jmmurphy ltd.com/about-us>

¹² *Architects of Nova Scotia: A Biographical Dictionary 1605-1950*, p. 213.

3.2 CHARACTER DEFINING ELEMENTS

Parts of the following descriptions are drawn from the designation reports for each of the buildings. The common character-defining elements shared among these five buildings include their:

- setting within historic downtown Halifax.
- massing, specifically their generally uniform heights and projecting cornices that provide a sense of enclosure on the streetscape and thereby lend a sense of human scale.
- masonry facades (brick, stone, terra cotta, stucco).
- ornate detailing, specifically on the Bank of Commerce, Hayes Insurance Building, Merchant's Bank of Canada and Flinn Building.

The character-defining elements that contribute to the heritage value of each individual building include:

Bank of Commerce:

- Prominent position on a corner lot, facing Province House.
- One of last surviving original bank buildings in a series of important banking institutions that lined George Street and surrounding lots.
- Three-storey all granite massing.
- Classical design, executed to the finest level of detail: Massive Ionic columns, entablature, pediment and balustrade parapet.
- Wood frame and sash windows.
- Fine ornamentation defining the banking hall entrance, including the massive entry doors, detailed stone work surrounding both the door and the window above, including an exaggerated carved keystone.

Merchant's Bank of Canada

- Prominent position on a corner lot.
- Fine use of white glazed architectural terracotta.
- Its classical design including the balustrated parapet, the deep entablature, Corinthian pilasters, and balustrades in front of the main floor windows.
- Large round top windows on the main floor, and 6-over-6 windows on the second floor.
- Detailed ornamentation including decorated stringcourse between the first and second storey windows, and detailed keystone above main floor windows.

Hayes Insurance Building:

- Italianate design featuring contrasting brick with granite detailing.
- Arched windows with stone lintels supported by stone colonettes, and stone sills.
- Bracketed cornice.
- Finely restored storefront, matching original in design and intent.

Champlain Building:

- Prominent position on a corner lot.
- Traditional commercial building, designed in an austere Victorian style featuring simple proportions and minimal adornment.
- Arcaded openings at street level (currently concealed, but presumably intact), framed by dressed granite jamb and arch stones.
- Regular pattern and proportioning of windows.
- Granite quoins, and contrasting granite stringcourse, window sills and lintels.
- Flat roof with simple parapet, which was a popular feature for commercial buildings of the time.

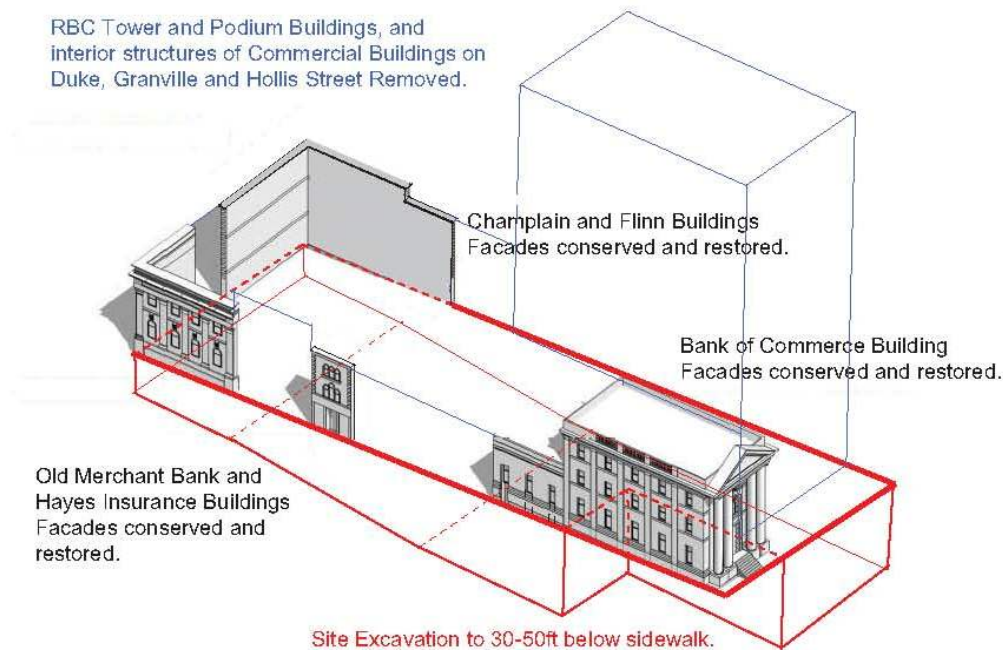
Flinn Building:

- Italianate design featuring contrasting brick with granite detailing
- Preserved store front.
- Stone quoins and detailing around windows.
- Pairs of semi-round windows featuring brick voussoir, granite springer stone, and granite sills.
- Bracketed stone cornice .

4.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Site Plan Approval submission provides details of the proposed development including floor plans, elevations and 3D images, which should be referred in order to gain further understanding of the proposed development. The submission describes and illustrates how the heritage resources will be integrated into the overall development.

Because each heritage resource is its own separate building, they have independent floor levels which do not align with one another or with the proposed floor levels of the new development. In combination, this makes it not only difficult to incorporate the buildings but also impractical since contiguous floor spaces could not be created and the structure for the towers above could not weave through the heritage buildings in a practical or effective manner. Consequently, an over-arching strategy is required whereby the existing buildings, in behind their respective facades, are to be demolished. This will allow the development opportunity to be realized while still preserving the principal value of the character defining elements, namely the facades.



The exception to this strategy will be the Bank of Commerce Building, which as previously stated, is considered to be of very high value and therefore, it's exterior will be retained largely in its entirety. This is considered to be an appropriate recognition of its significance within downtown Halifax and the development has been designed to not only retain the building but to repair and enhance it. The new development which surrounds the Bank of Commerce Building has been designed to defer and enhance its architectural presence. Along George Street, a plinth is established in the form of a planter wall, which will be clad in similar salt & pepper granite. It frames a new plaza which will utilize similar granite paving material (but with a flamed finish). As a formal element, the plinth extends around the corner onto Hollis Street, which visually connects the new building to the

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Bank of Commerce Building. The south tower, which extends along side the Bank of Commerce Building, is separated by an atrium serving as a mediator between the new and the old. As the tower continues to rise, it eventually extends over the Bank of Commerce Building in a dramatic cantilever. This cantilever occurs approximately 40 feet above the parapets of the Bank of Commerce Building, which provides an appropriate amount of “air” between the two that allows the Bank of Commerce Building to maintain its visual independence.

As a result of later alterations to both the interior and exterior, the existing rear facade of the Bank of Commerce building has become an unbalanced facade whereby one of three window openings had been extended down to grade to accommodate an exit doorway. The proposed design intends to bring balance back to this facade by extending the remaining two windows to grade and creating a permeable facade where pedestrians can walk through each of the openings and into an exterior arcade (or loggia) space. This arcade will be created between the rear of the existing facade and a new building which is set back approximately 3.5 metres.

Through this arcade, public can gain barrier-free access to the west plaza or gain entry to the main lobby of the condominium tower. Three new canopies will animate the streetscape and extend through each of the façade openings and physically connect to the facade of the new building, thus providing weather protection to the condominium entrance.

Overall, the proposed design will provide an enhanced urban experience for pedestrians by extending and weaving the public realm into and within the development. This additional public space is being provided at the expense of providing less building and therefore less rentable space.

With regards to the façade retention of the other four buildings, this will be done using conventional methods of temporary shoring and bracing techniques (as recently done at the Waterside Centre and TD Centre projects).

Mass site excavation will be done in a carefully coordinated manner to ensure that the facades' existing foundation walls are underpinned. As well, any site blasting will be carefully controlled to meet regulatory requirements but more importantly, to be within safety tolerances so as not to cause damage to the facades.

The development presents several challenges both in terms of the overall development objectives and retention of heritage resources but also in terms of site logistics during construction. With regards to development objectives, any downtown development, in order to be viable and competitive, requires a compliment of vehicular parking that will support the appropriate number of anticipated commuters, visitors and residents. Downtown Halifax is already extremely stressed for parking, so it is increasingly important to be self-sustaining with on-site parking and not depend on public parking, which is largely unavailable. Accordingly, the development is designed to provide three levels of underground parking for the office, hotel and condominium. However, in order to achieve this, the site must be excavated to its outermost boundaries in order to accommodate the dimensional requirements for parking spaces and driving aisles. This, in and of itself, presents a complex logistical challenge in order to accommodate the retention of existing facades while allowing vertical excavation to occur immediately in behind to a depth ranging from 30 to 50 feet below sidewalk levels.

Considerable consultation and due diligence has been undertaken to determine the most effective and least disruptive methods for solving these challenges. In order to minimize the depth of excavation, a hydraulic stacking system will be used for hotel and condominium parking. This will allow 2 cars to park above and below one another, thus maximizing space utilization. Consequently, a valet service will be required for these parking spaces. To be able to utilize the full width of the site (in order to meet dimensional criteria for parking) excavation will have to be absolutely vertical and directly at the site boundaries. This becomes particularly challenging at the heritage facades. Firstly, the existing foundations can be as much as 3 feet in depth, which begins to reduce the available width of the site available to accommodate parking. However, systems and methods have been sourced, which have not been previously utilized in our region that will allow for vertical excavation to occur directly behind the facades, which in turn will allow the construction of new concrete foundation walls directly against and below the existing foundations. Existing facades will be retained using conventional shoring and bracing systems, which can accommodate facades up to 4 storeys in height. This will resolve all facades except for the Champlain Building, which is presently 6 storeys in height. Using steel brace frames for this façade would result in the braces extending across 2 full lanes into Hollis and Duke Streets. In addition, because of its height and relative thinness (the existing masonry walls are 16" thick), the façade would essentially behave like a sail - so in a significant wind event, the brace frames could not be guaranteed to support the facades without significant damage or total collapse. This would be not only present risk to public safety and surrounding property damage, but in the worst case scenario, also defeat the intent of preserving the heritage facades.

Therefore, in order to mitigate risk and ensure the success of retaining the façade of the Champlain Building, the upper 2 levels will be removed in order to reduce the height of the facades – note that these 2 levels were a later addition to the original 4 storey building. This would allow the facades to be safely braced without closing down significant portions of streets or creating undesirable risk. The original 4 storey façade would then be repaired and restored as later described in this report.

An enclosed letter from our structural engineer provides additional clarification that describes the inherent challenges and prohibitive costs. While one may suggest that other solutions may be invented to shore the facade in order to solve such challenges, it is important to note that the economics of overly specialized solutions would not be economically viable and as previously noted, could present risks to the public, the façade itself and surrounding properties. The proposed design presents a balanced approach which on the one hand, solves the technical challenges of the facade's height by reducing it to its original 4 storeys and on the other hand, focuses investment in re-establishing the grandeur of the ground floor through the restoration of the original arched windows and creation of a recessed corner entrance.

The top of the 4 storey facade will have a new robust, copper cornice that will resemble the existing cornice presently situated at the top of the 6 storey facade. Furthermore, since the additional two floors were replicas of the floors below, there is no loss of any distinctive features as a result of reducing the height to the original 4 storeys.

Overall, this strategy will allow greater investment to be made towards the restoration and improvement of the facade where it will be most recognized and appreciated - at the pedestrian scale.

This selective and partial reconstruction will retain the majority of the facades while only those portions which cannot be safely supported during construction would be removed. In principle, this is not dissimilar from what has been undertaken nearby at the Waterside Centre or for the Macara-Barnstead façade (as part of the TD Tower redevelopment) where a balance of retained, salvaged and reconstructed portions of the façades have been carefully considered.

A detailed conditions assessment was prepared for each of the five building facades (refer to Appendix C). The report contains a detailed account of the current condition of each façade, what the probable cause is for areas of disrepair or failure, and what the recommended approach should be for repair, restoration and/or reconstruction. These recommendations will ultimately inform the contract documents which will detail and specify the means and methods to be used for construction.

The impact on the heritage resources will therefore include a comprehensive strategy requiring a combination of demolition, repair, restoration and reconstruction. This will be done in a manner that respectfully restores the dignity of each heritage resource while integrating them into the overall development.

5.0 MEASUREMENT OF DEVELOPMENT OR SITE ALTERATION IMPACT

The city — especially an historic city — is not a static monument. Rather it is subject to economic, social and cultural forces that shape the fabric of the city through time. New development has the potential to reinforce the role and meaning of its historic context.

A holistic approach to urban development would see the integration of heritage, economic, environmental and socio-cultural factors in the planning process. It is important to see the evolution of the urban landscape as more than a question of physical fabric, but increasingly as the evolution of environmental, social and cultural concerns. For this reason, this development proposal is considered not only for its effect on the fabric of the five historic buildings, but for the larger impact on the development of Halifax and its downtown.

The approach taken here is to assess the historic resources for their cultural and architectural value; assess the vulnerability of these heritage resources to socio-economic pressures; explore how the heritage resources can be comfortably integrated to the wider vision for urban development; identify elements to be protected; and establish appropriate / acceptable levels of change for each building.

The goals of heritage conservation can be integral to the goals of cultural and economic development. The key is to sustain the quality of place (both the tangible and intangible qualities), while allowing for continuing evolution. In other words, as an evolving historic urban landscape, downtown Halifax will continue to change over time. While the downtown retains an active social and economic role in the development of the city, it also exhibits material evidence of this evolution over time.

The redevelopment of this block will benefit from a cohesive and integrated solution — one that seeks to incorporate the heritage resources in a manner that enhances the existing historic fabric, while facilitating the new development. This requires a careful balance between facilitating development and protecting heritage values.

Each building has unique characteristics and values related to their individual history, their design, their contribution to and prominence within the streetscape, as well as values related to their association with Halifax's commercial development. Each building has been carefully assessed and considered as to its historic, economic, environmental contribution to the historic urban landscape of downtown Halifax. The integration of each of these buildings into the larger development project presents unique challenges and opportunities, specifically in how they can and should be sensitively incorporated into the design for redevelopment of the block. In this assessment, the goal has been to strike a balance between respecting the value of these heritage assets while fostering a meaningful and appropriate development opportunity.

The development challenge of this site resides in the ability to integrate these diverse heritage buildings into a single, comprehensive development without overwhelming the heritage resources, nor rendering the new construction unnecessarily complex. As separate, independent structures, these buildings do not relate to one another in terms of construction methods and materials; alignment of floor levels; overall height; or architectural style. Notwithstanding, in the redevelopment process, each building's heritage value needs to be respected and incorporated into the design.

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Other key challenges include the conditions of the buildings and in particular, their respective facades. It was determined that a variety of conditions exist whereas some buildings and facades are in very good condition, some in very poor condition and others in a varying state of in-between.

Each building has its own degree of heritage value, which may be assessed in terms of its significance within the history of Halifax, its contribution or prominence to the streetscape, the extent to which it has remained as originally built, its character defining elements, and the extent to which it has been altered over time.

The proposed development seeks to positively strengthen the clarity of the historic urban landscape — both as an idea and as a physical form — in four important ways: by maintaining a sense of the cornice line that historically defined the building heights on these streets; by maintaining pedestrian access to the new development through the original entry doors of the historic buildings; where the new building meets the street, by designing these facades in a manner that defers to and is distinguishable from the existing historic buildings; and by largely retaining the entirety of the Bank of Commerce building.

The existing buildings are all relatively small in footprint and are scattered about the block. As a result of successive in-fill developments, each of these historic buildings tends to be read as an individual historic element in the urban landscape, rather than a cohesive historic whole. The interstitial space between the buildings, largely occupied by the 1968 Royal Bank infill building, would seem open to considerable change, as long as this change does not adversely affect the integrity of the existing historic fabric.

The proposed development does not obscure, radically change or have a negative impact on the character-defining materials and forms of the historic building facades.

Ultimately, the challenge resides in how to marry the old with the new in a way that benefits both elements. The richness of each of these buildings can be highlighted by the modern facade of the infill development. Retention of these buildings — even if only their facades — will serve as a reminder of the city as it was, while the backdrop expresses the sense of evolution through time.

The central question remains: will the values of this historic urban landscape be protected and enhanced; or will they be undermined? In other words, will the new infill development disrupt the existing aesthetics and valued rituals, or will it respect them. If it respects them, the development may come to be seen as contributing a new vitality and new equilibrium to its historic setting. The equilibrium will become all the more complex and diverse and celebrated, all the while still encompassing the old.

The proposed construction is to be placed in a non-character defining location — that is, in between and behind the historic building facades, and in some cases set back from the historic facades. The character defining views of these heritage resources will not be obscured, rather the prominent views, along George and Duke Streets in particular, will remain.

With the exception of the Bank of Commerce building, the interiors of these historic buildings have either been significantly altered, or are generally banal, specifically in the case of the Hayes Insurance Building and the Champlain Building. Their retention is not critical to maintaining the integrity of the chief character-defining elements, which are the facades. With regards to facade retention, it can be justified to replace what lies

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behind the facade with a building whose use can enable the continued use of the site. In the end, the contributing features of these buildings, with the exception of the Bank of Commerce lies almost entirely in their relationship to the streetscape.

Comparatively speaking, the Champlain Building is considered to have the least amount of character-defining elements of all the heritage resources on the site. Its lack of detail and ornamentation result in a building that has a much more modest sense of place within the block. In 1911 (approximately 50 years after the original building was built), a significant addition was constructed, adding two additional storeys as well as an extra bay along Hollis Street (refer to Tombstone reports for further details). The additional 2 levels replicated the lower floors with regards to materials and window patterns while a new cornice was added but without a frieze as was present on the original facade. These floors were added with no enhancement to the original streetscape while its height became out of context with the remainder of the block, which otherwise remained consistent at 4 storeys.



As previously noted in this report, the upper 2 levels of the façade will be removed while the lower 4 levels will be retained and restored. While this solves the logistical challenges during construction, it also offers an opportunity to restore the facades in a manner that will more closely resemble their original and intended appearance. Most noticeably, this will re-introduce the ground floor arched windows, which were arguably the character-defining elements with the greatest impact to the streetscapes. In addition, a new corner entrance will be created at the intersection of Duke and Hollis Street as was intended in a 1911 architectural drawing which was never realized (see image below).

The restoration of the original 4 floors of the Champlain façade will re-establish a consistent streetwall height in relation to its neighbouring heritage buildings, which will be further enhanced and reinforced by the height of the new infill facades, thus creating a consistent streetwall around the block. The restoration of the ground floor arched windows and creation of the corner entrance become viable enhancements made possible as a result of not investing in the reconstruction the upper 2 levels of the façade. If reconstructed, the upper 2 levels

would present their own technical and logistical challenges which would result in a noticeable difference between new and old – the reconstructed 2 levels would be done using current building systems, materials and methods and therefore could not be constructed to seamlessly blend in with the existing façade. The result would be a 4-storey façade with a noticeable 2-storey addition. This would be an undesirable outcome.

The lower 4 levels, which are to be retained, will be cleaned and repaired. The parged finish, which comprises the majority of the façade, will require remedial repair to conceal stains that have been translated through as a result of rusted wire mesh directly in-behind the parging. Any new parging will be finished to match the existing texture. The entire facade will then be refinished with an appropriate paint coating that can bond to the existing finish. This may become part of an ongoing maintenance program as more rust may continue to become visible.

A new frieze and cornice will be constructed along the top of the 4-storey façade which will resemble the original design to the extent that it can be determined from archival photographs (see photo below). The entire façade will have new wood windows installed in keeping with its original appearance. Overall, a restored 4 storey façade of the Champlain Building will recapture much of its original character-defining elements including its ground floor arched windows and its original scale within the block.



Photo taken in 1871 showing original building including arched windows and frieze/cornice condition

Each heritage building's integration strategy shall be as follows:

- 1. Bank of Commerce Building:** As noted, this building's exterior will be largely kept intact. As per the conditions report, repair work is required and will be undertaken. The interior of the main banking hall will be maintained and restored to the extent possible with consideration towards current building codes for fire-resistance ratings, sprinklers, and limitations for combustible material. The rear, 2 storey section, which was added to the original building will be retained as a free standing façade. A new addition will be constructed behind this facade but set back and separated. This will create an outdoor arcade that will become the main entrance for the condominium tower while also creating a pedestrian passage connecting to the centre plaza. Within this façade, the two existing window openings will be extended down to grade similar to the third window, which had previously been extended to accommodate a doorway from an interior stair. This will create a consistent pattern of openings within the façade while creating an opportunity for entryway and passage. New canopies will extend through the three openings as a means of addressing the condo entrance. Existing wood windows appear to be in fairly good condition and it is the intent to repair, restore and incorporate insulated glass units. The main roof of the building will become a terrace accessible to patrons of the restaurant and hotel.
- 2. Hayes Insurance Building:** The façade shall be retained and incorporated into the redevelopment. The façade is largely in good condition with the exception of many of the sandstone pieces, of which some have deteriorated to a considerable degree and require netting as a temporary safeguard. As required, the sandstone will be repaired and/or replaced. At street level, the wood storefronts and entrances will be refurbished to the extent possible; otherwise they will be reconstructed to visually match what exists. Overall, new wood windows will be designed and installed in keeping with the original intent.
- 3. Merchant Bank of Canada:** The façade shall be retained and incorporated into the redevelopment. Large amounts of the façade are in extremely poor condition and will require full replacement and/or repair, which will require significant investment. Upon careful examination, it has been determined that all terra cotta above and including the cornice, have to be replaced due to significant deterioration – as a result, temporary hoarding has been installed to protect pedestrians from potential hazard. In other areas, sporadic pieces will either have to be replaced and/or repaired. It is determined that given the significance and prominence of this heritage resource, a commitment to investing in the restoration of the facade is warranted, expected to be in the range of \$2M. This can only be achieved as a result of the economics of the overall development and could not otherwise be feasible. New terra cotta pieces will be replicated based on measurements of existing pieces and installed into the restored facade. Overall, new wood windows will be designed and installed in keeping with the original intent.
- 4. Champlain Building:** The façade of the original building shall be retained and incorporated into the redevelopment. The façade of the later rear portion shall be substantially retained with openings altered as previously noted. As described in Sections 30. & 5.0 of this report, the upper 2 interior levels of the façade will be removed in order to meet the logistical demands during construction and thus facilitating the original façade to be saved. The ground level will be restored to incorporate the original arched windows. As well, a corner entrance at the intersection of Duke and Hollis Street will be created as was intended in a 1911 architectural drawing which was never realized (see image below). New wood windows will be designed and installed throughout in keeping with the original appearance.

- 5. Flinn Building:** The masonry façade, up to and including the cornice, shall be retained and incorporated into the redevelopment. The exterior masonry is in very good condition and in general, will only require cleaning. At street level, the wood storefronts and entrances will be refurbished to the extent possible; otherwise they will be reconstructed to match what exists. Overall, new wood windows will be designed and installed in keeping with the original intent.

Positive impacts include:

- Rehabilitation of the site with a new development that ensures a diversity of uses and seeks to activate the street front on all facades by maintaining pedestrian access through existing storefronts as well as through new points of entry.
- Minimizing impact on heritage fabric by retaining the historic facades and thereby the legibility of the street as a historic commercial row.
- Potential retention of the interior banking hall of the Bank of Commerce building and sensitively linking to this building while minimally intervening in the historic fabric of this prominent and important heritage resource.
- Minimizing impact on the character-defining views of the Bank of Commerce building by stepping back the infill development immediately adjacent to this building.
- Maintaining the historic cornice lines by stepping back the upper floors of the new construction where these extend above the historic buildings.
- Enhancing the functionality and quality of the commercial core by providing for additional retail units.

6.0 CONSIDERATION OF MITIGATION MEASURES

Appendix C of this report contains the Condition Investigation Report as prepared by our conservator, Trevor Gillingwater. This report provides an overview of the following, for each of the 5 heritage buildings:

- General description of the building
- Detailed examination of the facades in terms of material conditions
- Recommendations for repair, restoration and/or replacement

Accordingly, this report responds to our approach towards alternatives, mitigation and conservation methods.

7.0 IMPLEMENTATION AND MONITORING

All of the heritage resources on the property will be retained to an extent that is appropriate and in accordance with jurisdictional requirements. As described throughout this report and within its appendices, each heritage resource will undergo a mitigation and implementation strategy that will improve upon their present condition and ensure their long-term viability as part of a comprehensive development. Work shall be carried out in accordance with HRM's Building Conservation Standards for Heritage Properties. As previously mentioned, even

though HRM references the United States Secretary of the Interior Conservation Standards, this report also relies on Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada for assessing the impact of the proposed development on the five heritage buildings. The latter document is a comprehensive tool and is specific to the Canadian planning context.

During the course of detailed design & documentation, as well as during construction, our historic preservation consultant and conservator will remain involved. In collaboration, the team will design, specify and monitor the work for and during construction in accordance with applicable and appropriate conservation standards.

8.0 SUMMARY STATEMENT

As a result of our examinations as outlined herein, the following summarizes the overall strategy for the redevelopment of the block and the integration of the five heritage resources:

1. The Bank of Commerce Building continues to have a significant prominence with the downtown. Its location along George Street, its association with the financial district as one of the original bank buildings, its location across from Province House, its grand sense of classical design, its sense of permanence by virtue of its granite facades, and its remaining in largely good condition, all contribute directly to its significance as a heritage building and ability to be incorporated into the redevelopment. Consequently, it will be retained, largely in its entirety. The redevelopment has been designed to integrate the building in a meaningful and appropriate manner, respecting its place along George and Granville Streets. The original wood windows remain and are good candidates for restoration.
2. The MacLeod Building is a modest building along Granville Street and remains in reasonable condition. Other than the sandstone detailing, the façade remains in good condition and can be restored without significant effort or investment. Sandstone will be repaired and replaced as required and new wood windows will be designed and installed in keeping with the original design.
3. The Merchant's Bank of Canada Building is a lovely example of glazed terra cotta design and construction and continues to play a prominent role in identifying the intersection of Granville and Duke Streets. A roof top addition was added in the 1950s, which will be removed in its entirety. Large amounts of the façade are in extremely poor condition and will require full replacement and/or repair. New, replicated terra cotta pieces will be fabricated and installed. New wood windows will be designed and installed in keeping with the original design.
4. The original 4 storey facade of the Champlain Building will be retained and repaired with only the upper 2 levels being removed. Arched windows at street level will be re-introduced as well as a new corner entrance at Duke and Hollis Street. New wood windows will be designed in keeping with the original design.
5. The Flinn Building, similar to the MacLeod Building, is a small, modest building but with a very well designed and constructed facade. The façade will be cleaned and restored. New wood windows will be designed and installed in keeping with the original design.

Overall, the development will retain the Bank of Commerce Building, perceivably, in its entirety, while the remaining four buildings will have their facades retained, restored and/or partially reconstructed. This will result in a cohesive, contiguous, respectful, functional and feasible development that will provide a significant contribution and enhancement for downtown Halifax.

9.0 BIBLIOGRAPHY

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Additional Sources

Biographical Dictionary of Architects in Canada, 1800-1950. <http://www.dictionaryofarchitectsincanada.org>. Last visited: 4 September 2013.

List of People Contacted

Seamus McGreal, Heritage Planner, Halifax Regional Municipality

Recommended Reading

Recommendation on the Historic Urban Landscape, UNESCO, 10 November 2011:

http://portal.unesco.org/en/ev.php-URL_ID=48857&URL_DO=DO_TOPIC&URL_SECTION=201.html

APPENDIX A

CV: TREVOR GILLINGWATER, CONSERVATOR

Trevor Gillingwater, Masonry Conservator

Education:

1993-1995 Bournemouth University, Dorset (England): Architectural Stone Conservation, Post Graduate Diploma (PGDip) in Stone Conservation.

1991-1993 Weymouth College, Dorset, Advanced Architectural Stone Carving and Traditional Masonry Building Technology, City and Guilds Institute Diploma

1990-1991 Ottawa University, Ottawa: first and second year credit courses in Geology

1984-1985 College Year in Athens, Athens, Greece: a scholarship year of undergraduate study in Greece with particular stress on the architectural and sculptural antiquities of ancient Greece

Accreditation:

Member, American Institute for Conservation (AIC); Member, International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM)

Experience providing Heritage Conservation Services:

After many years of both academic and hands-on technical education in the field of historic building conservation, Trevor has increasingly played a qualified and respected role as stone conservator for many notable architectural masonry conservation projects throughout Canada, most recently as project conservator for masonry on the Library of Parliament and the Governor General's Residence (Rideau Hall). He is currently the project conservator for masonry for the New Brunswick Legislature restoration. The former project has just recently received the City of Ottawa's highest award for building conservation. Also, Trevor has been providing ongoing teaching courses in masonry conservation throughout the country for FHBRO and PWGSC, as well as giving course lectures on stone conservation at University of Montreal. His publications include: *The Fossils and Building Stones of Montreal*, 2002; *The Conservation of Two Sandstone Sculptures in the McCord Museum*, 1997; *Surface Patination on Montreal Limestones*, 1996.

Relevant Experience: Trevor has provided the investigation, recommendations, specification documents and contract site review for many large public masonry buildings of significant note in the public domain. His expertise has been involved with both sedimentary limestones, such as the Wellington Building, and sandstones. He recently provided the investigation and report for the Supreme Court of Canada building, which is composed of granite.

Current Major Contracts:

Wellington building, Ottawa. Project conservator for exterior masonry and interior marbles. Investigation/condition assessment, testing materials, documents/specifications, site review. RS 1-8. Client: Public Works Canada. Architect: Fournier Gersovitz Moss architects.

Union Station, Toronto. Project Conservator for exterior and interior masonry. Assisting Architects in the investigation/condition assessment of stone, brick, terracotta. testing materials, document/specification preparation, site review. RS 1-7. Client: City of Toronto. Architect: Fournier Gersovitz Moss architects.

Pavillon Ste-Catherine Building, Montreal. Project Conservator for investigation, material testing, specifications, site review during contract for terracotta and brick building. Client: University of Montreal.

FACE School, Montreal. Project Conservator for masonry conservation of stone, terracotta, brick during contract. Client: Montreal School Board.

Halifax Armouries: Project Conservator for Masonry (red sandstone and brick). Investigation/condition assessment and report. Material testing, contract specifications. Client: Department of National Defence.

Legislature of New Brunswick, Fredericton, N.B. Project Conservator for sandstone conservation. Services included: condition assessment investigation, contract documents, site review, documentation, hands on conservation treatments to sculpted details, including a freestanding sculpture. Client: Government of New Brunswick.

East Block, North West Tower, Parliament Hill, Ottawa. Project Conservator for masonry. Services include RS 1-8. Client: Public Works Canada.

East Block, South East Corner. Condition study/report of the masonry. Client: Public Works Canada.

Finished Major Stone Conservation Projects:

Redpath Hall, Montreal. Conservation services for fourteen limestone sculpture. Client: McGill University.

Dorchester Square, Montreal. City of Montreal. Project Conservator for 5 outdoor granite monuments. Investigation/condition report, contract documents, site review. Client: City of Montreal.

Victoria Museum of Natural History, Ottawa. Project conservator for interior stone. Client: Public Works Canada.

Legislature of Ontario, Queen's Park, Toronto. Project site conservator for masonry, North Wing, phases 1-3. Client: Government of Ontario.

St. Andrew's Church, Simcoe St., Toronto. Project masonry conservator for sandstone and brick. Investigation/condition assessment, report, contract documents, site review during contract.

West Block, South East Tower, Parliament Hill, Ottawa, Ontario. Project conservator for stone. Services include: ongoing condition assessment/investigation and reports, documentation, site review of masons work, hands-on conservation treatment of sculpted details. Client: Public Works Canada.

Canadian Volunteer's Memorial, University of Toronto, Ontario. Project Conservator for stone conservation. Five Marble statues and sandstone monument. Investigation assessment, direction and hands-on conservation of all aspects of conservation interventions. Client: City of Toronto.

Governor-General's Residence, Rideau Hall, Mappin Wing, Ottawa, Ontario. Project Conservator for masonry conservation. Services provided: investigation assessment, contract documents, site review. Provide conservation interventions to sculpture. Client: National Capital Commission (NCC). 2005-2007

St. Andrew's Church, Toronto, Ontario. Project Conservator for masonry conservation. Services included: investigation assessment, contract documents, site review, hands on conservation treatment of sculptural details. 2005-2006.

Library of Parliament, Parliament Hill, Ottawa. Project Senior Conservator for stone. Providing conservation direction, hands-on repair to sculpted stones, documentation and reporting on all stone masonry, 2002-2005. Public Works Canada.

Legislature of Ontario, Queen's Park, Toronto. Project Masonry Conservator for Conservation of eight large sandstone sculptures, including Provincial Crest. 2005.

Toronto Old City Hall, Sandstone Building Conservation. Phase 4. Project Conservator for masonry. Investigate, report, document, and direct all conservation interventions, including hands-on conservation of sculptural stones. City of Toronto. 2004-2006.

St. Paul's Anglican Church, Toronto. Conservator Consultant for masonry during conservation of Old (east elevation) and New Churches, during two year project to join the two buildings with a contemporary atrium/courtyard designed by Black&Moffat Architects.

Westmoreland Avenue Church, Toronto. Investigation and condition report of stone detailing. Lux Developments Inc.

East Block, Parliament Hill, Ottawa. Masonry Conservator Consultant for Class B investigation and intervention report for Heritage Conservation Services, Public Works Canada.

Wilson Carbide Mill, Ottawa, Conservator consultant for Phase I masonry conservation. 2003. National Capital Commission (NRC).

Royal Ontario Museum, Toronto. Conservator during relocation of Ming Tomb Gallery Sculpture, in preparation for new Liebeskind Wing, 2003.

Toronto Old City Hall, Toronto. Project Conservator for stone masonry. Ph. III. 2003 – 2004.

Conservation of 1st century Roman Marble Sarcophagus and Marble Corinthian Capitals, Granby, Quebec. 2003

Condition assessment survey and report of 125 stone architectural and sculpture installations, Guildwood Inn Park, Scarborough, Ontario, 2002.

1860's entrance and fence, Governor General's Residence, Rideau Hall. Conservator Consultant for project. National Capital Commission, Ottawa, 2002.

East Block, Parliament Hill, Ottawa, Conservator Consultant for condition investigation and report on exterior masonry and sculpture, Autumn 2002.

Scarborough War Memorial, Toronto. Conservator for conservation interventions (Summer 2002).

Meredith Cross, London, Ontario, Conservator for investigation, report and conservation interventions, August, 2002.

Dominion Square, Montreal. Conservator Consultant for conservation of five public monuments.

Cathedrale Marie Reine du Monde, Montreal, Consultant for the conservation of Mgr. Bourget Monument, 2002.

Outremont Cenotaph, Montreal, Consultant for masonry, 2002.

Toronto Old City Hall, Toronto. Project Conservator for stone masonry. Phase II.

Legislature of Ontario, Queen's Park, Toronto. Project Conservator for stone masonry. August – Dec 2002.

National War Memorial, Ottawa. Consultant for investigation and report on base and pavement stones.

Moodie Cemetery, Ottawa. Conservation of cemetery monuments. Summer, 2001.

Four Granite Monuments, City of Toronto, Consultant for conservation. June – Dec 2001.

George Vanier Library, Montreal, Consultant for masonry investigation and report. Autumn, 2001

Mile Stone Marker. Westmount, Montreal. Conservation of the monument, Summer 2001

Lesplanade Laurier Lobbies Refit, Ottawa, Consultant for investigation and report of interior marble, repairs and cleaning. 2001.

Alexander Muir Monument. Muir Gardens, City of Toronto. Conservator Consultant for intervention to masonry. September 1999 – June, 2002

Jeanne Mance Monument, Hotel Dieu, Montreal. Conservation of base. Summer 2002.

Rideau Hall. Ottawa. Masonry conservator consultant for historic fence piers. Winter 1999 - 2000

Provincial Legislature of Ontario, East and west entrances. Stone conservator consultant for interventions to masonry, July - November, 2000.

Sculpture Mid-Summer Nights Dream, City of Toronto. Conservation investigation and report. December, 2000.

Designer of, and site and stone consultant for the Irish Settlers Memorial Monument, Charlottetown, Prince Edward Island, 2000.

South African Monument, City of Toronto. Consultant for Masonry. July - October, 2000.

Brignon Lapierre Historic House. Montreal. Investigation of masonry and report. Sept. 2000.

Investigation and Report on five public monuments for the City of Montreal in Place Canada and Dorchester Square, Montreal, Quebec. March - August, 2000.

Conservation of marble statue of St. John the Baptist, Notre Dame Cathedral, Ottawa, Ontario. June - August, 2000.

Site Conservator for Notre-Dame Cathedral, Ottawa. Investigation, providing site direction to masonry team in conservation repair interventions to stone. Monitoring, documenting and reports. April - September 2000.

Knox College Cloister, University of Toronto. Consultant for investigation and report to dismantle and rebuilding of stone wall, buttresses, and gothic window. Knox College, University of Toronto. September, 1999- June 2000.

Conservator consultant for Federal Government's Queen's Gateway of Wellington Wall, Parliament Hill, Ottawa. Spring 1999 – Summer 2001.

Investigation and Report for Sons of England War Memorial, City of Toronto, Ontario. 1999.

Investigation and Report for Canadian Volunteers Monument, City of Toronto, Ontario. 1999.

Consultant for reconstruction of 1860's masonry wall, Les Religieuses Hospitalières de Saint-Joseph. Beaupré et Michaud, architectes. July – December, 1999.

Site conservator and consultant for Federal Government's Justice Building, interior marble cleaning and repairs, Ottawa, Ontario. August – December, 1999

Admiral Horatio Lord Nelson Statue. Supervision of reproduction. Montreal, Quebec. June – September, 1999

Project conservator for exterior masonry of Harbour Commissioners Building, Montreal, June – November, 1999.

Site conservator of historic masonry fireplace and foundation remains during archaeological excavation for Phase III, St. Mary Among the Huron's Historic Site, Province of Ontario, Midland, Ontario August 1999.

Cathedrale Marie Reine du Monde, Masonry Consultant for masonry conservation, Three domes. Montreal, Quebec, May – August, 1999

Site conservator for masonry, Toronto's Old City Hall, Toronto, Ontario. September 1998 – September 1999.

Conservator Consultant for masonry, Rosedale United Church, Toronto, Ontario, June – September, 1999.

Consultant for reproduction of original Ionic capitals for Government House South Façade Porchway Project, Dept. of Transportation and Public Works, Province of Prince Edward Island. Winter – Spring, 1999.

Conservator consultant for Rebuilding Upper East Vaux Wall Project, Parliament Hill, Ottawa, Ontario (July – September, 1998).

Site conservator for nine monuments on grounds of Toronto Legislature, Queen's Park, Toronto, Ontario (July – December 1998)

Conservation consultant during cleaning and restoration of narthex interior masonry, Cathedral Marie-Reine-du-Monde, Montreal, Quebec (July- October 1998)

Site conservator of historic masonry fireplace and foundation remains during archaeological excavation for Phase I and II, St. Mary Among the Huron's Historic Site, Province of Ontario, Midland, Ontario (August – September 1997, July 1998)

Site conservator for Federal Government's project of Masonry Conservation of Houses of Parliament Centre Block, South Façade, Parliament Hill, Ottawa (June 1996 – February 1998)

Site conservator for Royal Artillery Monument Conservation and Relocation, National Capital Commission, Major's Hill Park, Ottawa, Ontario (July – November 1997)

Site conservator and consultant for Admiral Lord Nelson Monument, Place Cartier, Ville de Montreal, Montreal, Quebec (June 1996 – May 1998)

Site conservator and consultant for City of Montreal for two historic monuments: Jean Cabot Monument, and Louis Lafontaine Monument (June 1996 – August 1997)

Conservation consultant for restoration and conservation of the parish church of Ste-Agathe-des-Monts, Ste. Agathe, Quebec (May – September 1997)

Conservator of the Provincial Coat of Arms, Ontario Legislative Building, Queen's Park, Toronto, Ontario (June – July 1997)

Site conservator consultant for Phase I and II of exterior narthex, the Cathedrale Marie Reine du Monde, Montreal, Quebec (June 1995 – October 1996)

Site conservator for masonry of North Wing, Ontario Legislative Building, Queen's Park, Toronto, Ontario (June – December 1995)

Conservator of two sandstone architectural grotesques belonging to the McCord Museum of Canadian History, Montreal (March – May 1995)

Conservation consultant to the Dalton School, Tignish, Prince Edward Island (April – May 1995)

Stone conservator, as part of team during conservation to Henry VII Chapel (16th c), Westminster Abbey, London, England (September 1994 – January 1995).

Stone conservator, as part of student team, for two parish church monuments in England: Reynell alabaster Monument (17th c), Devon, and Thomas Bryant limestone Monument (17th c), South Poole.

Publications:

The Fossils and Building Stones of Montreal. A booklet describing geologic features found in stone buildings in Montreal. Redpath Natural History Museum. McGill University. Montreal. 2002.

“Themselves they could not save”: The Conservation of Two Architectural Sculptures in the McCord Museum of Canadian History. The McCord Museum of Canadian History Bulletin, 1997.

Surface Patination on Montreal “Greystones”. Proceedings for the 8th International Congress On Deterioration and Conservation of Stone. Berlin, Germany. 1996.

Teaching/Lectures:

Algonquin College, Ottawa, Ontario. Restoration Masonry Program. March, 1997.

Université de Montréal, Conservation of Masonry, 20 Hour Teaching Conference, Feb., 1998.

Algonquin College, Ottawa. Restoration Masonry Program. March, 1999.

Université de Montréal, Conservation of Stone, 20 Hour Teaching Conferences. January, 2000.

Université de Montreal, Conservation of Masonry, 20 Hour Teaching Conference, Nov. 2001.

Université de Montreal, Conservation of Masonry, 20 Hour Teaching Conference, Feb., 2002.

Construct Canada, Toronto, Demonstration: Repair Techniques and Materials for Stone Conservation, 2002

Parks Canada, Winnipeg, Manitoba. Introduction to Masonry Conservation Lecture Course, 2003.

Federal Heritage Building Review Office (FHIBRO) in conjunction with Parks Canada, Vancouver, Introduction to Masonry Conservation Lectures and Demonstrations, 2004.

Federal Heritage Building Review Office (FHIBRO), Halifax, Nova Scotia. Introduction to Masonry Conservation Lectures, June, 2005.

Parks Canada, Medicine Hat, Alberta. Introduction to Masonry Conservation Lecture Course, October 2005.

Parks Canada, St. John, New Brunswick. Introduction to Masonry Conservation Course, May 2006.

Parks Canada, Winnipeg, Manitoba. Advanced Masonry Conservation Course, Autumn 2006.

Parks Canada, Winnipeg, Manitoba. Advanced Masonry Conservation Course, Autumn 2007.

Parks Canada, Kingston, Ontario. Introduction to Masonry Conservation Course, September 2007


Parks Canada, Winnipeg, Manitoba. Advanced Masonry Conservation Course, Autumn 2009.

Parks Canada, Kingston, Ontario. Introduction to Masonry Conservation Course, September 2009

APPENDIX B

ARCHIVAL RESEARCH: TOMBSTONE REPORT

1.0 Background

<p>W.R. MacAskill NSARM accession no. 4499 www.gov.ns.ca/nsarm/ c 2013</p> 	
Name of building (current)	Bank of Commerce Building
Other Name(s)	Name: Bank of Commerce Building Date: 1906 to ??
	Name: Date:

Tombstone Data Sheet – 5171 George Street, Bank of Commerce Building

	Name: Date:
Civic address	5171 George Street 27-29 George Street (former)
Construction Date range (from - to)	From 1860 – 1906 (Bindery, demolished 1906?) From 1906 To xx (Bank of Commerce Building) From 19xx to 19xx (Bank?) From 19xx to 19xx (restaurant??)
Significant Date	
Associated Event / Person / Organization / Architect / Builder	Canadian Bank of Commerce (Organization) Ernest Wilby (Architect) Albert Kahn (Architect)
Function of building (Historic)	Bank (1906-xx)
Function of building (Current)	Restaurant [<i>19xx to recent</i>]
References / Sources	HRM Heritage Planning Branch, property file HRM Heritage Evaluation Form, 1977 HRM Archives, [<i>to follow</i>] NSARM, Fire Insurance Maps (1878-1971) Dictionary of Architects in Canada, 1800-1950; Entry: <i>Ernest Wilby (1869-1957)</i> . Bugey, Susan. 'Building Halifax, 1841-1871' in <i>Acadiensis</i> , Vol. X, No. 1, Autumn/Automne 1980, pp. 90-112.

2.0 History / Description

- 3 1/2 storey, granite face, Classic Greek Revival Style
- Located in the downtown core, heart of financial district
- At prestigious corner of George and Granville Streets, sits across from the Provincial Legislature building

Tombstone Data Sheet – 5171 George Street, Bank of Commerce Building

- The bank was designed by Ernest Wilby and Albert Kahn, of Detroit fame. The bank is nearly identical to the branch that they also designed for Walkerville (now part of Windsor), Ontario, at about the same time.
- Most recently housed a restaurant on the main floor; upper floors are vacant (and for rent¹).

¹ http://compassbroker.com/component/option.com_hotproperty/task/view/id.7/Itemid.32/, accessed 3 March 2013.

3.0 Illustrations

Notman Studio NSARM accession no. 1983-310 number 2186 www.gov.ns.ca/nsarm/ c 2013



Title: Knowles' Bindery

Date: c. 1895

Author: Notman Studios.

Copyright: NSARM, Notman Collection, Acc. 1983-310, NO. 2186.

Notes: view looking north on Granville Street, at George Street crossing. Knowles' Bindery is on the site of the Bank of Commerce building.



Title: George Street, Looking West, Halifax, NS.

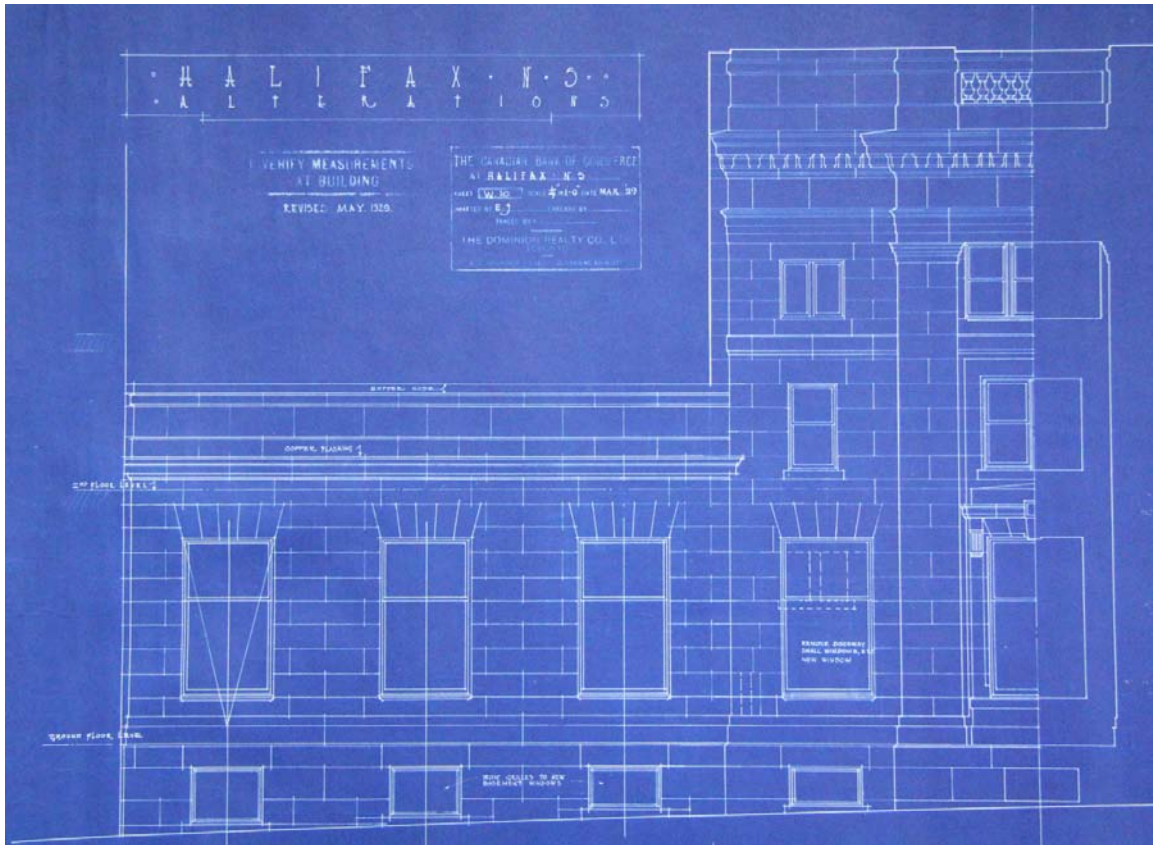
Date: c. 1910.

Author: Unknown. Postcard.

Copyright: NSARM, PANS photo collection.

Notes: View looking up George Street with Bank of Commerce at centre-right and the Royal Bank Building at right-foreground, with its original entrance at the corner of George and Hollis Streets.

Tombstone Data Sheet – 5171 George Street, Bank of Commerce Building



Title: Alterations, Canadian Bank of Commerce

Date: May 1929

Author: Dominion Realty Company Ltd, Toronto.

Copyright: HRM Archives [location details to follow].

Notes: Single storey addition to the north side of the bank (Granville Street elevation). Part of the alterations included removing a side door (second opening from right in illustration above) and converting the opening into a window. The windows shown at far left are now a door.



Title: Looking Down George Street, Halifax, NS. Winter 1935.

Date: 1935

Author: Painting by E.S. Nutt. Photograph by Bollinger [?].

Copyright: NSARM, N-0386, Location 54-1.

Notes: The distinctive roofline and façade of the Bank of Commerce is seen at the centre of the image.



Title: Royal Bank of Canada Building, Bank of Commerce.

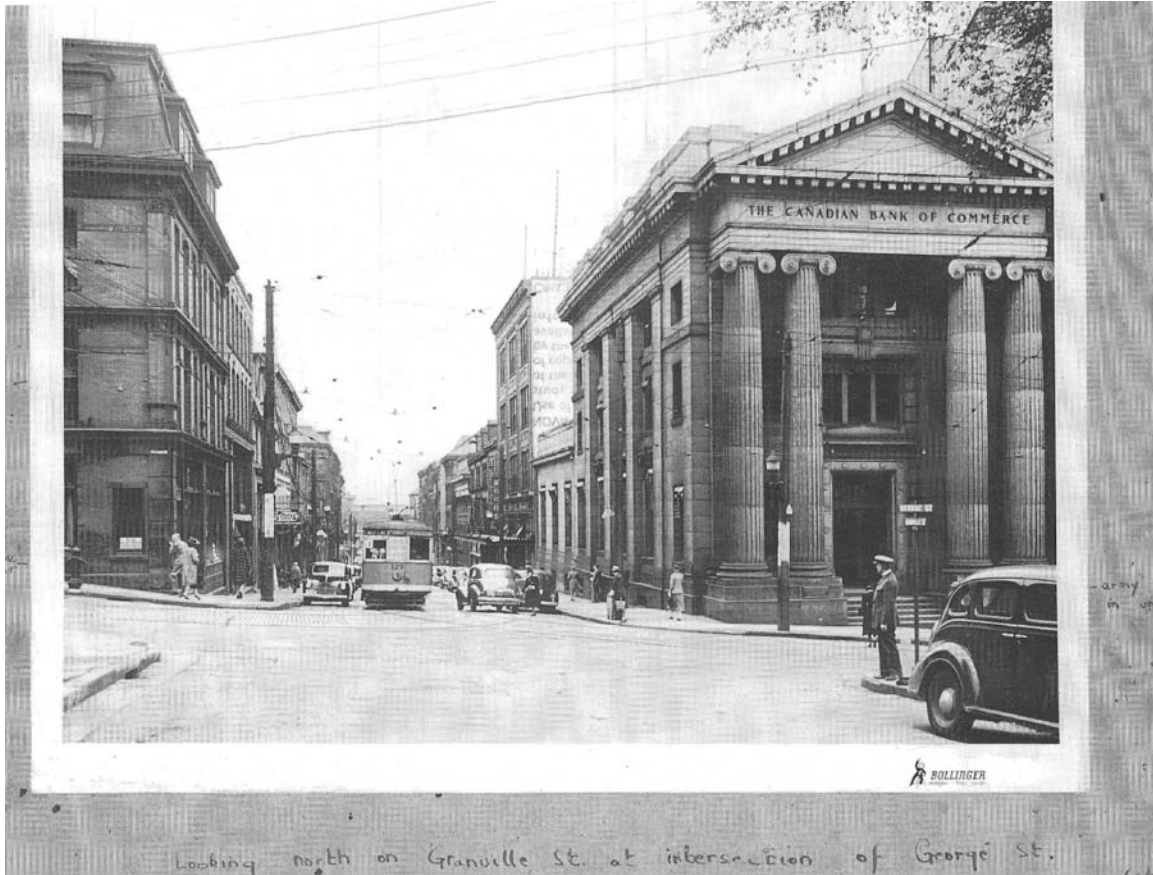
Date: c. 1940

Author: Photo Climo [?]

