

TO: Halifax Regional Council

SUBMITTED BY: Heather Ternoway
Heather Ternoway, Chair
District 12 Planning Advisory Committee

DATE: January 30, 2006

SUBJECT: Case 00709: Development Agreement - Former Texpark Site, Halifax

ORIGIN

District 12 Planning Advisory Committee meetings - January 16 and 23, 2006

RECOMMENDATION

The District 12 Planning Advisory Committee recommend that Halifax Regional Council:

1. Give Notice of Motion to consider the development agreement attached to this report and schedule a public hearing;
2. Approve the development agreement, included as Attachment A of the staff report dated December 16, 2005, with an amendment to **not approve clause 2.11** of the proposed development agreement which permits the use of the lands for interim parking prior to construction;
3. Require that the development agreement be signed within 120 days, or any extension thereof granted by Regional Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end;
4. Discharge that portion of the existing Development Resolution for the MetroPark facility as it applies to the northwest portion of Lot 1A (PID# 41036088) which forms part of the proposal, to take effect upon the registration of the subject development agreement;
5. Subject to signing of the development agreement, approve the encroachments as shown on the Schedules of Attachment A of the staff report dated December 16, 2005. (Staff will bring this item back to Council at the appropriate time).

ATTACHMENTS:

Staff report dated December 16, 2005

Excerpt of District 12 minutes - January 23, 2006

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report prepared by: Gail Harnish, Admin/PAC Coordinator, 490-4937

UNAPPROVED

District 12 PAC
Minutes

January 23, 2005

MOVED by Ms. Beverly Miller that the District 12 Planning Advisory Committee reject the staff recommendation as outlined in the staff report dated December 16, 2005. Having no seconder, the motion was lost.

MOVED by Ms. Lucy Trull, seconded by Mr. Clary Kempton, that the District 12 Planning Advisory Committee recommend that Regional Council:

- 1. Give Notice of Motion to consider the development agreement attached to the staff report dated December 16, 2005 and schedule a public hearing;**
- 2. Approve the development agreement, included as Attachment A to the staff report dated December 16, 2005;**
- 3. Require that the development agreement be signed within 120 days, or any extension thereof granted by Regional Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end;**
- 4. Discharge that portion of the existing Development Resolution for the MetroPark facility as it applies to the northwest portion of Lot 1A (PID#41036088) which forms part of the proposal, to take effect upon the registration of the subject development agreement;**
- 5. Subject to signing of the development agreement, approve the encroachments as shown on the Schedules of Attachment A (Staff will bring this item back to Council at the appropriate time).**

Mr. Clary Kempton read into the record comments he had prepared discussing the proposed development, during which the following was noted:

- Halifax is comprised of a unique blend of architectural styles as well as a varied assortment of land uses.
- The proposed development corresponds with the following Central Business District Objectives and Policies:
 - Economic Objective: "The strengthening of the Halifax CBD as a dynamic focus of governmental, commercial, retail, residential and entertainment uses, and the appropriate development of the waterfront to promote the city as the major business and cultural centre of Atlantic Canada. "
 - Section 1.1.1: "The City shall seek, encourage and facilitate developments which respond positively to this concept and discourage those which respond negatively".
 - Social Objective: "The creation of a lively, vibrant environment throughout the

CBD which promotes and supports a wide variety of living, leisure and working activities throughout the day and evening.”

- The Granville streetscape is in urgent need of restoration.
- Activity will be generated to the area by the condominiums, hotel, office space, conference centre, and retail space in the proposed development, which may be an incentive for other property owners in the area to restore their buildings.
- The proposed development is outside of restrictive viewplanes, is not adjacent to significant historic architecture, does not encroach on the citadel or waterfront, does not involve the demolition of any building, and complies with the intent of the MPS to bring a measured amount of growth and activity to the downtown core.

Mr. Kempton also showed photographs of the streetscape and distributed a newspaper article outlining a 9.8% decline in visitor to the Citadel. A copy of Mr. Kempton’s written comments, with photographs and newspaper article, are on file.