Copyright: NSARM, Places Halifax, Street Scenes, George.

Notes: The Royal Bank Building has now been expanded, and its entrance moved to centre-block along George Street. Its western edge is a decidedly square and abrupt encounter against the Bank of Commerce columns.

Tombstone Data Sheet – 5171 George Street, Bank of Commerce Building



Title: Looking north on Granville St. at intersection of George St.

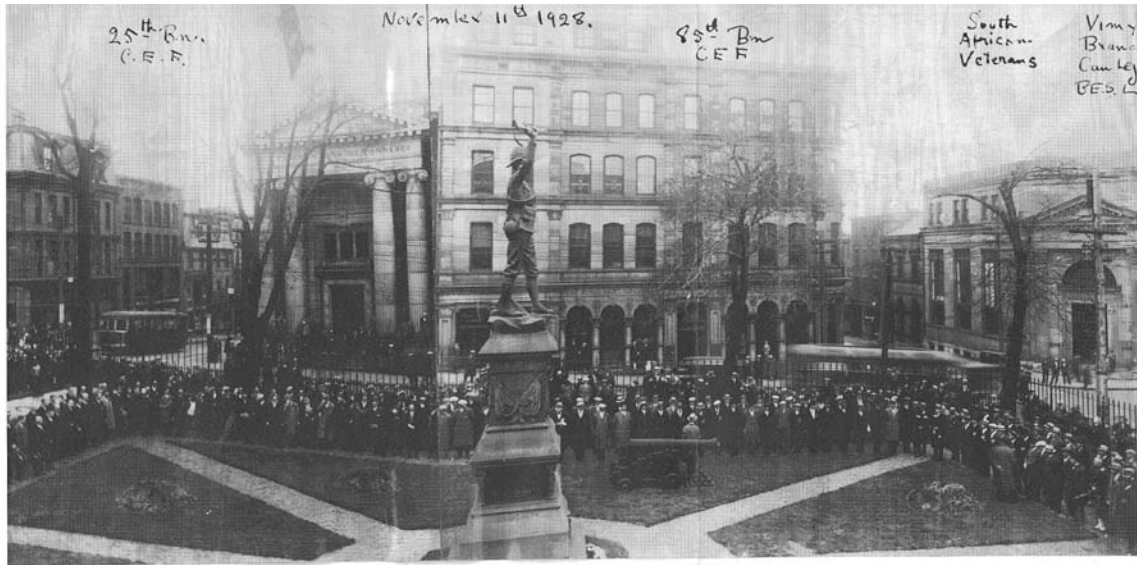
Date: c. 1940 [?]

Author: Bollinger [?]

Copyright: NSARM, Places Halifax, Street Scenes, George, Location 54-1.

Notes: Note the retractable awnings on the west facing windows of the Bank.

Tombstone Data Sheet – 5171 George Street, Bank of Commerce Building



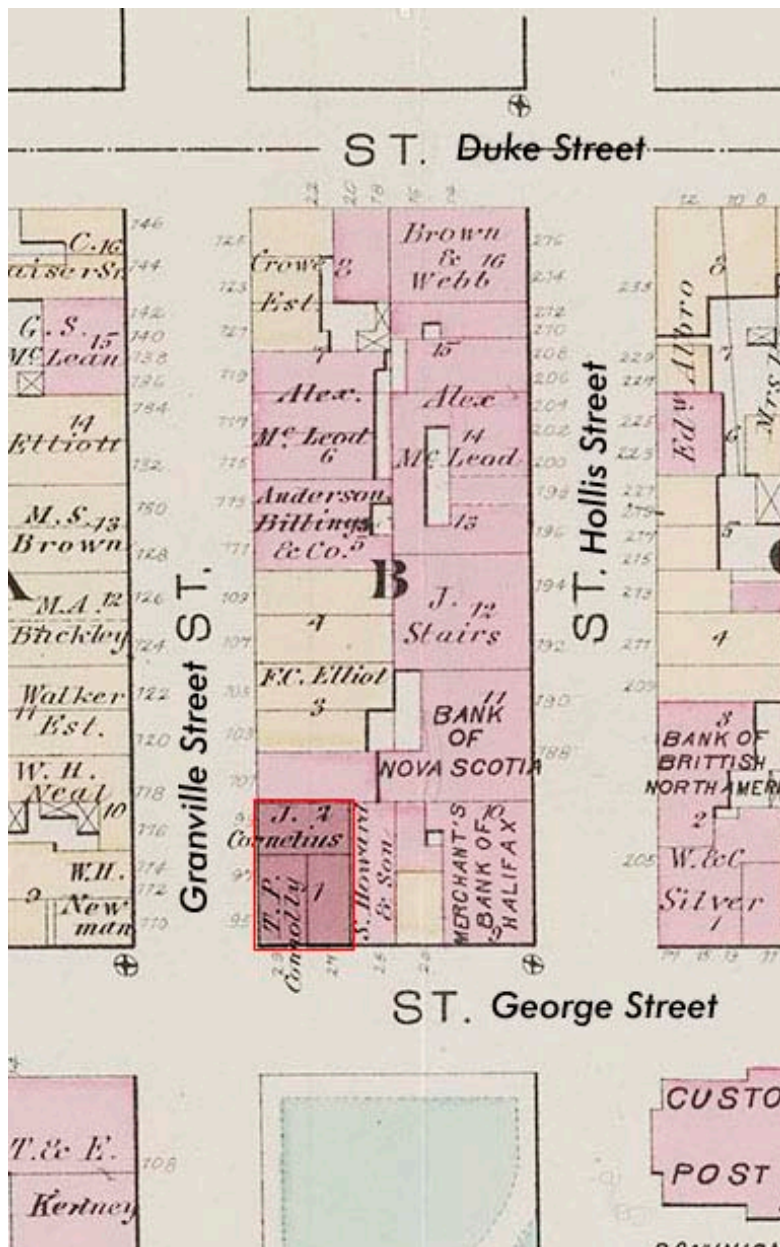
Title: Remembrance Day, November 11th, 1929. The 25th Br. CEF, 85th Br. CEF, South African Veterans and Vimy Branch, Canadian Legion BESL on parade at the South African War Memorial, Province House, Halifax.

Date: c. 11 November 1929

Author: JCM Hayward

Copyright: NSARM, Misc. N.S. photographs Collection #13, Acc. 1988-71.

Notes: An army of banks overlooking Province House, from left to right: Bank of Commerce, Royal Bank of Canada, Bank of Montreal.



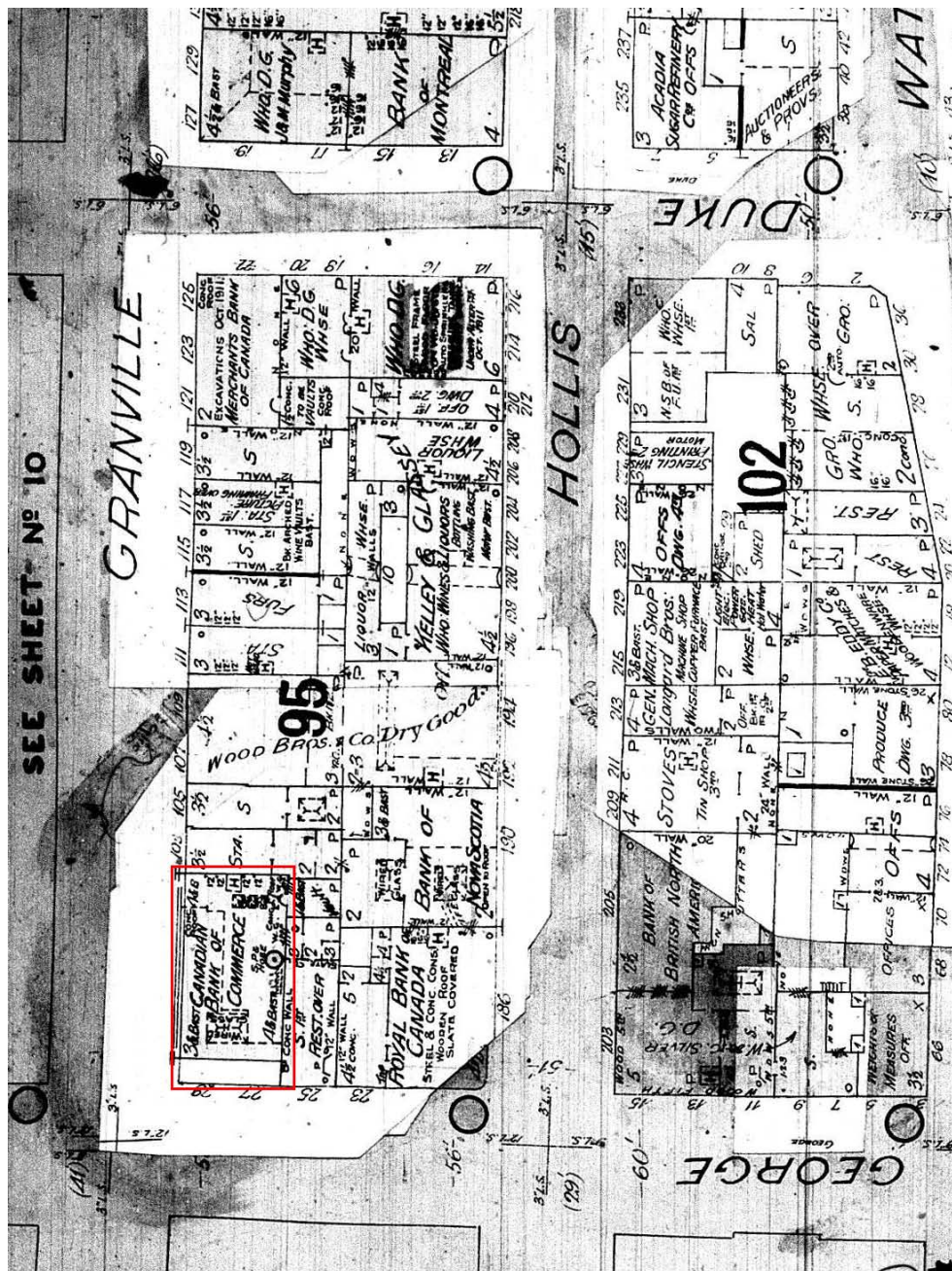
Title: City Atlas of Halifax, N.S. From actual surveys and records.

Date: 1878

Author: H.W. Hopkins.

Copyright: Library and Archives Canada.

Notes: The site of the Bank of Commerce was formerly occupied by another masonry building (seen in the illustration of Knowles' Bindery). Note that the Merchant's Bank of Halifax on the opposite corner would later become the Royal Bank of Canada.



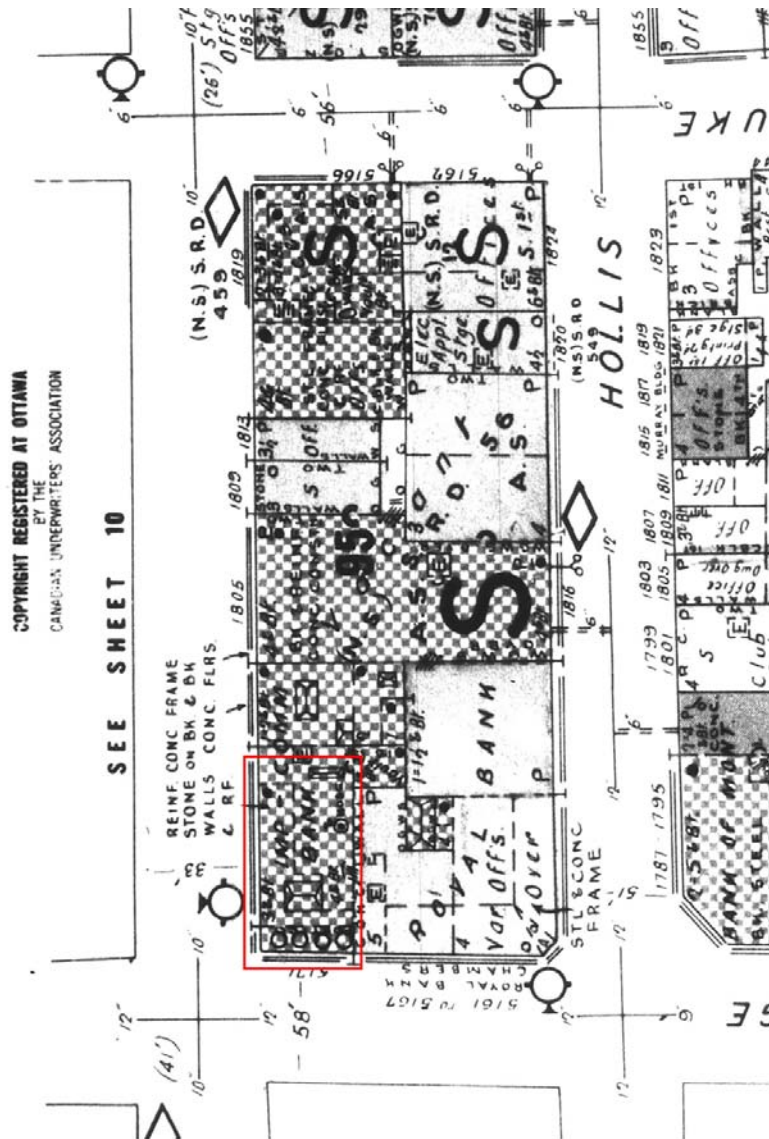
Title: Insurance Plan of the City of Halifax, N.S.

Date: May 1895, revised October 1911.

Author: Charles E. Goad.

Copyright: NSARM, O/S G 1129 H3 G63 1911; microfiche 959.

Notes: The site is now occupied by the Bank of Commerce, and likewise, the Merchant's Bank of Halifax has become the Royal Bank of Canada. It is interesting to note the gradual consolidation of lots on this block, beginning with the Wood Brothers who expand their operations from their Granville Street location right through to Duke Street, as well as Kelley & Glassey (wines and liquors) who also occupied several buildings during this period.



Title: Insurance Plan of the City of Halifax.

Date: August 1952, revised 1965.

Author: Underwriter's Survey Board.

Copyright: NSARM, G1129 S98 U53 1957; microfiche 23130.

Notes: The expansion to the Bank of Commerce is complete, and meanwhile the Royal Bank takes over the remainder of the block. Note that the former Wood Brothers as well as the Kelley & Glassey buildings are now vacant. They were acquired by the Royal Bank in preparation for its expansion and construction of a new office tower.

1.0 Background

Joseph S. Rogers NSARM Album page 44 www.gov.ns.ca/nsarm/ c 2013



Smith Brothers Dry Goods, 99 Granville Street, 1871.

Source: *Roger's Photographic Advertising Album*, Halifax 1871, pp. 44-45.

Only the right-hand bay remains extant from the original tripartite stone and brick structure. The middle and left-hand bays were replaced with an addition to the soon-to-be Merchant's Bank of Canada building. The latter replaced the wood-frame structure (at left in photograph) in 1911.

Name of building (current)	Austin & Hayes Insurance Building
Other Name(s)	Name: McLeod Building (Alex McLeod) Date: built 1863
	Name: [Other?] Date:
Civic address	1813 Granville Street, Halifax, Nova Scotia 115 Granville Street [insurance maps] (former) 99 Granville Street (former)

Tombstone Data Sheet – 1813 Granville Street, McLeod Building

Construction Date	Built 1863 as a tri-partite structure. Designs by Henry Elliot, architect.
Significant Dates	<p>1859 – Major fire in Halifax destroys large part of historic city centre. The city rebuilds quickly.</p> <p>1862 – Alex McLeod commissions building at 99-113 (or 115-119?) Granville Street by architect Henry Elliot. The building is designed as a tripartite (or three-bay) structure, each one separated by a 12” party wall (presumably of brick construction).</p> <p>1952 - The northern two-thirds of the building are replaced on the Fire Insurance maps with a “steel and concrete” construction containing “offices.”</p> <p>1965 – Addition to the Eastern Canada Savings & Loan Building (formerly the Merchant’s Bank of Canada, located at 1819 Granville – see report on 1819 Granville Street). Addition was built in the site of previously removed two-thirds of the McLeod Building.</p> <p>1977 – Designated a heritage structure</p> <p>1984 – Consolidation of block bounded by Granville, Duke, Hollis and George Streets</p> <p>1990– Major alterations [<i>works included opening a two-storey space between the 2nd and 3rd floors at the front of the building</i>]</p> <p>1994 – Heritage grant approved for custom windows, roofing</p> <p>1994 – Heritage grant application to reinstate 4th floor dormer (not granted) [no plans on file for viewing]</p> <p>1999 – Application for canopy addition (not granted)</p>
Associated Event / Person / Organization / Architect / Builder	<p>Henry Elliot (Architect)</p> <p>Alex McLeod (Merchant)</p> <p>[Others? – what was the Hayes Insurance Co??]</p>
Function of building (Historic)	<p>Merchant, c. 1862 onwards</p> <ul style="list-style-type: none"> • All units: wine vaults in basement, c.1895 onwards • 115 Granville: dry goods, c.1907

	<ul style="list-style-type: none"> • 117 Granville: wholesale milliner with picture framing over, c.1903 • 119 Granville: fancy grocer, c.1895; tailor's trimmings, c.1907 <p>Office, c. 1952 Insurance Broker, [1950s-1980s?] Restaurant, [1980s?]</p>
Function of building (Current)	Thumper's Beauty Salon
References / Sources	<p>HRM Heritage Planning Branch, property file HRM Heritage Evaluation Form, 1977 HRM Archives, [to follow] NSARM, Fire Insurance Maps (1878-1971) Dictionary of Architects in Canada, 1800-1950; Entry: <i>Henry Elliot (1823-1892)</i>. <i>Halifax Reporter</i>, 31 Jan. 1863, p. 2, description of McLeod's Building. [reference only, have not obtained actual article] Buggey, Susan. 'Building Halifax, 1841-1871' in <i>Acadiensis</i>, Vol. X, No. 1, Autumn/Automne 1980, pp. 90-112.</p>

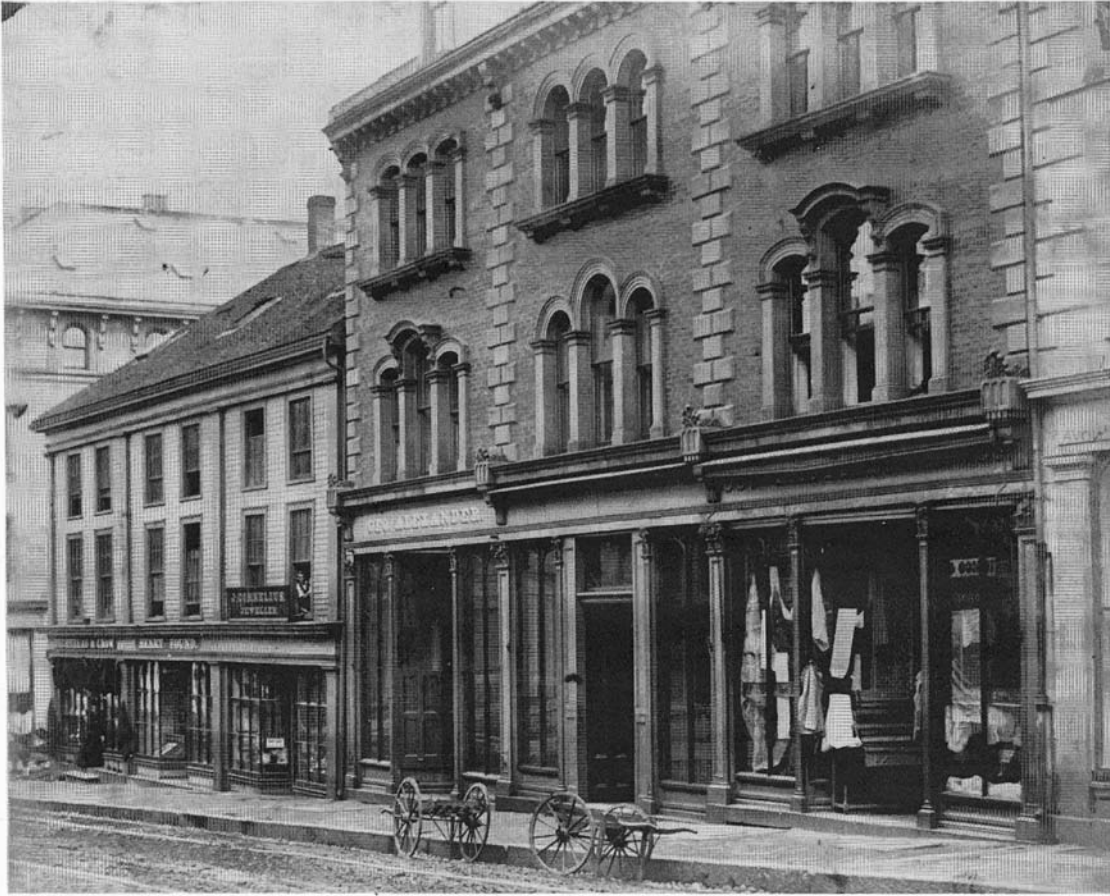
2.0 History / Description

- Mid-nineteenth century was a period of prosperity in Halifax, evidenced in the installation of civic works, government buildings, and of course commercial buildings and upgrades.
- 1840s Halifax was a modest colonial “wooden town” – largely comprised of wood-frame structures (Buggey, 90).
- Downtown suffered three sequential fires in 1857, 1859 and 1861, which destroyed several areas and buildings.
- The McLeod Building was originally designed as a tripartite (or three-bay) structure, with each vertical bay separated by a 12” wall (presumably of masonry).
- The building was designed by Halifax architect Henry Elliot (1823-1892) in about the 1860s.
- The 1895 fire insurance plan suggests a tunnel leading between 115 Granville (present 1813 Granville) and the Kelley & Glassey Wholesale Wines and Liquors on Hollis Street. Subsequent Fire Insurance Plans carry the description “brick arched wine vaults, basement” at the rear of 115 Granville, but no longer show the tunnel.

Tombstone Data Sheet – 1813 Granville Street, McLeod Building

- The two northern-most bays are shown removed and replaced with a steel frame and concrete block structure for offices. [1965 insurance map].
- In 1965, an addition was planned for the then *Eastern Canada Savings & Loan* building (at 1819 Granville).
- Only the southern-most part remains today.
- The original roof featured three single-window dormers, one centred on each part of the building. The dormers were removed at an unknown date.
- Alterations to the main floor facade in the 1970s resulted in removal or concealing the original store-front finishes, and significantly altering the cornice above the entry way.
- The configuration and finish of the upper storey window openings seem to have remained intact through the years (albeit, the window frames / sashes have been replaced).
- In c. 1984, substantial alterations are brought to the building interior – namely opening an atrium-like space across the front of the building, which opened the 2nd and 3rd floors to each other.
- In about c.1990 significant alterations are again proposed to both the interior configuration and the exterior facade of the building.

3.0 Illustrations



Title: Smith Brothers, Wholesale and Retail Dry Goods (99 Granville Street, Halifax, NS).

Date: c. 1870

Author: *Roger's Photographic Advertising Album*, Halifax 1871, pp. 44-45.

Copyright: NSARM, Roger's Collection, N-431, SN 200600994.

Notes: The address painted on the building was "99" Granville; however, Fire Insurance Plans indicate that the address was 115 Granville.

Tombstone Data Sheet – 1813 Granville Street, McLeod Building

Notman Studio NSARM accession no. 1983-310 number 100029 www.gov.ns.ca/nsarm/ c 2013



Title: Parade for visit of Duke of York & Cornwall (later George V). Granville Street, Halifax.

Date: 1901

Author: Notman Studio.

Copyright: NSARM, Notman Collection, Acc. 1983-310, no. 100029.

Notes: Photo may have been taken from the Notman Studio, which was located on George Street, between Granville and Barrington. Looking north-east. The McLeod Building is in the middle-ground, with the sloped roof and three roof-top dormer windows.



Title: Burton's Block, Northeast corner of George & Granville Streets, Halifax, NS.

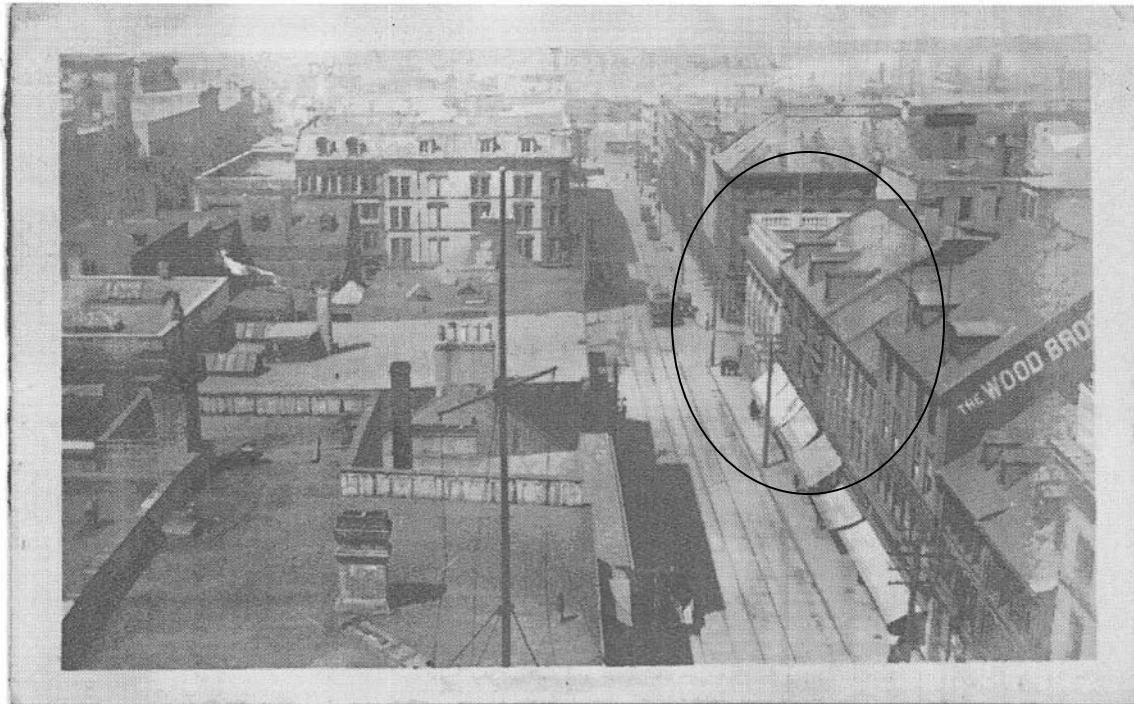
Date: c. 1871

Author: *Roger's Photographic Advertising Album*, Halifax 1871, pp. 50.

Copyright: NSARM, Roger's Collection, N-434, Location 31.2.3, SN 200601000.

Notes: View of Granville streetscape from the corner of George Street. This photo was taken during a period of commercial prosperity, when Granville Street was becoming the prime commercial row in Halifax. The McLeod building can be seen at far left in the image. The Burton Building (in foreground) would later be replaced by the Bank of Commerce.

Tombstone Data Sheet – 1813 Granville Street, McLeod Building



Title: View of east side of Granville Street, taken from roof of Dennis Building, 19__.

Date: c. 1912

Author: Unknown.

Copyright: NSARM, Cox Family Fonds, 1996-339.

Notes: Photo taken looking north, cross-street is Duke. The Merchant's Bank of Canada can be seen on the corner of Duke and Granville, with the still-intact McLeod Building next to it. Note the repeated use of extendable awnings on the commercial storefronts.



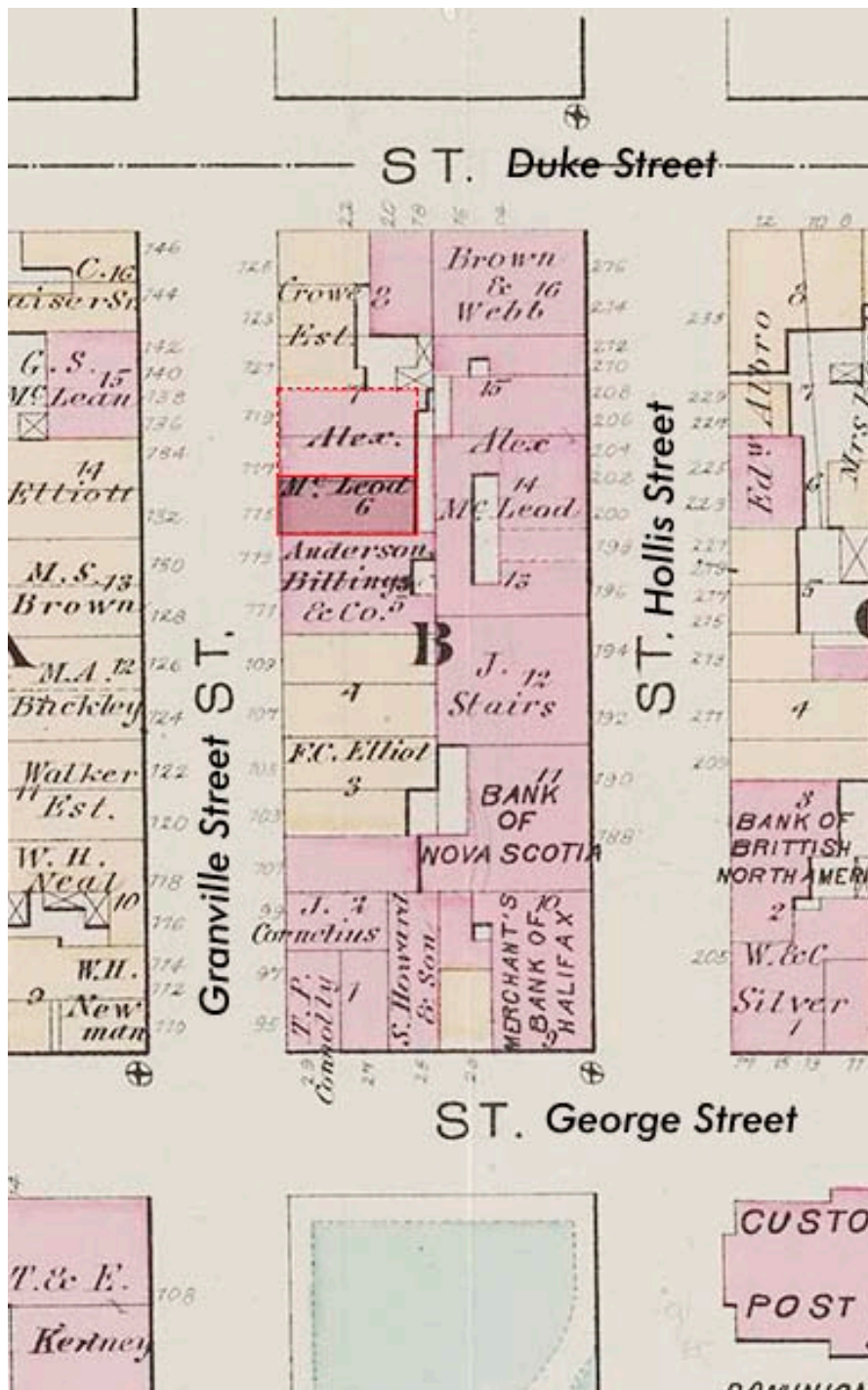
Title: [No description. Irish Society parade?]

Date: c. 1912

Author: Unknown.

Copyright: NSARM, Charitable Irish Society Collection, Acc. 1986-512, 34-3-3, N-3915-SN-201002761.

Notes: Photo taken looking north-east across Granville Street, with partial view of the McLeod Building and the Merchant's Bank of Canada in the background (at the corner of Granville and Duke).



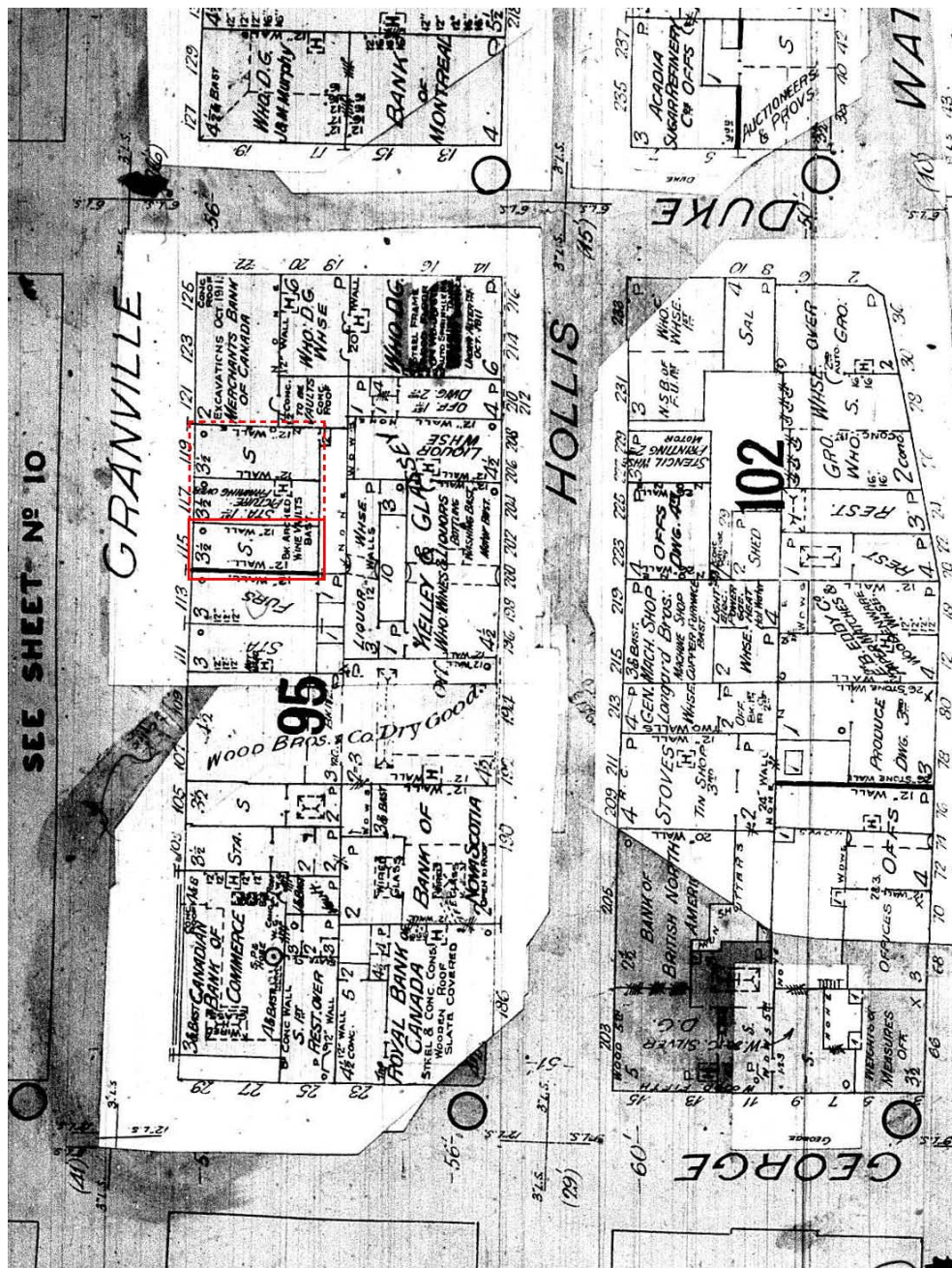
Title: City Atlas of Halifax, N.S. From actual surveys and records.

Date: 1878

Author: H.W. Hopkins.

Copyright: Library and Archives Canada.

Notes: The building for Alex McLeod is outlined in red. The dashed line indicates the portion that was subsequently removed. The ink-coded buildings are of masonry construction, while the yellow-coded buildings are of wood frame construction.



Title: Insurance Plan of the City of Halifax, N.S.

Date: May 1895, revised October 1911.

Author: Charles E. Goad.

Copyright: NSARM, O/S G 1129 H3 G63 1911; microfiche 959.

Notes: The building for Alex McLeod is outlined in red. The dashed line indicates the portion that was subsequently removed. There appears to be a dashed line (suggesting a tunnel?) from the south-east corner of the McLeod Building towards and through the Kelley & Glassey Building. The latter were wine merchants. The plan also indicates “Brk. Arched Wine Vaults Bsmr” under McLeod Building.



1.0 Background



Detail of c. 1912 photo of the newly-built Merchant’s Bank of Canada.

Photo taken looking north-east across Granville Street. The McLeod Building at 113-117 Granville is located to the right of the Merchant’s Bank of Canada which sits at the corner of Granville and Duke Streets.

Name of building (current)	Merchant’s Bank of Canada
Other Name(s)	Name: Bank of Montreal Date: 1921 - ?
	Name: Eastern Canada Savings & Loan Date: [? - ?]
	Name: Penor Trust Date: [? - current]
Civic address	1819 Granville Street, Halifax, Nova Scotia 121-123-125 Granville Street (former)
Construction Dates	1911 – Merchant’s Bank of Canada built. Design by Hogle & Davis Architects.
	1950s – Addition to east side of building (along Duke Street).

Tombstone Data Sheet – 1819 Granville Street, Merchant’s Bank of Canada Building

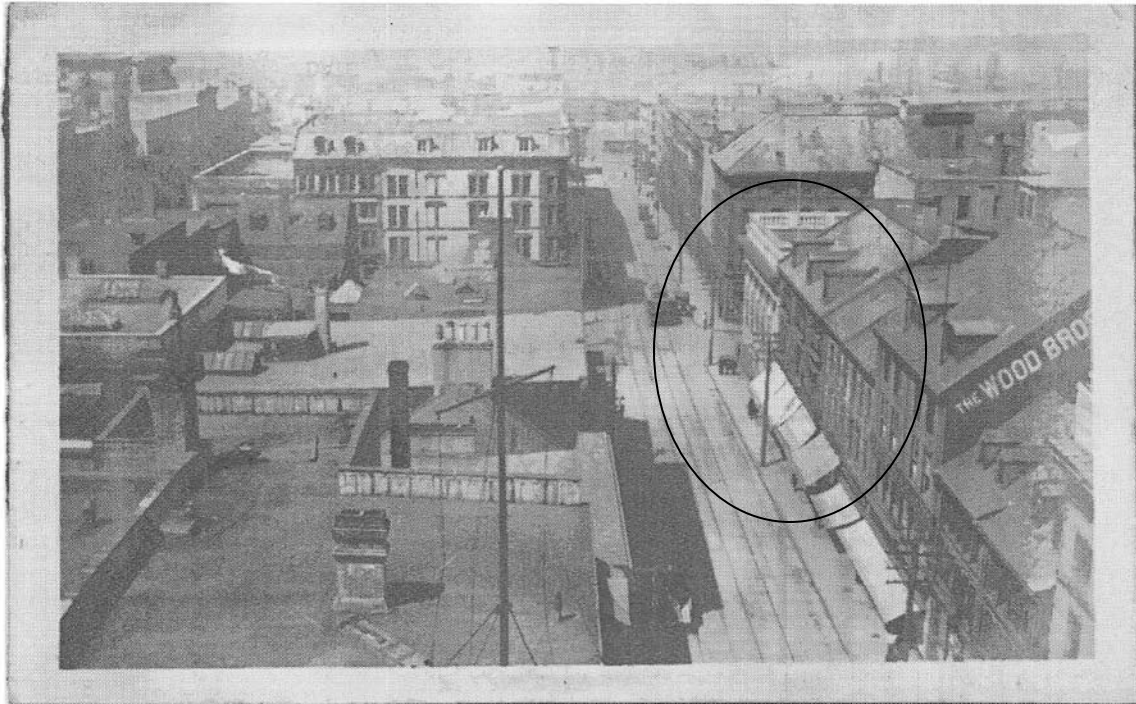
	<p>Designer unknown, believed to be Philip Dumaresq & Assoc.</p> <p>1965 – Addition to south side of building (along Granville Street). Design by Philip Dumaresq & Assoc.</p>
Significant Dates	<p>1859 – Major fire in Halifax destroys large part of historic city centre. The city rebuilds quickly.</p> <p>1878 – Crowe Building, a 2-1/2 storey wood frame structure contained retail space on the ground floor [<i>with hotel over?</i>]. Tenants included Charles J. Cooke’s “fancy goods” store, and H.P. Bezanson & Son “gent’s furnishings”, until at least 1907/08.</p> <p>1911 – Excavations in October 1911 for the Merchant’s Bank of Canada. Design by Hogle & Davis Architects.</p> <p>1950s – Addition at east side of building (along Duke Street). Included 5-storey addition to the east and a penthouse addition on top of the existing bank building. Designer TBD [<i>likely Dumaresq & Assoc.</i>]</p> <p>1965 – Demolition of “Shaw Building” (formerly 1815-1817 Granville, the two northern-most bays of the McLeod Building – see report on 1819 Granville Street).</p> <p>1965 – Five-storey addition at south side of what was then called the Eastern Canada Savings & Loan Building (along Granville Street, on footprint of Shaw Building). Designs by Philip Dumaresq & Associates, Architects.</p> <p>1965 – Granville Street entrance door blocked in; ornamental stonework added to match existing. Bank entrance moved to new addition, south on Granville Street.</p> <p>1977 – Designated a heritage structure</p> <p>1984 – Consolidation of lots bound by Granville, Duke, Hollis and George Streets</p> <p>Date TBD – original Bank entrance reinstated [<i>to follow</i>].</p>
Associated Event / Person / Organization / Architect / Builder	<p>Merchant’s Bank of Canada (Organization)</p> <p>Eastern Canada Savings & Loan (Organization)</p> <p>Hogle & Davis Architects (Architect)</p> <p>Philip Dumaresq & Associates, Architects (Architect)</p>

Function of building (Historic)	Commercial Bank
Function of building (Current)	<p>Retail (antiques and collectibles on first floor of original bank building, and first floor of 1950s Duke Street addition)</p> <p>Drake Employment Agency (in 1965 Granville Street addition)</p> <p>Korean Restaurant (in semi-basement of original bank building)</p> <p>Offices (on upper floors of 1950s Duke Street addition)</p>
References / Sources	<p>HRM Heritage Planning Branch, property file</p> <p>HRM Heritage Evaluation Form, 1977</p> <p>HRM Archives, ...</p> <p>NSARM, Fire Insurance Maps (1878-1971)</p> <p>McAlpine's Nova Scotia Directory, 1907-08.</p> <p>Dictionary of Architects in Canada, 1800-1950; Entries:</p> <p style="padding-left: 40px;"><i>James Charles Philip Dumaresq (1840-1906)</i></p> <p style="padding-left: 40px;"><i>Sidney Perry Dumaresq (1875-1943)</i></p> <p style="padding-left: 40px;"><i>Morely W. Hogle (1870-1920)</i></p> <p>Simmins, Marjorie. ‘The Family that Built this City’ in <i>halifaxmag.com</i>; April 2011, pp. 20-24.</p> <p>‘Two Canadian Banks Merged in Montreal’ in <i>New York Times</i>, 17 December 1921.</p>

2.0 History / Description

- Located at south-east corner of Granville and Duke Streets.
- Building originally built for the Merchant’s Bank of Canada to the designs of Hogle & Davis Architects who designed many, if not most, of the Merchant’s Bank locations across Canada. The first was in Calgary, Alberta beginning in 1904. The building campaign progressed eastward across Saskatchewan, Manitoba, Ontario, and Quebec. The last branch was built in Niagara Falls in 1919.
- The Merchant’s Bank of Canada was absorbed by the Bank of Montreal in 1921 and became the largest bank in Canada at the time (NYTimes).
- Later on, the building at the corner of Granville and Duke was occupied by the Eastern Canada Savings & Loan [*dates TBD*].
- At some point, the Penor Trust assumed occupancy. [tbd]
- Today the building hosts multiple tenants.
- [More to follow]

3.0 Illustrations



Title: View of east side of Granville Street, taken from roof of Dennis Building, 19__.

Date: c. 1912

Author: Unknown.

Copyright: NSARM, Cox Family Fonds, 1996-339.

Notes: Photo taken looking north, cross-street is Duke. The Merchant's Bank of Canada is located at the corner of Duke and Granville Streets.



Title: [No description. Irish Society parade?]

Date: c. 1912

Author: Unknown.

Copyright: NSARM, Charitable Irish Society Collection, Acc. 1986-512, 34-3-3, N-3915-SN-201002761.

Notes: Partial view of the McLeod Building (top-centre) and the Merchant's Bank of Canada at left (partially obscured by the banner).

Tombstone Data Sheet – 1819 Granville Street, Merchant's Bank of Canada Building



Title: Merchant's Bank of Canada; Kitchener, Ontario (left) and Windsor, Ontario (right).

Date: c. 1926

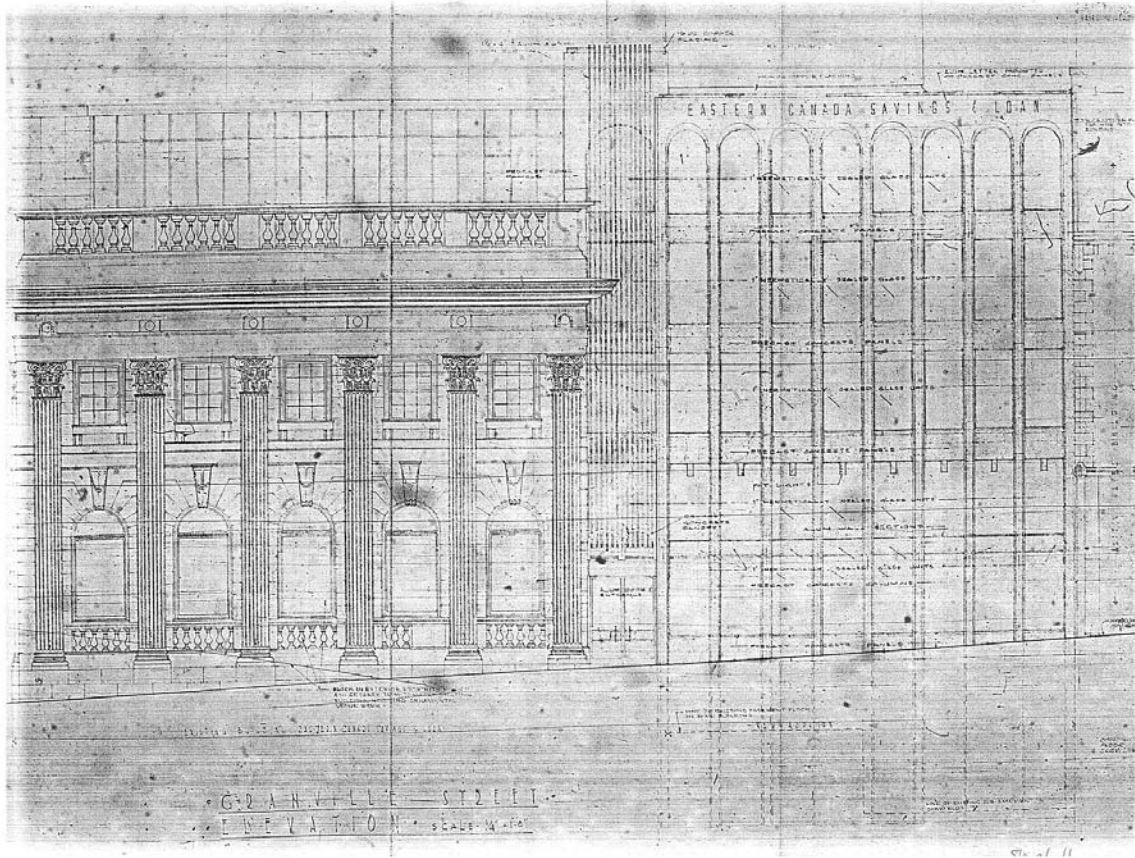
Author: Dorothy Russell.

Copyright: Unknown. Source: <http://kitchener100.ca/keywords/merchants-bank>.

And <http://www.internationalmetropolis.com/2011/01/24/1799-wyandotte-st-e-former-bank-of-montreal/>

Notes: Most, if not all of the Merchant Banks' of Canada were designed by Hogle & Davis Architects, between 1904 and 1919. The Merchant's Bank was taken over by the Bank of Montreal in 1921. There are clear similarities among all the branches that Hogle & Davis designed. These illustrations of the Kitchener and Windsor branches showing the slight modifications to an otherwise similar language used at the Halifax branch.

Tombstone Data Sheet – 1819 Granville Street, Merchant's Bank of Canada Building



Title: Addition 2; Eastern Canada Savings & Loan, Halifax, Nova Scotia.

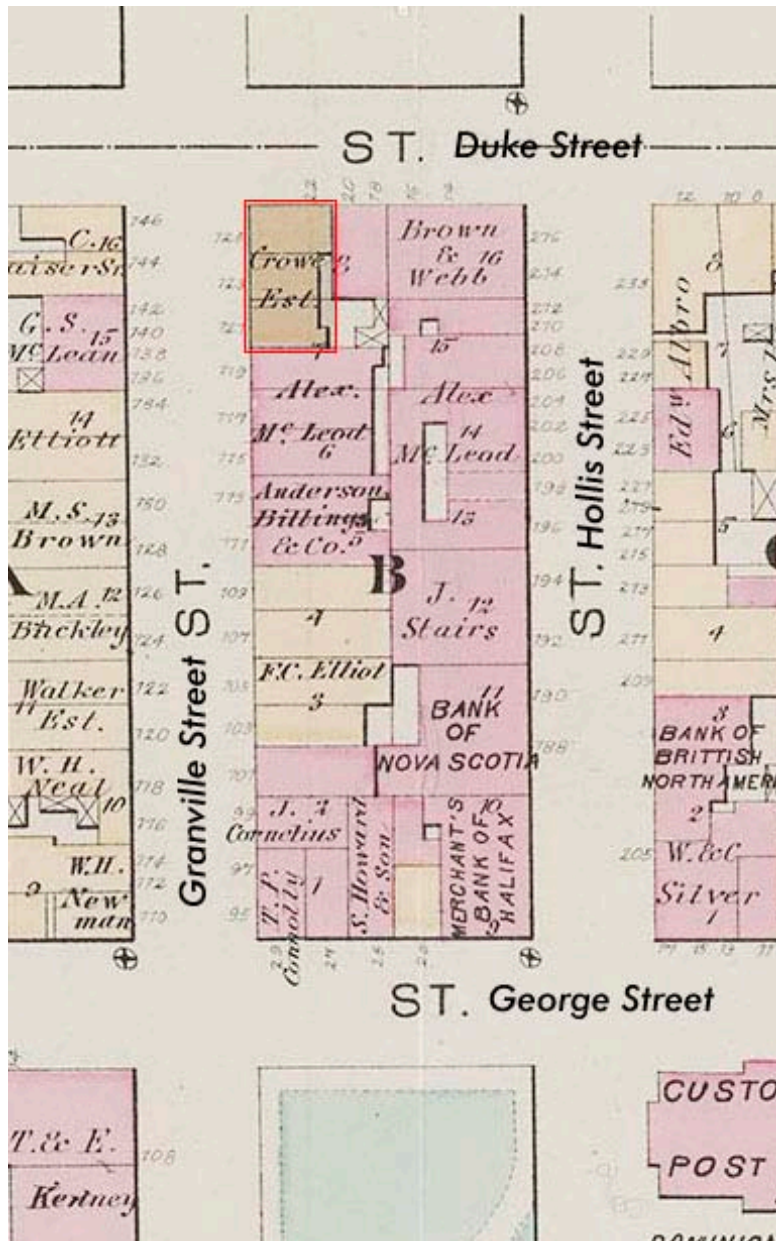
Date: 9 April 1965

Author: Philip Dumaesq & Associates

Copyright / Location: HRM Archives, Retrieval Code 35 304, Roll 51, Target 3.