Ms. Beverly Miller noted that the Committee must base their decision on policy, in particular whether the development would follow the Municipal Planning Strategy. Ms. Miller noted the following MPS sections and policies which could be interpreted as inconsistent with the proposed development:

- Section I - Basic Approach and Overall Objective for ongoing planning:
“The enhancement of the physical, social, and economic well-being of the citizenry of Halifax through the preservation, creation and maintenance of an interesting and livable city, developed at a scale and density which preserve and enhance the quality of life.”
- Section II - City Wide Objectives and Policies - Heritage Objective (II-22):
“The conservation or rehabilitation of areas, streetscapes, buildings, features and spaces which mark the sequence of development in Halifax and which identify the CBD as the City’s cultural and heritage centre.”
- Section III - The Central Business District
 - Economic Policy (1.3.2): “The City should encourage new developments that integrate with existing industries, commercial enterprises and institutions.”
 - Scale and Design Detail:
 - Objective: “A high quality of design and construction of buildings to reflect the architectural, heritage and topographical characteristics of the CBD.”
 - Policy 7.1: “The character of the CBD should be reinforced through the control of urban design details such as massing, texture, materials, street furniture and building lines.”
 - Policy 7.1.1: “The City shall generally retain the remaining street grid and City block pattern in the CBD.”
 - Policy 7.1.2: “The City shall encourage the architectural form and scale of new developments to be compatible with the block pattern

- and shall discourage those developments which do not respect it.”
- Open Space: As per the MPS, the definition of open space includes circulation space. Accordingly, open space included in the proposed development would be contrary to Policy 5.1 and Policy 5.1.2.
 - Heritage - Policy 6.2: “The city shall continue to make every effort to preserve or restore those conditions resulting from the physical and economic development pattern of Halifax which impart to Halifax a sense of its history, such as views from Citadel Hill, public access to the Halifax waterfront, and the street pattern of the Halifax CBD.”
 - Circulation - Policy 3.4.3: “which limits surface parking lots as an interim use to meet immediate needs.”

A copy of Ms. Miller’s written comments are on file.

Ms. Lucy Trull noted that the Municipal Planning Strategy requires clarification and is open to interpretation. She commented that the viewplane protection was put in place to protect certain views from the Citadel, not the entire view. Ms. Trull also noted that the element of added economic vibrancy and the residential component to the development were factors in her decision. She further commented that legislation regarding height and heritage issues were considered carefully and her decision was not based on personal preference, but rather based on legislation.

Councillor Dawn Sloane arrived at 7:15 p.m. Ms. Heather Ternoway, Chair, clarified the motion on the floor for the benefit of Councillor Sloane.

Ms. Ternoway noted that consideration in reaching a decision on this application was given to policies and legislation, which are open to interpretation and in some cases conflicting. She indicated that there are questions surrounding certain definitions in these policies, such as “generally”, “complimentary” and “vicinity” along with certain “should” clauses. Ms. Ternoway noted that the interpretation of the intent of the viewplane protection, in alignment with existing legislation, is not to protect a panoramic view from the Citadel, but certain viewplanes. She noted that she believes the proposed development enhances the architecture and heritage of Barrington Street through contrast. Ms. Ternoway commented that the MPS was written to allow for flexibility and interpretation. She further commented that the proposed development includes retail and residential aspects, which will encourage and attract people to work, live and visit downtown, as per current MPS policies and is in line with the Regional Plan. Ms. Ternoway indicated that there are many more significant factors contributing or detracting from tourism than this particular development.

Mr. Graham Gunn reiterated comments made by Mr. Kempton, Ms. Trull, and Ms. Ternoway regarding the non-clarity of the MPS. Mr. Gunn noted that Granville Street is not a heritage district and that he does not believe that this development will detract from the vision of the city, nor will it detract from the heritage of the downtown.

Ms. Miller commented that her decision was based on the MPS and from a long-term future point of view, not from a heritage point of view. She noted that the design is comparable to other examples of poorly designed tall buildings in Halifax, such as the Maritime Centre, Scotia Square, and the Fenwick building, all of which are on podiums with a greater set-back from the street than the proposed development. Ms. Miller indicated that the MPS was written after some of these tall buildings were built to protect against the same type of development. She further noted that she believes that there will be wind and shadow problems with the development.

Ms. Trull noted that discussions surrounding this development further clarify the need for Halifax to define a vision for the city and clarity in policies and legislation so there will be no need to assess developments on a case by case basis. The Urban Design Plan or the Regional Plan are avenues for creating this clarification. Ms. Trull spoke in favour of preserving existing heritage while still allowing for different types of design. She further commented that designs for low yet poorly designed buildings are being seen as acceptable while designs for tall buildings are being criticized without looking at the merits of the design.

Councillor Sloane commented that within the downtown, the issue of height remains a contentious issue. She noted that the MPS is vague in order to be interpreted according to different scenarios, however, the same issues are being repeatedly discussed and need to be clarified. She also noted that it is possible to complement heritage with innovative designs. Councillor Sloane indicated that the proposed development follows the intent of the MPS in terms of the massing scale being divided into two towers, and will contribute to the economic conditions of the area. She agreed that there are concerns about the height of the proposed development and clarification is needed to deal with height of new developments. She further noted that the MPS was put together with the shared views of the community at the time it was written.

Ms. Ternoway indicated that the mandate of the District 12 PAC allows for public meetings regarding plan amendments only. The Committee is not permitted to hold a full public meeting for development applications, as it would confusing the overall public participation process of Council. Ms. Ternoway indicated that the Committee has a responsibility to allow the development to go forward to Council for a public hearing to obtain proper public input.

Councillor Sloane noted that this proposed development is going before all members of Council, most of whom do not spend much time in the downtown core and that this development will have the greatest affect on people who live, work and play in the downtown core. She discussed subdivision developments that will have a greater impact on traffic and municipal services than the proposed development before the Committee. Councillor Sloane noted that in order to make the right decision for the community, Council must hear from the public.

It was clarified at this time that the motion on the floor is the staff recommendation appearing in the December 16, 2006 staff report.

MOTION PUT AND PASSED.

The Committee discussed the use of the site as an interim parking lot as per Clause 2.11 of the development agreement attached to the staff report. The Committee agreed that allowing the use of the site for interim parking would be contrary to HRM's efforts to encourage the use of alternative transportation.

MOVED by Councillor Dawn Sloane, seconded by Ms. Beverly Miller, that the development agreement included as Attachment A to the staff report dated December 16, 2005 be amended to not approve clause 2.11 which permits the use of the lands for interim parking prior to construction.

The Committee discussed the use of the site for interim parking, during which the following was noted:

- The Committee could recommend to Council to set a time limit on the use of the site for interim parking.
- Clause 2.11 (d) reads "the interim parking use shall be permitted until such time as the building permit is issued and construction commences and may only be extended by resolution of Council...", which could possibly allow for the use of the site as a parking lot for several years.
- The applicant submitted information on a demand for monthly parking in the downtown.
- Allowing the use of the site for interim parking would be contrary to the Regional Plan which promotes active transportation and alternative transportation.

MOTION PUT AND PASSED UNANIMOUSLY.



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District 12 Planning Advisory Committee - January 16, 2006
Heritage Advisory Committee - January 18, 2006

TO: District 12 Planning Advisory Committee
Heritage Advisory Committee

SUBMITTED BY:

Dan English, Chief Administrative Officer

Wayne Anstey, Acting Deputy Chief Administrative Officer

DATE: December 16, 2005

SUBJECT: Case 00709:Development Agreement - Former Texpark Site, Halifax

ORIGIN

Application by United Gulf Developments Limited for a mixed-use development containing:

- a hotel, residential units, commercial uses and parking garage;
- use of the site as a temporary parking lot prior to construction; and
- encroachments into the street right of way.