Notes: In 1965, Dumaesq Architects designed an addition to the then Eastern Canada Savings & Loan Building. The drawings describe the project as "Addition 2," which might suggest that Dumaesq were also responsible for the first addition (along Duke Street).

Tombstone Data Sheet – 1819 Granville Street, Merchant's Bank of Canada Building



Title: City Atlas of Halifax, N.S. From actual surveys and records.

Date: 1878

Author: H.W. Hopkins.

Copyright: Library and Archives Canada.

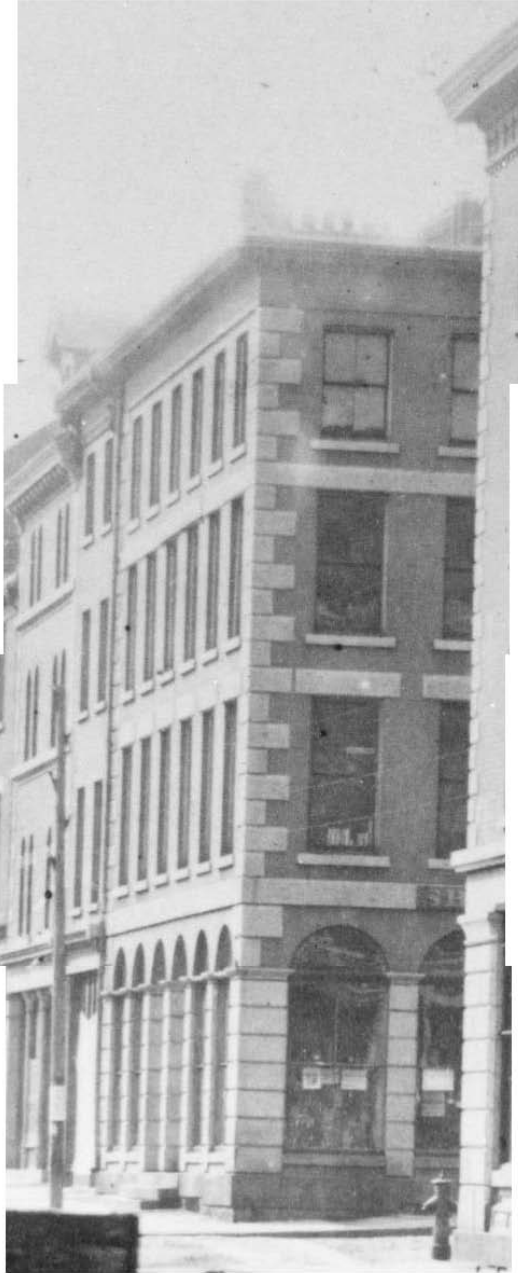
Notes: The site of the Merchant's Bank of Canada was previously occupied by a wood-frame structure containing retail space on the main floor, and possibly a hotel above.

Date: May 1895, revised October 1911.

Copyright: NSARM, O/S G 1129 H3 G63 1911; microfiche 959.

9

1.0 Background



Brown & Webb Building, corner of Duke/Hollis, looking south, Halifax, 1871.
Roger's Photographic Advertising Album, Halifax 1871, pp. 62-63. (Detail cropped from larger photograph).

Note the building is only four stories, and the building in the middle is now integrated to the façade of Brown & Webb creating what today appears to be a single larger structure. The building at far left, with paired windows, is the current 1820 Hollis (see report).

Tombstone Data Sheet – 5162 Duke Street / 1824 Hollis Street, Champlain Building

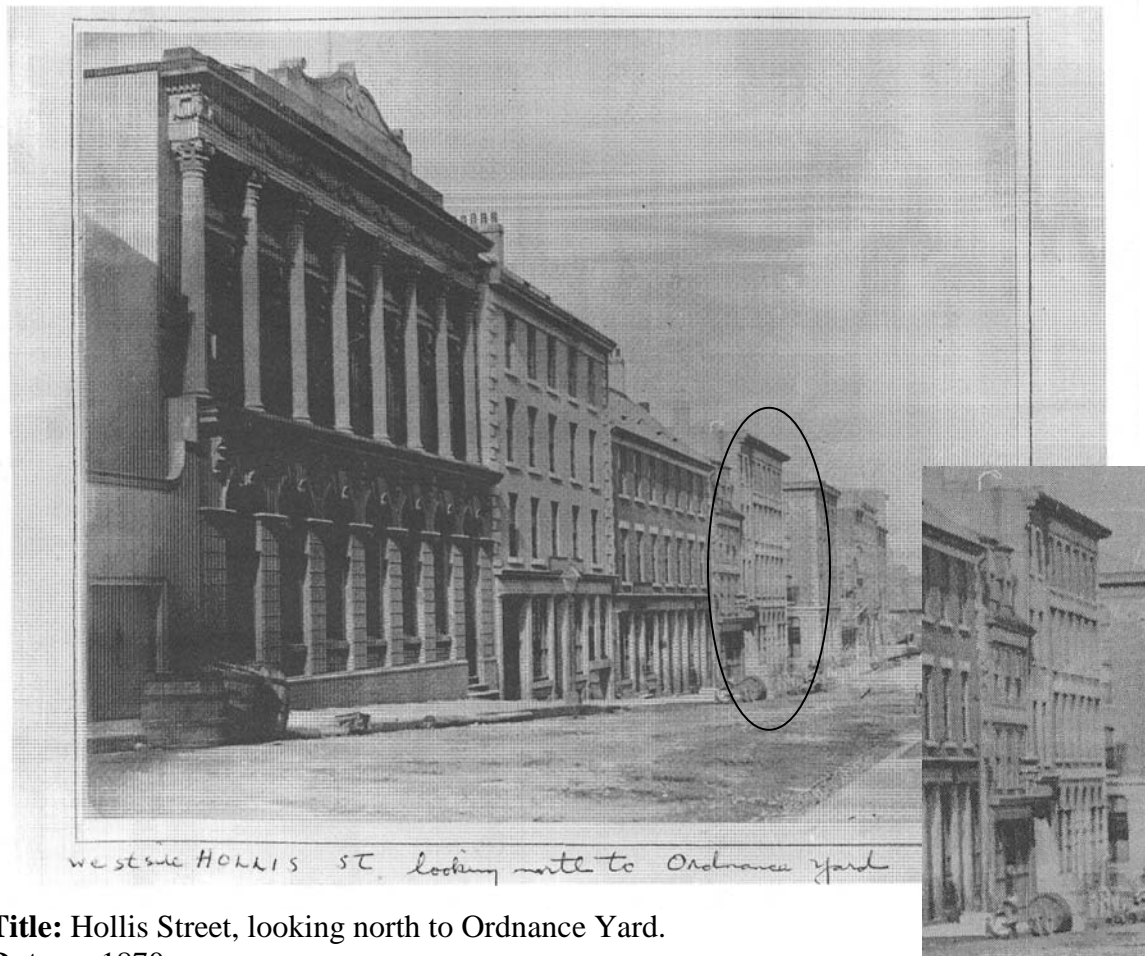
Name of building (current)	Champlain Building
Other Name(s)	Name: Brown & Webb Date:
	Name: J.M. Murphy Date:
	Name: Starr Warehouse [tbd] Date:
Civic address	5162 Duke Street and 1824 Hollis Street, Halifax, Nova Scotia,
Construction Date	1860, John Starr, Son & Co. Building [tbd]; architect unknown; the Starr Co. were electrical engineers and contractors, and suppliers of ‘electrical apparatuses of all kinds’ (McAlpines, 1907/08).
Significant Dates	<p>1860 – reconstruction following fire of 1859.</p> <p>1878 – Brown & Webb Building [fire insurance plan], masonry construction</p> <p>1895 –Both parts of current building (1824 Hollis / 5162 Duke) are shown as 4 stories, with “Offices” at 1824 Hollis, and “Brown & Webb Wholesale Drugs” at 5162 Duke as well as the current 5170 Duke [Goad fire insurance plan].</p> <p>1903 – Building at 1824 Hollis remains 4 stories with Offices at first floor, and “Dwg” at 2nd floor.</p> <p>1911 –J&M Murphy, wholesale drugstore adds two floors, designs by G.H. Jost, architect. [<i>drawings at HRM Archives; Goad fire insurance plan lists the Drugstore as being “under alterations, Oct 1911”.</i>]</p> <p>1914 – Both parts of current building appear at 6 stories each [Goad fire insurance plan, 1911 revised 1914].</p> <p>1994 – Parging repairs undertaken to the facade.</p> <p>2001 – A heritage grant application submitted to replace existing windows with vinyl units. Staff supported the application; the Heritage Advisory Committee refused the application, strongly urging that wood windows be considered; City Council approved the application for vinyl windows. Application covered both of 1820 Hollis (Flinn Building) and 1824 Hollis.</p>

Associated Event / Person / Organization / Architect / Builder	George Henry Jost, 1851-1922 (Architect)
Function of building (Historic)	Merchant and Warehouse Offices Wholesale drugs
Function of building (Current)	Restaurant on main floor, with offices / residential over [?].
References / Sources	HRM Heritage Planning Branch, property file HRM Heritage Evaluation Form, 1977 HRM Archives, <i>[to follow]</i> NSARM, Fire Insurance Maps (1878-1971) McAlpine's Nova Scotia Directory, 1907-08. Dictionary of Architects in Canada, 1800-1950; Entries: <i>George Henry Jost (1851-1922)</i>

2.0 History / Description

- Portion of building located at 1824 Hollis was (and still is) a separate building. A connection exists at the main floor. It appears the upper floors are also linked.
- The facades of the two buildings were unified at some point, likely after both buildings had completed their respective two-storey additions (c.1914).
-

3.0 Illustrations



Title: Hollis Street, looking north to Ordnance Yard.

Date: c. 1870

Author: *Roger's Photographic Advertising Album*, Halifax 1871, pp. 58.

Copyright: NSARM, Roger's Collection, N-438, Location 31.2.3, SN 200601008.

Notes: View of west side of Hollis Street looking north. The old Bank of Nova Scotia is in the foreground (demolished). The Brown & Webb Building (5162 Duke) can be seen from at right. Note that the building to the left of Brown & Webb features a window pattern unique from that of the Brown & Webb Building. It also has a different cornice and a storefront similar to that of the Flinn Building.



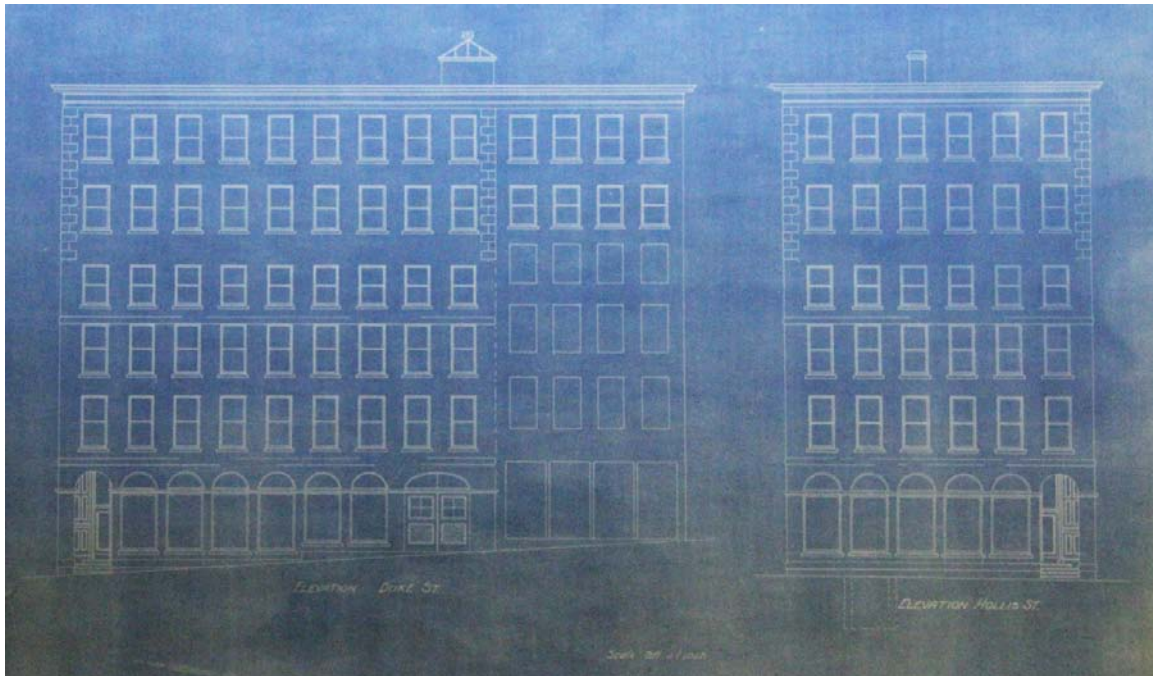
Title: Reilly & Davidson, Stove Dealers, Plumbers, Etc. West side of Hollis Street, looking south towards the Bank of Nova Scotia.

Date: c. 1870

Author: *Roger's Photographic Advertising Album*, Halifax 1871, pp. 62.

Copyright: NSARM, Roger's Collection, N-440, Location 31.2.3, SN 200601012.

Notes: View of west side of Hollis Street looking south. The Webb & Brown Building is on the far street corner, with the Flinn Building just beyond (at left in photo). Again, not that the building located between the Flinn and Brown&Webb buildings was an independent structure at the time, with its own design vocabulary. The Brown & Webb building had arched windows at the ground floor (since concealed), and its entrance was located in the 2 middle bays, along Hollis Street.



Title: Plan of Additions &c. Messrs. J. & M. Murphy, Corner Hollis & Duke Sts.

Date: 1911

Author: G.H. Jost, architect.

Copyright: HRM Archives *[location details to follow]*.

Notes: In 1911, the building is occupied by J & M Murphy, a wholesale drugstore and warehouse. An addition of two floors is designed for the building by Halifax architect G.H. Jost. Note that the elevation drawings suggest that the arched openings forming the corner of Duke and Hollis are open to the street, and that perhaps the retail entrance is recessed beyond the arches. It is not clear whether this alteration ever occurred. Certainly, the 1870's image (above) shows the entrance being located at the centre of the Hollis Street facade. A second doorway is shown at the far west side of the Duke Street elevation, where the current 5162 Duke entrance is still to be found. The building has not yet been integrated with the structure along Hollis street, which is not even shown in these drawings.



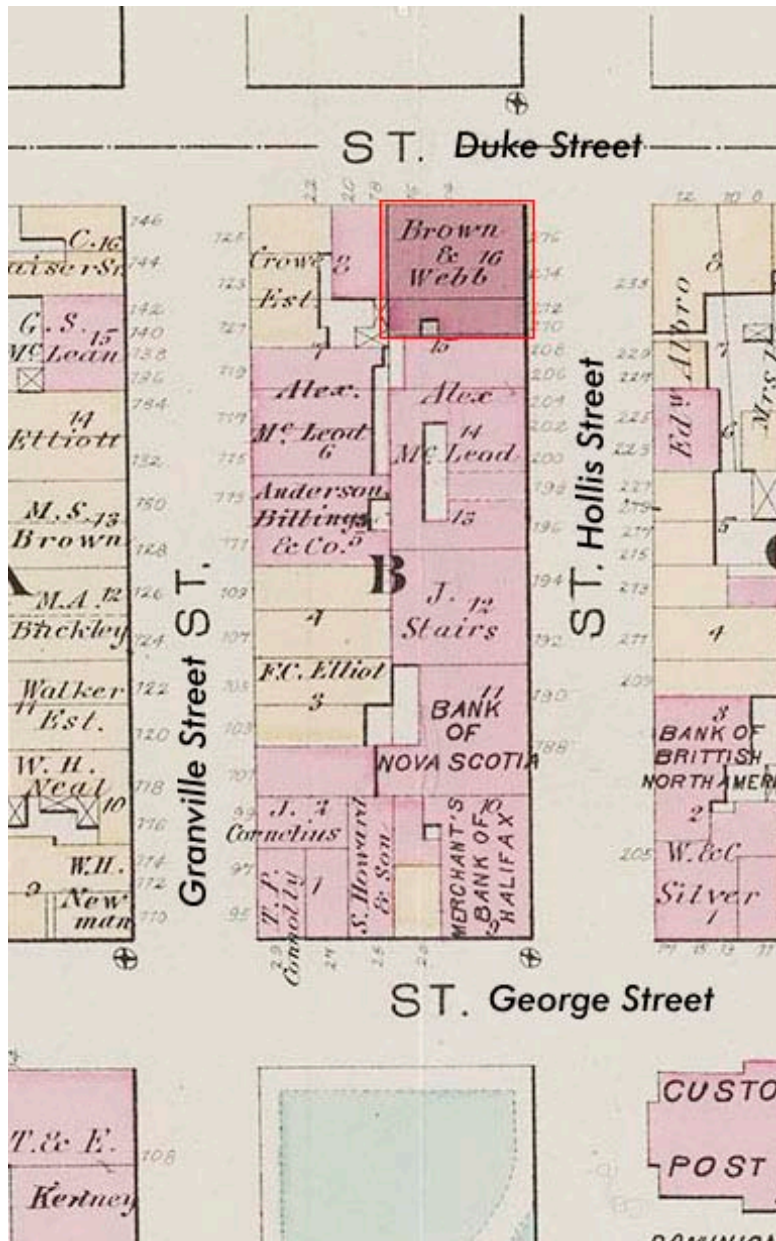
Title: 1776-1780 Hollis Street, looking south from Ritcey's Wholesale Ltd, Halifax.

Date: n.d. (after 1968).

Author: Unknown.

Copyright: NSARM, Keith L. Graham Fonds. Acc. 1996-162, no. 21. Location 37-4-3.

Notes: The new Royal Bank of Canada tower can be seen in the background. The Brown & Webb Building is now seen with its additional floors, and fully integrated with the smaller building to its south. The arched openings at ground floor level are now concealed.



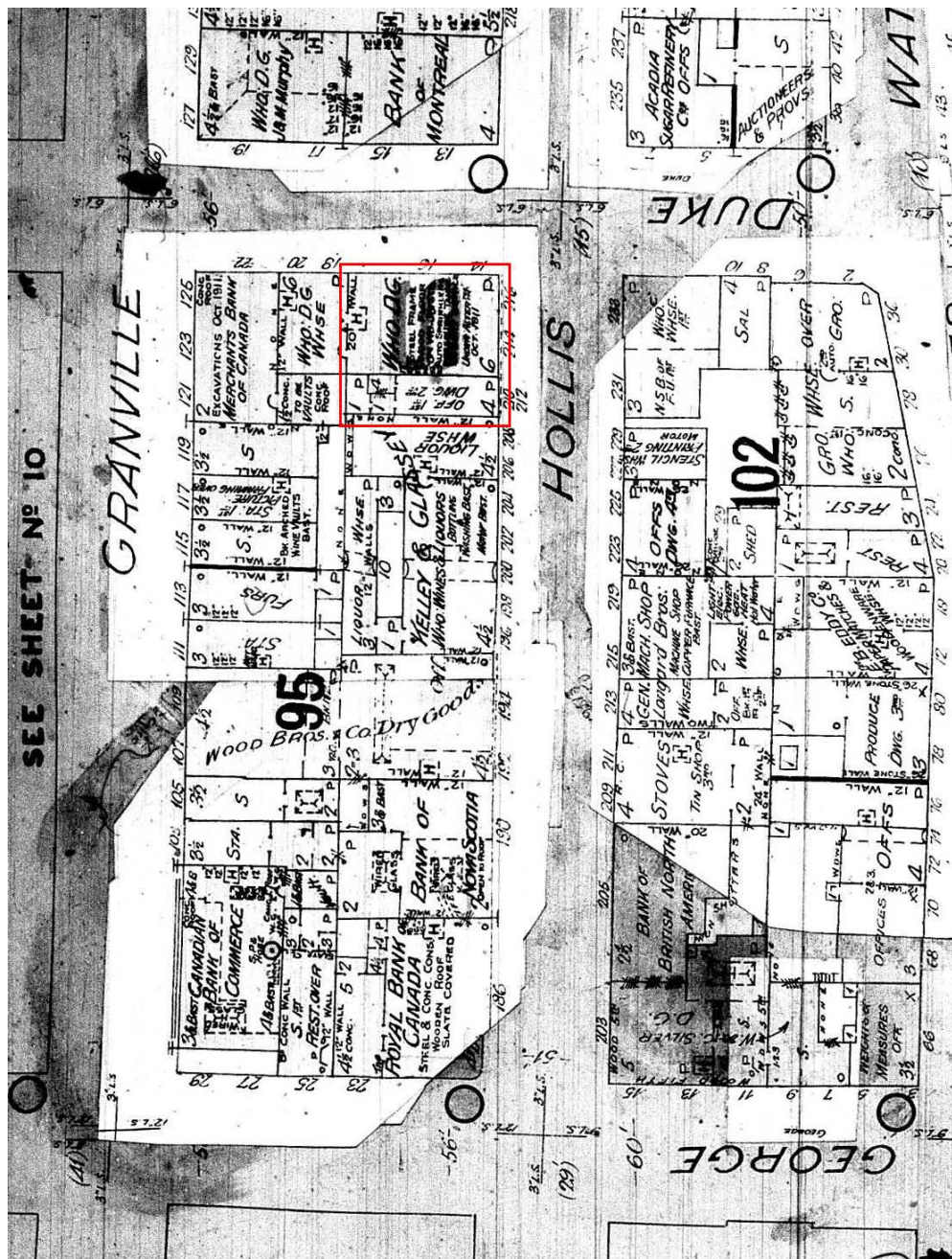
Title: City Atlas of Halifax, N.S. From actual surveys and records.

Date: 1878

Author: H.W. Hopkins.

Copyright: Library and Archives Canada.

Notes: The Brown & Webb Building is outlined in red, as well as the nameless adjacent structure at 210-272 Hollis. The latter would be integrated to the Brown & Webb Building sometime in the early 20th century. The ink-coded buildings are of masonry construction, while the yellow-coded buildings are of wood frame construction.



Title: Insurance Plan of the City of Halifax, N.S.

Date: May 1895, revised October 1911.

Author: Charles E. Goad.

Copyright: NSARM, O/S G 1129 H3 G63 1911; microfiche 959.

Notes: The Brown & Webb Building (now the J & M Murphy Building) is shown at its full 6-stories, whereas the adjacent nameless building at 270-272 Hollis remains at 4 stories.

1.0 Background



Detail from 1870s Hollis street scene. The Flinn Building is in the middle-ground.

Name of building (current)	Flinn Building
Other Name(s)	Name:
	Date:
	Name:
	Date:
Civic address	1820 Hollis Street 206-208 Hollis (former)
Construction Date	c. 1860
Significant Date	1901 – Building use listed as “Stoves” on the Fire insurance map.
	1903 - c.1950 – the buildings at 196-208 Hollis were occupied by the Kelley and Glassey, Wine and Spirit Merchants, est’d 1818. The building at 206-208 Hollis (current 1820 Hollis) was used as a “liquor warehouse.”
	1951 – Building used as a Drug Warehouse, presumably part of an expansion of the J&M Murphy operations already established

Tombstone Data Sheet –1820 Hollis Street, Flinn Building

	<p>in the adjacent buildings at the corner of Duke and Hollis (see report on 5162 Duke).</p> <p>1971 – Listed as “Electric appliance storage”.</p> <p>1977 – Designated a heritage structure. At the time, the building was in use by an engineering and architectural firm (R.J. Flinn Engineering Ltd, 3rd floor), and Nova Scotia Legal Aid. It is not clear what the use was at ground level. The report also lists that the building had “recently been restored and [was] very attractive.”</p> <p>1984 – Consolidation of properties bound by Granville, Duke, Hollis and George Streets</p> <p>1986 – An application for a “canopy” was submitted, and later withdrawn.</p> <p>2001 – A heritage grant application was submitted for window replacement.</p>
Associated Event / Person / Organization / Architect / Builder	<p>(Architect)</p> <p>(Person)</p>
Function of building (Historic)	Merchant us at grade, Warehouse over <i>[tbd]</i>
Function of building (Current)	Retail with residential [?] over.
References / Sources	<p>HRM Heritage Planning Branch, property file</p> <p>HRM Heritage Evaluation Form, 1977</p> <p>HRM Archives, <i>[to follow]</i></p> <p>NSARM, Fire Insurance Maps (1878-1971)</p> <p><i>Halifax Reporter</i>, 31 Jan. 1863, p. 2, description of McLeod's Building. <i>[reference only, have not obtained actual article]</i></p> <p>Buggey, Susan. ‘Building Halifax, 1841-1871’ in <i>Acadiensis</i>, Vol. X, No. 1, Autumn/Automne 1980, pp. 90-112.</p>

2.0 History / Description

- Formerly Alex McLeod
- Flinn Engineering
- Large number of insurance companies, brokers and agents, as well as Barristers, bankers and banks located in and around Hollis Street (McAlpine's Nova Scotia Directory, 1907-08).
-

3.0 Illustrations



Title: Hollis Street, looking north to Ordnance Yard.

Date: c. 1870

Author: *Roger's Photographic Advertising Album*, Halifax 1871, pp. 58.

Copyright: NSARM, Roger's Collection, N-438, Location 31.2.3, SN 200601008.

Notes: View of west side of Hollis Street looking north. The old Bank of Nova Scotia is in the foreground (demolished). The Flinn Building (1820 Hollis) can be seen from an oblique at right. The Brown & Webb Building is further right (1824 Hollis).



Title: Reilly & Davidson, Stove Dealers, Plumbers, Etc. West side of Hollis Street, looking south towards the Bank of Nova Scotia.

Date: c. 1870

Author: *Roger's Photographic Advertising Album*, Halifax 1871, pp. 62.

Copyright: NSARM, Roger's Collection, N-440, Location 31.2.3, SN 200601012.

Notes: View of west side of Hollis Street looking south. The Reilly & Davidson stove dealers' building is in the foreground, with the Webb & Brown Building on the far corner, and the Flinn Building just beyond. The old Bank of Nova Scotia (demolished) is in the far background.

Tombstone Data Sheet –1820 Hollis Street, Flinn Building



Title: 1776-1780 Hollis Street, looking south from Ritcey's Wholesale Ltd, Halifax.

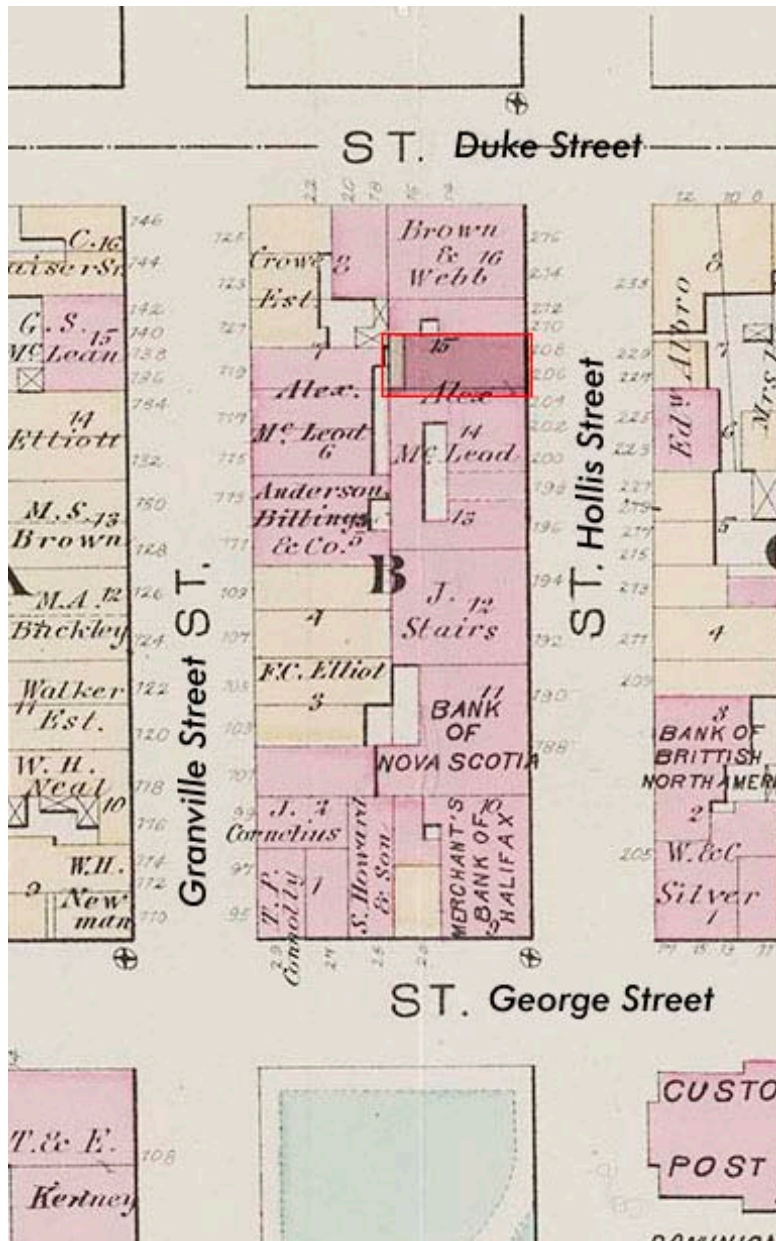
Date: n.d. (after 1968).

Author: Unknown.

Copyright: NSARM, Keith L. Graham Fonds. Acc. 1996-162, no. 21. Location 37-4-3.

Notes: The new Royal Bank of Canada building has been built. The Flinn Building is barely discernible in this photo. The podium of the Bank maintains a similar cornice with the Flinn Building.

Tombstone Data Sheet –1820 Hollis Street, Flinn Building



Title: City Atlas of Halifax, N.S. From actual surveys and records.

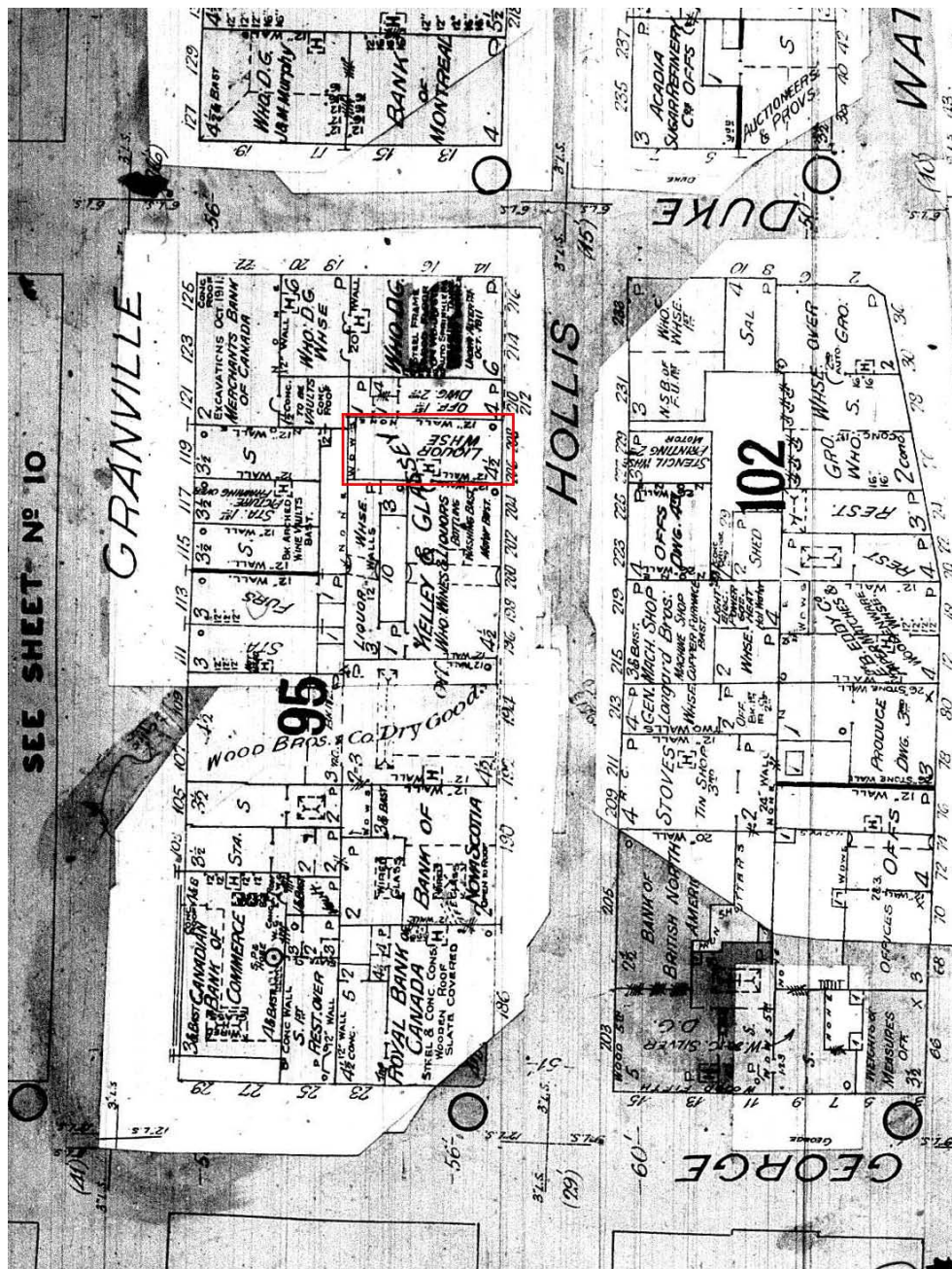
Date: 1878

Author: H.W. Hopkins.

Copyright: Library and Archives Canada.

Notes: The Flinn Building is outlined in red. The ink-coded buildings are of masonry construction, while the yellow-coded buildings are of wood frame construction.

Tombstone Data Sheet –1820 Hollis Street, Flinn Building



Title: Insurance Plan of the City of Halifax, N.S.

Date: May 1895, revised October 1911.

Author: Charles E. Goad.

Copyright: NSARM, O/S G 1129 H3 G63 1911; microfiche 959.

Notes: The Flinn Building, outlined in red, is indicated for use as a “Liquor Warehouse,” and part of the expansive operations of the Kelley & Glassey Company-- wine merchants.

Notes: The Flinn Building, outlined in red, is listed as being used for “Electrical Appliance Storage”. Its use is no longer associated with the Kelley & Glassey building, as the lot where this building stood is now “Vacant”. Its use may be associated with the Brown & Webb Building, corner of Hollis and Duke.

APPENDIX C

CONDITIONS INVESTIGATION REPORT

1.0 INTRODUCTION

The exterior masonry of a group of five historic buildings were investigated during late May. The purpose of the investigation was to examine the condition of the various masonry materials which range from Granite, sandstone, brick and terracotta. This reports discusses the conditions found and proposes recommendations for the conservation and restoration repairs for each.

We completed this investigation with the architectural office of Watson MacKewen Teramura Architects, Ottawa. Allan Teramura accompanied me in the cherry picker basket throughout the investigation period.

2.0 RBC BANK BUILDING IN CLASSICAL REVIVAL STYLE



This richly inherited classical building (fig 1) is composed of large granite block units set in coursed construction. It has regular window openings; has a cornice below a balustrade parapet at roof level; is detached column and pedimented at the main entrance elevation. The majority of stone construction is located along the west and south elevations.

.1 Granite type:

A brown coarse grained (phaneritic) igneous rock of uncertain quarry origin. The granite is possibly from one of the New Brunswick quarries of Charlotte or Queen's Counties where similar light crystalline granite was extracted for ornamental building use a century ago. The granite is distinctive for its light brown tinted colour.

Being granite, presumably rich in stable minerals such as crystalline quartz, the stone itself displays very little chemical deterioration. Rather, instead, all condition issues are related to the constructed detailing of its architectural elements.

.2 Existing mortar

It has been observed that a repointing regime has been completed in recent years. By all appearances, carborundum cutting wheels were used to remove original mortar. This is evidenced by smooth rounded form cuts along observed joints (fig. 2). The joint width has been widened in the process from original joint dimensions between 3 and 5 mm to 6-8 mm. The pointing executed appears only superficial for the most part, with depth of repointing work often only a few mm in depth. The repointing mortar is a brittle and dense mortar that is often observed to be debonded from the granite, likely due to improper preparation of the joints before applying mortar. The original mortar behind this repointing material has been observed to be both voided as well as full. Vertical joints are felt to be largely voided.



Fig 2. Note shallow repointing, lack of bond, widening of joints

from abusive grinding tools.

Recommended

100% repointing. Cutting out mortar material to 25mm depth. Backpoint all voided lengths of joints. Where the joints have been rounded at the edge by abusive carborundum disk cutting, it would be best to physically square these joints to improve bonding ability of the front pointing.

The following conditions have been observed and appropriate interventions recommended.

.3 Disruption of masonry by water infiltration:

This particular building, the first in our survey, was observed during a rainy wet day. While this does not make the best conditions for observing a building comfortably, it did assist in understanding a condition throughout the upper cornice and parapet levels which would only have been imagined otherwise. Deposits of white precipitate materials are seen throughout the joint areas and onto surface of the stone in the parapet base location as well as on the pilaster masonry immediately under the cornice (fig.2). Such salts can only be dissolved and carried in solution for redeposition on the surface by one mechanism alone, and that is water. Precipitated water has infiltrated the core of the masonry and joints where the Portland rich cement is located as the binding medium of the masonry units.

Lateral movement of the masonry along the parapet in the form of spread joints is common. The spreading of masonry in the upper area worsens at the south end above the west corner with the pediment junction, reaching further down the masonry wall such that a vertical crack line is observed through the granite stones. The end wall of the parapet level is substantially displaced (fig. 3). There has

been a history of patching the mortar joints, using both caulking and gobs of tar during at least two desperate attempts to curtail the infiltration of precipitated water. That the precipitated moisture is travelling through the wall is witnessed by the fact that the face of the projecting cornice is dry while under it, at the wall, saturated joints with biogrowth and alkali cement white staining is present. It is obvious that water moves downward at the parapet location and straight into the masonry wall below.



Fig.2. Precipitate salts from water infiltration. Caulking and tar in efforts to stem falling water through the masonry.



Fig. 3. Substantial lateral movement of the parapet wall.

Water leakage and consequential movement of masonry units within the wall such as this is always a serious condition to be met with. Were the stone of a higher porosity as is common to the sedimentary building stones, there would be far greater damaged witnessed to the actual stones themselves. As the

building stone is granite the condition of the masonry units are left mostly unaffected. However, the inter-bonded materials of mortar and, presumably, brick will be affected by deterioration.

The down pipe drain system at the southwest corner junction of the main elevation is also contributing to problem of water infiltration (fig. 4).



Fig. 4. Down pipe dysfunction. Masonry spreading as witnessed by joint movement. At very left, fracture of moulded stone a result of exerted lateral forces.

Recommended intervention

It is recommended that an opening be made in the upper wall area, to include a portion of the cornice in order to gain an understanding of the wall composition and to what degree the core materials of mortar and brick may be affected by deterioration.

Major portions of the upper masonry elements of parapet, cornice and some portions of pilaster elements beneath cornice will require dismantling and rebuilding.

Introduction of through flashings below parapet construction and top flashing on cornice is required.

Existing water drains and downpipe system needs further investigation, and improvement of design is required.

.4 Stains and dirt

In general, the granite is mostly clean of atmospheric dirt, so general atmospheric grime is not an issue. However, stains resulting from secondary sources are affecting specific areas of the masonry walls.

.1 "Rust"

Ferric staining streaks specific areas of the masonry, usually on the down side of embedded anchors or fasteners used for restraining both obsolete and current utility wires and conduits (fig. 5).



Fig. 5. Ferric staining marking otherwise clean wall.

Horizontally directioned staining is also found at the top surface of some stone courses. In most instances, this is quite light in colour and not considered an issue, though such stains are intensified visually when wetted by rain. Such general stains appear associated with run off from the roof. There is also the possibility that the stone itself is providing a source from its iron mineral content.

Recommend

Removal of all exposed ferric fasteners and anchors, and replace as needed with stainless steel. General ferric staining may be arrested by correcting metal used at drip edge of roofline. Chemical analyse of the granite may indicate if the granite itself is a source for some of the light general staining observed, though, again, this last mentioned staining is considered too insignificant to cause concern as it does not impact on visual appreciation of the wall. Specific stains and concentrated stains related to fasteners is best dealt with by either chemical chelating agents in conjunction with micro-abrasive cleaning.

.2 Salts

Soluble alkali salts related to the leaching of Portland cement mortar at the upper masonry elements has been discussed above. The salts are not readily soluble and can be quite difficult to remove especially where thick precipitate crusts are present.

Recommend

Mechanical removal of thick deposits. Complete final traces using micro abrasive cleaning system such as Rotek.

.3 Biogrowth

Biogrowth is found in two forms on the building:

The first are green films of algae. The alga lightly clings to the broad sides of masonry units where there is a balance between surface humidity and light. Such alga is not rooted, but rather lightly attached to the surface and easily removed by gentle brushing under light water rinsing.

The second form is moss, which is growing out of the mortar joints throughout the saturated areas of upper masonry describe above. Moss will grow thick in such ideal conditions of moisture and alkali conditions fed by the joint mortar (fig. 6).



Fig. 6. Note the growth of moss in the saturated mortar joint. Also, typical bird deterrent and related tar adhesive to typical at top of ledges.

Recommend

Algae should be removed first by light pressure washing and brushing, followed with a soaking application of algaecide. The moss will be removed only once the conditions of saturated are arrested and the masonry has dried out properly. As they grow in the joints, their removal will be part of the repointing work to be completed throughout the building masonry.

.4 Anti-pigeon gels

These consist of black adhesion along top projecting surfaces or along the upper surface of elements inside the main elevation portico such as column capitals and the entablature. The product is usually tar based (see fig. 6 above, also fig. 7).

Recommend

Removal techniques and materials would include freezing with CO₂, organic solvents such as toluene or xylene in poultices, with some assistance with microabrasive systems such as Rotek.



Fig. 7. Bird deterrent gel of tar ingredient. Note also the spreading joint at front face, and plucked stone loss at corner due to movement pressure.

.5 Paint

The inevitable splats of paint are present on some surfaces of the wall masonry, especially on sill tops where window painting of trim has been done in a sloppy manner.

Recommend

Removal of paint chemically should be effective. Failing this, removal by microabrasive cleaning will succeed without damaging the surface of the granite.

.5 **Cracked and fractured stones**

Granite has very high compressive strength resistance, but poor flexibility. As a result, vertical fractures through the considerably dimensioned bodies of stone can be observed where point load or eccentric load forces within the masonry wall take place. We have several examples of fractured or crack stone on the building. The most significant is found at the upper wall portion of the west wall where it meets the front elevation. Forces, presumed to be related to saturation and freezing of the wall core or possibly structural steel expansion have caused a vertical crack running through several courses of stone (fig.8).



Fig. 8. Difficult to see, but vertical crack at window upward.

Incidental fractures occur at element details and are presumed in most instances to be point load issues of small thin details of the stone profile bearing too much weight on a specific and vulnerable point near the front of the stone.

Small cracks and fissures are quite isolated and related to very location-specific issues of stress. This building does not display losses of any major note related to cracking or fracturing (fig.9).



Fig. 9. Fractured stone due to isolated loaded of stone along vulnerable detailing.

Recommend

All instances of this damage are repairable, though it may be more prudent in some instances to introduce a new insert portion of stone, though this is dependent on a good match for the granite being found.

Where the blocks are broken into two separate parts, repair is an option, especially if the affected portion of the wall is dismantled and the stones have full exposure to properly consolidate through mechanical stitching techniques. Otherwise replace of entire stone will need to be considered, for which a granite of same of sufficiently similar origin and chemistry must be sourced.

.6 Miscellaneous

At the east side pediment return, there appears to have been a few stones replaced using recycled granite from another building. The moulding profile of the stones is quite different and the stones stand out by their unsympathetic inclusion within the entablature. It is not clear what issue may have preceded this area of the entablature to cause such an effort at poor repair to take place. It is assumed that further investigation at the time of correcting the issue may shed some light (photo not available).

Recommend

Replacement of these stones to make good the architectural integrity of the architrave element.

3.0 HOLLIS STREET BRICK AND GRANITE TRIMMED BUILDING



Fig. 10

This four storey building is simply put together with a non-masonry lower first shop level and an upper three levels of brick wall and window openings with local dressed Halifax granite forming string courses, quoins and upper cornice/roof level (fig.10). All the masonry is in very good condition.

.1 Bricks

The bricks are historic moulded brick of very good quality. They exhibit features related to their fabrication and kiln firing such as temperature gradient colour ranging in the faces of most as well as physical characteristics related to the moulded process of forming them. There is very little to note with regards deterioration to the brick.

.2 Granite

The granite dressed stones are of local geologic provenance, and is familiar throughout the City of Halifax and its historic buildings. There are no real issues with the granite. Surfaces are firm, alignment with the masonry elements they compose is good for the most part, though some displacement at the gutter/roof line is present, which is of minor significance.

.3 Mortar and joints

The mortar joints of the brickwork appear to be a soft sympathetic type, though the depth of the most recent repointing does seem to be shallow and rather superficial. Cut testing into the joints during the investigation, it was observed that the front mortar, while mostly soft and easy to remove, was also brittle and slightly over pointed onto the faces of the brick work (fig.11). The vertical head joints are felt to be largely voided. This latter condition is quite typical with traditional construction and is not really considered an issue unless there is a deterioration related to the condition.



Fig. 11. Behind the recent front pointing which is shallow placed, we see the original mortar is remains voided and will require better repointing supervision next time.

Mortar of the granite would appear to be recently repointed, although some voiding is present to the vertical joints of the upper gutter cornice course as well as the lowest string course projecting level above the first storey shop level, not surprising for such a severely exposed locations. The recent repointing is likewise felt to be not deeply placed, with deeper voiding anticipated throughout.

There is some repointing at the upper granite course and into the top few courses of brick masonry which is of a dense Portland cement mortar. It is felt that this represents a very recent attempt of ill-informed mortar mixing and installation to fill a prematurely deteriorated set of joints at the very exposed gutter area (fig.12).



Fig. 12. Hard dense repointing mortar located at the upper granite and first course of brick. This suggests needed maintenance work to keep joints sealed in. However, it may mean another issue of leakage at roof and gutter is present.

Recommend

The present condition of the mortar joints can serve this building for another decade or so. However, for long term quality and performance, it is recommended that the masonry be repointed 100%, making certain that deep deteriorated material is removed and renewed. A sympathetic mortar needs to be considered and formulated. Cutting out should not be done with rotary grinder saws, but rather by hand as is typical international procedure for historic brick masonry of this age.

Remove all caulking that has been used to seal voided joints as a quick fix solution.

The gutter/cornice at roofline does require repointing, and in the very near future. Further investigation of the roof junction with the gutter granite course should be investigated thoroughly to determine if repairs to seal the junction are required.

.4 Surface dirt

The masonry is clean and does not require attention except for general rinsing. It is most likely that the building was recently cleaned. Some streaking over the surface of the bricks suggests an acid cleaning system was used. While unfortunate, the streaking is not related to any issues related to deterioration, at least on this first inspection. Some minor staining of iron, and some biogrowth film is seen at the upper roofline gutter course, but only light cleaning with chemical and the application of Algaecide is necessary (fig. 13).



Fig 13. Showing ferric staining, biogrowth and other general forms of surface dirt on the surface of the gutter level granite. Each can be removed with relative ease.

Recommend

Gutter roofline course can be cleaned of algae biogrowth using algaecide. The iron stains can be successfully removed using poultices with chelating agents such as EDTA. General wash down with low pressure rinsing equipment will sufficiently remove any grime from city pollution.

4.0 TERRACOTTA PRENOR TRUST BUILDING



Fig. 14

Discussion

This fine example of terracotta construction is in advanced state of deterioration at specific areas of its architectural elements (fig.14), most prominently in the upper area of the cornice and balustrade attic level, as well as the northwest corner from top to bottom (fig. 15).



Fig. 15. Detail of

existing condition of upper cornice and parapet terracotta masonry. Largely destroyed by deterioration and dangerous.

Like the discussion regarding the granite of the RBC bank, there is a direct relationship between how water infiltration affects a specific form of masonry. The deterioration issues affecting architectural terracotta is very complex given the inherent aspects of design, quality and construction detailing of the terracotta. Terracotta is a man made masonry material, created by firing a specific composition of clay which has been moulded with a hollow centre and given a surface treatment in the form of a glaze that may be either low or high in lustre. The correct terminology is to refer to the main fired body of the terracotta unit as the biscuit, and the thin surface treatment that provides colour and reflective appeal, the glaze.

Terracotta is a fragile material for several reasons. It is largely inflexible so easily stressed by tensile bending within the wall or any other form of pressure. It is largely impermeable given the nature of its creation through high temperature firing such that that high silica mineral content of its specific clay composition fuses into a homogeneous mass. However, there can be great variations in the quality of terracotta absorbency, with instances of the biscuit body being of a higher absorbency than the vitrified

glaze of the surface. Differences of absorbency, porosity or other physical characteristics of these two bonded parts can cause problems in the form of spalling.

Crazing of the glazed surface, which is present on the Prenor Trust building terracotta units, does not necessarily indicate an issue of poor terracotta as long as the biscuit has a similar porosity as the glaze. In fact, fine spider webbing of the terracotta surface can simply indicate a shrinkage issue that occurred at the glaze soon after firing and cooling. Atmospheric dirt settling in the hairline marks can enhance an otherwise innocuous condition. However, it is only by testing the porosity and vapour characteristics of the terracotta that will determine if this is an issue or not (fig. 16).



Fig. 16. Showing typical hairline crazing of terracotta surface.

Note also the original front pointing mortar at rear of photo. In pristine protected condition.

Construction detailing (ie fastening systems and modes of setting) plays a role in the durability of the terracotta. There are two schools of thought on how to construct with terracotta units. One is leaving the cavities hollow; the other is to fill them. Partial or loose filling is also encountered whereby brick or parts of bricks are placed randomly with mortar in the cavity. The backsides of ashlar block are often not present or removed in order to allow back up brick to reach into and form a bond or key with the terracotta blocks. The traditional concern with filling terracotta block cavities, especially for new world use in freeze and thaw zones was that expansion forces of filled cavities would fractures the units. All indications observed to date on the Prenor Trust building suggest that a high cementitious grout was used to fill the cores solid (fig. 17). This has been observed at the balusters of the upper parapet level and during the recent removal of terracotta block for testing purposes. Preliminary analysis would

suggest that such thorough filling of cavities of the terracotta units will have contributed to the en masse failure of terracotta masonry units in the upper cornice and parapet levels. It is hoped that current materials testing will detect whether the grout that was used has expansion characteristics. Even if this is not found to be the case, the fact that the grout filled the cavity so completely means that any water that entered the space will have had little room to escape by draining (called ponding) or to expand when frozen.



Fig. 17. Showing grout (and brick) filled core of terracotta unit.