RECOMMENDATION

It is recommended that:

- A. **Heritage Advisory Committee** consider the proposed development described in this report in relation to its complementarity to adjacent registered heritage properties and advise Regional Council accordingly.
- B. **District 12 Planning Advisory Committee** recommend that **Regional Council:**
 1. Give Notice of Motion to consider the development agreement attached to this report and schedule a public hearing;
 2. Approve the development agreement, included as Attachment A of this report;
 3. Require that the development agreement be signed within 120 days, or any extension thereof granted by Regional Council on request of the applicant, from the date of final approval by Council and any other bodies as necessary, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end;
 4. Discharge that portion of the existing Development Resolution for the MetroPark facility as it applies to the northwest portion of Lot 1A (PID# 41036088) which forms part of the proposal, to take effect upon the registration of the subject development agreement;
 5. Subject to signing of the development agreement, approve the encroachments as shown on the Schedules of Attachment A (Staff will bring this item back to Council at the appropriate time).

TABLE OF CONTENTS

	<u>Page No.</u>
RECOMMENDATIONS	
Heritage Advisory Committee and Planning Advisory Committee	1
EXECUTIVE SUMMARY	3
BACKGROUND	
Development Agreement	4
The Proposal	4
Purchase and Sale Agreement	5
Zoning and Enabling Policy	5
DISCUSSION	5
Tall Buildings in Halifax	5
Proposed Use	6
Scale and Design	6
Streetscape Improvements	7
Heritage	7
Views	8
View Planes	8
Views From Within the Citadel Parade Square	8
Building Heights in Vicinity of Citadel	8
Panoramic Views	8
Views Along East-West Streets	9
Wind	9
Shadow	9
Economic	10
Traffic	10
Surface Parking	10
Public Meeting and Comments	10
BUDGET IMPLICATIONS	10
FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN	10
ALTERNATIVES	10
ATTACHMENTS	11
Map 1 - Location and Context	
Map 2 - View Planes and Area of Notification	
A - Draft Development Agreement	
B - Relevant Sections of the Municipal Planning Strategy / Land Use By-law	
C - Minutes from Public Information Meeting	
D1 - D17 - Elevations, Floor Plans & Details of Proposal	
E1 - E7 - Images of Proposal	

EXECUTIVE SUMMARY

The proposed development consists of:

- a mixed-use, two-tower development with a common 4-level podium at its base;
- a building height of 27 storeys above Hollis Street and 26 storeys above Granville Street;
- a north hotel tower (260 rooms);
- a south residential tower (250 dwelling units);
- a podium base containing hotel amenities (e.g. restaurant, conference rooms, etc.);
- approximately 20,000 square feet of ground floor retail space;
- approximately 42,000 square feet of office space;
- four levels of underground parking accessed from Hollis Street;
- temporary use of the site as a parking lot prior to construction of the buildings; and
- encroachments into the street right of way.

The development has been reviewed in relation to the applicable policies of the Halifax Municipal Planning Strategy (MPS) (Attachment II.). Generally, these policies relate to:

- Scale and design such as massing and compatibility with the city's block pattern and historic buildings;
- The creation of a lively, vibrant pedestrian environment in the downtown;
- Streetscape improvements, sidewalk level design/ amenities and landscaping of the podium rooftop;
- Protection of public views from the Citadel and views of the harbour along east-west streets;
- Potential impacts related to wind, shadows, traffic circulation and pedestrian safety; and
- Economic and social considerations related to the Halifax CBD as the principal commercial, governmental, residential and recreational/ entertainment centre for the region.

The two towers have a unique asymmetrical design not yet seen in Halifax and which could not have been envisioned when the MPS was written more than twenty-five years ago. The Halifax MPS does not prescribe a particular design style. Instead it requires attention to context and the application of general design principles. Within this policy framework the MPS allows for evolving design trends and aesthetic tastes. The latitude for more modern designs varies depending upon the surrounding context. Given the varied nature of the area surrounding this site, Council has a high degree of latitude in determining:

- what the desirable characteristics of this area are;
- which aspects of the area's character should be reinforced; and
- what range of building heights and building massing are appropriate for the area.

Staff recommend approval of the proposed development and the draft development agreement attached to this report. The relevant objectives and policies of the MPS, when taken together in their entirety, support the proposal on this particular site. This recommendation should not be taken as a precedent for all sites in the CBD.