But not all blocks are expected to be filled with grout. The projecting cornice units are likely to have been filled up to the wall line to assist in counter weighting the overhanging portion. Beyond that, ferric iron anchoring ties will have been used in traditional fashion to hang the units on. Given the broad deterioration by fracturing of the cornice level, early stage thinking on the issues causing the disruption suggests that the anchoring system has severely corroded and has assisted in fracturing the terracotta by expansion. Given the humid location next to the ocean with fog aerosols composed in some portion by sodium chloride salts, ferrous anchoring is assumed to have oxidized which will have resulted in ferric expansion and subsequent fracturing of the terracotta units (fig. 18).



Fig. 18 showing the corroded iron anchor support of cornice.

Old repair types

A curious group of methods and materials have been used to repair and patch the building.

Polyester resin

This material has been use without much apparent preparation, being simply pushed onto seriously damaged terracotta surface with the hope, it would seem, of holding pieces of terracotta from falling away. The intervention is unsightly and will have had only minimal value to stopping deterioration. It is in fact dangerous in many instances (fig. 19).



Fig. 19. Polyester resin, essentially auto body repair material used to adhere and patch severely deteriorated and dangerous overhanging terracotta.



Fig. 20. Showing excessive use of polyester resin repairs. The condition of the terracotta is far beyond repair.

In other locations, polyester resin has been used to fill voided surfaces from spalls and fractures. The results are less than successful (fig. 20).

Recommend

The majority of such repairs are included with the most severely deteriorated terracotta units for the most part. As such, all will be removed as part of the general replacement of all such damaged units.

Tin sheeting

Sheeting has been used to cover seriously fractured terracotta units in what appears to have been an effort of providing an exterior adhere restraint structure. Again, the help it provided is questionable and the dangers that it added by over-optimism are apparent (fig. 21).



Fig. 21. Showing sheet metal tin to repair, conceal, and replace

severely damaged terracotta.

Recommend

All such occurrences will be removed as part of the work to replace deteriorated units.

Painted surfaces

A significant number of terracotta units have been coated with appears to be paint. This appears to have been a method used during a previous restoration phase to cosmetically hide units which were damaged and repairs. The coating, it seems, was meant to even out the surface appearance of the unit and hide the repairs fills to voids and fractures (fig. 22).



Fig. 22. Painted surfaces. Possibly to hide the extensive repairs completed with dark filler material that is just visible under the paint surface. Not successful.

Recommend

The paint surfaces are a poor colour match, and create an aesthetic incongruity to the overall appearance of the building. It is possible to detect some serious damage repairs under the surface.

Given this, it is felt that a considerable proportion of such units will need replacing with new. However, some effort should be made to retain what is possible and repair instead. To determine which to replace and which to keep will require a safe means of removing the paint coatings during contract.

Deterioration where repairs are possible

There are many terracotta units outside the trouble areas at the top of the building where conditions are of a more general form of deterioration. Frequent fissures and spalling of surfaces are found, but the majority are candidates for surface repairs (fig. 23). Fissures and certain occasional cracks can be filled. Small spalls are not an issue, especially if forthcoming test results confirm that the biscuit is of similar low absorption as the glaze. Such minor spalls can be treated with cosmetic surface application based on acrylics. Deeper surface losses of a greater dimension can be cut out to form a shallow cavity and be filled with specialized repair mortars followed by a top surface coating which imitates the original glaze with regards colour and lustre.



Fig. 23. Fissures and spalls, some previously filled with mismatching materials and colours, can be made good by cosmetic conservation repairs.

Recommendations

A repair system such as Edison terracotta repair system based on acrylic emulsions is recommended for the types of conditions and repairs described above.

Mortar

A variety of mortar types have been experienced by this consultant for use in terracotta constructed building. Generally, they fall within a Type S mortar. Initial hand specimen observation suggests that a mortar of a much denser form may have been used in the original construction. If nearer a Type M, then again, the lack of flexibility by such a mortar may have contributed to fracturing of units. This is not certain. Current testing of the mortar is hoped to determine the original characteristics.

It is believed that the majority of present joints still retain the original front pointing. It is white in colour with distinct aggregate marking the surface of the exposed faces where attrition from normal weathering processes has been severe (fig. 24).

Some repointing work has been completed, some of it is cement based while other places it appears to be polymer resin based material that has been used (fig.25).



Fig. 24. Original mortar. Showing weathering, cracking, attrition.



Fig. 25. Showing repointing of joints with hard and impervious polyester resin, a material often observed for filling patches in the terracotta as well.

Recommendation

It is estimated that between 75 and 80% of mortar joints are failed and require repointing. Given this high percent, it felt best that a full repointing of 100% is the most practical way forward.

A compatible mortar with the original will be used, and will be based on lab tests results.

Surface dirt and staining

In general, only light atmospheric grime is present on the surface of the elevation walls.

Stains from ferric metal fasteners are present, though only occasionally.

Stains from the metal modillions under the cornice would appear to originate from paint applied to the surface, now streaking downward on the white terracotta (fig.26).



Fig. 26. Ferric staining from fasteners used to anchor fixings.

Recommend

General cleaning using an alkaline surfactant wash and scrub procedure is recommended. Beyond this, removal of paint stains and iron will use chemical poultices to assist with removal.

Miscellaneous

Structural cracking above pilasters

There are repeated vertical cracks found in the ashlar masonry units directly above the Corinthian capitals. A structural reason for this is likely (fig. 27).



Fig. 27. Typical twin vertical cracks or fissures observed above Coninthian Capitals. Further consideration of this issue by a Conservation Engineer is recommended.

Recommend

Further investigation by a Conservation Engineer.

Condition of sculpted details

All such details of cornice and above are not included, as all requires replacement as discussed above.

Corinthian capitals

Condition of the capitals is very good for the most part. They are anticipated to be hollow/unfilled with grout. Repairs to occasions surface losses, spalls and fissures can be repaired using system repair products (fig. 28).



Fig. 28. Corinthian Capitals are all in good preservation with only minor forms of conservation repairs required.

Keystones

The highly decorative keystones of the tall windows are in similar good repairable condition as the Corinthian capital details discussed above. However, there is on keystone at the north elevation that is beyond repair and which will require replacement (fig. 29).



Fig. 29. Decorative key stones are all in good preservation except this one at the north elevation, west side. Major fracturing will mean replacement is necessary.

General Recommendations for the Prenor Trust Building

There is a cause and effect which lies behind the major disruption and deterioration that has occurred to the terracotta of this building. The cause is mostly an issue of water infiltration, especially along the top located building elements. But general high atmospheric humidity plays a role in destabilizing the as-built construction and materials used. Therefore, arresting water infiltration must be addressed in a definitive way.

Major replacement of architectural blocks throughout the upper wall, cornice and parapet levels, is required. The design of anchoring must be thought out so as to allow stainless steel to be used and a tying/support system that guarantees safety. It is important that a conservation Engineer is involved with designing the system.

The new terracotta blocks must be designed to imitate the original in all aspects of shape, colour and lustre, but designing the blocks to receive revised anchoring system must be made. As well, discrete holes for drainage within each block needs to be incorporated in the reproduced blocks from a competent manufacturer.

Confirming the chemistry and physical characteristics of the original terracotta for quality, and making certain that new replacements units meeting ASTM standards quality is provided.

Traditional forms of moulding, firing and detailing in exact likeness of the original with regards architectural profile means working with the terracotta manufacturer, visiting the manufacturing premises to understand the processes, tolerances and profiles being provided are important.

5.0 GRANVILLE BRICK AND SANDSTONE TRIMMED BUILDING (THUMPERS!)



Fig. 30

A sophisticated small three storey building with non masonry forming the street storey, and brick walled, sandstone trimmed detailing at the middle and third stories (fig. 30). Both the middle and upper levels have decorated tri-partite windows of sandstone trim, the outer quoins are of sandstone, as are the cornice gutter course. The sandstone comes from the Wallace quarry, north shore, Nova Scotia.

It is possible that, historically, the stone and brick work continued below the wood construction of the first storey.

.1 Brick and brick joints

The brick work is in very good preservation. The conditions of the mortar joints do show attrition and voiding. The latter condition is most obvious at the junctions with the stone masonry details where snow and precipitation collect and are affected by differential absorption at the two differing masonry bodies.

Shallow and very shallow superficial repointing has been completed in the past, but much of this has weathered away as is witnessed by the gapped traces of its darker colour displayed against the lighter lime based mortar of the original bedding mortars behind (fig. 31).



Fig. 31. Showing typical good condition of brick, but poor condition of the joint mortar. Shallow and superficial repointing of the past can be seen here.

.2 Sandstone

The sandstone used for the decorative detailing of the building elevation originates from the Wallace quarries, Nova Scotia. The condition observed throughout is considered very poor, with a condition so deteriorated that many stones are considered dangerous due to their fragmenting condition.

Most severe conditions are observed at the window detailing, where we find major active examples of delamination and loss (fig.32). Part of the problem has been the severe exposure to the stones given their projecting aspect out from the wall line. All forms of severe environmental conditions related to precipitation soaking, standing (in the form of snow), and extreme temperature fluctuations have acted upon these sandstones which are particularly sensitive to such conditions.



Fig. 32. Major deterioration and loss of decorative moulded window stones. Extensive replacement is necessary.

The natural binder of many carved surfaces has been depleted leaving softened and exfoliating surface reduction that renders the stones beyond a dependable safe use, especially given that pedestrians travel along the sidewalk directly below.



Fig. 33. Major deterioration of decorative surface, despite being properly bedded in natural orientation.

The stones are often bedded in the wrong direction so as to provide height along jambs or ledges. Even when in natural bed, as is proper with these sedimentary sandstones, there is active separation along the natural bedding lines such that major active delamination is observed (fig.33).

The quoin stones at the outer edges of the elevation display better conditions, though surface thin plate exfoliation is present, as do occasional deteriorated stones as well (fig. 34).



Fig. 34. Quoin stone exfoliation in the extreme.

Recommendation

A significant number of replacement stones are necessary, especially at the window elements. Sourcing the best example of stones from the Wallace quarry will be important.

Many stones have conditions that appear poor on the surface but the deterioration is only shallow. Such stones, namely at the quoins, can be dressed back and consolidated as necessary to retain occasional portions threatened with loss. Where surfaces are voided or detail is missing within a surface that is otherwise sound, every effort to repair the stone is best.

The new replacement stone will need to be cover over the top with a flashing.

6.0 BLUENOSE RESTAURANT BUILDING



Fig. 35

This large corner building (fig. 35) is little understood. Sometime in the 20th century, possibly 1970's, it was covered over by an extremely hard and dense wire-reinforced render which appears to very bonded to the substrate masonry, which is presumed to be brick. The thickness varies but appears to have a thickness of 25mm. This parged render is brown in colour.

A second render of which the composition is not known, but would appear to be a polymerized render form called "Thorobond". It is poor to well adhered to the render below and varies between a few millimetres to 25 mm in thickness. It forms the white surface that is presently observed on the building.

It has been stated that two or even three buildings stood on this location and, according to preliminary research, all have been combined over the last century into one building. Certainly the render helps to unify into one the architectural jumble that exists underneath. It is noted that the granite dressed stones vary in types, which again suggests that more than one building is present under the rendered coating.

A small opening was made during the investigation at the east elevation to gain a sense for the characteristics of the render coatings (fig. 36). Initial review suggests the original brick has a failed surface. It is anticipated that the dense and impermeable nature of the renders will have exacerbated deterioration by retaining high humidity within the brick and assisting in the cyclic salt crystallization and freeze/thaw process.



Fig. 36. Small opening suggest, spalled brick covered with a hard render layer (dark colour) and topped with a white polymer coating. Note the adhesions of the render to the original brick face, which would be near impossible to remove if there was any wish to remove render to original brick face.

END OF REPORT

22ND COMMERCE SQUARE, HALIFAX, NOVA SCOTIA.**Report on findings of opening up inspection of envelope Masonry of Starr Warehouse/Champlain Building,
Duke Street, Halifax.
August 15, 2013.**

The following report summarises the finding of an opening up inspection carried out at the Starr Warehouse/Champlain Building, Duke Street, Halifax. The opening up work was carried out by Masontech Ltd, with Marcus Leyland of Lydon Lynch Architects in Attendance. The owners representative; Compass Realty were aware of the works and opened up the building for the works to proceed. Three locations were indentified in advance for purposes of the inspection.

The works included removal of Drywall and Furring to expose the back of Masonry. A 2" diameter hand-held Masonry Core drill was used to form the openings. Overall wall assembly thickness was determined by measurement in advance of drilling and the drill set to core to within 2-3" of the outer surface, so as not to cause spalling debris to fall onto the street below.

Cores were drilled either to the extent of this predetermined dimension, or as far as the drill would safely run without the need for excessive force by the operator. Whilst the first core ran smoothly without use of wetting, small amounts of water were required to run the other two cores; the brick being of higher density.

Drywall and finishes at the three sites were restored following the inspection.



The following conditions and assemblies were found at each of the three locations, refer photos following the descriptions:-

Core #1 – South Façade. Level 3. 5th pier from south. Original Starr Warehouse/Champlain Building Building of 1860.
Photos 1-4.

Assembly Description from Exterior:-

- White Painted Cement Parging varying in thickness between $\frac{1}{4}$ and $\frac{3}{8}$ ".
- Solid, loadbearing Brick Masonry. Brick appeared to be medium density (untested). Thickness 14".
- Sooty, irregular interior surface. Dry. Lime mortar has lost some cohesive properties, surface on interior crusted.
- Air cavity varying between 0 and $\frac{1}{4}$ ".
- $\frac{3}{4}$ "x 6" vertical wood plank nailed to 1"x6" horizontal wood battens.
- Sooty surface.
- $\frac{1}{2}$ " drywall, taped. Paint finish.
- Total assembly thickness 16 $\frac{1}{2}$ ".

Core #2 – South façade. Level 3. 1st pier from south. Original (?) 1824 Hollis Street. Date unknown.
Photos 5-7.

Assembly Description from Exterior:-

- White Painted Cement Parging varying in thickness between $\frac{1}{4}$ and $\frac{3}{8}$ ".
- Solid, loadbearing Brick Masonry. Brick appeared to be high density (untested). Thickness 16".
- Slightly sooty, regular interior surface. Dry. Cement mortar good.
- Air cavity varying between 0 and $\frac{1}{4}$ ".
- $\frac{3}{4}$ "x 6" vertical wood plank nailed to 1"x6" horizontal wood battens.
- $\frac{1}{2}$ " drywall, taped. Paint finish.
- Total assembly thickness 18 $\frac{1}{2}$ ".

Core #3 – South façade. Level 5. 5th pier from south. Addition to Original Starr Warehouse/Champlain Building. 1911.
Photos 8-9.

Assembly Description from Exterior:-

- White Painted Cement Parging varying in thickness between $\frac{1}{4}$ and $\frac{3}{8}$ ".
- Solid, loadbearing Brick Masonry. Brick appeared to be high density (untested). Thickness 16".
- Clean, regular interior surface. Dry. Cement mortar good.
- Air cavity varying between 0 and $\frac{1}{4}$ ".
- 2"x 6" vertical wood studs (appeared relatively new).
- $\frac{1}{2}$ " drywall, taped. Paint finish.
- Total assembly thickness 16 $\frac{1}{2}$ ".



Core #1 Photos 1 – 4.



Core #2 Photos 5 – 7.



Core #3 Photos 8-9.

The conditions found point to at least the inner portions of the façade on the former 1824 Hollis Street being contemporary with the addition above the original Starr Warehouse/Champlain Building. This may differ from the position presented in the current tombstone report. It is known that the former 1824 Hollis Street did not match the adjacent Starr warehouse in terms of window sill and head heights, corner detail and string course detail in 1871. This may point to this portion of the façade being either remodeled or rebuilt in 1911 when the additional two floors were added to the entire building. Available drawings from that time indicate this intention. The brick masonry encountered within core #2 was consistent through its depth pointing to reconstruction as the likely option.

This would imply that the current east façade comprises a higher density 16" thick, cement mortar pointed brick façade wrapping up and over the earlier medium density, 14" thick, lime mortar pointed brick façade. This total façade is in the order of 68 feet in height above sidewalk level.

End of report.
ML/ml 20130815.



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Final Report

Pedestrian Wind Consultation Wind Tunnel Tests

RWDI # 1301118
August 30, 2013

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22nd Commercial Court
Pedestrian Wind Consultation
RWDI#1301118
August 30, 2013

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Appendix A:	Drawing List for Model Construction
Appendix B:	Rooftop Level (Sensor Locations 57-77)



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1. INTRODUCTION

Rowan Williams Davies & Irwin Inc. (RWDI) was retained by Lydon Lynch Architects Ltd. to consult on the pedestrian wind conditions for the proposed 22nd Commerce Square in Halifax, Nova Scotia. The purpose of the study was to assess the wind environment around the development in terms of pedestrian wind comfort and safety. This objective was achieved through wind tunnel testing of a 1:300 scale model of the proposed development for the following configurations:

Configuration A - Existing: existing surroundings; and

Configuration B - Proposed: existing surroundings with the proposed development.

The photographs in Figures 1a and 1b show the test model in RWDI's boundary-layer wind tunnel. The proposed building is 90 m high, consisting of two 21-storey towers and a four-storey podium. The test model was constructed using the design information and drawings listed in Appendix A. This report summarizes the methodology of wind tunnel studies for pedestrian wind conditions, describes the RWDI pedestrian wind criteria, presents the local wind conditions and their effects on pedestrians and provides conceptual wind control measures, where necessary.

2. SUMMARY OF WIND CONDITIONS

The wind conditions around the proposed PROJECT are discussed in detail in Section 5 of this report and may be summarized as follows:

- All locations passed the wind criterion used to assess pedestrian wind safety at grade and on the podium level.
- Wind comfortable conditions are found to be similar for the existing and proposed configurations and these conditions are considered appropriate for the intended pedestrian usage.

3. METHODOLOGY

As shown in Figures 1a and 1b, the wind tunnel model included the proposed development and all relevant surrounding buildings and topography within a 340 m radius of the study site. The boundary-layer wind conditions beyond the modelled area were also simulated in RWDI's wind tunnel. The model was instrumented with 56 wind speed sensors to measure mean and gust wind speeds at a full-scale height of approximately 1.5 m. These measurements were recorded for 36 equally incremented wind directions.

Wind statistics recorded at the Shearwater Airport between 1979 and 2009 were analysed for the Summer (May through October) and Winter (November through April) seasons. Figure 2 graphically depicts the distribution of wind frequency and directionality for the two seasons. When all wind records are considered, winds from the southwest quadrant are predominant in the summer, as indicated by the



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wind rose on the left of the figure. During the winter, winds from the northwest quadrant are predominant as indicated by the wind rose on the right of the Figure. Calm winds recorded at the airport occur for 6.3% of the time in the summer and 3.9% of the time in winter.

Strong winds of a mean speed greater than 30 km/h measured at the airport (at an anemometer height of 10m) occur for 2.6% and 11.6% of the time during the summer and winter seasons, respectively. Strong winds are evenly distributed among all directions during the summer, as indicated by the left-side rose. During the winter, strong winds from the west through the north are more frequent, as indicated by the right-side wind rose. Winds from these directions could potentially be the source of uncomfortable or even severe wind conditions, depending upon the site exposure or development design. The analysis methods have accounted for these and all wind directions.

Wind statistics from the Shearwater Airport were combined with the wind tunnel data in order to predict the frequency of occurrence of full-scale wind speeds. The full-scale wind predictions were then compared with the RWDI criteria for pedestrian comfort and safety.

4. EXPLANATION OF CRITERIA

The RWDI pedestrian wind criteria are used in the current study. These criteria have been developed by RWDI through research and consulting practice since 1974 (References 1 through 6). They have also been widely accepted by municipal authorities as well as by the building design and city planning community.

RWDI Pedestrian Wind Criteria

Comfort Category	GEM Speed (km/h)	Description
Sitting	≤ 10	Calm or light breezes desired for outdoor restaurants and seating areas where one can read a paper without having it blown away
Standing	≤ 14	Gentle breezes suitable for main building entrances and bus stops
Strolling	≤ 17	Moderate winds that would be appropriate for window shopping and strolling along a downtown street, plaza or park
Walking	≤ 20	Relatively high speeds that can be tolerated if one's objective is to walk, run or cycle without lingering
Uncomfortable	> 20	Strong winds of this magnitude are considered a nuisance for most activities, and wind mitigation is typically recommended
Notes: (1) Gust Equivalent Mean (GEM) speed = $\max(\text{mean speed, gust speed}/1.85)$; and (2) GEM speeds listed above are based on a seasonal exceedance of 20% of the time between 6:00 and 23:00.		
Safety Criterion	Gust Speed (km/h)	Description
Exceeded	> 90	Excessive gust speeds that can adversely affect a pedestrian's balance and footing. Wind mitigation is typically required.



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Note: Based on an annual exceedance of 9 hours or 0.1% of the time for 24 hours a day.

A few additional comments are provided below to further explain the wind criteria and their applications.

- Both mean and gust speeds can affect pedestrian's comfort and their combined effect is typically quantified by a Gust Equivalent Mean (GEM) speed, with a gust factor of 1.85 (References 1, 5, 7 and 8).
- Instead of standard four seasons, two periods of summer (May to October) and winter (November to April) are adopted in the wind analysis, because in a moderate or cold climate such as that found in Halifax, there are distinct differences in pedestrian outdoor behaviours between these two time periods.
- Nightly hours between the midnight and 5 o'clock in the morning are excluded from the wind analysis for wind comfort since limited usage of outdoor spaces is anticipated.
- A 20% exceedance is used in these criteria to determine the comfort category, which suggests that wind speeds would be comfortable for the corresponding activity at least 80% of the time or four out of five days.
- Only gust winds need to be considered in the wind safety criterion. These are usually rare events, but deserve special attention in city planning and building design due to their potential safety impact on pedestrians.
- These criteria for wind forces represent average wind tolerance. They are sometimes subjective and regional differences in wind climate and thermal conditions as well as variations in age, health, clothing, etc. can also affect people's perception of the wind climate. Comparisons of wind speeds for different building configurations are the most objective way in assessing local pedestrian wind conditions.

5. PREDICTED WIND CONDITIONS

Table 1, located in the Tables section of this report, presents the wind comfort and safety conditions for the two test configurations. These conditions are graphically depicted on a site plan in Figures 3a through 4b.

In our discussion of anticipated wind conditions, reference may be made to the following generalized wind flows. Tall buildings tend to intercept the stronger winds at higher elevations and redirect them to the ground level (see Image 1). Such a *Downwashing Flow* is often the main cause for wind accelerations around large buildings at the pedestrian level. Also, when two buildings are situated side by side, wind flow tends to accelerate through the space between the buildings due to the *Channelling Effect* (see Image 2). In addition, it is often to have wind accelerations through passages underneath buildings (see



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Passage Acceleration in Image 3). If these building/wind combinations occur for prevailing winds, there is a greater potential for increased wind activity.

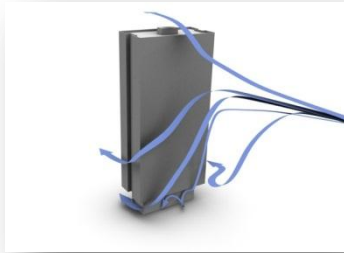


Image 1 – Downwashing Flow

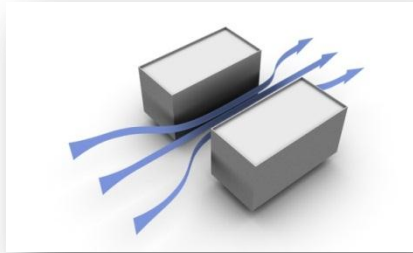


Image 2 – Channelling Effect

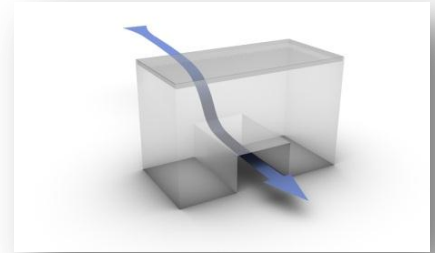


Image 3 – Passage Acceleration

The wind safety criterion is met at all test locations at the grade and podium levels (Locations 1 through 56) throughout the year. The following is a detailed discussion of the suitability of the predicted wind comfort conditions for the anticipated pedestrian use of each area. Discussions on wind conditions at the rooftop areas (Locations 57 through 77) are provided in Appendix B.

5.1 On-site Grade Level (Sensor Locations 1 - 26)

Wind conditions suitable for walking or strolling are appropriate for sidewalks. Lower wind speeds conducive to standing are preferred at main entrances where pedestrians are apt to linger.

5.1.1 Existing Configuration

During the summer season, wind conditions are comfortable for standing or sitting (see Figure 3a). During the winter season wind speeds increase and wind conditions on site are comfortable for strolling or standing (Figure 4a).

5.1.2 Proposed Configuration

With the addition of the proposed development wind conditions are predicted to remain comfortable for standing or sitting during the summer season. During the winter, wind speeds increase and are predicted to be comfortable for walking or better.

Wind conditions at main entrances to the building are predicted to be comfortable for standing during the winter (Locations 6, 12, 18, and 26 in Figure 4b), while winds at secondary entrances at grade level are predicted to be comfortable for walking or better. This can be attributed to a combination of channelling and downwashing flows due to the increased building massing of the new proposed development.

Several positive wind control features have been included in the entrance design. For instance, entrance near Locations 8 and 13 are recessed into the existing building façade; and doors near Locations 13, 15



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and 21 are services entrances and pedestrians are unlikely to linger in these areas. Therefore, wind conditions at grade are considered appropriate for sidewalks and entrances throughout the year.

5.2 Podium Level (Sensor Locations 50 - 56)

At this level, Locations 50, 53 and 56 are near building entrances, Location 55 is on the rooftop of an existing building and the remaining locations are on podium terraces. It is generally desirable for wind conditions on terraces to be comfortable for sitting more than 80% of the time in the summer. During the winter, the area would not be used frequently and increased wind activity would be considered appropriate.

During the summer under the Proposed Configuration, the wind conditions are predicted to be comfortable for sitting, with slightly higher wind speeds comfortable for standing at Location 55 (Figure 3b). These wind conditions are appropriate for their intended uses. During the winter wind conditions are predicted to increase to standing conditions (Figure 4b), for the exception for Location 55 where conditions for walking are predicted. Since these walking conditions are predicted to occur during the winter season and pedestrians aren't apt to linger in the area, these wind conditions are considered appropriate.

5.3 Off-site Grade Level (Sensor Locations 27 - 49)

Wind conditions suitable for walking or strolling are appropriate for sidewalks.

5.3.1 Existing Configuration

During the summer season, wind conditions are comfortable for standing or sitting (Figure 3a). During the winter season wind speeds increase and wind conditions are comfortable for walking or better (Figure 4a).

5.3.2 Proposed Configuration

With the addition of the proposed development wind conditions are predicted to be similar to those that currently exist (see Figures 3b and 4b). These wind conditions are appropriate.

6. APPLICABILITY

The wind conditions presented in this report pertain to the model of the proposed 22nd Commerce Square development constructed using the architectural design drawings listed in Appendix A. Should there be any design changes that deviate from this list of drawings, the wind conditions presented may change. Therefore, if changes in the design are made, it is recommended that RWDI be contacted and requested to review their potential effects on wind conditions.

7. REFERENCES



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TABLES



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Table 1: Pedestrian Wind Comfort and Safety Conditions

Location	Configuration	Wind Comfort (20% Seasonal Exceedance)				Wind Safety (0.1% Exceedance)	
		Summer		Winter		Annual	
		Speed (km/h)	Rating	Speed (km/h)	Rating	Speed (km/h)	Rating
1	Existing	12	Standing	15	Strolling	65	Pass
	Proposed	12	Standing	16	Strolling	64	Pass
2	Existing	12	Standing	17	Strolling	67	Pass
	Proposed	12	Standing	17	Strolling	65	Pass
3	Existing	13	Standing	17	Strolling	67	Pass
	Proposed	12	Standing	18	Walking	67	Pass
4	Existing	12	Standing	17	Strolling	64	Pass
	Proposed	14	Standing	19	Walking	74	Pass
5	Existing	12	Standing	16	Strolling	63	Pass
	Proposed	13	Standing	18	Walking	73	Pass
6	Existing	Data Not Available				51	Pass
	Proposed						
7	Existing	11	Standing	15	Strolling	61	Pass
	Proposed	13	Standing	17	Strolling	68	Pass
8	Existing	12	Standing	16	Strolling	63	Pass
	Proposed	12	Standing	17	Strolling	67	Pass
9	Existing	10	Sitting	13	Standing	56	Pass
	Proposed	11	Standing	16	Strolling	65	Pass
10	Existing	9	Sitting	12	Standing	55	Pass
	Proposed	10	Sitting	14	Standing	61	Pass
11	Existing	10	Sitting	13	Standing	56	Pass
	Proposed	11	Standing	15	Strolling	64	Pass
12	Existing	Data Not Available				51	Pass
	Proposed						
13	Existing	11	Standing	15	Strolling	80	Pass
	Proposed	13	Standing	17	Strolling	72	Pass
14	Existing	11	Standing	15	Strolling	83	Pass
	Proposed	12	Standing	17	Strolling	76	Pass
15	Existing	12	Standing	16	Strolling	78	Pass
	Proposed	13	Standing	18	Walking	82	Pass
16	Existing	12	Standing	16	Strolling	76	Pass
	Proposed	13	Standing	18	Walking	77	Pass

Seasons	Hours	Wind Comfort Category	Wind Safety Category
Summer = May to October	6:00 to 23:00 for Comfort	(20% Seasonal Exceedance)	(0.1% Annual Exceedance)
Winter = November to April	1:00 to 24:00 for Safety		
Configuration		≤ 10 km/h	≤ 90 km/h
Existing = without the proposed development		11 to 14	Pass
Proposed = with the proposed development		15 to 17	Exceeded
		18 to 20	
		> 20 km/h	

Table 1: Pedestrian Wind Comfort and Safety Conditions

Location	Configuration	Wind Comfort (20% Seasonal Exceedance)				Wind Safety (0.1% Exceedance)	
		Summer		Winter		Annual	
		Speed (km/h)	Rating	Speed (km/h)	Rating	Speed (km/h)	Rating
17	Existing	12	Standing	16	Strolling	69	Pass
	Proposed	13	Standing	17	Strolling	72	Pass
18	Existing	Data Not Available			Standing	49	Pass
	Proposed						
19	Existing	Data Not Available			Strolling	74	Pass
	Proposed						
20	Existing	12	Standing	16	Strolling	78	Pass
	Proposed	14	Standing	18	Walking	77	Pass
21	Existing	12	Standing	16	Strolling	82	Pass
	Proposed	14	Standing	18	Walking	80	Pass
22	Existing	12	Standing	16	Strolling	80	Pass
	Proposed	13	Standing	16	Strolling	73	Pass
23	Existing	12	Standing	16	Strolling	78	Pass
	Proposed	10	Sitting	15	Strolling	68	Pass
24	Existing	11	Standing	15	Strolling	76	Pass
	Proposed	11	Standing	16	Strolling	68	Pass
25	Existing	11	Standing	14	Standing	64	Pass
	Proposed	11	Standing	15	Strolling	67	Pass
26	Existing	11	Standing	13	Standing	66	Pass
	Proposed	11	Standing	14	Standing	65	Pass
27	Existing	12	Standing	15	Strolling	67	Pass
	Proposed	12	Standing	16	Strolling	73	Pass
28	Existing	14	Standing	18	Walking	74	Pass
	Proposed	12	Standing	15	Strolling	62	Pass
29	Existing	12	Standing	16	Strolling	68	Pass
	Proposed	12	Standing	16	Strolling	69	Pass
30	Existing	12	Standing	17	Strolling	68	Pass
	Proposed	14	Standing	19	Walking	84	Pass
31	Existing	11	Standing	16	Strolling	63	Pass
	Proposed	12	Standing	17	Strolling	67	Pass
32	Existing	11	Standing	15	Strolling	65	Pass
	Proposed	12	Standing	17	Strolling	72	Pass

Seasons	Hours	Wind Comfort Category	Wind Safety Category
Summer = May to October	6:00 to 23:00 for Comfort	(20% Seasonal Exceedance)	(0.1% Annual Exceedance)
Winter = November to April	1:00 to 24:00 for Safety		
Configuration		≤ 10 km/h	≤ 90 km/h
Existing = without the proposed development		11 to 14	Pass
Proposed = with the proposed development		15 to 17	Exceeded
		18 to 20	
		> 20 km/h	

Table 1: Pedestrian Wind Comfort and Safety Conditions

Location	Configuration	Wind Comfort (20% Seasonal Exceedance)				Wind Safety (0.1% Exceedance)	
		Summer		Winter		Annual	
		Speed (km/h)	Rating	Speed (km/h)	Rating	Speed (km/h)	Rating
33	Existing	12	Standing	17	Strolling	74	Pass
	Proposed	13	Standing	18	Walking	74	Pass
34	Existing	11	Standing	14	Standing	71	Pass
	Proposed	12	Standing	16	Strolling	65	Pass
35	Existing	11	Standing	14	Standing	63	Pass
	Proposed	12	Standing	15	Strolling	64	Pass
36	Existing	11	Standing	14	Standing	70	Pass
	Proposed	12	Standing	16	Strolling	73	Pass
37	Existing	10	Sitting	14	Standing	70	Pass
	Proposed	11	Standing	15	Strolling	70	Pass
38	Existing	12	Standing	16	Strolling	84	Pass
	Proposed	12	Standing	16	Strolling	81	Pass
39	Existing	13	Standing	18	Walking	82	Pass
	Proposed	14	Standing	19	Walking	80	Pass
40	Existing	12	Standing	17	Strolling	82	Pass
	Proposed	12	Standing	17	Strolling	80	Pass
41	Existing	12	Standing	16	Strolling	75	Pass
	Proposed	12	Standing	17	Strolling	70	Pass
42	Existing	11	Standing	16	Strolling	73	Pass
	Proposed	12	Standing	17	Strolling	70	Pass
43	Existing	13	Standing	18	Walking	75	Pass
	Proposed	13	Standing	17	Strolling	74	Pass
44	Existing	12	Standing	17	Strolling	72	Pass
	Proposed	13	Standing	17	Strolling	68	Pass
45	Existing	11	Standing	16	Strolling	63	Pass
	Proposed	11	Standing	15	Strolling	62	Pass
46	Existing	12	Standing	18	Walking	79	Pass
	Proposed	12	Standing	17	Strolling	81	Pass
47	Existing	12	Standing	17	Strolling	80	Pass
	Proposed	12	Standing	17	Strolling	80	Pass
48	Existing	12	Standing	16	Strolling	74	Pass
	Proposed	13	Standing	17	Strolling	77	Pass

Seasons	Hours	Wind Comfort Category	Wind Safety Category
Summer = May to October	6:00 to 23:00 for Comfort	(20% Seasonal Exceedance)	(0.1% Annual Exceedance)
Winter = November to April	1:00 to 24:00 for Safety		
Configuration		≤ 10 km/h	≤ 90 km/h
Existing = without the proposed development		11 to 14	Pass
Proposed = with the proposed development		15 to 17	Exceeded
		18 to 20	
		> 20 km/h	

Table 1: Pedestrian Wind Comfort and Safety Conditions

Location	Configuration	Wind Comfort (20% Seasonal Exceedance)				Wind Safety (0.1% Exceedance)	
		Summer		Winter		Annual	
		Speed (km/h)	Rating	Speed (km/h)	Rating	Speed (km/h)	Rating
49	Existing	11	Standing	15	Strolling	62	Pass
	Proposed	12	Standing	16	Strolling	68	Pass
50	Existing	Data Not Available		13	Standing	69	Pass
	Proposed						
51	Existing	Data Not Available		14	Standing	74	Pass
	Proposed						
52	Existing	Data Not Available		12	Standing	54	Pass
	Proposed						
53	Existing	Data Not Available		11	Standing	50	Pass
	Proposed						
54	Existing	Data Not Available		11	Standing	43	Pass
	Proposed						
55	Existing	Data Not Available		19	Walking	80	Pass
	Proposed						
56	Existing	Data Not Available		14	Standing	57	Pass
	Proposed						

Seasons

Summer = May to October
Winter = November to April

Hours

6:00 to 23:00 for Comfort
1:00 to 24:00 for Safety

Wind Comfort Category

(20% Seasonal Exceedance)

≤ 10 km/h Sitting
11 to 14 Standing
15 to 17 Strolling
18 to 20 Walking
> 20 km/h Uncomfortable

Wind Safety Category

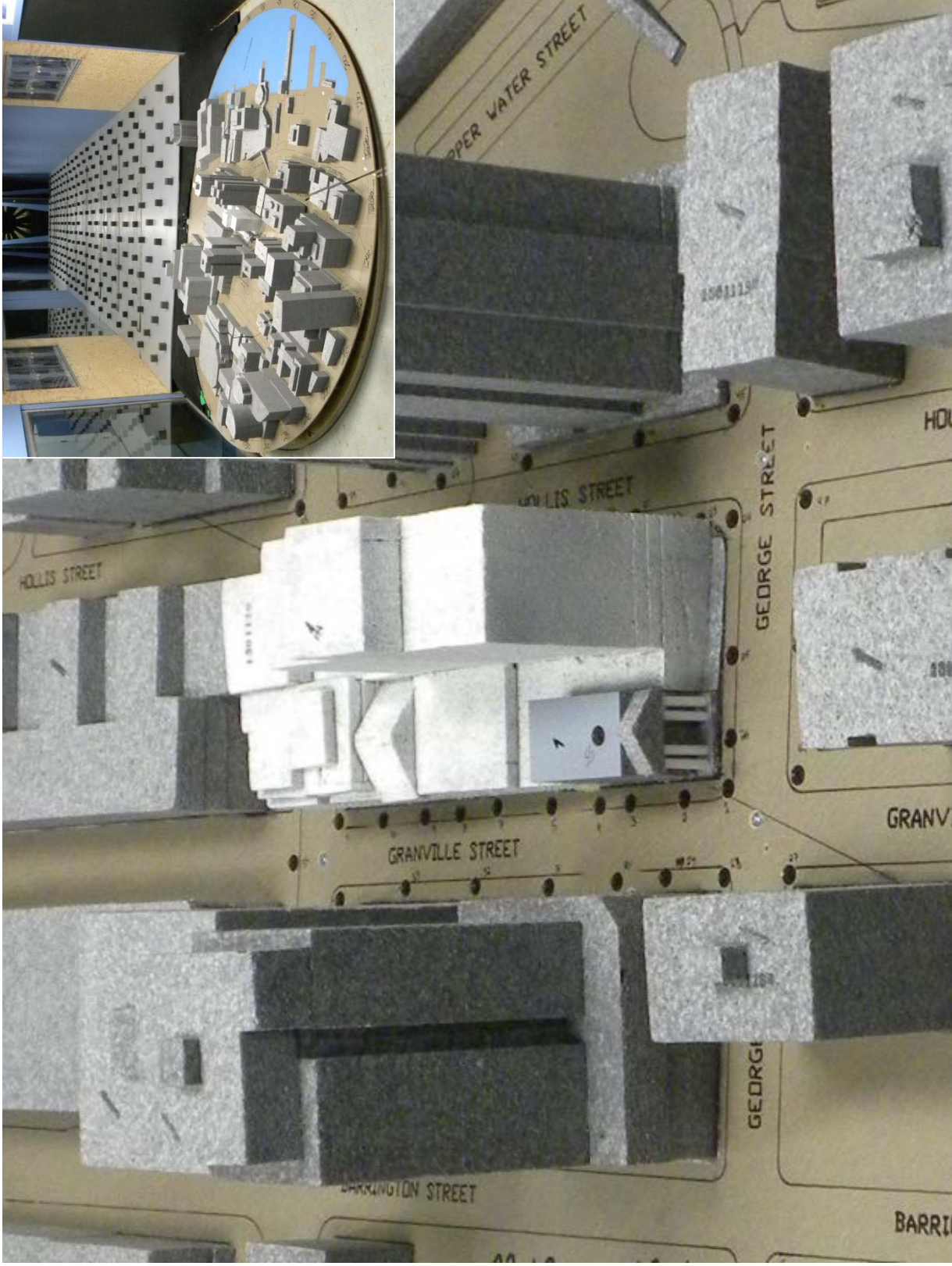
(0.1% Annual Exceedance)

≤ 90 km/h Pass
> 90 km/h Exceeded

Configuration

Existing = without the proposed development
Proposed = with the proposed development

FIGURES



**Wind Tunnel Study Model
Existing Configuration**

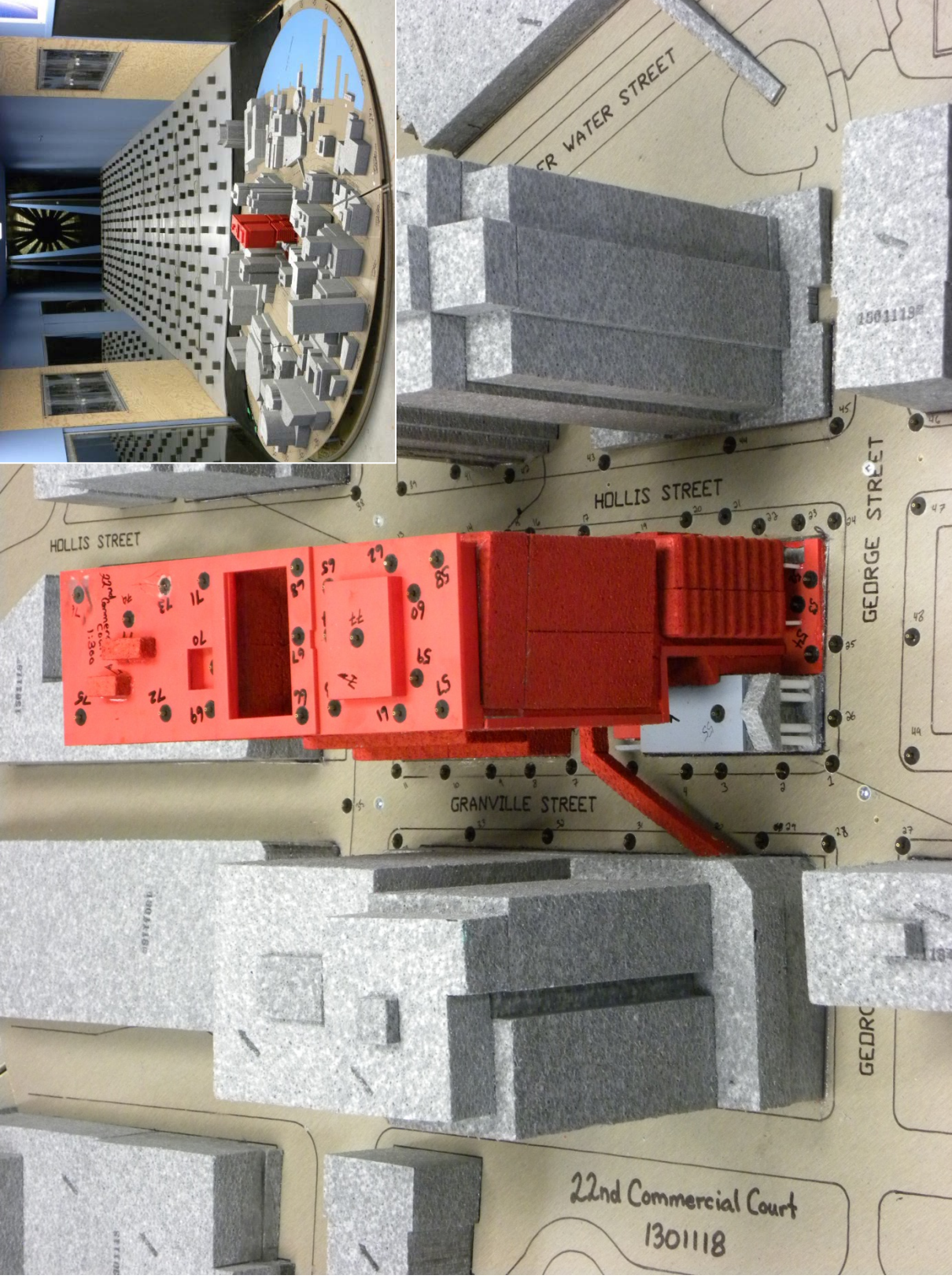
22nd Commercial Court – Halifax, NS

Figure No. 1a

Project #1301746

Date: August 21, 2013





**Wind Tunnel Study Model
Proposed Configuration**

22nd Commercial Court – Halifax, NS

Figure No. 1b

Date: August 21, 2013

Project #1301746





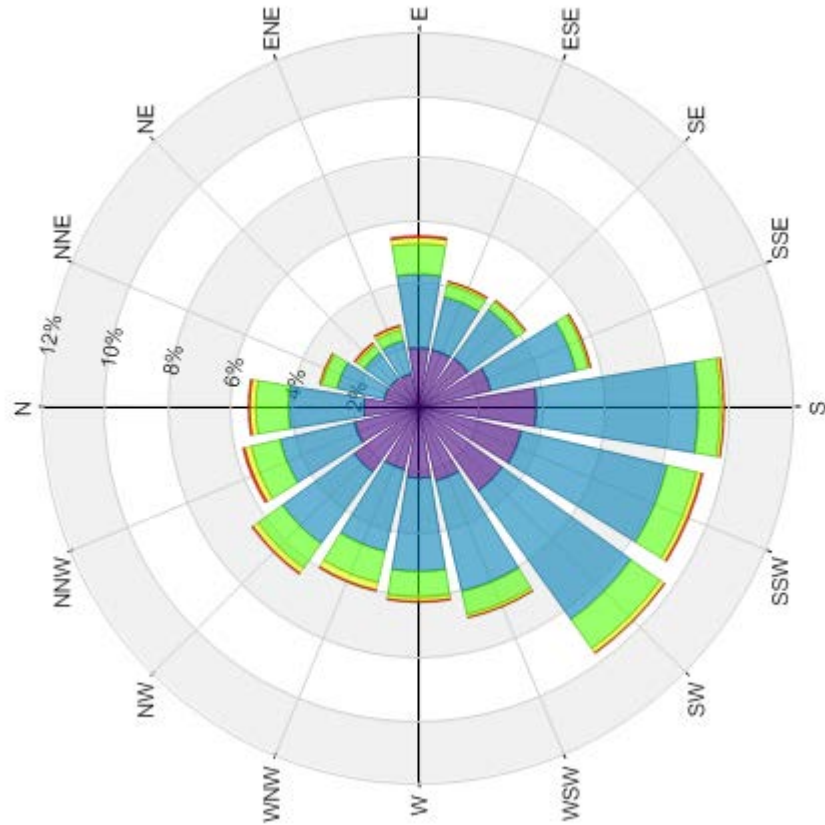
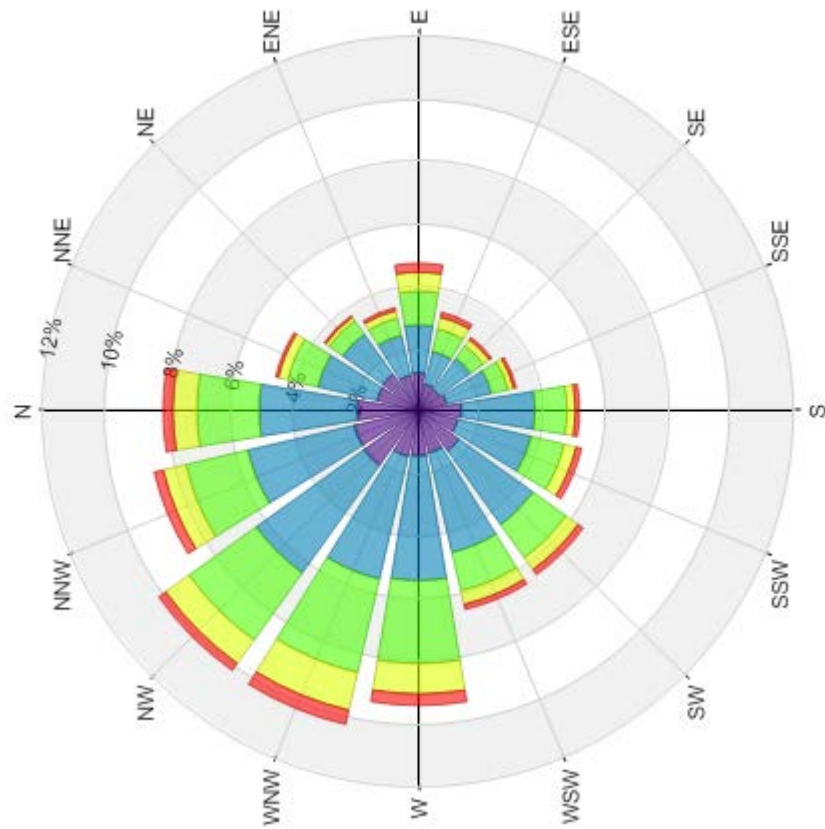
Figure No. 2