BACKGROUND:

Development Agreement: Buildings in this area of the downtown are limited to a maximum height of 40 feet as-of-right. Council may, however, consider taller buildings provided they comply with the Municipal Planning Strategy (refer to Attachment B). In addition, parking lots and garages are prohibited from being developed as-of-right but may also be considered by development agreement.

The Proposal: A detailed description of the proposal is as follows (refer to Attachments D and E):

- A mixed-use, two-tower development with a common 4-level podium base.
- The overall design is characterized by an asymmetrical, vase-shaped north (hotel) tower which “twists” slightly as it rises and a recessed, slightly curved south (condominium) tower.
- Overall building height is approximately 285 feet (27 storeys above Hollis Street and 26 storeys above Granville).
- The north tower contains a 260-room hotel. Hotel amenities, including restaurant, conference rooms, etc., are to be located within the podium base. The hotel entrance with a vehicular lay-by is located on Hollis Street.
- The south tower contains 250 condominium units with a separate pedestrian entrance off Granville Street with access to underground parking.
- Approximately 20,000 square feet of ground floor retail space and 42,000 square feet of office space, in addition to the restaurant and hotel amenities, would be located within the podium levels.
- Four levels of underground parking for approximately 400 vehicles and three vehicular loading bays within the building, with entrances/exits off Hollis Street.
- Exterior architectural materials will consist of glass curtain walls of clear and bronze tinted transparent glass on the towers and a mixture of stone, copper and other metal cladding on the base.
- Landscaping of the podium rooftop between the two towers and streetscape construction and amenities in accordance with HRM’s Capital District streetscape guidelines.
- Building encroachments into the street right-of-way at the intersection of Sackville and Hollis Streets, including portions of the upper levels of the hotel as well as entrance canopies above street level, requiring approval by Council of an Encroachment License.
- The use of the site for interim monthly parking prior to construction starting.
- Discharge of the existing Development Resolution for the MetroPark facility for that part of Lot 1A included with this proposal upon registration of the development agreement.

Purchase & Sale Agreement:

The bulk of the proposed development site was acquired from the Municipality in May 2004 through Public Tender. United Gulf Developments was the successful proponent with a bid of \$5,360,000. Ownership of the land has been transferred to United Gulf. HRM is under no obligation to renegotiate the sale price or buy back the land if Council does not approve the proposed development. The MPS policies and public hearing process were highlighted in the tender document. Any risk associated with approval of the proposed development is unconditionally assumed by United Gulf.

The applicant and HRM have entered into a second agreement of purchase and sale for the portion of Lot 1A located at 1557 Granville Street next to the MetroPark facility. This small parcel is one of three which form part of this development proposal. The transaction has not closed as of the date of this report.

DISCUSSION:

Objectives and policies of the Municipal Planning Strategy (MPS) provide guidance to Council in making decisions on planning matters. They are not regulations. Council is obligated to consider all relevant objectives and policies, and weigh their relative importance in relation to potential impacts of a proposal on the surrounding area and community.

Tall Buildings in Halifax:

Each time a tall building is proposed in Halifax, debate polarizes into supporters who see tall buildings as a sign of progress and opponents who believe they threaten the city's intrinsic character. Each staff report is viewed as a litmus test to see which viewpoint staff supports. The MPS does not express either view as a general policy statement. The MPS permits taller buildings in some locations and not in others. The MPS however does not explicitly identify which sites are appropriate for each type of building. The MPS presents a number of policies for guidance such as the character of the surrounding area, the application of general design principles, proximity to Citadel Hill and the maintenance of view planes.

The limited experience HRM has had with tall buildings *has* resulted in several tall buildings which have created harsh pedestrian environments and are unsympathetic to adjacent heritage assets. It is therefore not surprising that many citizens oppose taller buildings. Architecture and urban design, however, have come a long way towards understanding how to create liveable cities since the unadorned glass and concrete slabs which were constructed in the 1960's and 70's. There are numerous proven strategies for making taller buildings fit into and even enhance a city.

Two recent approaches dominate the design of contemporary tall buildings. To date neither approach has been introduced to this region. The first approach emulates tall building design from the early twentieth century. These are point tower designs which step back and get narrower as their height increases, completed with an ornamental or signature top. The second and more recent trend has been asymmetrical or amorphous designs which seem to defy our expectations of what is physically possible. The United Gulf proposal represents this latter approach. Both approaches acknowledge the impact taller buildings have upon a city's skyline and attempt to make visually interesting contributions by avoiding a simple rectangular shape topped by a plain mechanical penthouse. Regardless of which approach is taken, careful attention to detail on the lower storeys, especially at pedestrian level is required.

Proposed Use:

The MPS policies for the Central Business District (CBD) call for the “development of mixed-use residential and commercial areas which are appropriate to the varied scale and character of the sub-areas of the CBD”, and which “strengthen the development of the specific desirable characteristics of identified sub-areas of the CBD”.

This site is in Sub-area #10, “a sub-area of office and mixed-use between Hollis Street and the western side of Granville Street, and extending from Salter Street to Prince Street”. In addition the MPS encourages the “creation of a lively, vibrant environment” through street level uses such as retail and restaurants along with attention to street level design treatments. Currently this block of Hollis and Granville Streets has relatively little pedestrian activity, display space or entrances. Numerous entrances, glass storefronts and canopies in the proposed development will enhance the area and increase pedestrian activity.

Scale and Design:

The MPS encourages attention to “design details such as massing, texture, materials, street furniture, and building lines.” The MPS also encourages development to be compatible with the traditional city block pattern and discourages block consolidation and street closures to accommodate development.

The area includes a broad mix of historic buildings and contemporary buildings with no dominant character. Buildings in the immediate area range in height from three storeys (Cooper and McDonald, 1669 Granville Street; Brooks Travel, 5181 Sackville Street) to 13 storeys (Centennial Building, Sackville & Hollis; Joseph Howe Building, Prince & Hollis) as compared to the proposed 27 storey (approximately 285 feet) development. For comparative purposes the proposed development is similar in height to the tallest buildings in the CBD such as Maritime Centre, Purdy’s Wharf Tower II and 1801 Hollis Street (at Hollis, Duke and Upper Water Streets).

As illustrated in the attached drawings and model photographs (Attachments D and E), building mass and scale will be controlled by:

- a three storey base (podium) which is consistent with smaller scale buildings in the area;
- segmenting the podium into distinct, identifiable sections;
- creating a series of protrusions and recesses on the face of the podium below the residential tower, which breaks up the building mass and contributes to the human scale of the project;
- utilizing numerous building entrances/exits and canopies at street level which add to a pedestrian-scaled streetscape;
- proposing the two-tower design itself, thereby creating the space between the towers instead of one massive tower over the entire site;
- proposed materials and texture are of high quality (glass, copper and masonry in various shades/appearances);
- street furniture and sidewalk reconstruction will comply with the Capital District streetscape guidelines; and
- no changes are proposed with respect to the size or shape of the block and the base of the proposed building is generally constructed up to the sidewalk which is traditional to Halifax architecture.

As required by the MPS, this project has paid a great deal of attention to scale, massing, materials, street level treatment and the city's block pattern. The unique and dramatic design of the two towers certainly could not have been envisioned when the MPS was written more than twenty-five years ago. Having said that, the MPS is not intended to prescribe a particular design style. Provided the design principles outlined in the MPS are met, the MPS allows for evolving design trends and aesthetic tastes. The latitude for more modern designs will vary depending upon the surrounding context. Given the varied nature of this area and its surroundings, Council has a high degree of latitude in determining:

- what the desirable characteristics of this area are;
- which aspects of the CBD's character should be reinforced; and
- what range of building heights and building massing are appropriate for the area.

Streetscape Improvements:

MPS policies call for landscaping and streetscape elements to improve the physical and visual environment of the CBD. The applicant will reconstruct the sidewalk in accordance with Capital District guidelines. Street level amenities such as street trees, benches, bicycle racks and garbage receptacles will be provided. Rooftop landscaping above the podium will include vegetation suited to rooftop environments enabling this space to be utilized by building occupants/guests. This also creates an attractive view when seen from other buildings in the area.