Date: August 21, 2013

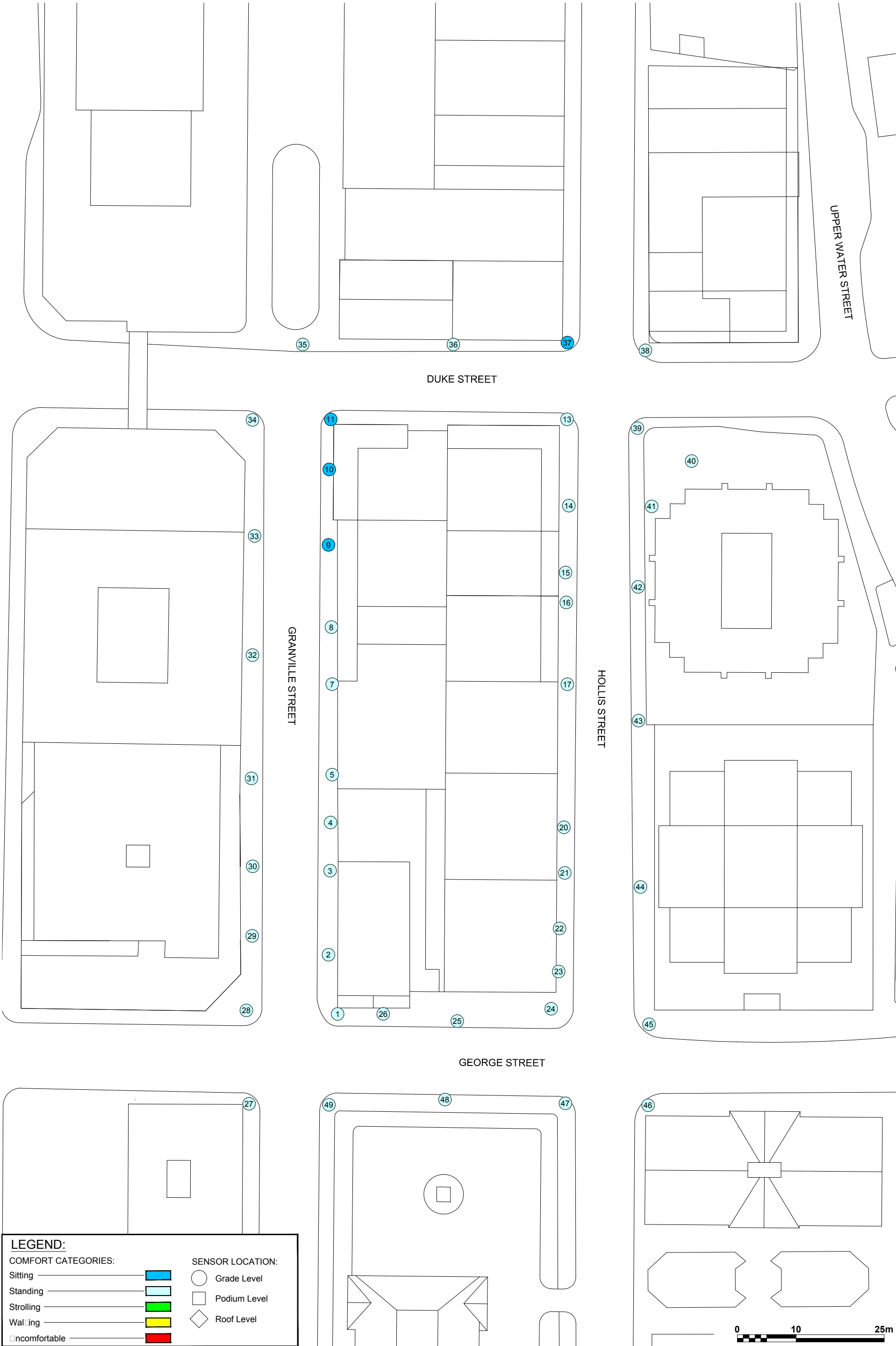
Project #1301118

22nd Commercial Court – Halifax, NS

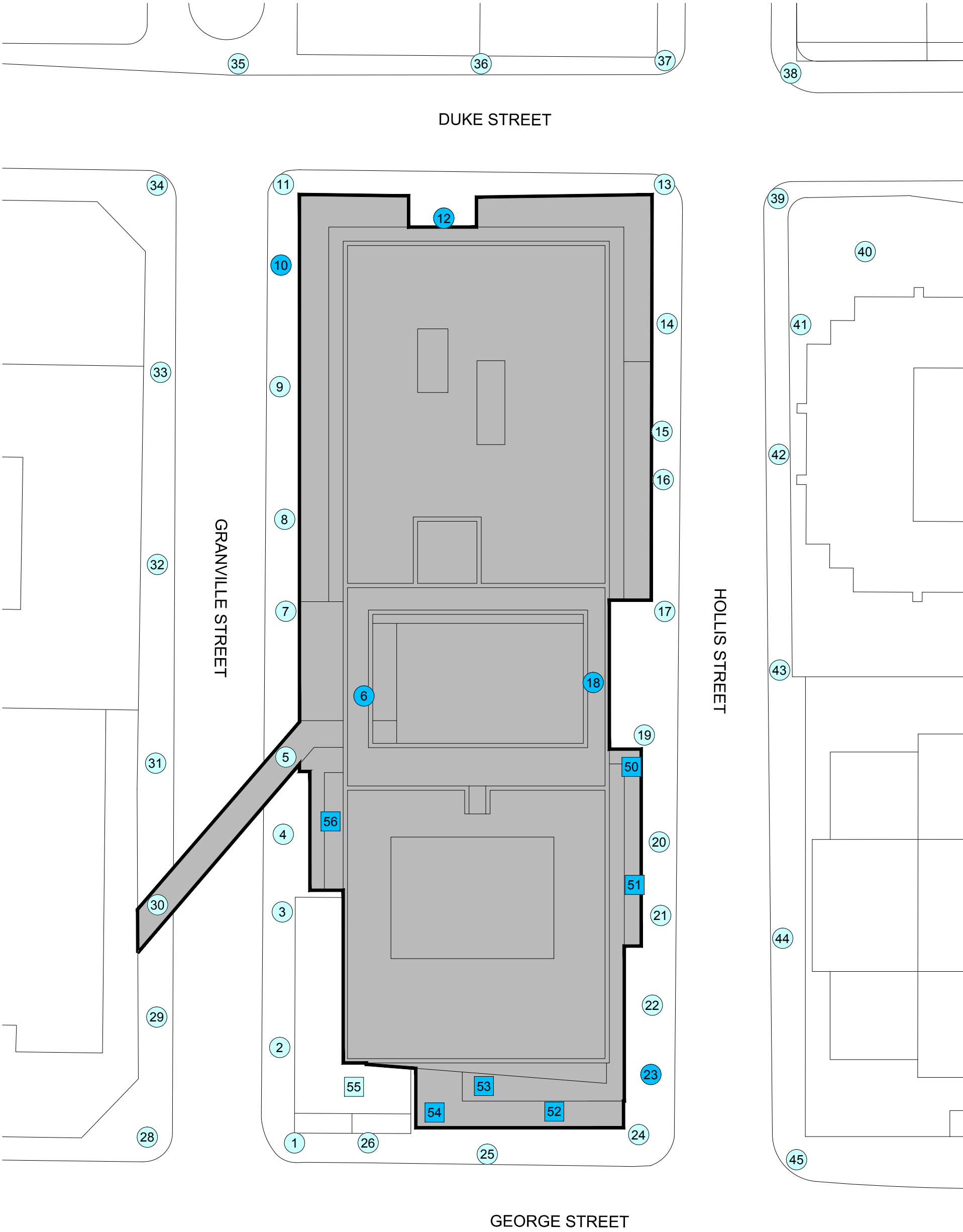
Directional Distribution (%) of Winds (Blowing From) Shearwater Airport (1979 - 2009)



Wind Speed (km/h)	Probability (%)	
	Summer	Winter
Calm	6.3	3.9
1-10	35.0	22.6
11-20	44.4	39.9
21-30	11.6	22.0
31-40	2.2	8.3
>40	0.4	3.3



Pedestrian Wind Comfort Conditions - Existing
Summer (May to October, 6:00 to 23:00)



LEGEND:

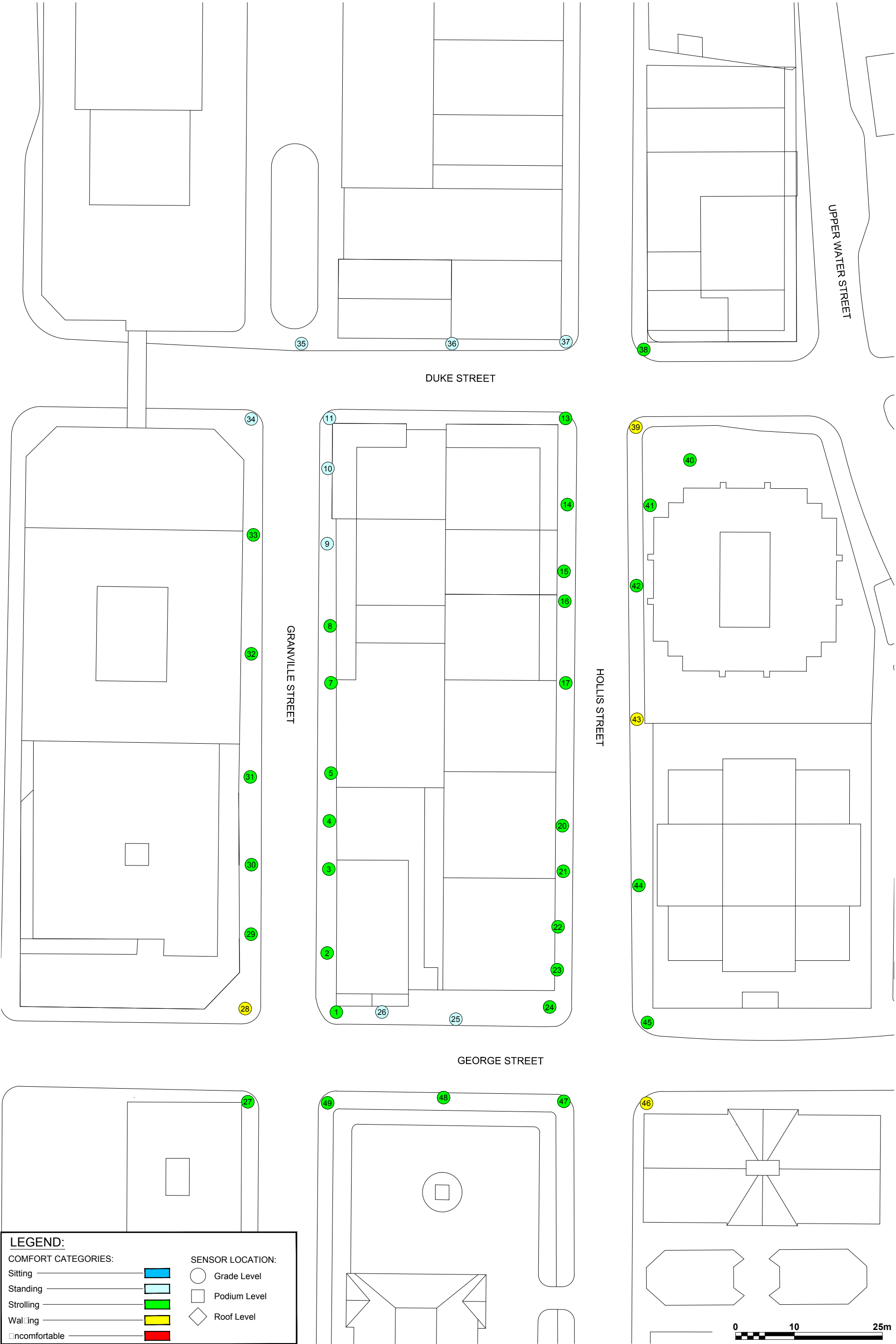
COMFORT CATEGORIES:

Sitting	
Standing	
Strolling	
Walking	
Uncomfortable	

SENSOR LOCATION:

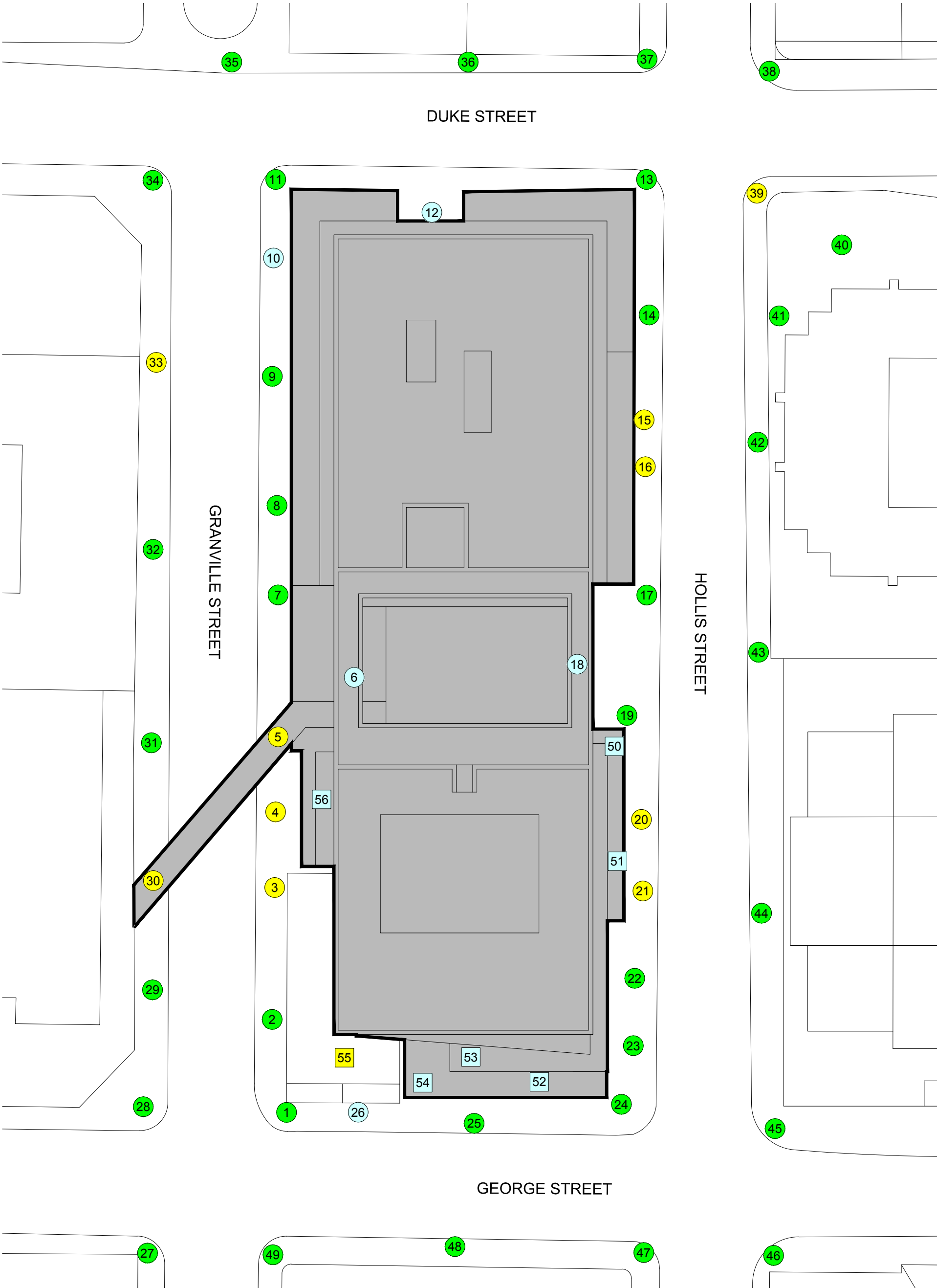
	Grade Level
	Podium Level





Pedestrian Wind Comfort Conditions - Existing
Winter (November to April, 6:00 to 23:00)

22nd Commercial Court - Halifax, NS



LEGEND:

COMFORT CATEGORIES:

Sitting

Standing

Strolling

Walking

Uncomfortable

SENSOR LOCATION:

Grade Level

Podium Level

Pedestrian Wind Comfort Conditions - Proposed
Winter (November to April, 6:00 to 23:00)

22nd Commercial Court - Halifax, NS



Drawn by:	SMR	Figure:	4b
Approx. Scale:	1:400		
Date Revised:	Aug. 23, 2013		



Project #1301118

APPENDIX A

APPENDIX A: DRAWING LIST FOR MODEL CONSTRUCTION

The drawings and information listed below were received from Lydon Lyton Ltd and were used to construct the scale model of the proposed 22nd Commercial Court. Should there be any design changes that deviate from this list of drawings, the results may change. Therefore, if changes in the design area made, it is recommended that RWDI be contacted and requested to review their potential effects on wind conditions.

File Name	File Type	Date Received (dd/mm/yyyy)
13-01118 - RBC Block_2_3	.pdf	30/07/13
FLOOR PLANS	.pdf	16/07/13
FLOOR PLANS-CONDO	.pdf	16/07/13
FLOOR PLANS-HOTEL	.pdf	16/07/13
FLOOR PLANS-OFFICE	.pdf	16/07/13
FLOOR PLANS-PODIUM	.pdf	16/07/13
X-ELEV-CONDO	.pdf	16/07/13
X-ELEV-HOTEL	.pdf	16/07/13
X-OFFICE-1	.pdf	16/07/13
X-OFFICE-8-20	.pdf	16/07/13
SECTIONS	.pdf	29/05/13

APPENDIX B

APPENDIX B: ROOFTOP LEVEL (SENSOR LOCATIONS 57-77)

Table 1B presents the wind comfort and safety conditions for the proposed configuration. These conditions are graphically depicted on a site plan in Figures 3b, 4b, and 5b.

It is generally desirable for wind conditions on rooftops to be comfortable for sitting more than 80% of the time in the summer. During the winter, the area would not be used frequently and increased wind activity would be considered appropriate.

During the summer season under the Proposed Configuration, wind conditions are predicted to be comfortable for walking or better for both the penthouse area (Locations 57 – 70 in Figure 3b) and the mechanical areas (Locations 71-77). During the winter season the wind conditions are predicted to be uncomfortable for the exception of 59-62, 64, 69 and 70 that are predicted to be comfortable for walking or standing (Figure 4b).

The wind safety criterion is not met at Locations 57, 58, 62, 66, 68, and 72-77 on an annual basis.

These conditions are no ideal and therefore it is recommended that a transparent parapet of at least 8ft high be installed around the parameter of the rooftop area (See Images 6-8). Localized wind control measures, such as screens and trellises, will also be needed around any seating areas on the roof.

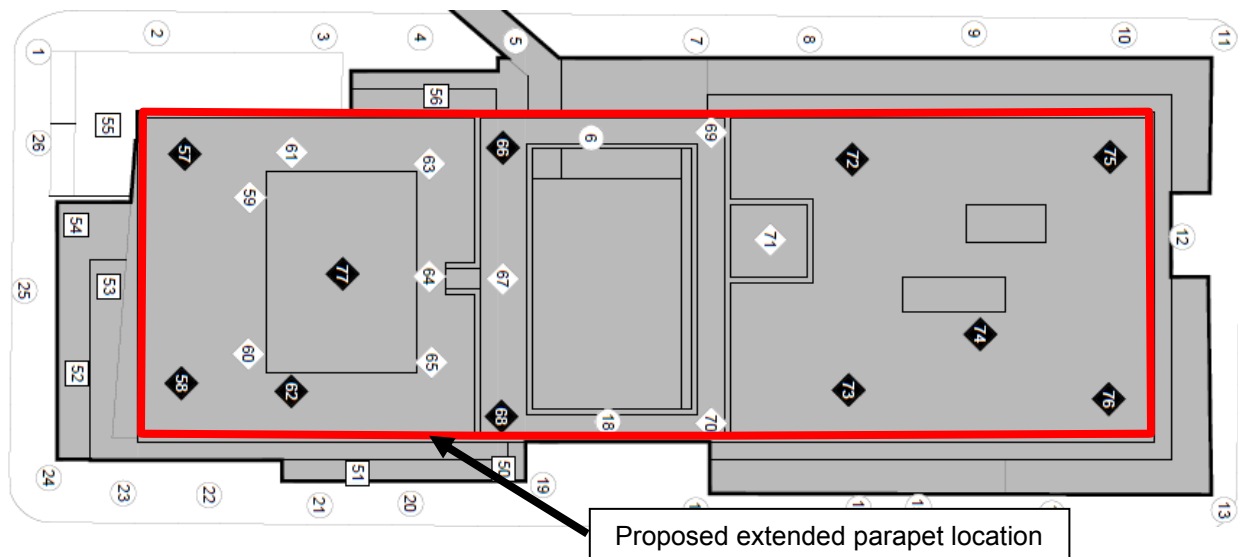


Image 6: Recommended Mitigation



CONSULTING ENGINEERS
& SCIENTISTS

22nd Commercial Court
Pedestrian Wind Consultation
RWDI#1301118
August 29, 2013

Page B2 of 2



Image 7: Example Extended Parapet



Image 8: Example Extended Parapet

TABLES

Table 1: Pedestrian Wind Comfort and Safety Conditions

Location	Configuration	Wind Comfort (20% Seasonal Exceedance)				Wind Safety (0.1% Exceedance)	
		Summer		Winter		Annual	
		Speed (km/h)	Rating	Speed (km/h)	Rating	Speed (km/h)	Rating
57	Existing Proposed	18	Data Not Available Walking	24	Uncomfortable	94	Exceeded
58	Existing Proposed	18	Data Not Available Walking	22	Uncomfortable	95	Exceeded
59	Existing Proposed	16	Data Not Available Strolling	20	Walking	85	Pass
60	Existing Proposed	15	Data Not Available Strolling	18	Walking	84	Pass
61	Existing Proposed	15	Data Not Available Strolling	20	Walking	81	Pass
62	Existing Proposed	14	Data Not Available Standing	19	Walking	99	Exceeded
63	Existing Proposed	17	Data Not Available Strolling	21	Uncomfortable	83	Pass
64	Existing Proposed	14	Data Not Available Standing	19	Walking	73	Pass
65	Existing Proposed	15	Data Not Available Strolling	21	Uncomfortable	86	Pass
66	Existing Proposed	18	Data Not Available Walking	25	Uncomfortable	95	Exceeded
67	Existing Proposed	17	Data Not Available Strolling	23	Uncomfortable	86	Pass
68	Existing Proposed	18	Data Not Available Walking	25	Uncomfortable	98	Exceeded
69	Existing Proposed	14	Data Not Available Standing	20	Walking	78	Pass
70	Existing Proposed	10	Data Not Available Sitting	14	Standing	55	Pass
71	Existing Proposed	17	Data Not Available Strolling	23	Uncomfortable	87	Pass
72	Existing Proposed	16	Data Not Available Strolling	23	Uncomfortable	100	Exceeded

Seasons	Hours	Wind Comfort Category	Wind Safety Category
Summer = May to October	6:00 to 23:00 for Comfort	(20% Seasonal Exceedance)	(0.1% Annual Exceedance)
Winter = November to April	1:00 to 24:00 for Safety		
Configuration		≤ 10 km/h	≤ 90 km/h
Existing = without the proposed development		11 to 14	Pass
Proposed = with the proposed development		15 to 17	Exceeded
		18 to 20	
		> 20 km/h	



CONSULTING ENGINEERS
& SCIENTISTS

Table 1: Pedestrian Wind Comfort and Safety Conditions

Location	Configuration	Wind Comfort (20% Seasonal Exceedance)				Wind Safety (0.1% Exceedance)	
		Summer		Winter		Annual	
		Speed (km/h)	Rating	Speed (km/h)	Rating	Speed (km/h)	Rating
73	Existing Proposed	17	Data Not Available Strolling	23	Uncomfortable	102	Exceeded
74	Existing Proposed	16	Data Not Available Strolling	22	Uncomfortable	91	Exceeded
75	Existing Proposed	17	Data Not Available Strolling	23	Uncomfortable	91	Exceeded
76	Existing Proposed	16	Data Not Available Strolling	23	Uncomfortable	94	Exceeded
77	Existing Proposed	20	Data Not Available Walking	27	Uncomfortable	100	Exceeded

Seasons

Summer = May to October
Winter = November to April

Hours

6:00 to 23:00 for Comfort
1:00 to 24:00 for Safety

Wind Comfort Category

(20% Seasonal Exceedance)

≤ 10 km/h	Sitting
11 to 14	Standing
15 to 17	Strolling
18 to 20	Walking
> 20 km/h	Uncomfortable

Wind Safety Category

(0.1% Annual Exceedance)

≤ 90 km/h	Pass
> 90 km/h	Exceeded

Configuration

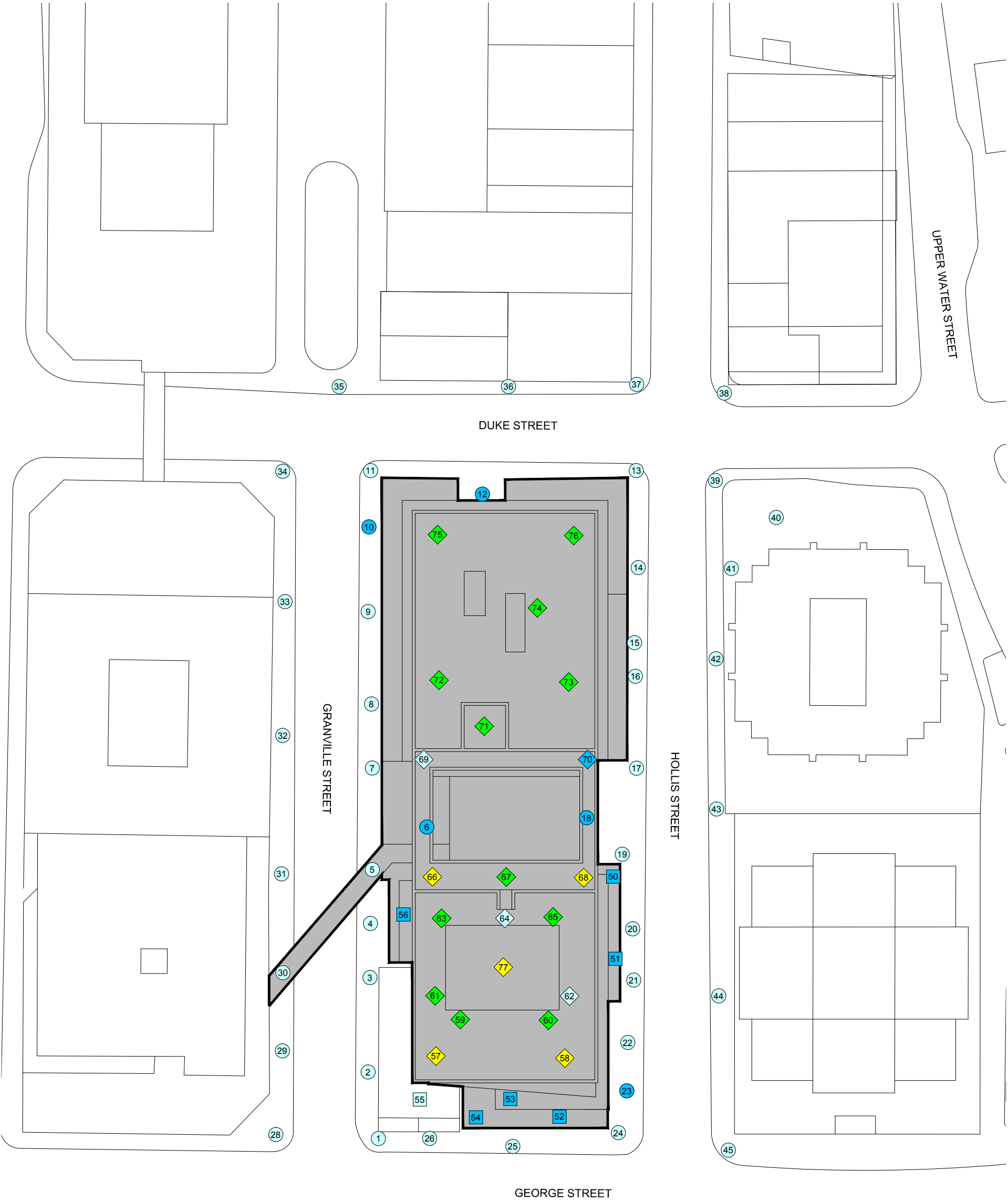
Existing = without the proposed development
Proposed = with the proposed development

FIGURES

SUBSTANTIVE SITE PLAN APPROVAL APPLICATION REPORT

22ND COMMERCE SQUARE, HALIFAX, NOVA SCOTIA

2013.12.27



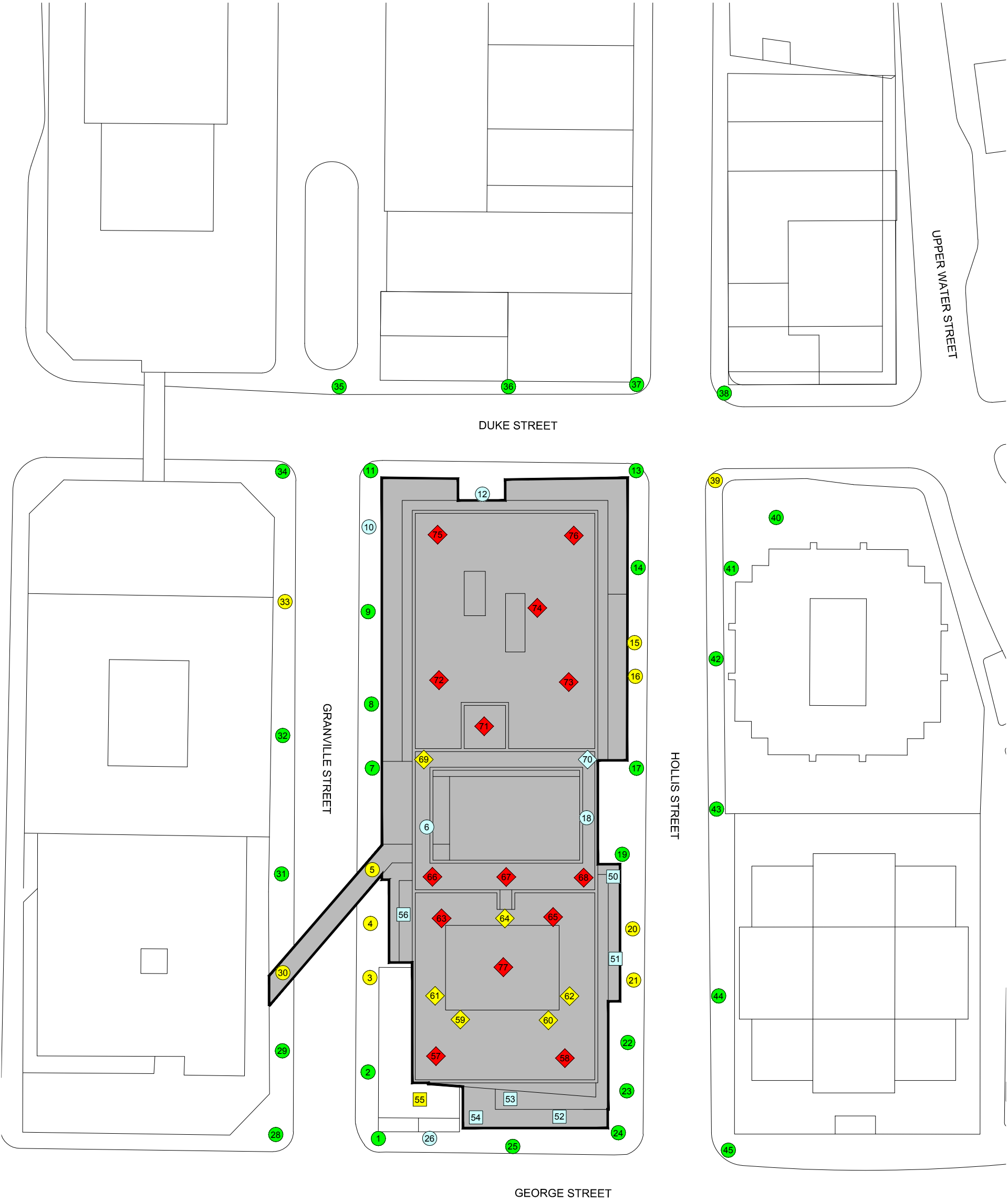
LEGEND:

COMFORT CATEGORIES:

- Sitting
- Standing
- Strolling
- Walking
- Uncomfortable

SENSOR LOCATION:

- Grade Level
- Podium Level
- Roof Level



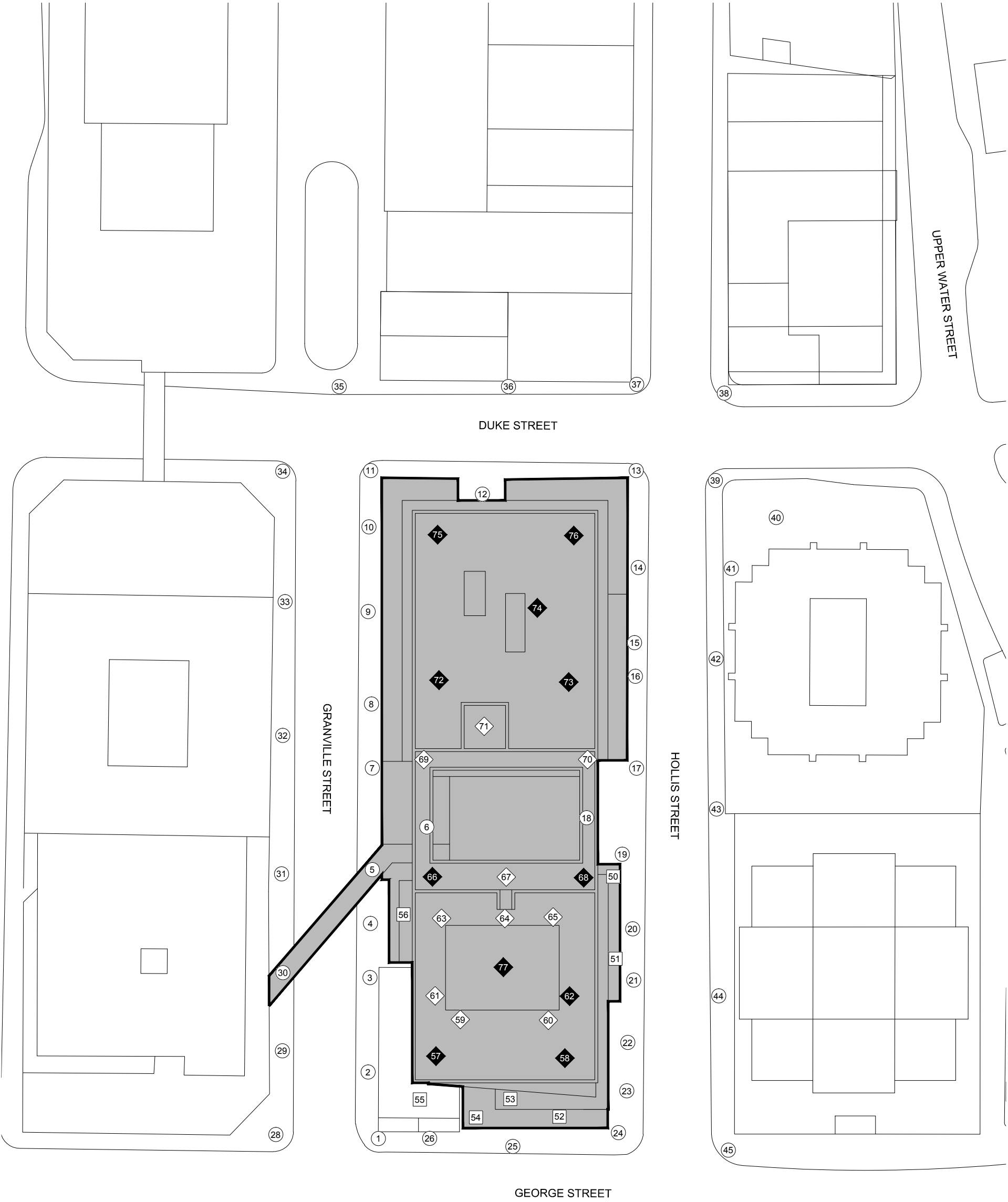
LEGEND:

COMFORT CATEGORIES:

Sitting	Blue
Standing	Light Blue
Strolling	Green
Walking	Yellow
Uncomfortable	Red

SENSOR LOCATION:

Grade Level	Blue Circle
Podium Level	Light Blue Square
Roof Level	Yellow Diamond



Pedestrian Wind Safety Conditions - Proposed
Annual (January to December, 1:00 to 24:00)

22nd Commercial Court - Halifax, NS



Drawn by: SMR	Figure: 5b
Approx. Scale:	1:600
Date Revised: August 19, 2013	

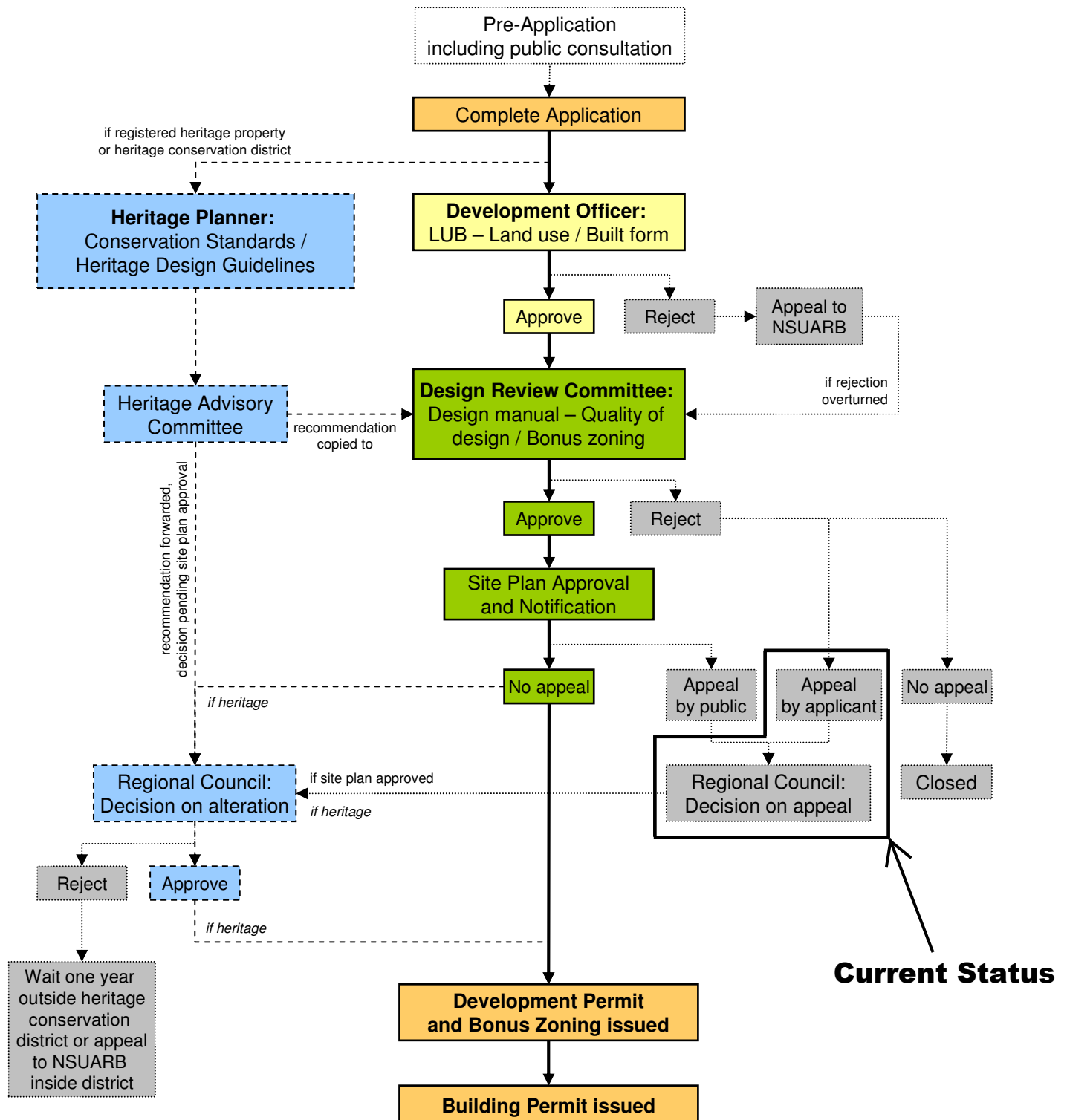
Project #1301118



Downtown Halifax Site Plan Approval Process

Substantive Applications

Dev. Approvals

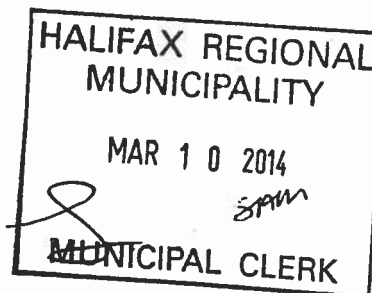


pink larkin
LAWYERS | AVOCATS

March 10, 2014

Via Courier

Sherryl Murphy
Deputy Municipal Clerk
c/o Office of the Municipal Clerk, City Hall
1841 Argyle Street, Main Floor
Halifax, NS B3J 3A5



Dear Ms. Murphy:

Re: Case 19046 - Substantive Site Plan Approval

Please find enclosed the Notices of Appeal for Elizabeth Churchill Snell, Robin Stewart, Dr. Petra Jane Mudie, and Carol Smith. Also enclosed is the W-4.

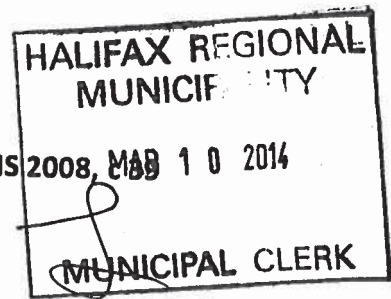
Would you kindly confirm receipt of the above documents and address any communications about the documents, or the appeal process, to our offices.

Yours truly,

Original signed

Kelly McMillan
kmcmillan@pinklarkin.com
KM/rn

cc. Client
Karen Brown



IN THE MATTER OF: *Halifax Regional Municipality Charter, SNS 2008, MAB 10 2014*

- and -

IN THE MATTER OF: An Appeal of the Design Review Committee's decision in Case No. 19046 - Substantive Site Plan Approval of a mixed-use development for the lands bounded by Hollis, George, Granville and Duke Streets, Halifax, dated February 13, 2014.

NOTICE OF APPEAL

Robin Stewart, owner of 5537 Cogswell Street, Halifax NS B3J 1R2 (the "Appellant"), hereby appeals from the decision of the Design Review Committee of the Halifax Regional Municipality (the "Committee"), dated February 13, 2014, that approved the application for Substantive Site Plan Approval, bonus height and variances associated with the development of the lands bounded by Hollis, George, Granville and Duke Streets, Halifax (the "Application").

The grounds for appeal are as follows:

1. The Committee erred in law by:

- (i) Failing to make a finding as to whether the Application proposes to "demolish" one or more heritage properties; and
- (ii) Recommending approval of a bonus height of 85 metres, contrary to subsection 12(6) of the *Land Use By-Law*.

The Application proposes to totally demolish the Champlain Building, a registered heritage building, and to replace it with two new, concrete-block and stucco façades. (See Notes W-4, Drawings A-200, A-201, A-202, A-203 (12 February 2014)).

The Application also proposes to substantially demolish the Hayes, Flinn and Merchants' Bank registered heritage buildings. The Application (page 5) and the HRM Staff Report (24 Jan 2014, page 2) acknowledge that the Application proposes a "demolition".

The Maximum Pre-Bonus Height for the lands is 49 metres. The Application requested a bonus height of 85 metres.

Under subsection 12(6) of the *Land Use By-Law*, the Application is not eligible for bonus height. Subsection 12(6) reads:

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

Subsection 12(6) is mandatory and required the Committee to deny the Application.

2. The Committee erred in law by concluding that its mandate is limited to considering the street façades of heritage properties. Specifically:
 - (i) The Committee erred in finding it was bound by *Re Armour Group Limited*, 2009 NSUARB 35. That decision is not binding on the Committee. It was based upon a different provincial statute, a different heritage by-law, a different land use by-law, and a different municipal planning strategy than those that now govern the Committee. The decision was also made prior to the adoption of the Heritage Design Guidelines. The decision does not reflect the state of the law in Halifax.
 - (ii) The Committee erred in approving the Application contrary to Section 4.4 of the Design Manual, which required the Committee to conserve the three-dimensional character and building envelope of the registered heritage properties.

Section 4.4 of the Design Manual states, in part:

In instances where the heritage value of a building includes its three-dimensional character (width, depth and height), the entire building envelope should be conserved, and the transition of new construction to, and from, heritage buildings should respect all three dimensions.

The heritage value of the affected heritage properties includes, in particular, the rare, three-dimensional truncated pitched roofs of the Flinn and Hayes Buildings. Both HRM Staff and the Heritage Advisory Committee determined that the truncated pitched roofs of these buildings are character-defining elements. (See Staff Report to the Heritage Advisory Committee, pages 22, 25; HAC Minutes, 29 January 2014, page 12.)

3. The Committee erred in law by not considering, and determining it had no mandate to consider, *Heritage By-Law (No. H-200)* or the Heritage Building Conservation Standards, contrary to subsection 8(3) of the *Land Use By-Law*. Subsection 8(3) states:

In addition to the requirements of this By-law and the *Heritage By-law*, development on a Registered Heritage Property shall be subject to the Development in Heritage Contexts section of the Design Manual [emphasis added].

The word "shall" makes this provision mandatory, but it was not followed by the Committee.

4. The Committee erred in law in failing to consider or apply Standards 2 and 9 of the

mandatory Heritage Building Conservation Standards, or sections 2.4(l) and 4.1 of the Design Manual; or, in the alternative, the Committee erred in approving the Application contrary to those provisions. These provisions read:

Standard 2: "The historic character of the property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize the property shall be avoided."

Standard 9: "New additions, exterior alterations, or related new construction shall not destroy materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."

The sections of the Design Manual state:

2.4 Precinct 4: Lower Central Downtown

The following general criteria shall apply: ...

- I. To retain isolated heritage properties and protect them from inappropriate redevelopment.

4.1 New Development in Heritage Contexts

... As a principle of both heritage compatibility and sustainability, new additions, exterior alterations, or new construction should not destroy historic materials, features, or spatial relationships that characterize a property. The new work should be differentiated from the old and should be compatible with the historic materials, features, size, scale, height, proportion and massing to protect the integrity of the property and its environment.

The Application would contravene those provisions, in particular, by:

- (i) Removing the truncated pitched roofs on the Flinn and Hayes Buildings; and
- (ii) Demolishing the Champlain Building.

Further, these provisions must be interpreted and applied with reference to the Downtown Halifax Secondary Municipal Planning Strategy, which the Committee did not address.

5. The Committee failed to consider or pay deference to the advice of its sister, specialist committee, the Heritage Advisory Committee, which recommended that the applications be denied. This omission contravenes paragraph 4(13)(b) of the *Land Use By-Law*, which required the Committee to "seek and consider the advice of the Heritage Advisory Committee on site plan applications on registered heritage properties..."
6. The Committee erred in considering and relying upon late-filed materials, including the Applicant's materials and technical drawings dated February 12, 2014, even though:
 - (i) Committee members had no opportunity to review these materials in advance of the

February 13, 2014, meeting, and in fact, did not review them; and

- (ii) These materials were not made available to the public in advance of the February 13, 2014, meeting, contrary to *Administrative Order 1 Respecting the Procedures of the Council* and the principles of natural justice.

The Appellants respectfully request that the Council overturn the decision of the Design Review Committee in Case No. 19046, dated February 13, 2014, and deny the Application.

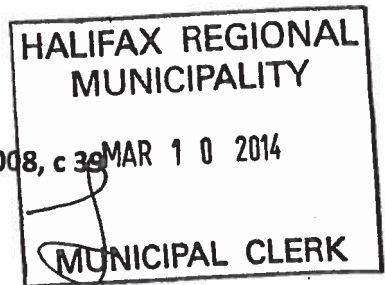
Dated at Halifax, Nova Scotia, this 8TH day of March, 2014.

Original signed

Robin Stewart

TO: Office of the Municipal Clerk
Halifax Regional Municipality City Hall
1841 Argyle Street, Main Floor
Halifax, NS B3J 3A5

AND TO: Karen Brown
HRM Legal Services
5251 Duke Street, 3rd Fl, Duke Tower
PO Box 1749
Halifax, NS B3J 3A5



IN THE MATTER OF: *Halifax Regional Municipality Charter, SNS 2008, c 39*

- and -

IN THE MATTER OF: An Appeal of the Design Review Committee's decision in Case No. 19046 - Substantive Site Plan Approval of a mixed-use development for the lands bounded by Hollis, George, Granville and Duke Streets, Halifax, dated February 13, 2014.

NOTICE OF APPEAL

Dr. Petra Jane Mudie, owner of 1326 Lower Water Street, Unit 706, Halifax, NS B3J 3R3 (the "Appellant"), hereby appeals from the decision of the Design Review Committee of the Halifax Regional Municipality (the "Committee"), dated February 13, 2014, that approved the application for Substantive Site Plan Approval, bonus height and variances associated with the development of the lands bounded by Hollis, George, Granville and Duke Streets, Halifax (the "Application").

The grounds for appeal are as follows:

1. The Committee erred in law by:

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The Application proposes to totally demolish the Champlain Building, a registered heritage building, and to replace it with two new, concrete-block and stucco façades. (See Notes W-4, Drawings A-200, A-201, A-202, A-203 (12 February 2014)).

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Subsection 12(6) is mandatory and required the Committee to deny the Application.

2. The Committee erred in law by concluding that its mandate is limited to considering the street façades of heritage properties. Specifically:
 - (i) The Committee erred in finding it was bound by *Re Armour Group Limited*, 2009 NSUARB 35. That decision is not binding on the Committee. It was based upon a different provincial statute, a different heritage by-law, a different land use by-law, and a different municipal planning strategy than those that now govern the Committee. The decision was also made prior to the adoption of the Heritage Design Guidelines. The decision does not reflect the state of the law in Halifax.
 - (ii) The Committee erred in approving the Application contrary to Section 4.4 of the Design Manual, which required the Committee to conserve the three-dimensional character and building envelope of the registered heritage properties.

Section 4.4 of the Design Manual states, in part:

In instances where the heritage value of a building includes its three-dimensional character (width, depth and height), the entire building envelope should be conserved, and the transition of new construction to, and from, heritage buildings should respect all three dimensions.

The heritage value of the affected heritage properties includes, in particular, the rare, three-dimensional truncated pitched roofs of the Flinn and Hayes Buildings. Both HRM Staff and the Heritage Advisory Committee determined that the truncated pitched roofs of these buildings are character-defining elements. (See Staff Report to the Heritage Advisory Committee, pages 22, 25; HAC Minutes, 29 January 2014, page 12.)

3. The Committee erred in law by not considering, and determining it had no mandate to consider, *Heritage By-Law (No. H-200)* or the Heritage Building Conservation Standards, contrary to subsection 8(3) of the *Land Use By-Law*. Subsection 8(3) states:

In addition to the requirements of this By-law and the *Heritage By-law*, development on a Registered Heritage Property shall be subject to the Development in Heritage Contexts section of the Design Manual [emphasis added].

The word "shall" makes this provision mandatory, but it was not followed by the Committee.

4. The Committee erred in law in failing to consider or apply Standards 2 and 9 of the

mandatory Heritage Building Conservation Standards, or sections 2.4(l) and 4.1 of the Design Manual; or, in the alternative, the Committee erred in approving the Application contrary to those provisions. These provisions read:

Standard 2: "The historic character of the property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize the property shall be avoided."

Standard 9: "New additions, exterior alterations, or related new construction shall not destroy materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."

The sections of the Design Manual state:

2.4 Precinct 4: Lower Central Downtown

The following general criteria shall apply: ...

I. To retain isolated heritage properties and protect them from inappropriate redevelopment.

4.1 New Development in Heritage Contexts

... As a principle of both heritage compatibility and sustainability, new additions, exterior alterations, or new construction should not destroy historic materials, features, or spatial relationships that characterize a property. The new work should be differentiated from the old and should be compatible with the historic materials, features, size, scale, height, proportion and massing to protect the integrity of the property and its environment.

The Application would contravene those provisions, in particular, by:

- (i) Removing the truncated pitched roofs on the Flinn and Hayes Buildings; and
- (ii) Demolishing the Champlain Building.

Further, these provisions must be interpreted and applied with reference to the Downtown Halifax Secondary Municipal Planning Strategy, which the Committee did not address.

- 5. The Committee failed to consider or pay deference to the advice of its sister, specialist committee, the Heritage Advisory Committee, which recommended that the applications be denied. This omission contravenes paragraph 4(13)(b) of the *Land Use By-Law*, which required the Committee to "seek and consider the advice of the Heritage Advisory Committee on site plan applications on registered heritage properties..."
- 6. The Committee erred in considering and relying upon late-filed materials, including the Applicant's materials and technical drawings dated February 12, 2014, even though:
 - (i) Committee members had no opportunity to review these materials in advance of the

February 13, 2014, meeting, and in fact, did not review them; and

- (ii) These materials were not made available to the public in advance of the February 13, 2014, meeting, contrary to *Administrative Order 1 Respecting the Procedures of the Council* and the principles of natural justice.

The Appellants respectfully request that the Council overturn the decision of the Design Review Committee in Case No. 19046, dated February 13, 2014, and deny the Application.

Dated at Halifax, Nova Scotia, this 8th day of March, 2014.

Original Signed

Dr. Petra Jane Mudie

TO: Office of the Municipal Clerk
Halifax Regional Municipality City Hall
1841 Argyle Street, Main Floor
Halifax, NS B3J 3A5

AND TO: Karen Brown
HRM Legal Services
5251 Duke Street, 3rd Fl, Duke Tower
PO Box 1749
Halifax, NS B3J 3A5

**HALIFAX REGIONAL
MUNICIPALITY**

IN THE MATTER OF: *Halifax Regional Municipality Charter, SNS 2008, 14/10/2014*

- and -

MUNICIPAL CLERK

IN THE MATTER OF: An Appeal of the Design Review Committee's decision in Case No. 19046 - Substantive Site Plan Approval of a mixed-use development for the lands bounded by Hollis, George, Granville and Duke Streets, Halifax, dated February 13, 2014.

NOTICE OF APPEAL

Carol Smith, owner of 1352 Queen Street, Unit 1, Halifax, NS (the "Appellant"), hereby appeals from the decision of the Design Review Committee of the Halifax Regional Municipality (the "Committee"), dated February 13, 2014, that approved the application for Substantive Site Plan Approval, bonus height and variances associated with the development of the lands bounded by Hollis, George, Granville and Duke Streets, Halifax (the "Application").