The Halifax Short Term Pole Free Zone, adopted in 1977, provided cost-sharing for the placement of electrical and telecommunication utilities underground. In this case, however, the applicant will assume the costs associated with undergrounding electrical and telecommunication utilities adjacent to the development. This will complete the CBD portion of the Short Term Pole Free Zone at no additional cost to HRM.

Heritage:

MPS policies related to heritage properties call for the exterior architectural design of new buildings to be sensitive and complementary to any adjacent ones of historic or architectural significance through:

- "encouragement of sensitive and complementary architecture in their immediate environs" and;
- "the careful use of materials, colour, proportion, and the rhythm established by surface and structural elements should reinforce those same aspects of the existing buildings".

In considering the relative weight and importance of these policies, Council may wish to consider:

- the degree of historic significance of adjacent buildings (eg. landmark ones versus ones of lesser significance);
- their proximity to the subject site; and
- their visibility in relation to the site.

The historic buildings which can be considered adjacent to the subject site are those fronting on Barrington Street, some of which also back onto Granville Street. While the historic character of many of the buildings on Barrington Street is evident from vantage points along that street, the rear portions backing onto Granville Street have less heritage significance. In general, the rear facades do not have heritage details which create visual interest. In fact the rear facades have fewer windows and doors which contributes to the general lack of street level interest and activity in this area.

It might also be argued that the site is adjacent to Founders Square, the Johnson Drug building, the Halifax Club and Keith's Brewery. All of these buildings however are physically and visually separated from the subject site by modern, non-registered buildings such as the Centennial building, Radisson Hotel, MetroPark, Ralston Building and Salters Gate.

The proposed building avoids the use of grey concrete which has been common to many tall buildings in Halifax. Several traditional materials (stone, copper and glass) are used instead. These materials are used in a way which does not mimic or replicate traditional architecture but which are, nevertheless, complementary.

Views:

The MPS protects public views in the following ways:

- Ten view planes have been established from the Citadel (see Map 2);
- Structures are not permitted to be seen over the Citadel ramparts from specific vantage points in the Citadel parade square;
- The height of buildings in the immediate vicinity of the Citadel are controlled in an attempt to ensure harmony and order among buildings which are in the foreground view; and
- Views to the harbour along east-west streets are protected.

These view protection measures, in relation to the subject proposal, are elaborated below.

View Planes:

The southernmost corner of the site is intersected by View plane #6. The proposed building does not protrude through and is not parallel to the view plane. The proposal meets this policy.

Views From Within the Citadel Parade Square:

Buildings cannot be visible over the fortifications from within the Citadel's inner parade square. The proposal meets this policy.

Building Heights in Vicinity of Citadel:

The MPS sets "low to medium rise" height limits "immediately adjacent to Citadel Hill and increasing with distance therefrom." Given that the proposed building is not immediately adjacent to Citadel Hill and is at some distance (six blocks) a taller building may be considered on this site.

A September 21, 1984 staff report on the subject of building heights in the vicinity of the Citadel indicated that the intent of establishing height controls in this vicinity was to; "to seek a measure of harmony and order among building heights in the foreground of the view". While the project will clearly be visible from the Citadel, it is six blocks away. Therefore, it is not in close proximity to the fortress and despite its scale, cannot be considered a foreground view which intrudes on the Citadel.

Panoramic Views:

The proposed project is clearly large, highly visible and will block some panoramic views of the harbour (Attachment E). Having said that, the Halifax MPS offers no general protection of panoramic views. Instead, it protects the specific individual views summarized above. In a 1983 Utility and Review Board decision on A.T.C. Properties Ltd. (Cambridge Suites on Brunswick Street), the Board stated:

"It appears clear that the City having adopted its view plane legislation did not intend to preserve a generally open panoramic view of the harbour from Citadel Hill".

Views Along East-West Streets

The MPS states that; "views of and from the harbour along the east-west streets should be conserved." The proposed development abuts Sackville Street and includes minor encroachments into the street right-of-way which do not jeopardize the overall views along Sackville Street.