The grounds for appeal are as follows:

1. The Committee erred in law by:

- (i) Failing to make a finding as to whether the Application proposes to "demolish" one or more heritage properties; and
- (ii) Recommending approval of a bonus height of 85 metres, contrary to subsection 12(6) of the *Land Use By-Law*.

The Application proposes to totally demolish the Champlain Building, a registered heritage building, and to replace it with two new, concrete-block and stucco façades. (See Notes W-4, Drawings A-200, A-201, A-202, A-203 (12 February 2014)).

The Application also proposes to substantially demolish the Hayes, Flinn and Merchants' Bank registered heritage buildings. The Application (page 5) and the HRM Staff Report (24 Jan 2014, page 2) acknowledge that the Application proposes a "demolition".

The Maximum Pre-Bonus Height for the lands is 49 metres. The Application requested a bonus height of 85 metres.

Under subsection 12(6) of the *Land Use By-Law*, the Application is not eligible for bonus height. Subsection 12(6) reads:

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

Subsection 12(6) is mandatory and required the Committee to deny the Application.

2. The Committee erred in law by concluding that its mandate is limited to considering the street façades of heritage properties. Specifically:
 - (i) The Committee erred in finding it was bound by *Re Armour Group Limited*, 2009 NSUARB 35. That decision is not binding on the Committee. It was based upon a different provincial statute, a different heritage by-law, a different land use by-law, and a different municipal planning strategy than those that now govern the Committee. The decision was also made prior to the adoption of the Heritage Design Guidelines. The decision does not reflect the state of the law in Halifax.
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Section 4.4 of the Design Manual states, in part:

In instances where the heritage value of a building includes its three-dimensional character (width, depth and height), the entire building envelope should be conserved, and the transition of new construction to, and from, heritage buildings should respect all three dimensions.

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The sections of the Design Manual state:

2.4 Precinct 4: Lower Central Downtown

The following general criteria shall apply: ...

I. To retain isolated heritage properties and protect them from inappropriate redevelopment.

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Further, these provisions must be interpreted and applied with reference to the Downtown Halifax Secondary Municipal Planning Strategy, which the Committee did not address.

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February 13, 2014, meeting, and in fact, did not review them; and

- (ii) These materials were not made available to the public in advance of the February 13, 2014, meeting, contrary to *Administrative Order 1 Respecting the Procedures of the Council* and the principles of natural justice.

The Appellants respectfully request that the Council overturn the decision of the Design Review Committee in Case No. 19046, dated February 13, 2014, and deny the Application.

Dated at Halifax, Nova Scotia, this 4 day of March, 2014.

Original signed

Carol Smith

TO: Office of the Municipal Clerk
Halifax Regional Municipality City Hall
1841 Argyle Street, Main Floor
Halifax, NS B3J 3A5

AND TO: Karen Brown
HRM Legal Services
5251 Duke Street, 3rd Fl, Duke Tower
PO Box 1749
Halifax, NS B3J 3A5

IN THE MATTER OF: *Halifax Regional Municipality Charter, SNS 2008, c 39* MAR 10 2014

- and -

MUNICIPAL CLERK

IN THE MATTER OF: An Appeal of the Design Review Committee's decision in Case No. 19046 - Substantive Site Plan Approval of a mixed-use development for the lands bounded by Hollis, George, Granville and Duke Streets, Halifax, dated February 13, 2014.

NOTICE OF APPEAL

Elizabeth Churchill Snell, owner of 5182 and 5184 Bishop Street, Halifax, NS B3J 1C9 (the "Appellant"), hereby appeals from the decision of the Design Review Committee of the Halifax Regional Municipality (the "Committee"), dated February 13, 2014, that approved the application for Substantive Site Plan Approval, bonus height and variances associated with the development of the lands bounded by Hollis, George, Granville and Duke Streets, Halifax (the "Application").

The grounds for appeal are as follows:

1. The Committee erred in law by:

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The Appellants respectfully request that the Council overturn the decision of the Design Review Committee in Case No. 19046, dated February 13, 2014, and deny the Application.

Dated at Halifax, Nova Scotia, this 8th day of March, 2014.

Original Signed

Elizabeth Churchill Snell

TO: Office of the Municipal Clerk
Halifax Regional Municipality City Hall
1841 Argyle Street, Main Floor
Halifax, NS B3J 3A5

AND TO: Karen Brown
HRM Legal Services
5251 Duke Street, 3rd Fl, Duke Tower
PO Box 1749
Halifax, NS B3J 3A5

W-4 Masonry Rainscreen Façade Reconstruction (Champlain Building)

- New Masonry façade comprising:-

Ground Level:

- Existing granite blocks taken down, cleaned and reused.
- New Nova Scotia Light Grey Granite to match used as replacement where stones are damaged or not useable.

Upper Floors:

- White sand finished cement stucco on concrete block veneer.
- Granite Quoins, base course and string courses. Existing granite blocks taken down, cleaned and reused. New Nova Scotia Light Grey Granite to match used as replacement where stones are damaged or not useable.

Copper sheet pressed Cornice detail taken down, repaired and reinstalled to new back up framing. New copper sheet formed to match where repair not possible.

- New wood windows to match original fenestration pattern on upper floors.
- New wood windows to match original fenestration pattern on ground floor.
- New wood framed entrance screen, panelling and doors at corner.

W-5 Reserved

LEVE

270
ELEV

LEVE

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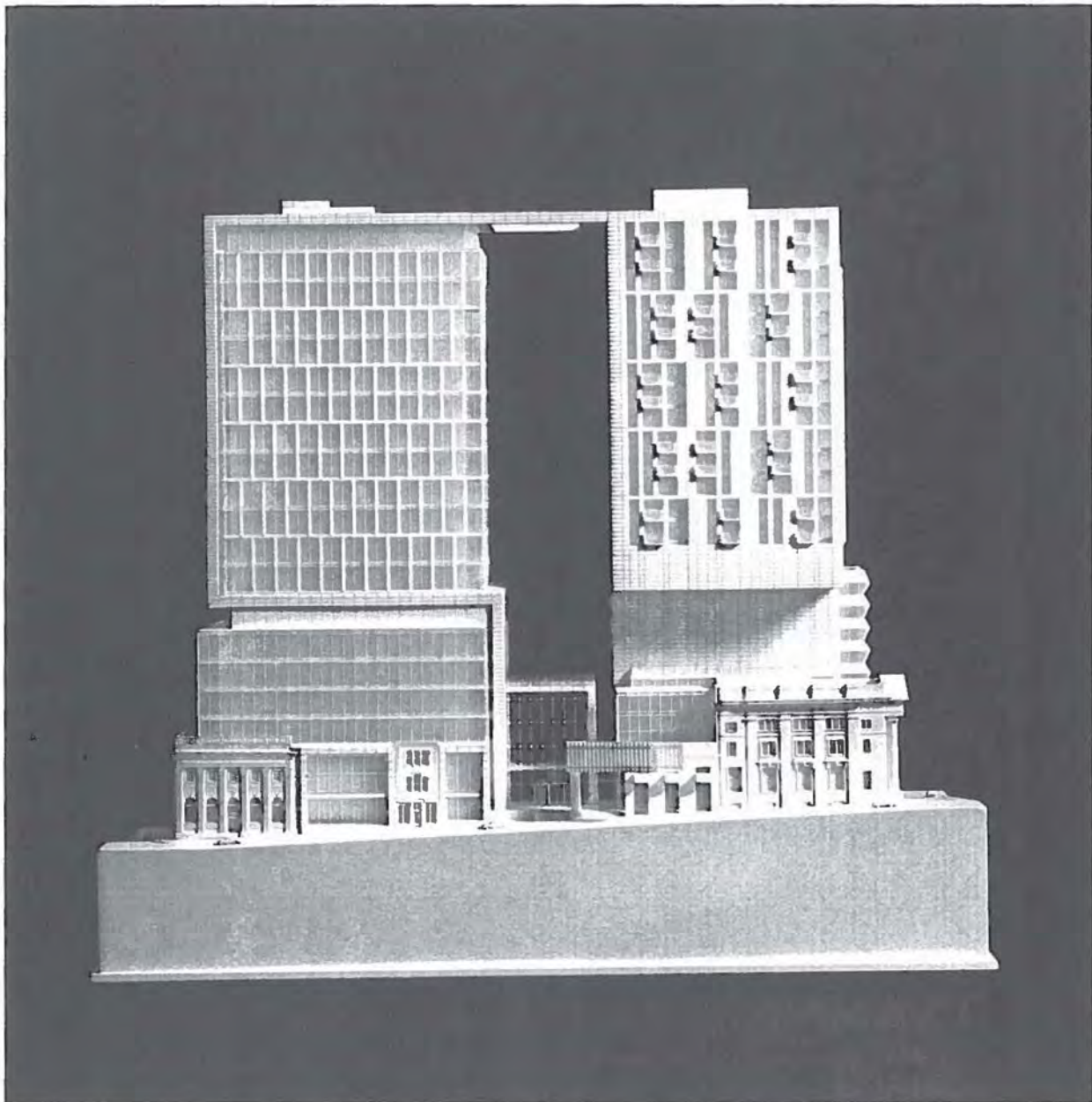
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Substantive Site Plan Approval Application

Supplemental Report to the Design Review Committee

January 21, 2014

Dear Committee Members,

Please accept this supplemental report and its attachments as our follow up, in response to our meeting of January 9th. I truthfully enjoyed the discussion during the meeting and appreciated everyone's thoughtful consideration.

Upon reflection, I found it enlightening that all the questions and comments that were raised during the meeting, were all questions we had asked of ourselves throughout the course of design. I find this encouraging since it suggests that collectively, we are asking the right questions. As you may appreciate, we have dedicated much time in determining what we consider to be the right answers to those and many other questions. We respect that we may not always fully agree on the answer to every question, however we are confident that we have made decisions that find the appropriate balance between fulfilling the development opportunity while advancing good urban design, heritage conservation & integration, public benefit, downtown revitalization and appropriate architectural expression. I left the Design Review Committee meeting encouraged that its members understood and appreciated our sincere desire to create a development that will ultimately contribute to our city.

We have determined a number of key points as a result of our meeting. In advance of our next meeting, we feel it would be helpful to provide the committee with our response to each. Those key points include:

- Provision of a landscape plan
- Consideration of extent of canopies
- Provision of pedestrian views to illustrate street level design and urban conditions
- Hotel design in consideration of proximity to Bank of Commerce building
- Overall complexity of the design
- Exterior lighting design

1.0 Landscape Plan

Please refer to the attached landscape and plaza drawings, (*Ref. A-108 and A-109 Revised*) which illustrate detailed designs including grade conditions, materials and features.

2.0 Canopies

The proposed design includes canopies at each of the main entrances, which include the hotel along George Street, condos along Granville Street, and office along Duke Street. The hotel canopy extends over the south plaza creating a weather protected area for pedestrians and guests. The three condo canopies extend over the sidewalk as they project outward from the wall openings, while consolidating into a single canopy within the arcade. The office canopy extends over the sidewalk and provides a weather protected entrance for tenants and visitors.

Within the heritage facades, retail entrances are recessed thus providing weather protection at doorways.

The By-Laws and Design Manual do not specify any requirement for canopies other than to provide recommendations for integration of canopies within heritage facades. It is our suggestion that the use of

canopies as proposed is sufficient in terms of providing adequate weather protection at appropriate locations while also accentuating major entrances within the development.

We would not recommend the introduction of canopies at the heritage facades as they did not originally exist. To introduce them would result in an inconsistent canopy expression and size due to each heritage building having its own unique size and proportions at windows and entrances.

3.0 Pedestrian Views

As per the request of the committee, we are pleased to provide the following series of vignettes (*Refer to the eleven renderings at the end of this report*). They are each taken at pedestrian level and illustrate how the development will be experienced and viewed as one might travel around the property. Each view is taken so that in combination, a complete tour of the development is provided. It is our intention to illustrate that the pedestrian and urban scale of the development has been carefully considered within the design. This includes the scale and proportion of building facades and outdoor spaces; relationships of heritage buildings to new infills; creation of public spaces & amenities; use of materials; location of entrances; location of retail storefronts; location and design of canopies; rhythm; scale; proportion; articulation; solid vs. transparent; and variety.

4.0 Hotel Design

It was expressed by certain Committee members that the design of the hotel might be too expressive given its proximity to the Bank of Commerce building. It is the intention of the proposed design to create a dialogue between the two built forms as a way of expressing their unique architectural qualities. The development, in accordance with the Design Manual (ref: 4.4.1) provides setbacks against each side of the Bank of Commerce building. Along George Street, the setback is provided via the atrium located between the Bank of Commerce building and the ribbon wall. The ribbon wall provides a quiet backdrop against the Bank of Commerce building and provides additional separation to the hotel, whose articulated facade is additionally setback from the ribbon wall. This layered setback creates sufficient space between the forms so as to allow a respectful and ideological dialogue to occur. Each form has its own unique articulation that is specific to its time, place and purpose.

5.0 Variety of Design

It was further expressed by certain Committee members that the design may be too “busy” or that there is too much variety within the architectural expression. It is the intention of the design to provide the appropriate amount of variety, expression and identity, first to the development as a whole and secondly to the major components within the development. These include the heritage resources, streetwall infills (retail), atrium, ribbon wall, hotel, condo and office towers.

Overall, the south and north towers share a similar curtainwall design with only a modest differentiation in order to respond to their specific requirements (floor layouts, floor to floor heights, balconies, etc). This curtainwall design is used consistently above the streetwall on both towers with the exception of the hotel. The hotel's design provides it with its own identity while also responding to the unique opportunity to incorporate photovoltaic panels on the south façade, which has unimpeded sun exposure due to location of Province House across the street. The infill facades between the heritage resources are designed as minimal granite and glass

compositions so as not to compete but instead to accentuate the heritage facades.

The design has been carefully edited to provide consistency and variety. Variety is essential given the scale of developing an entire city block. Nowhere in Halifax is a city block comprised of a homogenous expression but instead is comprised of several buildings, often with their own distinct identities – this is part of Halifax's charm and identity. Notable exceptions include Scotia Square, Metro Centre and Maritime Centre, each of which are considered to be examples of how not to design large, comprehensive developments. This is in part, due to their brutal homogenous expression, lack of compositional variation and inconsiderate use of scale within the context of downtown Halifax. Variety is an essential part of the urban condition and the design incorporates variety in a controlled and deliberate manner that is considered to be appropriate for Halifax, for its immediate surroundings and for its functional purposes.

6.0 Exterior Lighting

The night-time illumination of the development is intended to accord with section 3.5.4 of the Design Manual. Lighting shall be designed in regard to three key issues:

- The safety and security of pedestrians, cyclists and other road users as required.
- The enhancement of the pedestrian experience at street level.
- The enhancement of the presence of the development within the context of Downtown Halifax.
- The need to minimize the impact of lighting and its related energy usage on the environment. The LEED-CS 'Light pollution avoidance' credit is being pursued and the standards set therein shall be adhered to.

All lighting will be LED so as to minimize energy use while providing longevity and proper colour rendition.

The lighting design intent is as follows:

Lighting design at sidewalk level and to street frontages:

Generally, lighting will be provided to enhance the pedestrian experience, for reasons of safety and ambiance, above and beyond HRM street lighting. Light sources are to be building mounted and will be shielded to not create glare for road users. Light fixtures will be mounted at an appropriate height relative to sidewalk levels to accentuate the building facades while also illuminating the pedestrian areas.

Lighting design at main entrances, canopies and plazas:

Lighting at the main entrances (hotel, office and condo) will be designed to illuminate the entrances adequately for their intended purpose while enhancing their legibility relative to their surroundings. Lighting will be integrated into the underside of canopies to ensure proper illumination levels and to enhance the architectural design.

At the two main plazas, lighting will overspill from within the Atrium onto the plazas. Additional exterior lighting will be integrated into the plaza design to enhance the legibility and use of the plazas while ensuring safety. Lighting will be a combination of flush mounted lights within the plaza surface as well as wall mounted lights. In addition, steps and ramps will be lit adequately by recessed mounted low level light sources

denoting changes in grade. Reflecting pools will be illuminated at all times. All lighting accessible at grade will be designed as vandal resistant, not readily accessible and durable against the impact of snow plowing, salt and rain.

Lighting design at vehicular access points:

Pedestrian safety is the foremost consideration in the design of lighting at vehicular access points that will be in use at all times of the day and night. Lighting will be located to provide adequate illumination of sidewalks, avoiding glare and blind spots that may cause a driver not to see a pedestrian. The use of small warning lights that activate when a vehicle is accessing or leaving the parking ramps or loading docks may be considered; activated by the operation of the overhead doors. The recessed area located at the entrance/exit to the parking garage will include soffit lighting to maintain light levels within this space.

Building accent lighting:

In general, lighting will only be introduced on the building in order to accentuate certain architectural features. The predominant feature of the development will be the ribbon wall. The intention is to illuminate the underside of the overhang above the Bank of Commerce building so as to highlight the dramatic effect of the cantilever. As well, lighting will illuminate those portions of the ribbon where it changes in direction; where the ribbon mediates between major portions of the building's composition; and where it extends between the towers at the roof level.

Lighting will be provided at the condo balconies and will either be wall mounted or within the underside of the balcony directly above.

Accent lighting design for heritage facades:

Two forms of lighting are proposed. One is to provide pedestrian level lighting by way of wall mounted fixtures as mentioned previously. These fixtures will include an up-light functionality that will illuminate the pilasters between windows. In addition, it is the intention to provide subtle accent lighting to highlight the depth and ornate decoration of the facades. Lighting will comprise of simple white LED lighting at select pilasters, underside of capitals and along cornices; all sources being concealed. Of special consideration will be the Bank of Commerce Building and Merchant Bank of Canada Building, which have the most prominence in terms of architectural features.

Yours truly,

signed by

Eugene Pieczonka FRAIC NSAA AANB AAPEI NLAA LEED AP
Principal

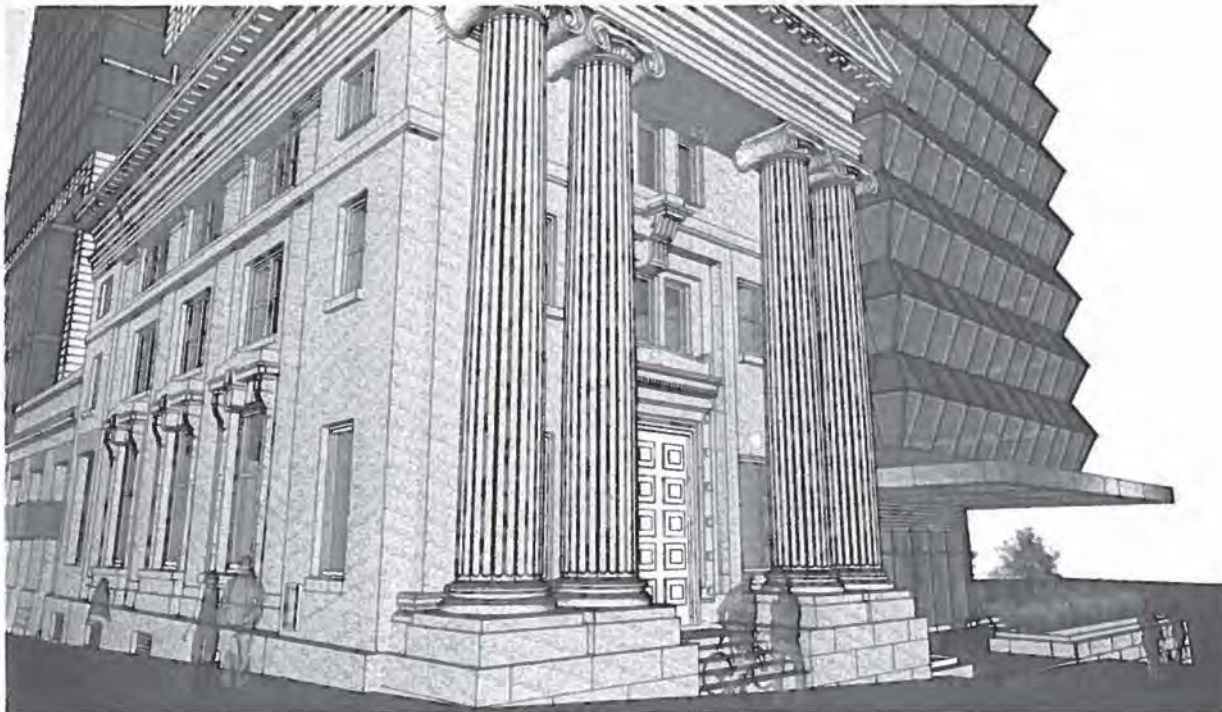


Fig.1 The Conserved Bank of Commerce Building with hotel plaza beyond.

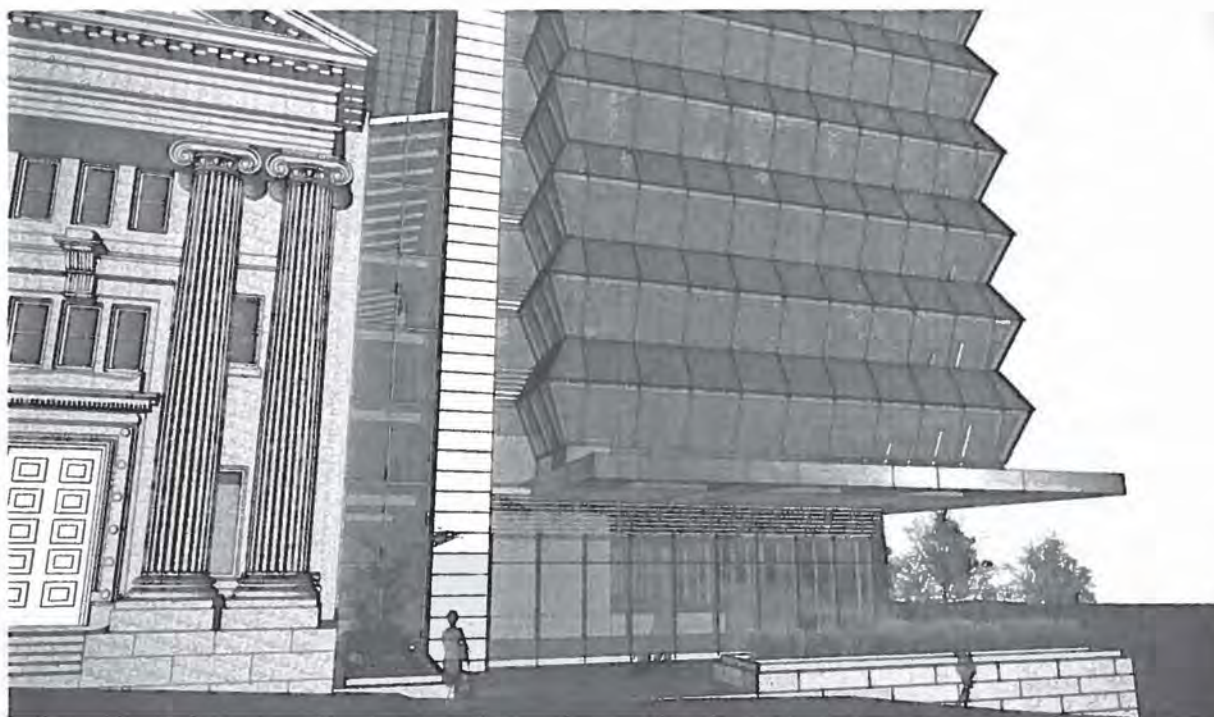


Fig.2 George Street facade of the conserved Bank of Commerce Building, atrium and hotel plaza.



Fig.3 Hollis Street facade of the hotel, hotel plaza, terraces and widened sidewalk.



Fig.4 Hollis Street facade of the hotel and widened sidewalk.



Fig.5 Hollis Street facade of the atrium and east plaza.

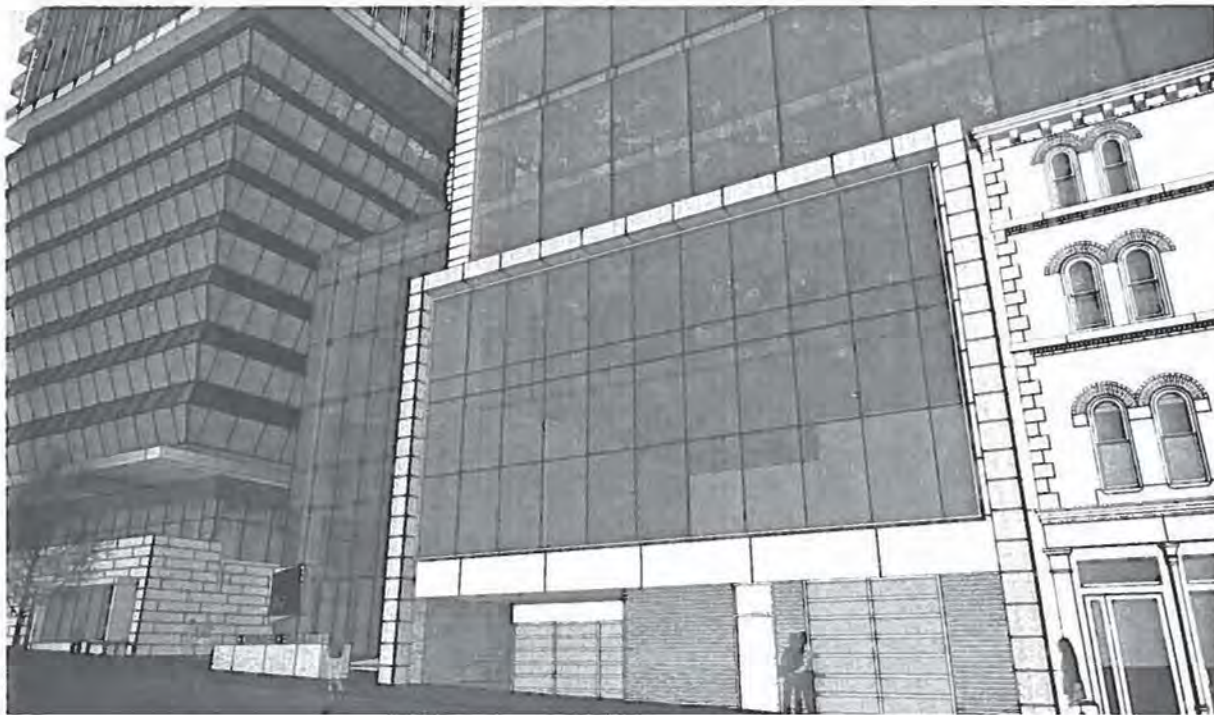


Fig.6 The east plaza and car park entrance.

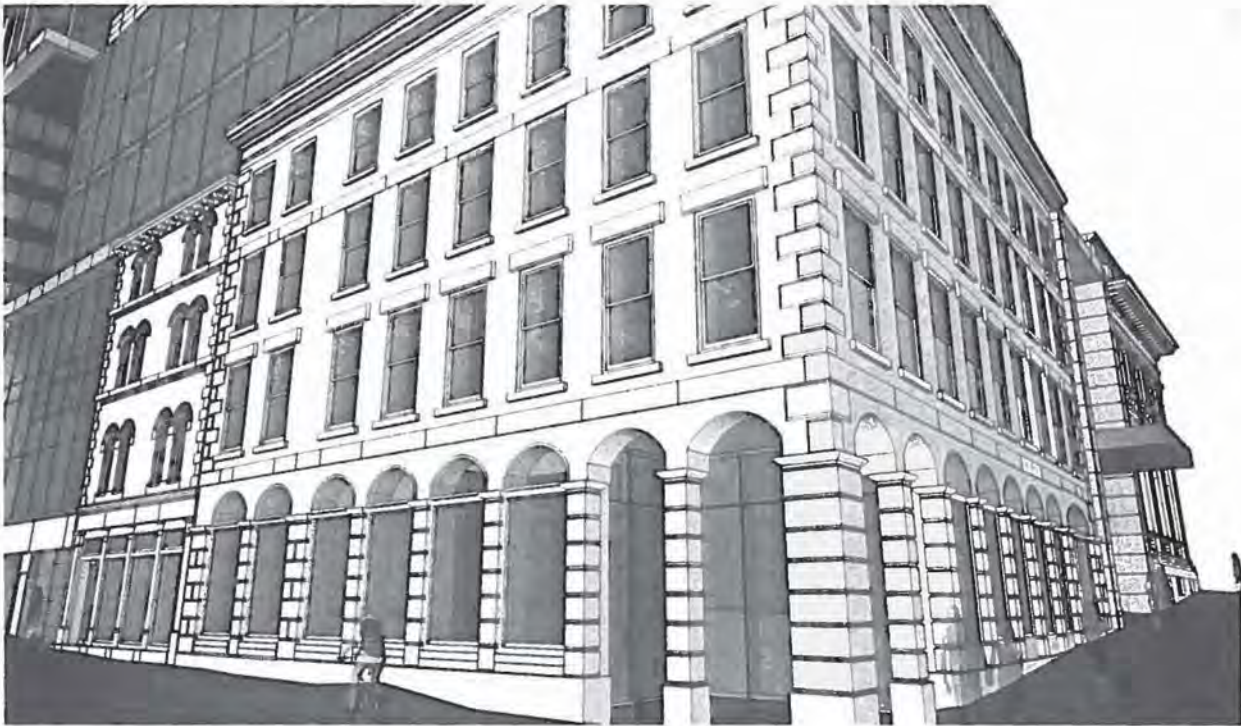


Fig.7 The conserved Champlain and Flynn Buildings.

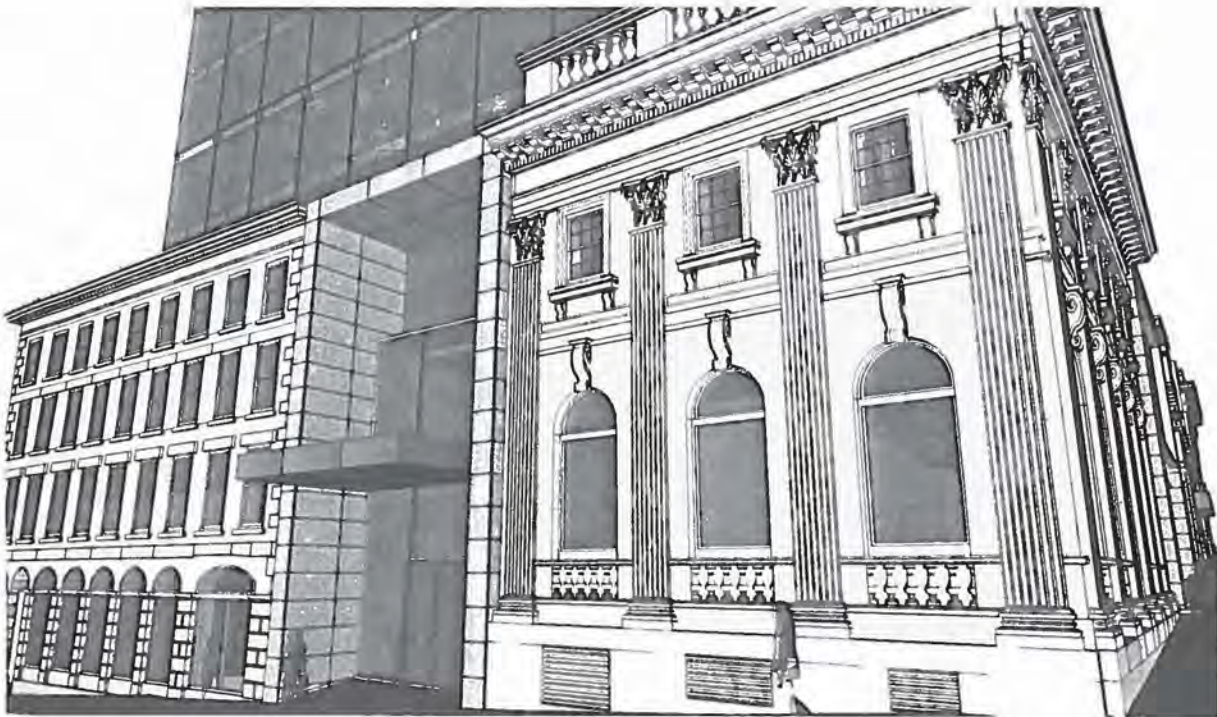


Fig.8 The conserved Merchant Bank and Champlain Buildings, and the Duke Street Office Tower entrance.

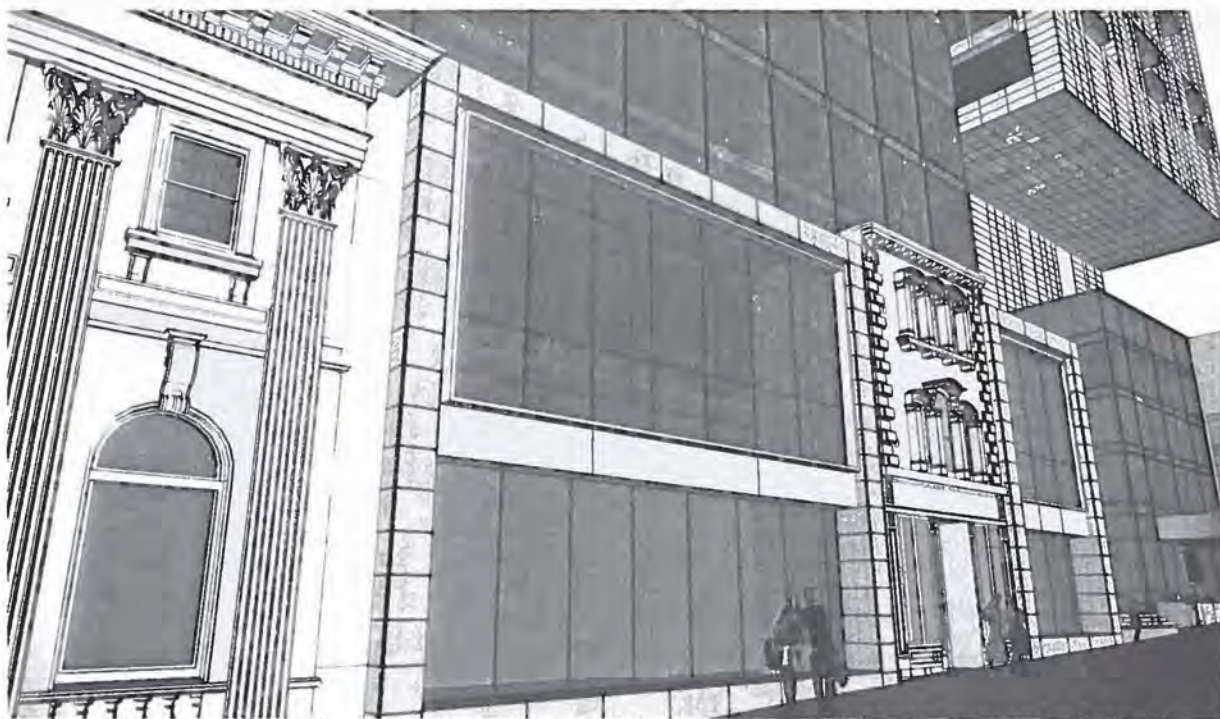


Fig.9 The conserved Merchant Bank and Hayes Insurance Buildings with new infill facades along Granville Street.

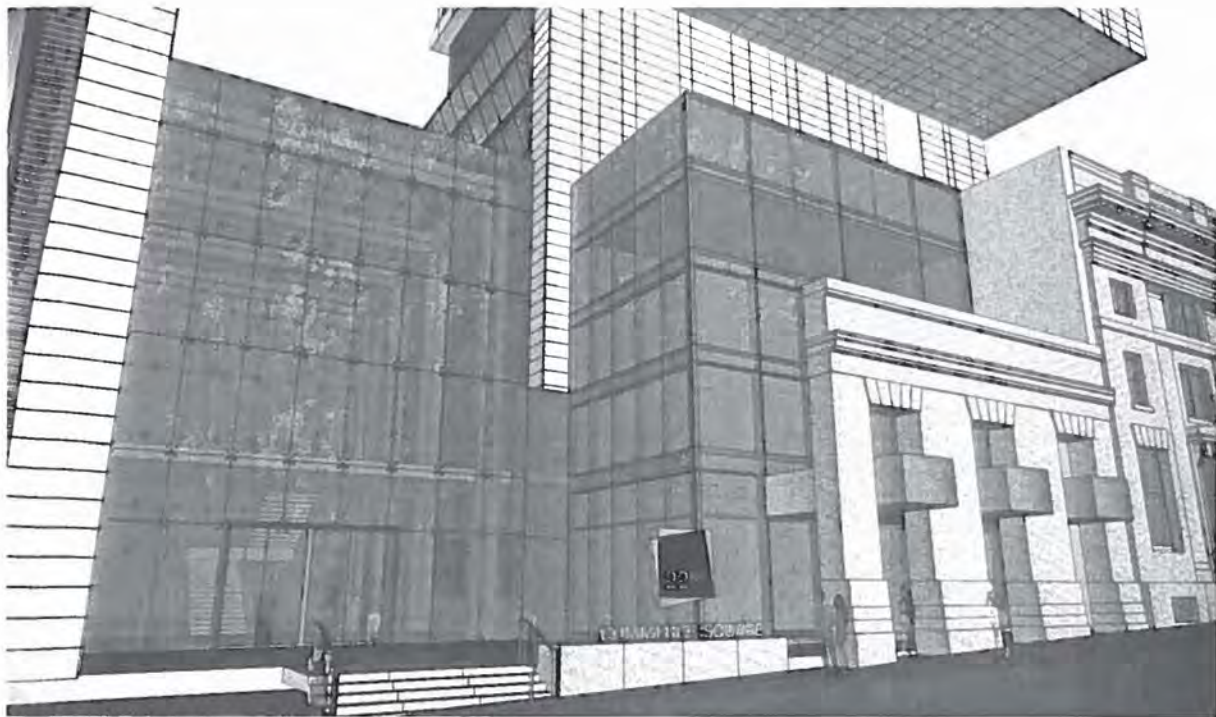


Fig.10 The west plaza and condominium entrance.

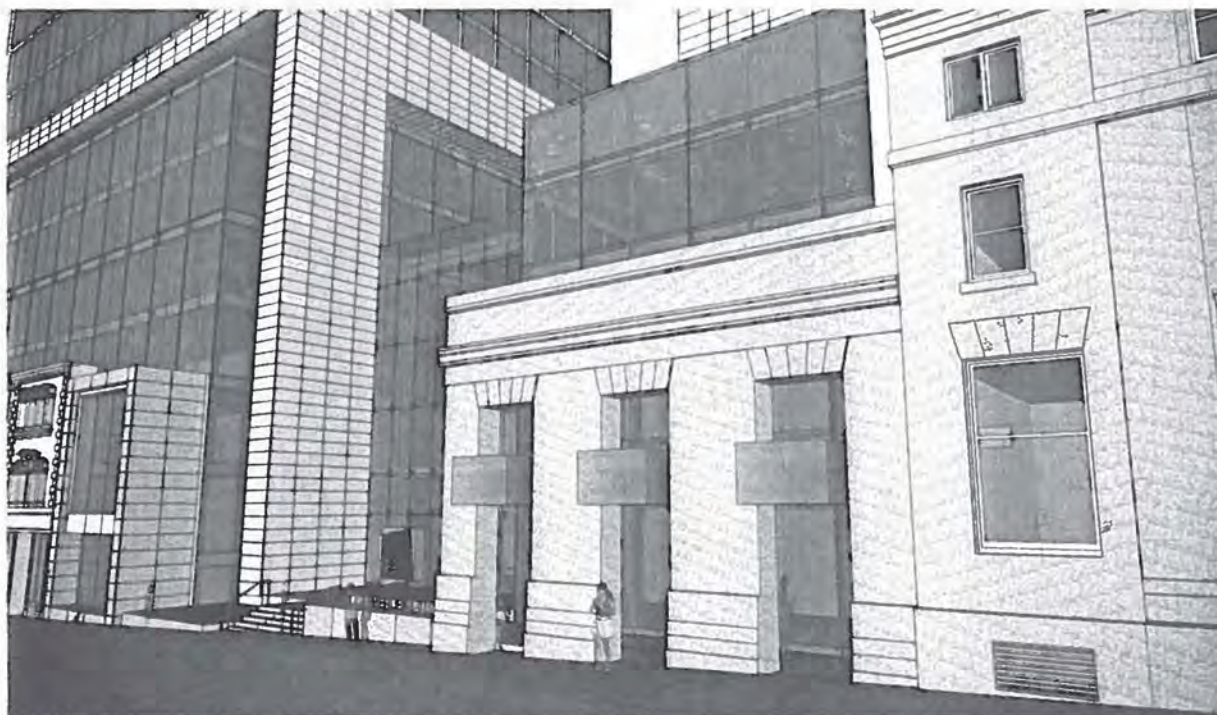


Fig.11 The west plaza and condominium entrance.

SUBSTANTIVE SITE PLAN APPROVAL APPLICATION – DESIGN REVIEW COMMITTEE SUPPLEMENTAL REPORT #2
22ND COMMERCE SQUARE, HALIFAX, NOVA SCOTIA
2014.02.12



Fig.1 (Revised) The Conserved Bank of Commerce Building with hotel plaza beyond.



Fig.2 (Revised) George Street facade of the conserved Bank of Commerce Building, south atrium and hotel plaza.



Fig.3 (Revised) Hollis Street facade of the hotel, hotel plaza, terraces and widened sidewalk.



Fig.4 (Revised) Hollis Street facade of the hotel and widened sidewalk.

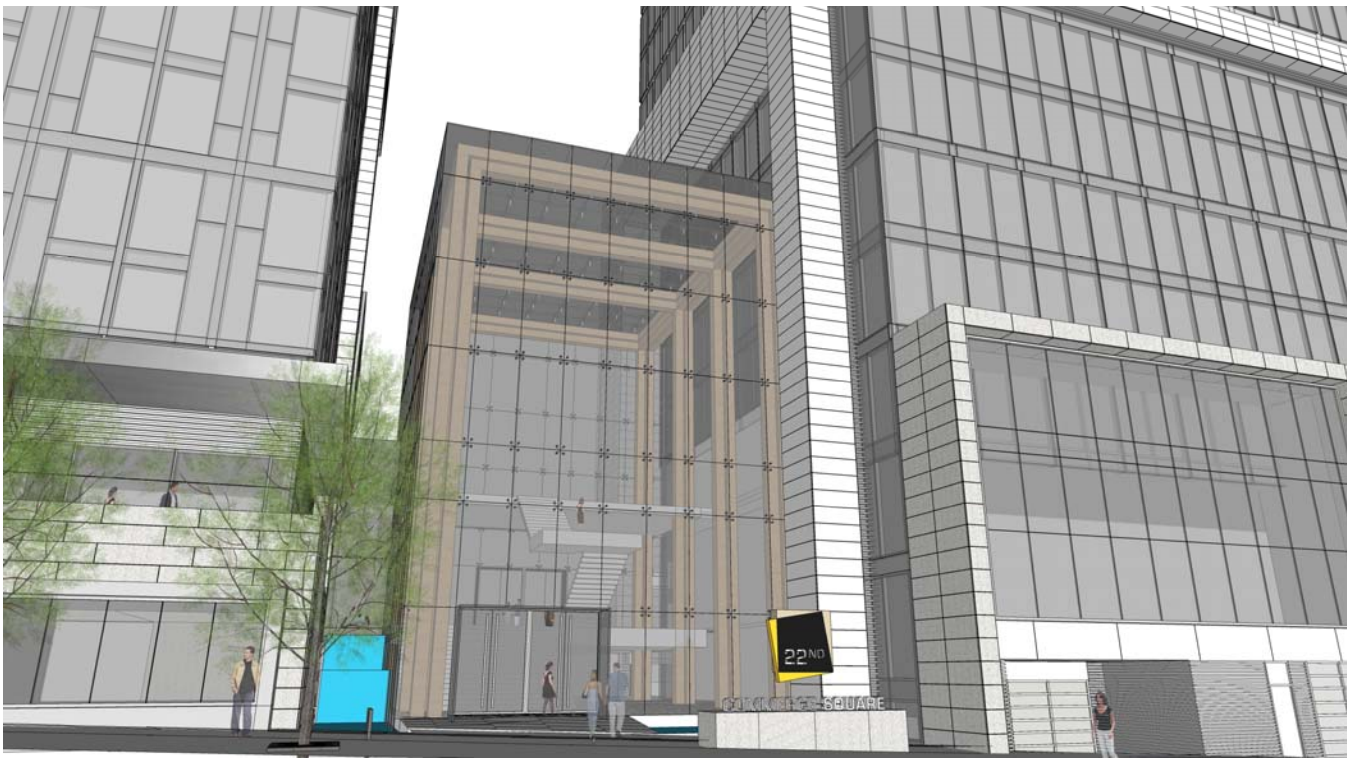


Fig.5 (Revised) Hollis Street facade of the atrium and east plaza.

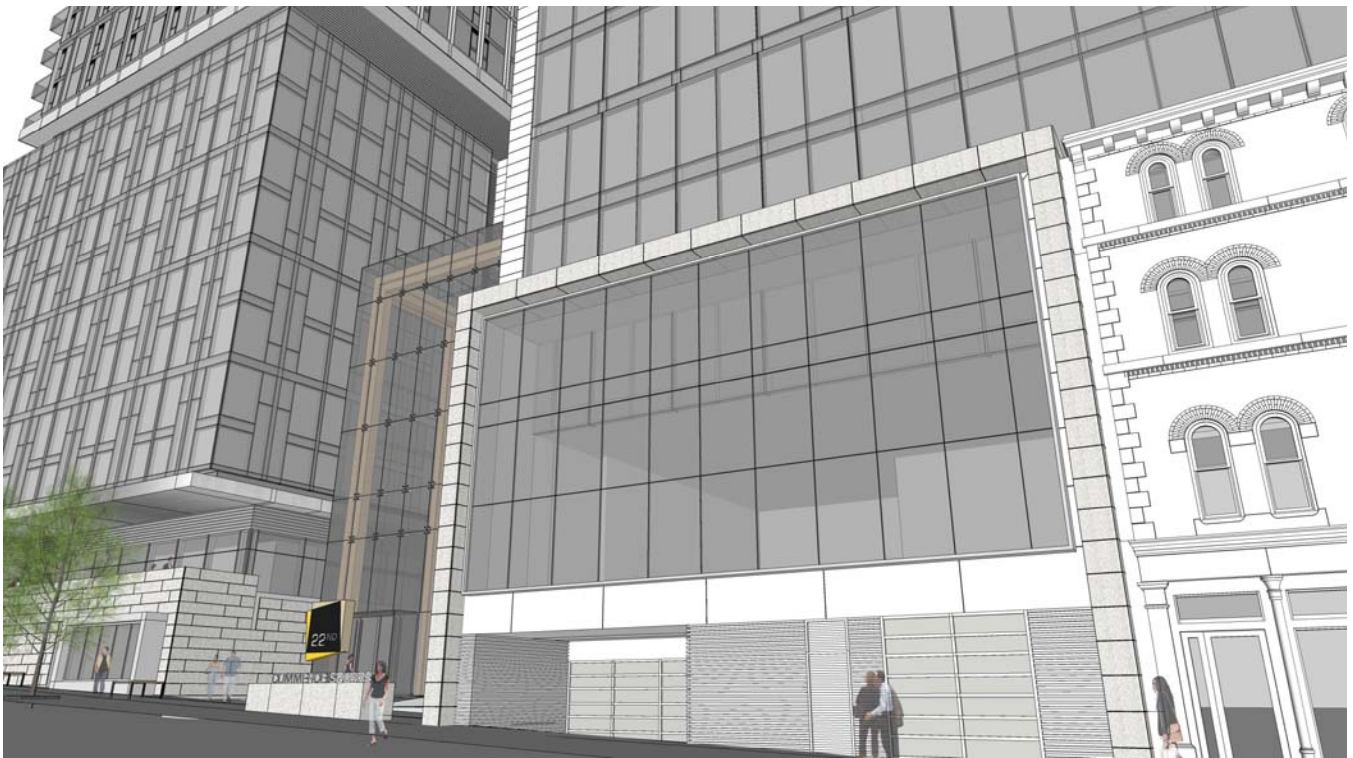


Fig.6 (Revised) The east plaza and car park entrance.



Fig.7 (Revised) The conserved Champlain and Flynn Buildings.



Fig.8 (Revised) The conserved Merchant Bank and Champlain Buildings, and the Duke Street Office Tower entrance.



Fig.9 (Revised) The conserved Merchant Bank and Hayes Insurance Buildings with new infill facades along Granville Street.



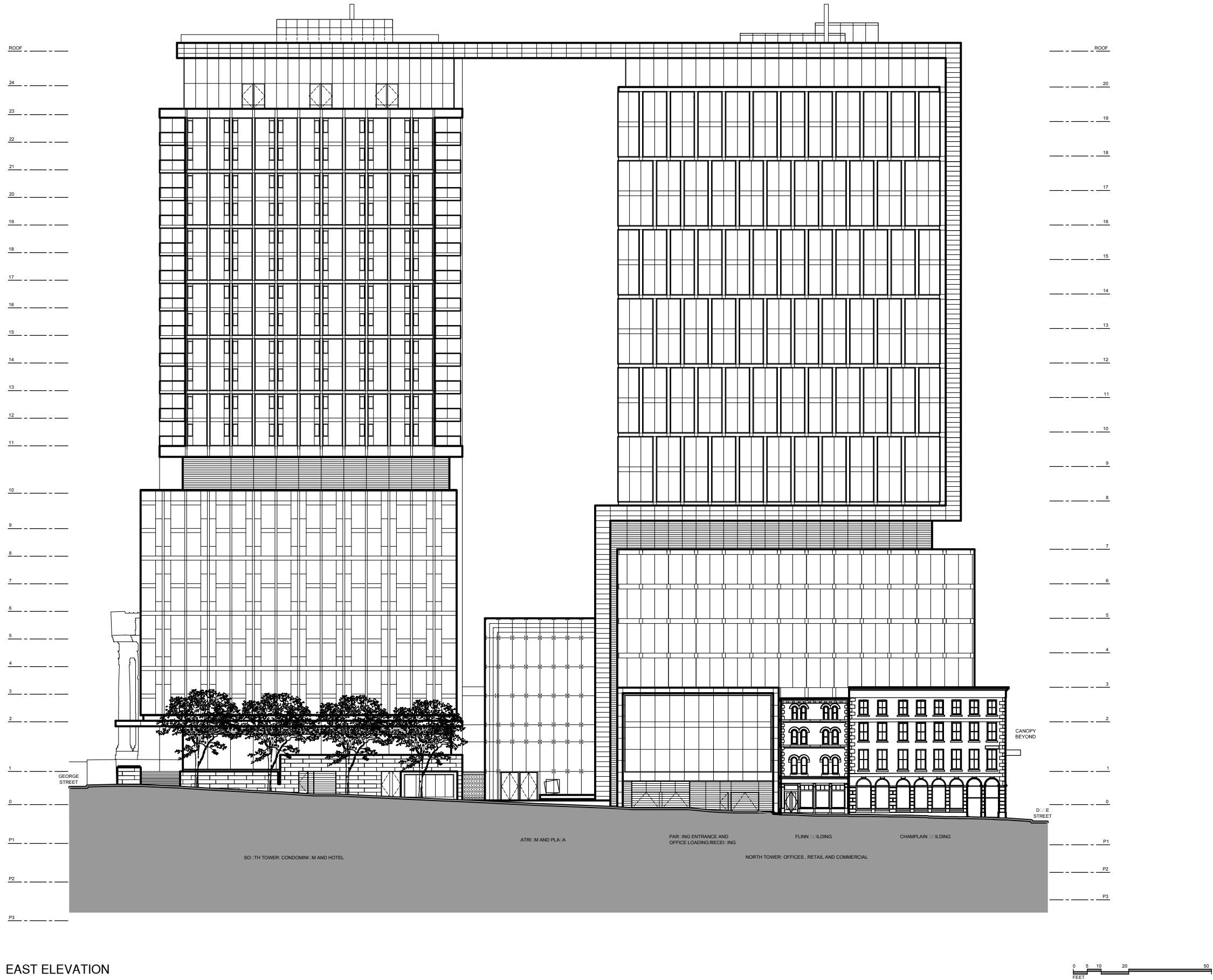
Fig.10 (Revised) The west plaza and condominium entrance.



Fig.11 (Revised) The west plaza and condominium entrance.



Fig.12 View west along George Street of south and east facing facades.



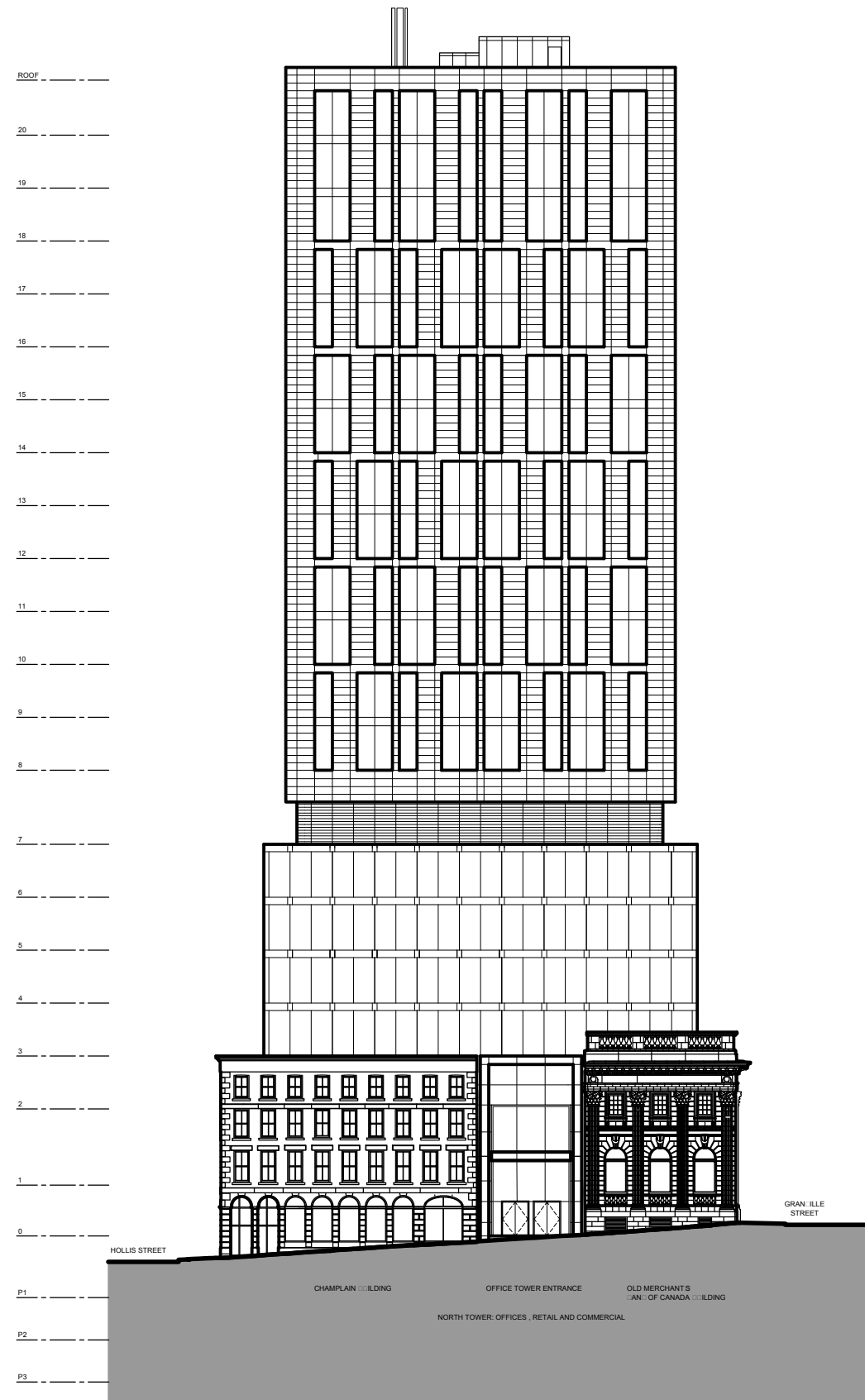
22nd COMMERCE SQUARE

HRM SITE PLAN APPROVAL APPLICATION (REVISED)

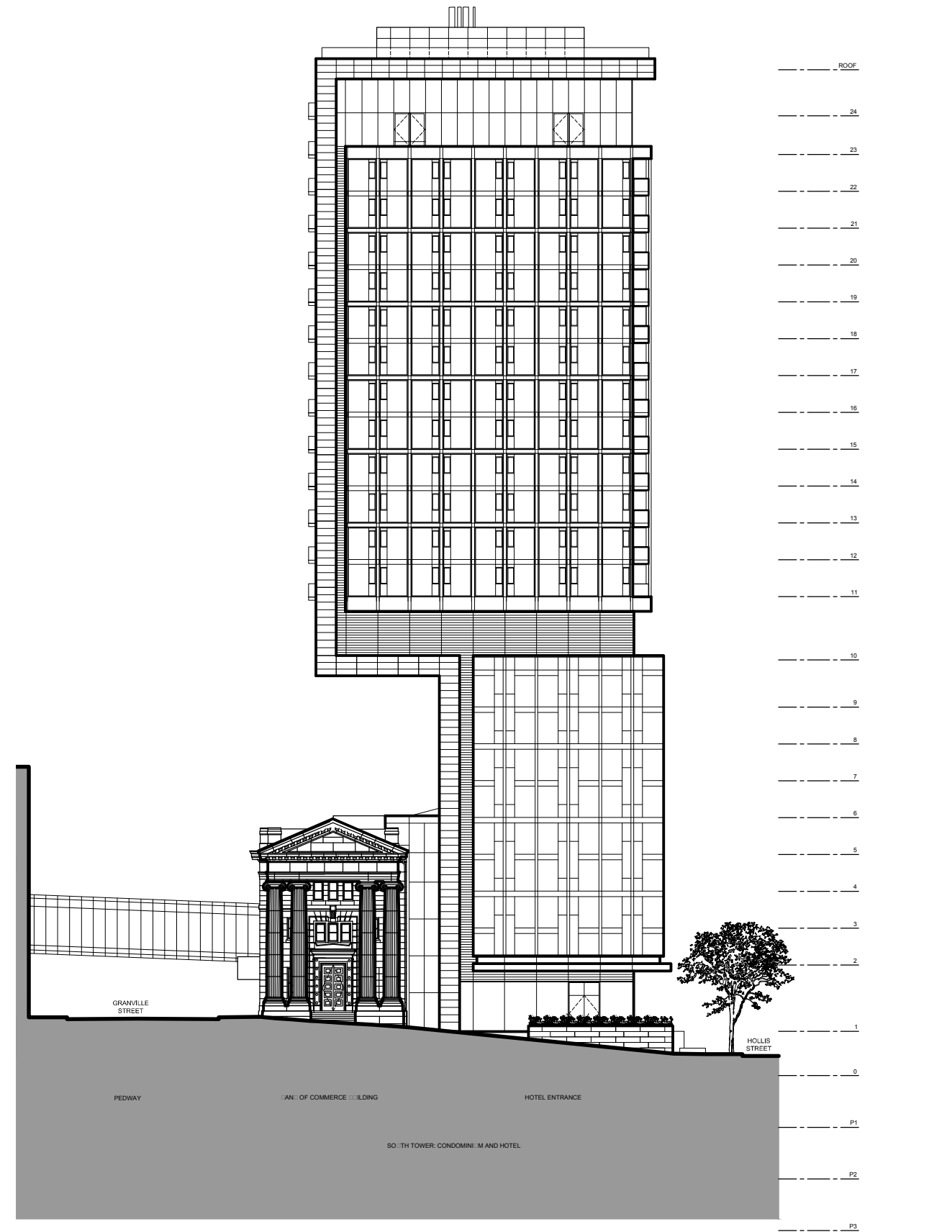
FEBRUARY 12, 2014

LYDON LYNCH

ROBIN HALIFAX HOLDING LTD



NORTH ELEVATION



SOUTH ELEVATION

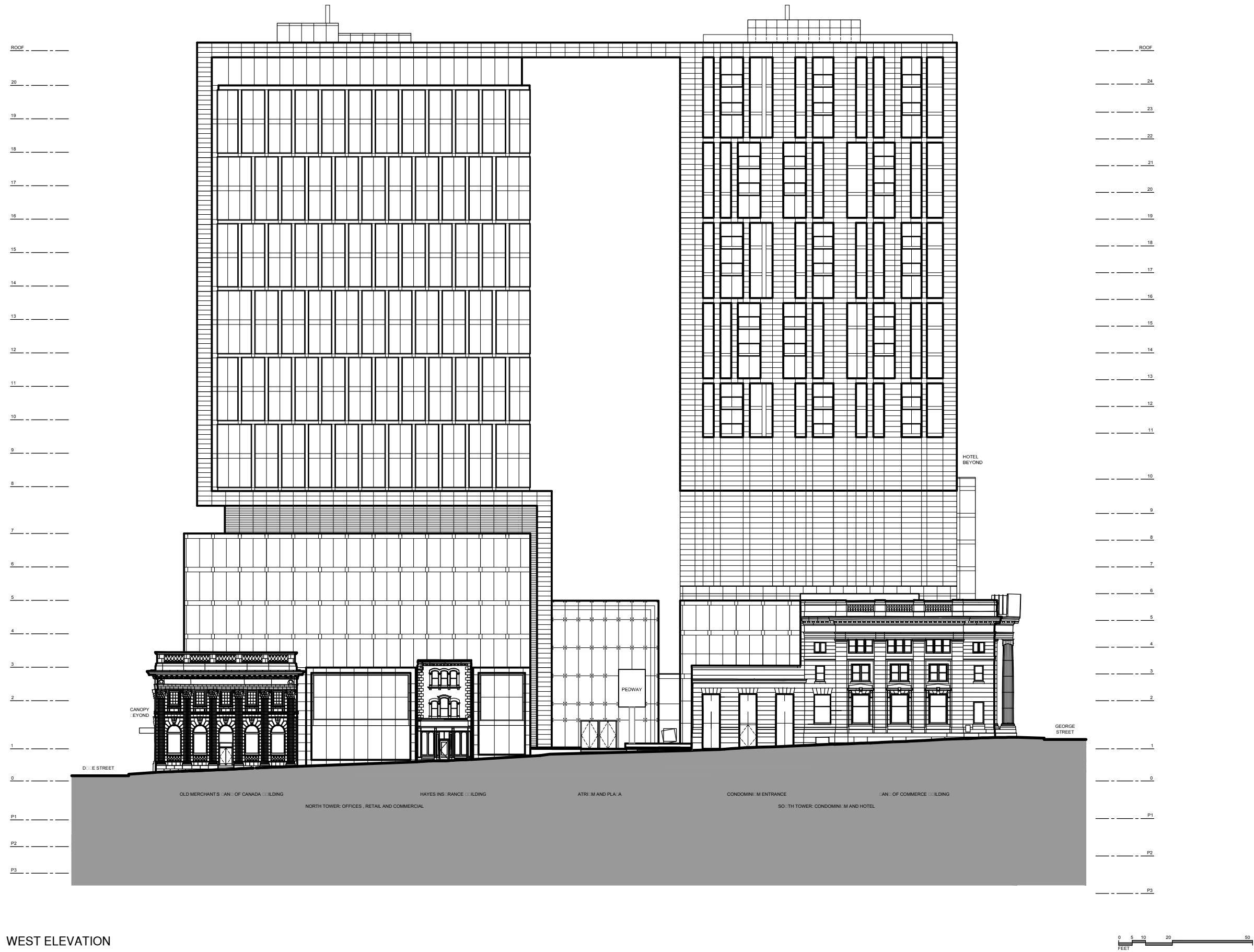


22nd COMMERCE SQUARE

HRM SITE PLAN APPROVAL APPLICATION (REVISED)
FEBRUARY 12, 2014

LYDON LYNCH

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WEST ELEVATION

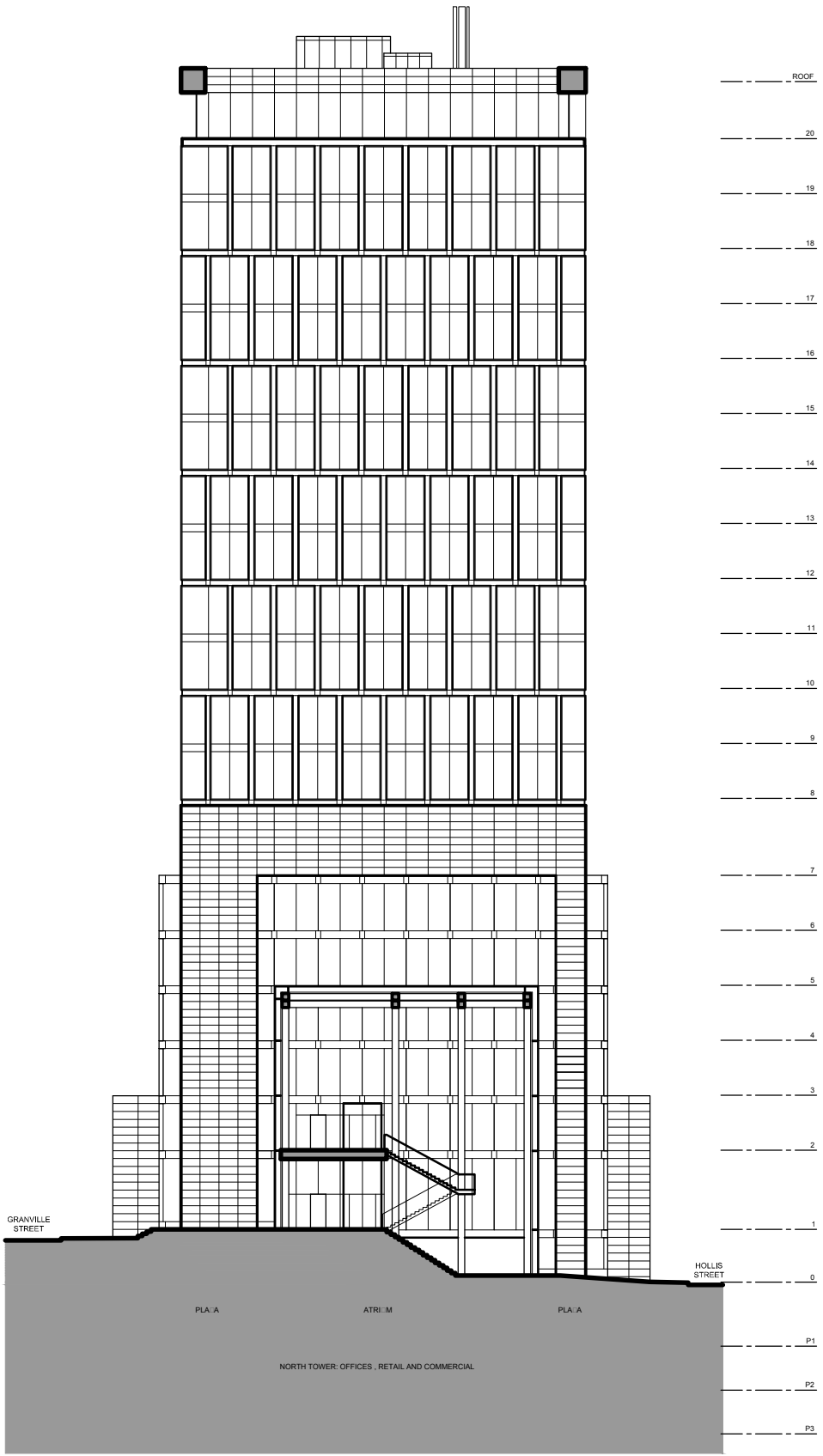
22nd COMMERCE SQUARE

HRM SITE PLAN APPROVAL APPLICATION (REVISED)

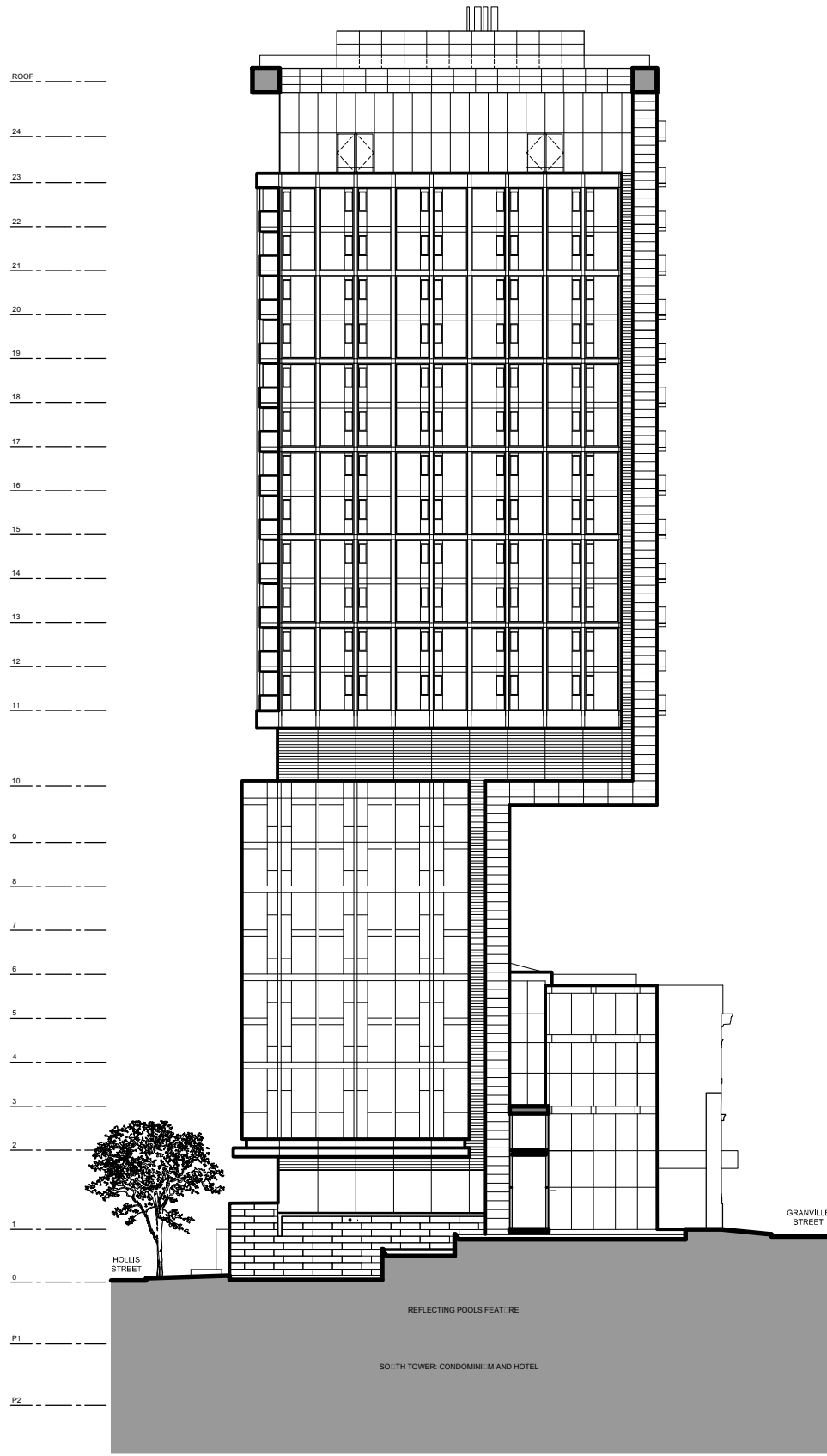
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SOUTH ELEVATION AT ATRIUM



NORTH ELEVATION AT ATRIUM



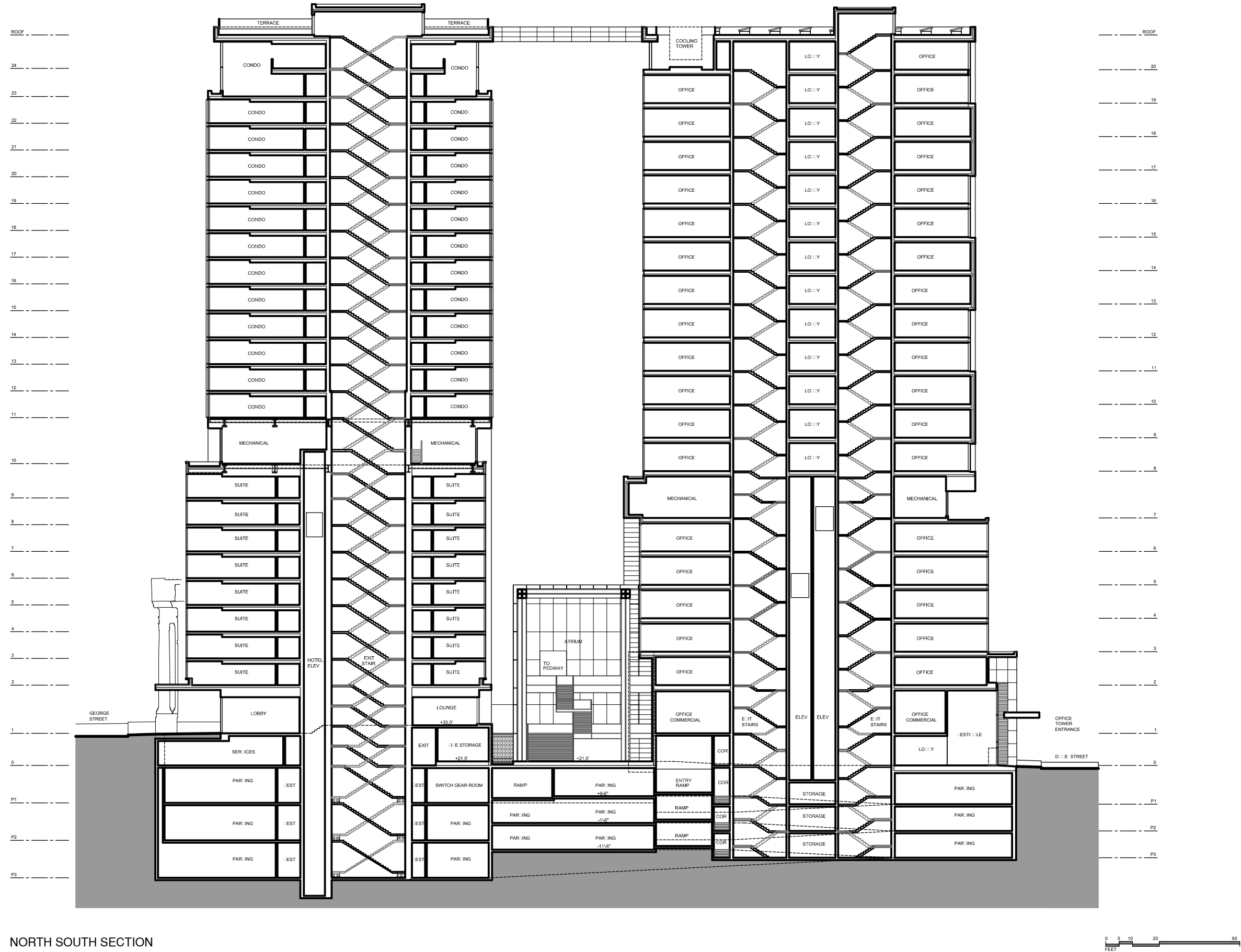
22nd COMMERCE SQUARE

HRV SITE PLAN APPROVAL APPLICATION (REVISED)

FEBRUARY 12, 2014

LYDON LYNCH

ROBIN HALIFAX HOLDING LTD



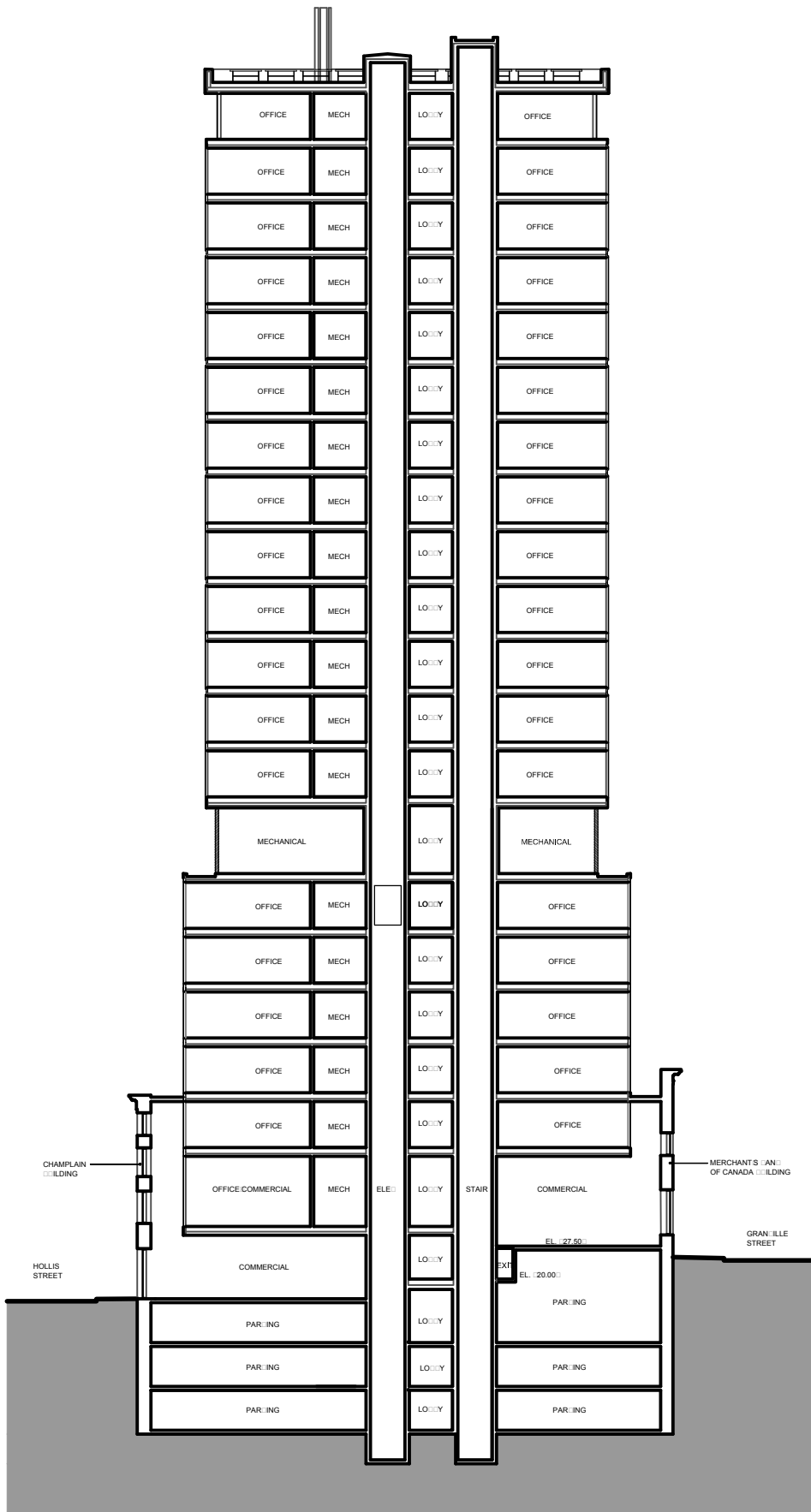
NORTH SOUTH SECTION

LYDON LYNCH

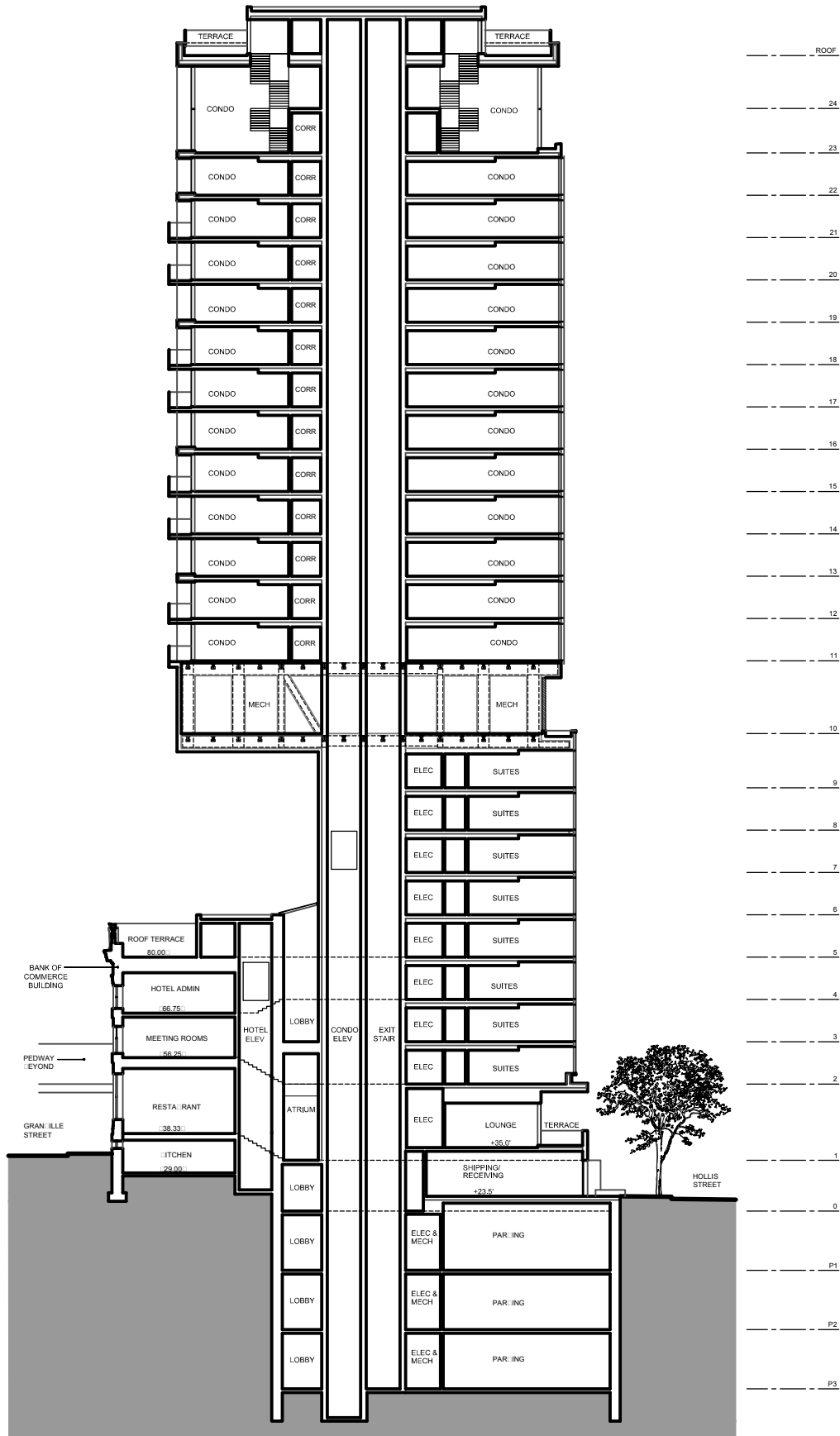
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22nd COMMERCE SQUARE

HRM SITE PLAN APPROVAL APPLICATION (REVISED)
FEBRUARY 12, 2014



SECTION THROUGH OFFICE TOWER



SECTION THROUGH CONDOMINIUM & HOTEL TOWER

22nd COMMERCE SQUARE

HRM SITE PLAN APPROVAL APPLICATION (REVISED)

FEBRUARY 12, 2014

LYDON LYNCH

ROBIN HALIFAX HOLDING LTD

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No	Date	Issued
4	2014.02.12	SUB SITE PLAN APPROVAL, REVERSE
3	2014.01.20	SUB SITE PLAN APPROVAL, REVERSE
2	2013.12.27	SUBSTANTIVE SITE PLAN APPROVAL
1	2013.09.25	SITE PLAN APPROVAL, PRE-APP



ELEVATIONS

Drawing Scale: 1/16" = 1'-0"
 Project No.: 13006
 Drawn By: LLA
 Checked By: LLA

A-200



LYDON LYNCH

Client
Palm Valley Holding Ltd.

Project
22ND COMMERCE SQUARE
HALIFAX, NOVA SCOTIA

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Wilson MacEwen Tremura Architects
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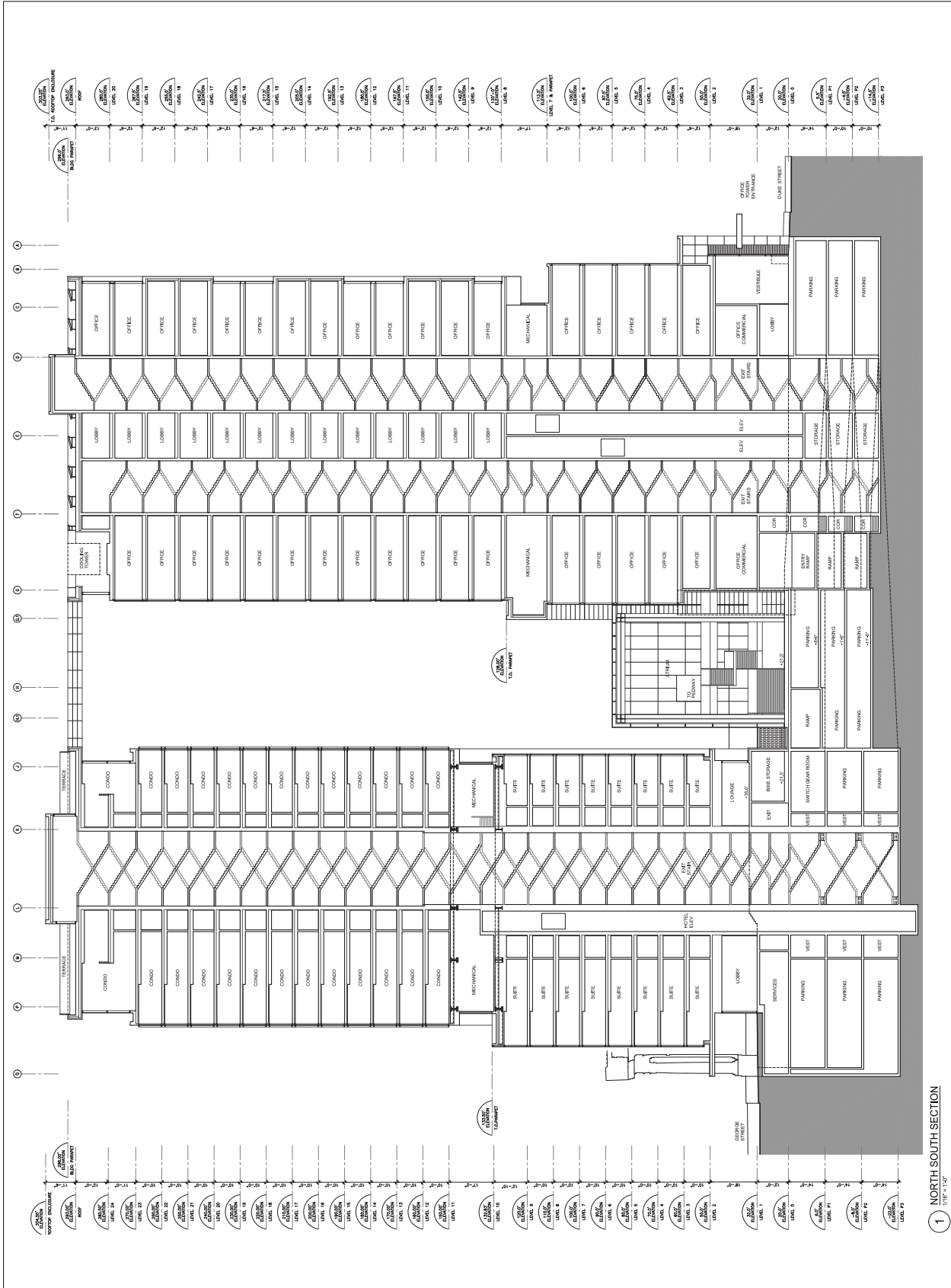
4 2014.02.12 SUBMITTAL APPROVAL (REVISED)
3 2014.01.20 SUBMITTAL APPROVAL (REVISED)
2 2013.12.27 SUBMITTAL APPROVAL (REVISED)
1 2013.09.25 SUBMITTAL APPROVAL (REVISED)
0 2013.09.25 SUBMITTAL APPROVAL (REVISED)



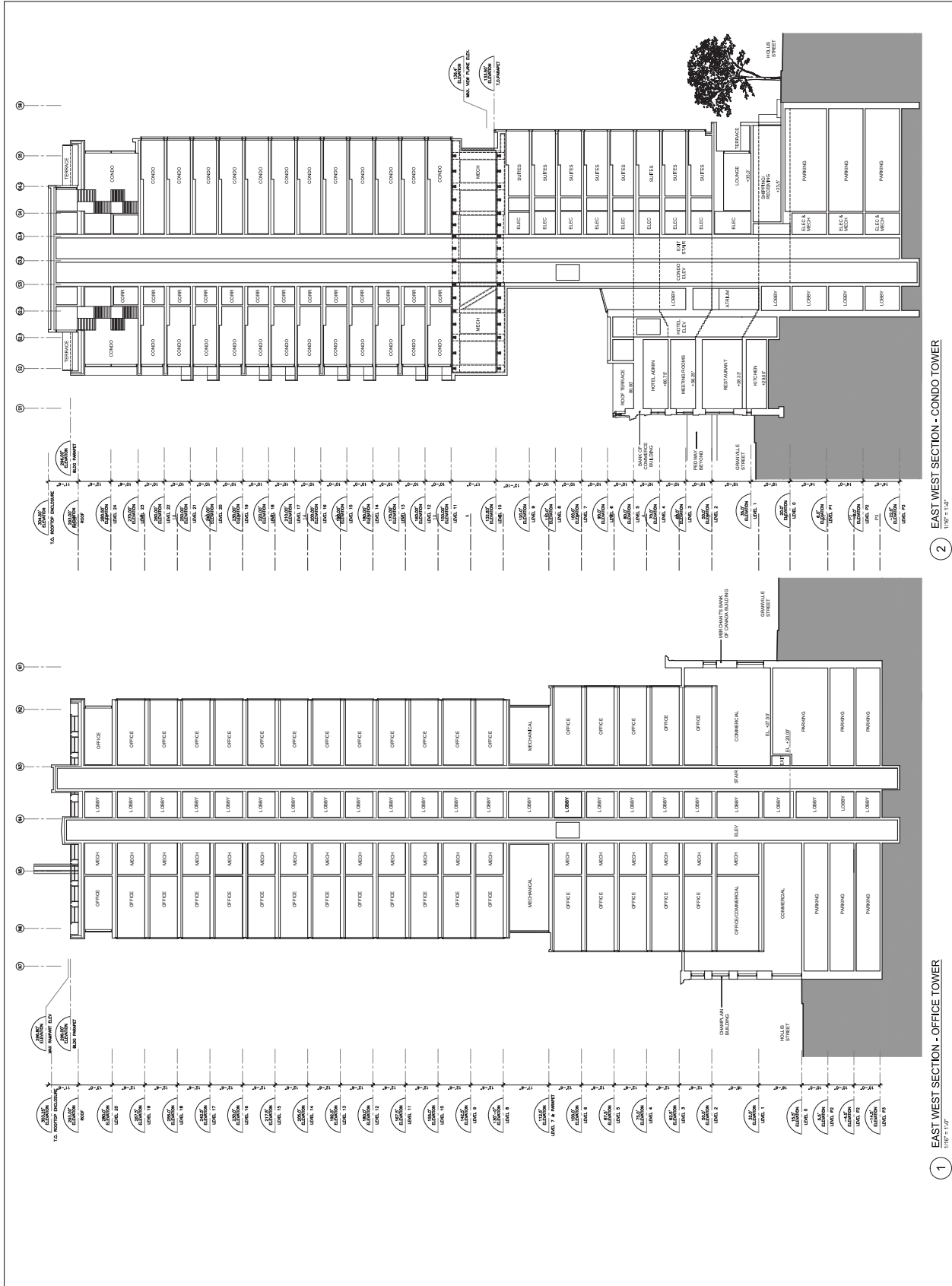
BUILDING SECTION

Drawing Scale: 1/8" = 1'-0"
Project No.: 13006
Drawn By: LLA
Checked By: LLA

A-300



1 NORTH SOUTH SECTION
1/8" = 1'-0"





February 12, 2014

Via Email: clerks@halifax.ca

Mr. Ramzi Kavar, Chair
& Members of the Design Review Committee
c/o Office of the Municipal Clerk, City Hall
1841 Argyle Street, Main Floor
Halifax, NS B3J 3A5

Dear Members of the Design Review Committee:

Re: Case 19046 - Substantive Site Plan Approval

We represent the Heritage Trust of Nova Scotia (the "Heritage Trust") and write regarding the proposed Substantive Site Plan Approval for Case 19046.

It is imperative that the Committee's decision be made on a fully informed basis and in accordance with the correct criteria.

As will be discussed below, the Staff Report dated January 24, 2014, is inadequate and fatally flawed. It does not address a number of criteria that, legally, must govern the Committee's decision-making. The Committee should not rely upon the Staff Report, but should send it back for re-reporting so that the Committee—as well as the public—may consider this application with the benefit of all essential information and advice.

The Heritage Trust requests that the Committee delay its decision in this matter. In the alternative, the Heritage Trust requests that the Committee deny this application.

The specific analysis follows.

Failures of the Staff Report dated January 24, 2014

The Staff Report referred to this Committee fails to consider or address many of the criteria that this Committee is legally required to take into account. In particular, the Staff Report utterly fails to consider or address:

- (i) The Heritage Advisory Committee's recommendation that the application be denied;
- (ii) Subsection 12(6) of the *Land Use By-law* regarding bonus height; and
- (iii) The *Heritage By-Law*, including the *Heritage Building Conservation Standards*.

Specific matters that the Staff Report was required, but failed, to address are discussed in turn.

(i) Failure to Discuss the Heritage Advisory Committee Recommendations

First, the Staff Report fails entirely to acknowledge that the Heritage Advisory Committee (HAC) recommended denying approval for this development because it would violate the *Heritage Building Conservation Standards*. The report also fails to state that the Design Review Committee must consider the HAC's advice.

The HAC—a sister committee to this Committee—is specialized in heritage property matters. On January 29, the HAC determined that the development was contrary to Heritage Building Conservation Standard #9. The development would destroy materials characterizing each property. And it would be incompatible with the massing, size, scale and architectural features of the five heritage properties, thereby failing to protect their historic integrity.

Subsection 4(13)(b) of the *Land Use By-law* states that the Design Review Committee must consider the recommendation of the HAC to deny this application.

(ii) Failure to Consider Subsection 12(6) of the Land Use By-Law

The Staff Report also completely overlooked subsection 12(6) of the *Land Use By-Law*, which provides:

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

The Staff Report agrees that the proposed development involves demolition, as follows:

The applicant wishes to demolish the existing buildings on the site except for the Bank of Commerce building and the façades of four other municipal heritage buildings in order to construct two towers joined with a central atrium at their base. (Staff Report at page 2 [emphasis added]. See also Application at page 5 and Figure 1 (caption)).

The development proposes demolition of most of four Registered Heritage Buildings, but also requests a bonus height of 85 metres. This would clearly contravene subsection 12(6) of the *Land Use By-Law*, above. In the view of the Heritage Trust, subsection 12(6), alone, requires the application to be denied.

(iii) Failure to Consider the Heritage Building Conservation Standards

The Staff Report also completely overlooks the *Heritage Building Conservation Standards* contained in the *Heritage By-Law*. By subsection 8(3) of the *Land Use By-law*, the development is subject to the *Heritage By-law*. The Committee must consider the *Heritage By-law* including these Standards. The HAC has already determined that the proposal does not meet the Standards.

(iv) Conclusion on the Inadequacy of the Staff Report

To conclude, this Committee does not have the benefit of a comprehensive Staff Report prepared on the basis of *all* relevant factors—including heritage standards. Both the Committee and the

public depend upon a “Staff Report” for analysis and advice on the criteria that the Committee must consider in assessing applications. The Staff Report ought to be sent back to Staff for re-reporting in accordance with these mandatory criteria.

Application Ought to Be Rejected in Any Event

Should the Committee decline to send the Staff Report back for re-reporting, the Heritage Trust requests, in the alternative, that the Committee defer to the finding of its sister specialist committee, the Heritage Advisory Committee, and deny the application.

The Heritage Trust also asks that the Committee advise the Development Officer that the application is not eligible for bonus height, pursuant to subsection 12(6) of the *Land Use By-Law*.

From a heritage perspective, Case 19046 is the most significant application to come before the Design Review Committee since the inception of the Committee. The *Secondary Municipal Planning Strategy* promises improved heritage protection as its first objective, and notes, “Halifax’s rich heritage assets are a main attraction for tourists and locals, increasing the economic prosperity of the downtown.” If approved, this development would substantially alter five Registered Heritage Properties in the historic core of Downtown Halifax.

It should also be noted that, although the Heritage Trust requested from the Municipal Clerk the minutes of the January 29 HAC meeting, the Clerk denied the Heritage Trust’s request. The Heritage Trust considers that its ability to participate fully in the Committee’s process has been prejudiced by its inability to review the minutes in advance of the Committee’s meeting.

By way of this letter, the Heritage Trust also formally requests an opportunity for legal counsel to address the Committee at the February 13, 2014, meeting. Thank you for considering our request. We look forward to receiving your response.

Yours very truly,

Original Signed

Ronald A. Pink, Q.C.
rpink@pinklarkin.com

cc Client
Karen Brown

HALIFAX REGIONAL MUNICIPALITY

DESIGN REVIEW COMMITTEE
MINUTES

February 13, 2014

PRESENT: Ramzi Kavar, Chair
Kourosh Rad, Vice Chair
Mary Black
Kevin Conley
Andy Fillmore
Noel Fowler
Louis Lemoine
Roy McBride
Steve Murphy
Cesar Saleh
Anne Sinclair
Sue Sirrs

STAFF: Karen Brown, Solicitor
Kurt Pyle, Planner Major Projects
Myles Agar, Planner
Dali Saleh, Planner
Sherryll Murphy, Deputy Clerk

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9.	ADJOURNMENT	19

1. CALL TO ORDER

The Chair called the meeting to order at 5:39 p.m. in Halifax Hall, City Hall, Halifax, Nova Scotia.

2. APPROVAL OF MINUTES

Consideration of the January 9, 2014 minutes was deferred to the next meeting of the Committee to provide an opportunity for members to review suggested revisions to the draft minutes provided in their package.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The Chair noted that a representative of Pink Larkin had made a request to speak on behalf of Heritage Trust regarding Item 7.1.

Members pointed out that the Committee had agreed by motion not to receive presentations. The Solicitor advised that the Committee has the right to decide if it wishes to have a presentation.

**MOVED by Mr. McBride, seconded by Ms. Black that the representative from Pink Larkin be given five (5) minutes to present on behalf of the Heritage Trust.
MOTION PUT AND DEFEATED.**

The agenda was accepted as presented.

4. BUSINESS ARISING FROM THE MINUTES: None

5. CONSIDERATION OF DEFERRED BUSINESS: None

6. CORRESPONDENCE

7. REPORTS/DISCUSSION

**7.1 Case 19046 - Substantive Site Plan Approval – 22nd Commerce Square
(Pre-Application Presentation heard by DRC on January 9, 2014)**

The following was before the Committee:

A staff report dated January 24, 2014 with Attachments A-F.

A supplemental report dated January 21, 2014 from Lydon Lynch with Technical Drawings A-108 and A-109.

A supplemental report dated February 12, 2014 from Lydon Lynch with Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301.

Correspondence from Elizabeth Pacey, Research Committee Chair, Heritage Trust of Nova Scotia dated February 6, 2014.

Correspondence from Joel Pink, Pink Larkin, dated February 12, 2014 on behalf of the Heritage Trust of Nova Scotia.

An e-mail from Judy Haiven dated February 13, 2014.

Mr. Kurt Pyle, Major Projects Planner, delivered a presentation providing highlights of the application by Lydon Lynch for approval of a substantive site plan approval for 22nd Commerce Square.

Mr. Pyle provided site context for the development noting that the site was bordered by Granville, Duke, Hollis and George Streets. He advised that the proposal is not within the view planes and the approximately 22 storey towers do not intrude into the Ramparts from the Citadel.

Mr. Pyle then identified the five (5) registered heritage properties included in the proposal as the Bank of Commerce Building on George Street; the Hayes Insurance Building on Granville Street; the Merchants Bank of Canada on the corner of Duke and Granville Street; Champlain Building located on the corner of Duke and Hollis Street; and the Flinn Building located on Hollis Street. Mr. Pyle provided a summary of the heritage aspects of each building.

Mr. Pyle went on to describe the proposal as two towers connected by an atrium sitting on top of a common podium. The proposal includes underground parking and storage. The South Tower includes a 96 suite hotel, restaurant and an 88 unit residential condominium while the North Tower is comprised of retail space at ground level with commercial office space above. Both towers exceed the pre-bonus height maximum. In addition, the applicant is proposing the future development of a pedway across Granville Street which will be considered by the Design Review Committee at that time.

After providing further detail of the proposal, Mr. Pyle advised that staff had reviewed the following elements of the site plan application:

1. Design Manual Guidelines
2. Requested Variances
3. Wind Assessment
4. Public Benefit

With reference to the Design Manual Guidelines, Mr. Pyle noted that canopies and awnings are encouraged but not mandatory. The application proposes awnings at the main entrances which staff believe meets the intent of the Guidelines. He went on to note that due to the size of the development and the relatively minor venting at ground level, staff believe the proposed venting at street level is acceptable.

Mr. Pyle referred to Section 3.3.2 of the Design Manual regarding a too wide range of materials being discouraged and noted again that with the size of the proposal (a full

city block) and the inclusion of five heritage properties, the variety of materials used is not excessive in staff's opinion. With reference to Section 3.5.4 of the Design Manual regarding Lighting, the proposal includes a written lighting strategy which seeks to achieve a LEED-CS "Light Pollution Avoidance" credit.

Mr. Pyle went on to advise that the application proposes establishment of a pedway from the site over Granville Street, linking the development and the new TD Tower which is also owned by the developer. The application is requesting the connection portion of the pedway to which staff agrees. As noted previously, full development of the pedway will come before the Committee at a future date.

Referring to the Heritage section of the Design Manual, Mr. Pyle noted there were four areas to be considered. The first of these is the Integrated and Additions section of the Guidelines and staff's opinion is that the proposal meets the guidelines. Staff believe the proposal is well balanced from heritage to new development.

With regard to the exterior appearance of registered heritage buildings, Mr. Pyle noted that the Heritage Property Act limits HRM's authority to the exterior appearance. Referring to the cornice line on the Champlain Building, Mr. Pyle noted that staff is recommending that the original cornice line be maintained by returning the building to its full six stories. He went on to note staff's concern regarding the treatment of the rear of the Bank of Commerce Building and staff believe a design solution could be found allowing for better overall project compliance.

Mr. Pyle went on to review the variances being requested including street wall setback, stonewall height, depth of building, permitted encroachment, prohibited exterior cladding and land use at grade. Mr. Pyle advised that staff was recommending approval of these variance requests. Mr. Pyle referred to the wind assessment noting that the findings indicate few changes to the wind conditions compared to the wind conditions from the existing buildings. However, there are conditions at the top of the South Tower which require the inclusion of an eight (8) foot high transparent wall.

Referring to proposed post bonus height, Mr. Pyle indicated that the applicant maintains that the public benefit contribution includes the preservation of existing heritage buildings, the provision of a publically accessible amenity space and the pursuit of LEED Platinum designation. Mr. Pyle noted that the Committee is tasked with recommending to the Development Officer whether the municipality should accept the proposed public benefit.

In closing, Mr. Pyle reviewed the staff recommendation with the Committee.

The Chair requested that the Solicitor provide advice relative to the Committee's role with regard to the heritage aspects of the proposal.

Ms. Karen Brown, Senior Solicitor, responded indicating that the Committee's review of the proposal is based upon the Design Manual Guidelines. She noted section 4 relates

to the heritage guidelines and, for example, section 4.2. and 4.3 provides guidance in the case of integrated development and additions relative to the three dimensional aspects of the building. Ms. Brown went on to note that part of the Committee's role, requires it to seek and consider the advice of Heritage Advisory Committee in their decision making process. Providing further clarification in response to a question, Ms. Brown stressed that the Committee need only consider and are not bound by the advice of the Heritage Advisory Committee (HAC).

Ms. Sirrs noted that based on the staff report, she had considered the proposal in light of section 4.4 and sought clarification of exactly what members should be reviewing with regard to this proposal. The Chair clarified that the Solicitor was indicating that the Committee can and should determine the sections they wish to consider in reaching their decision.

At the request of Mr. Lemoine, Mr. Pyle clarified staff's recommendations regarding each of the aspects reviewed in the presentation noting that the recommendation was positive with two conditions – the first being the reinstatement of the two floors on the Champlain Building to mitigate loss of heritage materials and the second being a new design relative to a loss of heritage materials (i.e. windows) at the rear of the Bank of Commerce Building which would provide greater overall compliance for the project.

Mr. Pyle responded to questions regarding the treatment of the lower floors of the Champlain Building, the integration of the front façade of the rear addition in the main building, the position of staff relative to the HAC recommendations and staff's recommendation to the HAC. He went on to confirm that Regional Council will make the final decision relative to the heritage components of the proposal. Mr. Pyle responded to a question regarding the granting of bonus height in light of the proposed demolition of heritage properties. He noted that the facades of the heritage properties are maintained and given that the legislation deals with exterior walls only (does not prescribe interior changes); the proposal meets the requirements for bonus height.

Mr. Eugene Pieczonka, Principal, Lydon Lynch addressed the Committee referring first to the two conditions proposed by staff. He noted that Section 4.5 of the Design Manual Guidelines has been the guiding principle for this project. Describing the strategy and reasons for the proposal to reduce the Champlain Building to four (4) floors, Mr. Pieczonka noted that when the building was constructed in the 1870s it was four (4) stories in height. He pointed out that this street wall height was consistent at that time and continues today in Granville Mall. Mr. Pieczonka noted that the additional stories added later distorted the original design and the project envisions re-establishing that consistent four (4) storey street wall.

Regarding the rear entrance to the Bank of Commerce Building, Mr. Pieczonka noted that the original design of that entrance was one of balance and symmetry. A later addition resulted in the loss of balance. The proposed design intends to reinstate the symmetry and also creates a public arcade. The public arcade provides both a

presence at the entrance to the residential units and an extension of the plaza on Granville Street.

Mr. Pieczonka then outlined the reasoning for the change to the design of the upper portion of the Bank of Commerce Building from the louvered to the curtain wall system. He noted that when he was before the Committee previously, members had expressed a concern regarding how the proposal related to the Bank of Commerce building and suggested that the language of the development was getting too busy. Consequently, a revision to the design of the hotel is now being proposed using a more consistent glass box façade. This change allows for a similar dialogue between the two towers including the use of light colored glass. It also relates better to the Bank of Commerce building, not being as aggressive and translating as a quiet companion to the Bank of Commerce building.

In closing, Mr. Pieczonka indicated that he believes in the HRM by Design process and recognized the benefits of the collaborative approach in improving design. He requested unconditional approval of the proposal.

In response to questions from the Committee, Mr. Pieczonka indicated that although still striving to achieve LEED Platinum Standard, the renderings no longer show the cladding on the building in order to provide flexibility in determining how to achieve this standard. He further indicated that a curtain wall system would be used on the Bank of Commerce tower and that the heritage buildings, although shown white, would retain their existing colour.

Mr. Kavar noted that the space between the tower and the Bank of Commerce Building was of concern to the Committee at the last meeting and asked Mr. Pieczonka why this had not been addressed. Mr. Pieczonka indicated that the intent was to create enough respectful breathing space around the Bank of Commerce Building. He indicated that he believed the design provided that space.

In response to a question from Mr. Murphy, as to whether the conditions being recommended by staff were acceptable, Mr. Pieczonka indicated that during the joint meeting many of the Heritage Advisory Committee members voiced their affinity with what had been proposed for the Champlain Building and the rear of the Bank of Commerce.

The Chair thanked Mr. Pieczonka for his presentation and opened the floor for discussion.

Mr. Fillmore suggested that the Committee should discuss the proposal more broadly rather than reviewing the checklist. He went on to propose that the Committee deal with the conditions proposed by staff. He commented that the staff report was well written and that he was pleased that the proposal would retain/restore five heritage properties.

The Chair noted that reviewing the checklist would be consistent with the Committee's past process when reviewing applications and suggested that a motion would be required to make a change to this process.

MOVED by Mr. Saleh, seconded by Mr. Lemoine that the Design Review Committee:

- 1. Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A of the January 24, 2014 with conditions that:**
 - a) the front façade of the rear addition of the Bank of Commerce Building be integrated into the main building; and**
 - b) 5th and 6th storeys of the Champlain Building's front facade be retained or replicated;**
- 2. Approve the requested variances to the Street wall Setbacks, Street wall Height, Land Uses at Grade, Depth of Building, Permitted Encroachments, and Prohibited External Cladding Material, as shown in Attachment A of the January 24, 2014 staff report;**
- 3. Accept the findings of the qualitative wind impact assessment found in Attachment F of the January 24, 2014 staff report; and**
- 4. Recommend that the Development Officer accept, as the post-bonus height public benefit for the development; preservation of existing heritage buildings, the provision of publically accessible amenity space, and exemplary sustainable building practices through pursuit of a LEED Platinum level.**

Ms. Sinclair, referring to the amount of information relating to this case and the late arriving information, indicated that she believed the Committee had not had adequate time to review the matter. She further noted that the changes to the proposal recommended by staff and the move away from the accordion design will impact the overall proposal. She suggested that, in order to keep the process moving, the Committee should consider the information received earlier and recess to another date in order to have time to review the information received last evening.

The Solicitor advised that under the Charter the Design Review Committee is required to make a decision on or before February 24th

MOVED by Mr. Rad that the Committee defer the decision on this matter to a future meeting prior to February 24, 2014 to allow an opportunity for Committee members to undertake a complete review of late arriving information.

There being no seconder to the motion, the Chair declared it to be defeated.

Clarifying the information to be considered tonight by the Committee, the Chair indicated that the information distributed to the Committee the previous evening would be included in the Committee's consideration.

Mr. Lemoine indicated that he believed the original design was an iconic opportunity. He went on to indicate that he supported the staff recommendation relative to this portion of the proposal. He further noted that he supported the architect's position and argument regarding the reduction of two floors on the Champlain Building and the design proposed for the rear of the Bank of Commerce Building. He reiterated that the original design was more iconic, has more energy and also retains the heritage properties.

Mr. Murphy confirmed with the applicant that the accordion portion of the hotel was no longer part of the proposal.

Mr. Fillmore referred to the two conditions recommended by staff relative to the applicant's proposal to eliminate the 5th and 6th floors on the Champlain Building and noted that he agreed with the proposal. He suggested that pretend heritage would be built in place if the two floors were reinstated. With reference to the design of the rear of the Bank of Commerce Building, Mr. Fillmore indicated that he felt the arcade should be permitted including the universal access.

Mr. Kavar opined that the overhang over the Bank of Commerce Building is not doing service to the heritage building. He went on to suggest that a variance be approved between the two buildings to offset any loss of square footage to the developer. He noted that this would allow the tower to connect with the heritage building.

Mr. Rad commented on the gap indicating that he believed that without a physical connection, as referred to in the guidelines, the proposal is taking way from the heritage property.

Mr. Murphy indicated that he liked that the accordion proposal set the heritage building apart. Ms. Sirrs pointed out that the accordion design plays to the heritage guideline regarding contrast.

The Committee then reviewed the checklist, expressing the following concerns:

With regard to section 2.4(f) regarding canopies, Mr. Kavar indicated that he believed additional canopies would be a benefit to pedestrians on the non-heritage portions of the development. Note was made that canopies have been added at the entrances and the arcade.

With regard to section 3.2.1(g) regarding vents at grade, Ms. Sinclair indicated that she did not agree the vents should be located at street level on Hollis Street. Mr. Pyle responded that staff believed, given the building size and existing conditions, the vents

are a good compromise. Ms. Sinclair further expressed concern regarding the blank wall on Hollis Street with Ms. Sirrs noting that it wraps around the corner on George Street.

With regard to 3.2.4(d) regarding immediately accessible outdoor amenity space, Ms. Sinclair indicated that she thought the proposal did not comply in this aspect. She went on to indicate that she did not agree with the staff position that the proximity to Grand Parade is an amenity for apartment dwellers.

With regard to section 3.2.6 regarding elevated pedestrians walkway, Ms. Sinclair indicated she disagreed with the pedway suggesting that it did block views as per 3.2.6(a).

With regard to 3.3.2 (b) and (i), Mr. Fillmore indicated that he was supportive of Option 2 for the Bank of Commerce Building. Mr. Cesar indicated that he also agreed with Option 2. Ms. Sinclair indicated that if Option 1 is considered, the proposal does not comply with 3.3.2(i).

A further brief discussion regarding the pedway ensued with concern being raised again regarding the loss of east/west views and of Granville Mall. Pedways also take people off the street and discourage ground level retail.

The Committee reviewed the Heritage Design Guidelines.

Mr. Kavar indicated that as per 4.1.3 he believes the overhang over the Bank of Commerce Building is idiosyncratic and does not respect the heritage context.

Mr. Fillmore referred to the 5th and 6th floors of the Champlain Building and reiterated that rebuilding of imitation heritage would be a mistake and would blur the lines between old and new. In conclusion, Mr. Fillmore indicated that in this instance contemporary design is preferred.

Mr. Conley referred to 4.4 and asked who would decide when the heritage value of a building includes its three-dimensional character.

Mr. Kavar indicated the Committee would decide the heritage value of the building and further noted that he did not believe that the proposal met the guidelines relative to the three-dimensional character of the heritage buildings.

Ms. Sinclair, referring to the Hayes Insurance and the Merchant Buildings, the two buildings for which only the façade was retained, indicated that she believed these buildings have a three dimensional character. She pointed to the sloped roof and dormers on the buildings as being three dimensional. She further noted that she was supporting the Heritage Advisory Committee recommendation in this regard. Ms. Sinclair noted that 4.4.1(b) of the guidelines supports this position indicating that she believe the roof and dormer windows support the three dimensional quality. She

stressed that the quality and depth of these heritage aspects would be changed in this proposal.

Mr. Fowler noted his concern that preserving facades only would set a precedent and that the outcome would be a wallpaper of heritage scenes on glass boxes.

Mr. Fillmore, indicated that he believe the overall intent of the downtown plan was that there be three (3) heritage conservation districts, one of which is in place (Barrington Street), and that by the time the other two were in place, 77% of registered heritage structures would be protected from the wall paper effect. He noted that the 23% remaining would be available for more robust development and that this site falls within the other 23%.

With regard to section 4.4.2 of the guidelines, Ms. Sinclair indicated she believe this section was in the same category as 4.4.

Ms. Sinclair noted that relative to section 4.5.1(a) the proposal exceeded the requirements relative to the corner buildings.

Mr. Fillmore suggested that section 4.5.5(e) should be viewed through the lens of the preamble which speaks to design being reasonable and functional.

Ms. Sinclair agreed with Mr. Fillmore on the above matter. She went on to note that she liked the arcade but suggested that the design could better address the fact that this was a rear addition rather than a façade.

Mr. Pyle, in response to questions regarding the landscaping treatment of flat rooftops, advised that only the South Tower is landscaped. The Bank of Commerce Building is a terraced roof, the other tower is solar and consequently is taken up with mechanical equipment and the atrium is an inside area.

The Chair, confirming there were no further questions, noted that the staff recommendation was now before the Committee.

The Solicitor advised that it would be prudent at this time to consider recommendation 4 and as per Section 12 (6) to determine if the proposal is a demolition or not a demolition of registered heritage buildings. She went on to advise that as there is no definition of demolition provided, the Committee should refer to the ordinary definition of the word.

Ms. Sinclair also requested that the Committee consider preservation of a heritage property.

The Committee agreed to deal with recommendation 4, as follows, at this time.

MOVED by Mr. Saleh, seconded by Mr. Lemoine that the Design Review Committee:

4. Recommend that the Development Officer accept, as the post-bonus height public benefit for the development; preservation of existing heritage buildings, the provision of publically accessible amenity space, and exemplary sustainable building practices through pursuit of a LEED Platinum level.

Mr. Fillmore addressed the matter noting that the concerns expressed seem to center on the Hayes Insurance and Merchant Buildings. Given that the facades remain, protecting the aspects for which this Committee has responsibility, he did not believe the proposal was a demolition of a registered heritage property.

Mr. Saleh indicated that he would be supporting the recommendation. He noted that there were other developments within HRM that similarly retained facades and referred to the establishment of conservation districts which would protect most of the heritage properties in HRM. In conclusion, he agreed with Mr. Fillmore, that this was a site that was available for more robust development.

Mr. Conley agreed with the previous two speakers and noted that the term preservation is a federal requirement for total retention of heritage. He suggested that conservation would be a more applicable word.

Mr. Kavar indicated that he would not support the recommendation indicating that these properties had been designated heritage and as such were the property of the people of HRM. Consequently, they should be protected.

Ms. Sinclair referred to the sustainability of the site and suggested that there is an argument for the loss of stored energy when demolishing such a large site. She went on to note that there were many vacant sites in the downtown area which could be developed.

Mr. Rad noted that he believed the proposal conserved the heritage for future generations. He went on to suggest that re-using the interior will make the heritage portion more a part of the building.

Ms. Black commented that she felt demolition was too strong a term given that a significant amount of heritage is being retained.

Mr. McBride indicated that he did not believe the proposal should be eligible for the pre-bonus height given that 95% of the building would be demolished leaving only the facade.

At the request of the Chair, the Solicitor clarified that the Committee is required to seek and consider the advice of the Heritage Advisory Committee but is not bound by that advice.

The Chair called for the vote on recommendation 4, and the **MOTION WAS PUT AND PASSED.**

The Committee dealt with recommendations 1 to 3 at this time:

MOVED by Mr. Saleh, seconded by Mr. Lemoine that the Design Review Committee:

1. **Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A of the January 24, 2014 with conditions that:**
 - a) **the front façade of the rear addition of the Bank of Commerce Building be integrated into the main building; and**
 - b) **5th and 6th storeys of the Champlain Building's front facade be retained or replicated;**
2. **Approve the requested variances to the Street wall Setbacks, Street wall Height, Land Uses at Grade, Depth of Building, Permitted Encroachments, and Prohibited External Cladding Material, as shown in Attachment A of the January 24, 2014 staff report;**
3. **Accept the findings of the qualitative wind impact assessment found in Attachment F of the January 24, 2014 staff report.**

The Committee first considered Recommendation 1.

MOVED by Mr. Saleh, seconded by Mr. Fillmore that the motion be amended to delete sub-section a) and b) of Recommendation 1 of the staff report and replace sub-section a) and b) with:

- a) **no pedway access be allowed**
- b) **the development proceed with Option 2 at the base of the South Tower as set out in the February 12, 2014 Supplemental Report #2 from Lydon Lynch Architects and revised Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301.**

Following a further discussion, the Committee agreed to split the amendment as follows:

MOVED by Mr. Saleh, seconded by Mr. Fillmore that the motion be amended to delete sub-section a) and b) of Recommendation 1.

MOTION TO AMEND PUT AND PASSED.

MOVED by Mr. Saleh, seconded by Mr. Fillmore that the motion be further amended to include a new condition a) that no pedway access be permitted.

MOTION TO AMEND PUT AND PASSED.

MOVED by Mr. Saleh, seconded by Mr. Fillmore that the motion be further amended to include a new condition b) that the development proceed with Option 2 at the base of the South Tower as set out in the February 12, 2014 Supplemental Report #2 from Lydon Lynch Architects and revised Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301.

MOTION TO AMEND PUT AND PASSED.

The Committee considered further amendments to Recommendation 1 as follows:

MOVED by Ms. Sinclair, seconded by Ms. Sirrs that the motion be amended to include a new condition that no vents be permitted at pedestrian height.

At the request of Mr. Lemoine, the developer clarified that the vents are within the setback and are not blowing out on to the sidewalk.

MOTION TO AMEND WAS PUT AND DEFEATED.

MOVED by Ms. Sinclair, seconded by Mr. Saleh that the motion be amended to include a new condition that the Flinn Building and the Hayes building retain their 3-D quality in the form of their roofs or dormers.

MOTION TO AMEND WAS PUT AND DEFEATED.

MOVED by Ms. Sinclair that the motion be amended to provide that amenity space be included for the residential portion of the proposal in accordance with 3.2.4(b).

As there was the no seconder to the motion, the motion was defeated.

MOVED by Ms. Sinclair that the motion be amended to provide that the applicant make an attempt to maintain the 3D quality of the rear addition on the Bank of Commerce building and not just a façade.

The Solicitor declared the motion Out of Order as it sought a similar outcome as staff's clause b) which had previously been deleted by motion of the Committee.

MOVED by Mr. Rad, seconded by Ms. Black that the Design Review Committee recommend that the architect further consider the blank walls at Hollis and George Streets. MOTION PUT AND PASSED.

The Committee now considered the amended recommendation 1, as follows:

MOVED by Mr. Saleh, seconded by Mr. Lemoine that the Design Review Committee:

1. **Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A of the January 24, 2014 with conditions that:**
 - a) **no pedway access be allowed**
 - b) **the development proceed with Option 2 at the base of the South Tower as set out in the February 12, 2014 Supplemental Report #2 from Lydon Lynch Architects and revised Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301.**

The Committee dealt with recommendation 2 of the motion at this time.

MOVED by Mr. Rad, seconded by Mr. Murphy that, in light of approval of Option 2 at the base of the South Tower, the phrase 'Prohibited External Cladding' be removed from recommendation 2 as it is no longer pertinent.

MOTION TO AMEND PUT AND PASSED.

The Committee dealt with recommendation 3 of the motion at this time.

MOVED by Ms. Black, seconded by Mr. Fillmore that the Design Review Committee accept the findings of the qualitative wind impact assessment found in Attachment F of the January 24, 2012 staff report.

MOTION PUT AND PASSED.

The Committee now considered the amended motion:

MOVED by Mr. Saleh, seconded by Mr. Lemoine that the Design Review Committee:

1. **Approve the qualitative elements of the substantive site plan approval application for the mixed-use development for the lands bounded by George, Granville, Duke and Hollis Streets, Halifax, as shown on Attachment A of the January 24, 2014 staff report with conditions that:**
 - a) **no pedway access be allowed**

- b) the development proceed with Option 2 at the base of the South Tower as set out in the February 12, 2014 Supplemental Report #2 from Lydon Lynch Architects and revised Technical Drawings A-200, A-201, A-202, A-203, A-300 and A-301.**
- 2. Approve the requested variances to the Street wall Setbacks, Street wall Height, Land Uses at Grade, Depth of Building, Permitted Encroachments as shown in Attachment A of the January 24, 2012 staff report.**
- 3. Accept the findings of the qualitative wind impact assessment found in Attachment F of the January 24, 2012 staff report.**
- 4. Recommend that the Development Officer accept, as the post-bonus height public benefit for the development; preservation of existing heritage buildings, the provision of publically accessible amenity space, and exemplary sustainable building practices through pursuit of a LEED Platinum level.**

MOTION PUT AND PASSED.

The Committee recessed at 9:10 p.m.

The Committee reconvened at 9:15 p.m. and continued with agenda items 7.2 and 7.3.

7.2 Case 19058: Substantive Site Plan Approval – Integration of Street Level Commercial, 1881/1991/2001 Brunswick Street, Halifax (Preliminary Presentation heard by DRC on October 10, 2014)

Ms. Sirrs declared a Conflict of Interest noting that she was employed on certain aspects of proposed development and took a seat away from the table.

A staff report dated January 20, 2014 was before the Committee.

Mr. Myles Agar, Planner, delivered a presentation regarding Case 19058, a substantive site plan application regarding the integration of Street level commercial at 1881, 1991, 2001 Brunswick Street, Halifax.

In his presentation Mr. Agar reviewed the site context noting that street level commercial was proposed for MacKeen Tower, Scotia Tower and the Plaza on Brunswick Street. He noted that the existing podium areas of each of these properties is to be removed and commercial space integrated. Mr. Agar noted that there is a lighting plan for each of these properties and flat roofs will be landscaped.

He went on to indicate that the staff's review of the proposal has identified the proposals are consistent with the intent of the Design Manual Guidelines and comply with the Land Use Bylaw.

MOVED by Mr. Saleh, seconded by Mr. Rad that the Design Review Committee:

- 1. Approve the qualitative elements of the Substantive Site Plan Approval application for the integration of street level commercial uses at 1881 Brunswick Street, Halifax, as shown on Attachment A of the January 20, 2014 staff report.**
- 2. Approve the qualitative elements of the Substantive Site Plan Approval application for the integration of street level commercial uses at 1991 Brunswick Street, Halifax, as shown on Attachment A of the January 20, 2014 staff report.**
- 3. Approve the qualitative elements of the Substantive Site Plan Approval application for the integration of street level commercial uses at 2001 Brunswick Street, Halifax, as shown on Attachment A of the January 20, 2014 staff report.**

MOTION PASSED.

Mr. Fillmore and the Chair thanked the proponent for an incredible urban remediation.

Ms. Sirrs returned to her seat.

7.3 Case 19079: Substantive Site Plan Approval – 5445 Rainnie Drive – Halifax (Preliminary Presentation heard by DRC on November 14, 2014)

Mr. Saleh declared a Conflict of Interest noting that his company had been employed on certain aspects of the proposed development. Mr. Saleh took a seat in the gallery.

Mr. Fillmore declared a Conflict of Interest noting that the proponent in this matter sat on the Board of Directors for his employer. He noted that although he had no pecuniary or other interest in this development, he could not preclude the perception of a conflict. Mr. Fillmore took a seat in the gallery.

A staff report dated January 30, 2014 was before the Committee.

Ms. Dali Saleh, Planner, delivered a presentation regarding a substantive site plan application for an eight storey mixed use building at 5445 Rainnie Drive, Halifax. Ms. Saleh went on to review the context of the subject site noting that the site is presently vacant and fenced. Ms. Saleh reviewed the planning regulations for the site and provided an overview of the proposal including commercial space at ground level, 68 residential units in seven floors, and the pedestrian access being directly from Rainnie Drive for both commercial and residential. She further noted that the landscaped rooftop included a patio area for tenants, a swimming pool, shrub planters and a

separate mechanical area. Canopies have been included at street level to provide weather protection measures for pedestrians. In terms of materials to be used, the proposal will include glass, ceramic tile panels and metal panels.

Ms. Saleh went on to review the elevations and landscaping plan. Showing a rendering of the proposal, Ms. Saleh noted that the applicant had addressed comments raised by the Committee at the preliminary presentation regarding signage. The final renderings illustrated the proposal during the daytime and the impact of lighting at night. She advised that the applicant has provided a lighting schematic.

Concluding her presentation, Ms. Saleh advised that the proposal meet the requirements of the Land Use By-law, no variances are required and based on staff's review the development meets the Design Manual Guidelines. She went on to note that the Wind Impact Assessment indicates that this development will have minor impact on the overall level of comfort for pedestrians. Ms. Saleh advised that staff is recommending approval of the application.

In response to questions from members, Ms. Saleh provided the following:

- There are three levels of parking with a parking ratio of 1.5 to 1.
- Bicycle storage requirements will be determined/finalized when the building permit is completed
- The units are intended to be rental

Mr. Rad referred to section 3.2.5 and asked if the wall on Rainnie Drive could be better integrated to the sidewalk.

Ms. Sirrs indicated that it appears there is venting on the wall in question and asked if this is correct. Ms. Saleh indicated that there was no venting on the wall although it appears so due to the materials used.

The applicant, responding to Mr. Rad's question, described how the slope on Rainnie Drive has been changed in response to comments made by the Committee at the preliminary presentation. He further responded to questions regarding lighting on the East elevation, landscaping features, materials and security.

The Committee noted that there were improvements in lighting, the inclusion of a ramp, and the use of coloured glass.

MOVED by Mr. McBride, seconded by Ms. Black that the Design Review Committee:

- 1. Approve the qualitative elements of the substantive site plan approval application for an 8-storey mixed-use development at 5445 Rainnie Drive, Halifax, as shown in Attachment A of the January 30, 2014 staff report.**

2. **Accept the findings of the quantitative wind impact assessment found in Attachment E of the January 30, 2014 staff report.**

MOVED by Mr. Rad, seconded by Ms. Sirrs that the motion be amended to direct the developer to better integrate the wall on Rainnie Drive with the walkway.

MOTION TO AMEND WAS PUT AND PASSED.

The motion now reads:

MOVED by Mr. McBride, seconded by Ms. Black that the Design Review Committee:

1. **Approve the qualitative elements of the substantive site plan approval application for an 8-storey mixed-use development at 5445 Rainnie Drive, Halifax, as shown in Attachment A of the January 30, 2014 staff report with the condition that the developer make efforts to better integrate the wall on Rainnie Drive with the walkway.**
2. **Accept the findings of the quantitative wind impact assessment found in Attachment E of the January 30, 2014 staff report.**

MOTION PUT AND PASSED.

7.4 Case 18800- Pre Application Presentation – 5466 Spring Garden Road

This matter was deferred to the next meeting of the Design Review Committee to be held on March 13, 2014 due to time constraints.

8. DATE OF NEXT MEETING

The next meeting of the Design Review Committee will be held on Thursday, March 13, 2014 beginning at 6:00 p.m. in Halifax Hall, City Hall.

9. ADJOURNMENT

The meeting adjourned at 9:45 p.m.

Sherryll Murphy
Deputy Clerk

Attachment I:
Existing Wording of Note W-4: Champlain Building

W-4 Masonry Rainscreen Façade Reconstruction (Champlain Building)

- New Masonry façade comprising:-

Ground Level:

- Existing granite blocks taken down, cleaned and reused.
- New Nova Scotia Light Grey Granite to match used as replacement where stones are damaged or not useable.

Upper Floors:

- White sand finished cement stucco on concrete block veneer.
 - Granite Quoins, base course and string courses. Existing granite blocks taken down, cleaned and reused. New Nova Scotia Light Grey Granite to match used as replacement where stones are damaged or not useable.
- Copper sheet pressed Cornice detail taken down, repaired and reinstalled to new back up framing. New copper sheet formed to match where repair not possible.
- New wood windows to match original fenestration pattern on upper floors.
 - New wood windows to match original fenestration pattern on ground floor.
 - New wood framed entrance screen, panelling and doors at corner.

Attachment J
Revised Wording for Note W-4: Champlain Building

W-4 Existing Façade Rehabilitation (Champlain Building)

- Remove upper two storeys of existing façade.
- Fabricate and install new copper clad cornice at top of 4th storey to resemble profile, size and location of original cornice.
- Install new frieze above existing 4th storey windows and below new cornice to resemble the raised profile and location of the original frieze. New friezes to have a parged finish to resemble the texture and colour of existing parging.
- Provide new ground floor arched-headed wood windows to match original shape and fenestration pattern.
- Retain/repair existing granite quoins, sills, string courses and base courses. Repair existing mortar joints as may be required.
- Patch existing parging as required. Provide new paint finish over all parged surfaces to match existing colour.
- Provide new recessed corner entrance as illustrated on drawings.
- Provide new wood windows on upper floors to match original fenestration patterns.

HALIFAX REGIONAL MUNICIPALITY

HERITAGE ADVISORY COMMITTEE
MINUTES

January 29, 2014

PRESENT: Mr. Brent Ronayne
Ms. Pascale van der Leest
Ms. Emma Sampson, Vice Chair
Ms. Janet Morris
Mr. Jason Cooke
Mr. Adam Matheson
Mr. Chris Kingston
Councillor David Hendsbee

REGRETS: Mr. Nelson Brison
Ms. Sarah Levy
Mr. Richard White
Councillor Matt Whitman

STAFF: Ms. Maggie Holm, Heritage Planner
Mr. Seamus McGreal, Heritage Planner
Ms. Sheilagh Edmonds, Legislative Assistant
Mr. Lachlan Barber, Legislative Support

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1. CALL TO ORDER

Ms. Sampson, Vice Chair called the meeting to order at 3:02 p.m. in the Halifax Hall, City Hall, 1841 Argyle Street, Halifax.

1.1 Introduction of new members

The members of the Committee were introduced.

1.2 Election of Chair

In the interest of time, the election of a new Chair was deferred to the next meeting.

2. APPROVAL OF MINUTES – December 11, 2013

MOVED by Councillor Hendsbee, seconded by Ms. Morris, that the minutes of December 11, 2013 be approved.

Ms. Morris asked if votes that are not unanimous could reflect dissent. Ms. Edmonds noted that the views of committee members are usually reflected in the discussion, but that if someone wished to have their vote recognized for a specific motion they could request that it be included in the record.

MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

The Chair noted the addition of three requests for presentations in relation to Case 000395. She stated that these would be dealt with in the order of business.

MOVED by Ms. van der Leest, seconded by Mr. Matheson, that the agenda, as amended, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES: None

5. CONSIDERATION OF DEFERRED BUSINESS: None

6. CORRESPONDENCE, PETITIONS & DELEGATIONS

6.1 Correspondence

6.1.1 Letter dated January 16, 2014 from Heritage Trust of Nova Scotia – Request to provide presentation regarding Case H00395

A letter dated January 16, 2014, regarding Case H00395, was received from the Heritage Trust. The committee acknowledged the receipt of the correspondence. The letter included a request to speak before the committee which was agreed to be granted at the present meeting.

6.1.2 Correspondence dated January 16, 2014 from Paul MacKinnon, Executive Director, Downtown Halifax Business Commission, regarding Barrington Street Heritage Conservation District Financial Incentives Program

A letter dated January 16, 2014, regarding the possibility of extending the Barrington Street Heritage Conservation District Financial Incentives Program, was received from Mr. Paul MacKinnon, Executive Director of the Downtown Halifax Business Commission. The committee acknowledged the receipt of the correspondence.

6.2 Presentation

6.2.1 Heritage Property Program – Staff Presentation

Mr. McGreal, Heritage Planner and Ms. Holm, Heritage Planner provided an overview of HRM's heritage property programme for the benefit of the new members of the HAC. The presentation focused on the role of the HAC, the relevant provincial and municipal legislation, and the place of heritage in the planning and development approvals process.

7. REPORTS

7.1 Staff

7.1.1 Case H00395: Substantial alterations to 5171 George Street (Bank of Commerce building); 1813 Granville Street (Hayes Insurance building); 1819 Granville Street (Merchants Bank of Canada building); 1824 Hollis Street (Champlain building); and 1820 Hollis Street (Flinn building) – 5 municipally registered heritage properties.

A staff report dated January 14, 2014 was submitted

Ms. Maggie Holm, Heritage Planner, provided a high level overview of the proposal and staff's assessment and recommendations. The following points were highlighted:

- The project is unusual in its magnitude. The proposal includes substantial alterations to five municipally registered heritage properties. These are treated together in one report but broken down into five different recommendations for the HAC.

- The proposal involves the removal of the majority of four heritage structures (Merchant's Bank of Canada, Champlain building, Flinn building, Hayes building) with the retention and restoration of their street-facing facades. A fifth building (Bank of Commerce) would remain intact, with substantial alterations to a rear addition. The proposal includes the construction of two twenty-two storey towers and three levels of underground parking. The design includes a variety of elements explained in detail in the report.
- The staff recommendation is to approve the proposal as presented, with modifications to the substantial alterations to two of the buildings: the Champlain building and the Bank of Commerce. For the Champlain building staff recommend approval of the proposed substantial alteration subject to the reinstatement of the fifth and sixth floors of the façade. The proposal includes the removal of the top two storeys which were an addition to the original building. For the Bank of Commerce building staff recommend approval of the proposed substantial alteration subject to the integration of the rear bank addition into the new development. This assessment is based on the view that the proposed substantial alterations would not comply with HRM standard 2 which states that "The removal of historic materials or alteration of features and spaces that characterize the property shall be avoided." The staff assessment is that the other proposed alterations are generally in agreement with the standards and guidelines.
- The staff recommendation is based on the conservation standards, which speak to changes to heritage buildings, and design guidelines, which speak to the integration of heritage buildings with contemporary architecture. It is also based upon an interpretation of the Heritage Property Act, upheld in two recent decisions at the URB, that the municipality may only regulate alterations to the exteriors of municipally registered heritage buildings.
- There was some discussion among staff as to whether the accordion feature that forms the base of the south tower conforms with Section 4.1.3 of the design guidelines manual which states that "new work in heritage contexts should not be aggressively idiosyncratic." Ms. Holm stated that possible modifications could be pursued by the Design Review Committee through the site plan approval process.

Councillor Hendsbee asked who would own the pedway connecting the proposed development to the TD building. Ms. Holm replied that both buildings have the same owner.

Ms. van der Leest asked for clarification regarding the extent to which the cantilever protrudes over the Bank building and the extent of the setback of the existing addition to the Merchant's Bank of Canada. Ms. Holm presented a rendering that shows the cantilever in detail. The measurements of the setback were not available but a rendering was shown.

Ms. van der Leest also asked if a study had been done regarding the potential for solar energy in the location for the proposed placement of the photovoltaic cells on the accordion portion of the building. Ms. Holm indicated that this information wasn't included in the proposal.

As there were no more questions the Chair moved on to the presentations of the guests.

The Chair invited Ms. Kelsey McLaren, lawyer for Pink and Larkin, representing the Heritage Trust of Nova Scotia, to provide a brief presentation. Ms. McLaren's presentation provided a summary of the following arguments that were presented in a letter written by Ronald Pink.

- It is the view of Pink Larkin that the proposal does not conform to the conservation standards or design guidelines in two ways for each of the five buildings:
 - It involves the destruction of historical materials and character defining elements (standard 2).
 - The proposed new additions would not be compatible with the heritage buildings (standard 9).
- Pink Larkin supports the Heritage Trust's recommendation that the HAC refuse the proposals based on a disagreement with the staff assessment with regards to conservation standards 1, 2, 5, 9, 10.
- The 2009 decision of URB in regards to the Waterside Centre was based on different policies and predated the adoption of the guidelines. This decision cannot be relied upon in this case.

The Chair invited Mr. Phil Pacey, Chair of the HRM committee of the Heritage Trust of Nova Scotia, to provide a brief presentation. Mr. Pacey's presentation reiterated and provided additional detail to support the points made by Ms. McLaren. The following remarks were introduced:

- The Waterside Centre URB predated the introduction of the heritage conservation standards in the H-200 by-law.

- The proposal does not meet the HRM heritage policy for each of the municipally registered structures with respect to the character defining element of “height” which was historically 4 to 6 storeys. Other elements mentioned include:
 - The Champlain Building is 3 dimensional building and includes 2 facades with exterior historical materials on the rear of the building which would be removed in the proposal.
 - The pitched roof of the Hayes building is visible from the street and would be removed in the proposal.
 - The cantilever element will negatively impact the character defining elements of the Bank of Commerce Building and historical materials will be removed at its rear.
 - The truncated pitched roof of the Flinn Building is rare in the city and would be removed in the proposal.

The Chair invited Mr. Eugene Pieczonka, partner at Lydon Lynch Architecture, to provide a brief presentation. Mr. Pieczonka emphasized the following points.

- The scale and complexity of the proposal, due to the number of land uses and special features, is unique in downtown Halifax.
- The client has a strong respect for heritage and has committed to conservation and restoration costs of 15 million dollars. The design proposal has included collaboration with a number of heritage conservation experts and a meeting with the Heritage Trust. The resulting heritage retention strategy attempts to strike a balance between conservation and evolution.

Mr. Pieczonka provided an explanation and justification for the elements of the Bank of Commerce building and Champlain building elements that the staff report had taken issue with.

The Chair invited for the motion to be placed on the floor and then the committee would discuss the proposal.

MOVED by Mr. Matheson, seconded by Mr. Kingston that the Heritage Advisory Committee recommend Halifax Regional Council:

1. **Approve the proposed substantial alteration to 5171 George Street (Bank of Commerce building) as outlined in Attachments A-Y of the staff report, subject to the integration of the rear bank addition into the new development;**

- 2. Approve the proposed substantial alteration to 1813 Granville Street (Hayes Insurance building) as outlined in Attachments A-Y of the staff report;**
- 3. Approve the proposed substantial alteration to 1819 Granville Street (Merchants Bank of Canada building) as outlined in Attachments A-Y of the staff report;**
- 4. Approve the proposed substantial alteration to 1824 Hollis Street (Champlain building) as outlined in Attachments A-Y of the staff report, subject to the reinstatement of the fifth and sixth floors;**
- 5. Approve the proposed substantial alteration to 1820 Hollis Street (Flinn building) as outlined in Attachments A-Y of the staff report;**

The ensuing discussion highlighted the following points:

Councillor Hendsbee applauded the uniqueness of the buildings and the effort to retain heritage elements. He went on to ask why the architect had decided to retain a space between the two proposed towers. Mr. Pieczonka explained that the opening provides a space for a public plaza and that it reflects an effort to include benefits for the community in the development. Councillor Hendsbee next asked if a wind study had been carried out. Mr. Pieczonka explained that the wind study was favourable.

Ms. van der Leest pointed out that the proposed location of the solar panels does not receive full sunlight and she questioned their potential to generate energy. She also pointed out that the most important heritage building in the proposal is juxtaposed with the most asymmetrical element of new construction. She went on to suggest that if the glass in the accordion was a different colour it might be less conspicuous.

Ms. Morris stated that the historical context of the area, with Province House, one of the best preserved examples of Georgian architecture in North America, to the south, and with Granville Street mall to the north. She noted that these are both well-recognized and well-loved heritage places and that the proposed development is not in keeping with the scale of their streetscapes. Ms. Morris also expressed a concern that the proposed development did not include enough retail but it was clarified that the proposal would introduce additional retail spaces at street level.

Ms. Morris next expressed concern about of the proposed structures and their effect on sunlight, compounding the effects of neighbouring buildings. It was noted that the proposal does not extend to the maximum permissible building envelope and that it includes public open spaces. Ms. Morris reiterated that she does not believe that the proposed buildings are compatible with the heritage structures on the block.

Mr. Cooke indicated that he does not believe that the proposal meets the requirements of standard number 9. He read the standard and noted that its wording is mandatory, not permissive. He stated that if the committee finds that the proposal results in the destruction of historical materials, the wording of standard 2 would require that the committee refuse to adopt the staff recommendation. With respect to compatibility, he noted difficulties with the scale, massing and scale of the proposed new construction. Some elements appear more compatible than others.

Ms. Holm clarified that staff's interpretation is that the proportions of the elements of the new construction, divided into lower, middle and upper, are compatible with the heritage structures.

Ms. van der Leest stated her view that the treatment of the Champlain building in the proposal is quite well done and asked for the perspectives of other committee members.

Mr. Kingston suggested that although the proposal is attractive, it will not have the longevity of the heritage structures. He also suggested that the treatment of the facades suggests a level of tokenism.

Councillor Hendsbee asked if it would be possible to introduce heritage plaques providing images and information about the original appearance of the area. Ms. Holm responded that this would be possible but not required.

Ms. Holm stated that the character defining elements do not necessarily need to remain intact; an appropriate balance must include retention of these elements with practical considerations.

The Chair invited a motion to suspend discussion.

MOVED by Councillor Hendsbee moved, seconded by Ms. van der Leest, that discussion be suspended and resumed following the joint meeting with the Design Review Committee. MOTION PUT AND PASSED.

At this point in the meeting the Design Review Committee joined the meeting to consider item 7.1.3.

When the discussion resumed, the Committee decided to consider the positive and negative merits of the proposed substantial alteration of each structure individually. The following summarizes the views expressed.

With respect to the Bank of Commerce building, members were especially concerned about the proposed alterations to this building due to its high levels of monumentality and significance. The members were in general agreement that the cantilever element and the accordion are not compatible with the heritage elements of the Bank of Commerce and were in agreement with staff that the new construction displays

idiosyncratic elements that are discouraged in the conservation standards. While some concern was expressed regarding the removal of the rear addition, the cantilever was of greater concern to the committee.

With respect to the Flinn and Hayes buildings, committee members agreed that the removal of the truncated roofs is problematic.

With respect to the Champlain building, some members of the committee felt that the return to the original four storey façade presented in the proposal was more desirable than the staff recommendation to reinstate the fifth and sixth storeys. Other members expressed concern about the loss of historical materials on the top two floors.

The height of the proposed towers with respect to the scale of the heritage structures and the loss of the historic streetscapes was of concern to some, but not all members.

At this point in the meeting there was no more discussion and the Chair advised that each recommendation would be voted on separately, as follows:

Recommendation 1

MOVED by Mr. Matheson, seconded by Mr. Kingston that the Heritage Advisory Committee recommend Halifax Regional Council approve the proposed substantial alteration to 5171 George Street (Bank of Commerce building) as outlined in Attachments A-Y of the staff report, subject to the integration of the rear bank addition into the new development. MOTION PUT AND DEFEATED.

Recommendation 2

MOVED by Mr. Matheson, seconded by Mr. Kingston that the Heritage Advisory Committee recommend Halifax Regional Council approve the proposed substantial alteration to 1813 Granville Street (Hayes Insurance building) as outlined in Attachments A-Y of the staff report. MOTION PUT AND DEFEATED (as a result of a tie vote).

Recommendation 3

MOVED by Mr. Matheson, seconded by Mr. Kingston that the Heritage Advisory Committee recommend Halifax Regional Council approve the proposed substantial alteration to 1819 Granville Street (Merchants Bank of Canada building) as outlined in Attachments A-Y of the staff report. MOTION PUT AND DEFEATED.

Recommendation 4

MOVED by Mr. Matheson, seconded by Mr. Kingston that the Heritage Advisory Committee recommend Halifax Regional Council approve the proposed

substantial alteration to 1824 Hollis Street (Champlain building) as outlined in Attachments A-Y of the staff report, subject to the reinstatement of the fifth and sixth floors. MOTION PUT AND DEFEATED.

Since there was some discussion as to whether to follow staff's recommendation for this item, the committee voted on an amended motion from Councillor Hendsbee as follows:

MOVED by Councillor Hendsbee, seconded by Ms. van der Leest to approve the proposed substantial alteration to 1824 Hollis Street (Champlain building) as outlined in Attachments A-Y of the staff report. MOTION PUT AND DEFEATED.

Recommendation 5

MOVED by Mr. Matheson, seconded by Mr. Kingston that the Heritage Advisory Committee recommend Halifax Regional Council Approve the proposed substantial alteration to 1820 Hollis Street (Flinn building) as outlined in Attachments A-Y of the staff report. MOTION PUT AND DEFEATED.

Councillor Hendsbee asked for clarification regarding the next steps following HAC's recommendation for council. Staff indicated that the proposal could be approved, subject to a three year wait under the site approvals process, even if HAC recommends against it. The DRC could also approve the proposal.

Ms. Holm suggested that the committee provide advice for council to consider in their deliberations on the proposal. Ms. van der Leest asked if the advice provided by the Committee must reflect a consensus of opinion. Ms. Holm and the Chair explained that the advice must reflect a consensus of opinion, but that it may reflect the nuances of discussion.

Staff pointed out that the substantial alteration to the heritage component of the TD Tower project was unanimously approved by the HAC and is similar to the present proposal.

The Chair invited members of the committee to propose an alternate motion.

MOVED by Mr. Matheson, seconded by Mr. Kingston, that while the Heritage Advisory Committee commends the developer and architect for their positive attitude toward the preservation and integration of heritage properties, the Heritage Advisory Committee recommends that the Halifax Regional Council reject the proposed substantial alterations for the following reasons:

The Heritage Advisory Committee recommends Halifax Regional Council refuse approval of the substantial alteration to 5171 George Street (Bank of Commerce building) as outlined in Attachments A-Y of the staff report, subject to the integration of the rear bank addition into the new development, because elements

including the cantilever and accordion do not conform to standard 9 in terms of compatibility;

The Heritage Advisory Committee recommends Halifax Regional Council refuse approval of the substantial alteration 1813 Granville Street (Hayes Insurance building) as outlined in Attachments A-Y of the staff report, due to the removal of the roof, a character-defining element;

The Heritage Advisory Committee recommends Halifax Regional Council refuse approval of the substantial alteration to 1819 Granville Street (Merchants Bank of Canada building) as outlined in Attachments A-Y of the staff report, because the committee finds it contrary to standard 9 in terms of compatibility and massing;

The Heritage Advisory Committee recommends Halifax Regional Council refuse approval of the substantial alteration to 1824 Hollis Street (Champlain building) as outlined in Attachments A-Y of the staff report, subject to the reinstatement of the fifth and sixth floors. (The Committee noted that while the return to a four storey building was largely viewed more favourably than staff's recommendation of retaining the fifth and sixth floors, the prevailing view of the Committee was to refuse the application for substantial alteration, outright).

The Heritage Advisory Committee recommends Halifax Regional Council refuse approval of the substantial alteration to 1820 Hollis Street (Flinn building) as outlined in Attachments A-Y of the staff report because it fails to comply with Standard 2 due to the removal of the truncated roof, a character defining element.

MOTION PUT AND PASSED

7.1.2 Case 19028: Non-substantive amendments to an existing development agreement and substantial alteration to Keith Hall, 1475 Hollis Street, Halifax

A staff report dated January 9, 2014 was submitted.

In the interest of time Ms. Holm, Heritage Planner, provided a brief presentation on the proposal. She noted that the alteration is a small change to the drawings on Keith Hall, a municipally registered heritage property which has already undergone substantial restoration. Ms. Holm explained that the proposed alteration is at the rear of the building and involves the removal of balconies and a recess on the proposed mansard roof to create a roof balcony. Ms. Holm noted that the mansard roof was an original feature of the building which was removed; hence the alteration consists of a change to the architectural plans, not the building as it exists. She noted also that it would not be visible from the street. The amendment allows for conversion of commercial uses to residential.

Given the straightforward nature of the proposal there were no questions or discussion and the question was called.

MOVED by Mr. Cooke, seconded by Ms. Morris, that Halifax Regional Council:

- 1. Approve the proposed substantial alteration to 1473 Hollis Street, Halifax, as outlined in Attachment A of the staff report, to permit exterior changes to Keith Hall, a municipally registered heritage property;**
- 2. Approve the proposed amending development agreement, as contained in Attachment A of the staff report, to allow for an internal change of use and exterior alterations to Keith Hall and the proposed Halkirk House buildings located at 1475 Hollis Street, Halifax; and**
- 3. Require that the proposed amending development agreement be signed by the property owner within 120 days, or any extension therefor granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.**

MOTION PUT AND PASSED.

7.1.3 RP+5 – Staff Report and Presentation

This item was addressed jointly with the Design Review Committee. The reason for the joint meeting was to allow the DRC to hear the recommendation made by the HAC and listen to its discussion about the changes to standards and guidelines.

A staff report dated January 14, 2014 was submitted. Additional amendments were circulated to the Committee.

Mr. Austin French, Manager, Planning Services, Planning and Infrastructure, presented the staff report and recommendations. His presentation included the following elements.

- An overview of the recommendations before the committee and an explanation of the policy advisory role of the HAC.
- A review of the regional planning process and framework, the scope of the RP+5 review, and an explanation that altering the Regional Plan affects various pieces of heritage legislation that, as a result, require amendment.
- Changes in legislation will be grandfathered into appropriate by-laws and plans.
- The members were reminded that the HAC provided a memo in July 2013 supporting the proposed changes to Standards and Guidelines in principle.
- The key changes that will result from updating the Conservation Standards and Guidelines in line with the Parks Canada approach which follows international best practice. The changes will provide greater clarity and predictability.

- New powers provided to the municipality under changes to the Heritage Property Act, including the ability to designate cultural landscapes and public building interiors and changing the demolition delay for heritage properties from one to three years.
- The HAC will have an ongoing role in the development of a Culture and Heritage Priorities Plan which will involve an extensive inventory of heritage assets.
- The revised regional plan will provide HRM the ability to designate new Heritage Conservation districts.

Mr. French concluded his presentation and invited members of the HAC to consider the staff recommendation.

The Chair invited questions and discussion.

A member of the DRC asked for a definition of the notice of intention and its place in the process of public hearing. Staff responded that a notice of intention is a public notice issued in the newspaper. Once it is issued there is a period in which no development can be approved under the old rules.

Ms. van der Leest asked about the status of the debate on heritage conservation district boundaries. Mr. French clarified that this will come to the HAC as a separate report.

There was discussion among members regarding what would happen in the event that a new edition of the Standards and Guidelines is introduced, and if changes should be immediately reflected in HRM policy. Staff clarified that the 3rd edition isn't expected before new review of the Regional Plan.

Councillor Hendsbee asked for clarification regarding the scope of heritage assets to be included in the inventory. Mr. French replied that it would include provincial and national heritage assets located in HRM, as well as municipally registered heritage buildings and that the process will include extensive public consultation.

MOVED by Councillor Hendsbee, seconded by Mr. Cooke, the Heritage Advisory Committee recommends Halifax Regional Council give First Reading and schedule a public hearing to consider:

1. **repealing the existing HRM *Regional Municipal Planning Strategy*;**
2. **adopting the proposed HRM *Regional Municipal Planning Strategy* as contained in Attachment A of the January 14, 2014 staff report;**
3. **adopting the amendments to the *Downtown Halifax Secondary Municipal Planning Strategy* as contained in Attachment C of the January 14, 2014 staff report;**
4. **adopting the amendments to By-law H-200, the *Heritage Property By-Law*, as contained in Attachment F of the January 14, 2014 staff report;**

5. adopting the amendments to the *Barrington Street Heritage Conservation District Revitalization Plan*, as contained in Attachment G of the January 14, 2014 staff report; and
6. adopting the amendments to By-law H-500, the *Heritage Conservation District (Barrington Street) By-law*, as contained in Attachment H of the January 14, 2014 staff report.

The Heritage Advisory Committee further recommends that Halifax Regional Council:

1. a) amend the proposed amendments to By-laws H-200 and H-500 to allow consideration of applications to substantially alter a heritage property which were on file on or before the date of the first publication of the notice of intention to adopt the amendments and which were being considered subject to the Heritage Building Conservation Standards that were in effect at the time the complete application was received; and

b) that where any application is withdrawn, significantly altered, or rejected by Council, any new development proposal shall be subject to all applicable requirements;
2. a) amend the proposed amendments to the Barrington Street Heritage Conservation District Plan and the Downtown Halifax Secondary Municipal Planning Strategy to allow consideration of applications to substantially alter a heritage property which were on file on or before the date of the first publication of the notice of intention to adopt the amendments and which were being considered subject to the Heritage Building Conservation Standards that were in effect at the time the complete application was received; and

b) that where any application is withdrawn, significantly altered, or rejected by Council, any new development proposal shall be subject to all applicable requirements.
3. amend the *Downtown Halifax Land Use By-law*, Schedule S-1, Design Manual, section 4.5.6 to replace the name "*Federal Standards and Guidelines for Conservation of Historic Buildings in Canada*" with the "*Standards & Guidelines for the Conservation of Historic Places in Canada, 2nd Edition*".

MOTION PUT AND PASSED.

8. ADDED ITEMS: None

9. NEXT MEETING DATE – February 26, 2014

10. ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

Lachlan Barber
Legislative Support