- A canopy designed to protect pedestrians from weather and wind elements, encroaches approximately 5 feet over the Sackville Street sidewalk.
- The upper storeys of the hotel tower encroach over a portion of the Sackville Street sidewalk to accommodate the towers twisting design. The maximum encroachment at the penthouse level is 8' over the Sackville Street sidewalk.

Wind:

The MPS calls for acceptable wind levels on sidewalks and public open spaces. Wind tunnel testing was done based upon the former Texpark building in place, and based upon the proposed development, with wind mitigation measures in place. The study concluded that the proposed development (with mitigation measures) did not significantly increase wind speeds in the area. Specific wind mitigation measures at street level, such as canopies, wind screens, landscaping and other measures (primarily on Sackville Street) will be required and should be determined at the detailed design stage. The draft development agreement requires that any mitigation measures which encroach into the street right-of-way or which are not in keeping with the conceptual design be approved by Council as a non-substantive amendment to the proposed agreement.

Shadow:

The MPS calls for "a minimal amount of shadow cast on public open spaces." The sun's path was modelled for the solstices (December 21st and June 21st) as well as the equinoxes (March 21st and September 21st). Shadow effects on public open spaces (Sackville Landing, Parade Square/ St. Paul's Church) and adjacent streets/sidewalks were reviewed. The shadow modelling found that:

- Shadows from the proposed towers will have minimal impact on Sackville Landing and the waterfront in the summer months. On June 21st, shadows will not impact Sackville Landing at all and only reach the boardwalk area north of Bishop's Landing after 7 p.m.
- On December 21st, when shadows are longest, they reach Sackville Landing at approximately 2:45pm and combine with those of other buildings and continue along the boardwalk area.
- On December 21st, shadows reach Parade Square and St. Paul's Church in the early to mid-morning but leave by approximately 10:30 a.m. Shadows do not reach this location in spring, summer or fall.
- On March 21st and September 21st shadows from the hotel tower reach Sackville Landing in late afternoon (after 3 p.m.), combining with shadows already present from buildings in the area. Shadows from the proposed towers persist into the early evening, reaching the waterfront boardwalk area north of Bishop's Landing.

Shadows on streets and sidewalks during different parts of the day are common in a downtown setting. As the MPS refers to "public open spaces" and not to streets/sidewalks, shadows on streets/sidewalks caused by buildings within the CBD are expected and generally acceptable. Based on the shadow modelling, there would be minimal shadowing on public open spaces and the proposal meets the intent of Policy 7.6.

Economic:

The economic objective of the CBD is “the strengthening of the Halifax CBD as a dynamic focus of governmental, commercial, retail, residential, recreational, and entertainment uses”. This objective is reinforced by various policies which encourage a substantial increase in retail and commercial floor space, the provision of a wide range of consumer facilities and the development of major projects such as hotels. The proposal includes a major hotel, offices, retail and high density residential uses which are appropriate for the CBD.

Traffic:

Traffic impacts from the development will be minimal, given the nature of traffic in a downtown setting. Vehicular entrances/exits, loading bays and lay-bys will be located off Hollis Street. Loading and unloading will be off-street and will not be permitted during morning and afternoon peak traffic hours. Pedestrian warning devices such as signs or pavement markings will be included in the loading area.

Surface Parking:

The MPS Provides for the temporary use of land as a surface parking lot. The draft development agreement allows the site to be used for surface parking prior to the commencement of building construction.

Public Meeting and Comments:

A public information meeting was held on January 19, 2005. The minutes of the meeting are included as Attachment C.

Written submissions will be circulated under separate cover.

BUDGET IMPLICATIONS

The applicant has agreed to assume the costs of the civil work associated with the undergrounding of electrical and telecommunication utilities adjacent to the development, the costs of reconstructing the sidewalk in accordance with the Capital District standards for Barrington Street developed through its Urban Design Project and also provide street level amenities such as street trees, benches, bicycle racks and garbage receptacles.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

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

ALTERNATIVES

1. Council may approve the development agreement. If this course of action is taken, Council should also discharge the existing development resolution for Lot 1A as it pertains to this proposal (northwest portion of Lot 1A only). This is the recommended course of action.

2. Council may refuse to enter into the development agreement and, in doing so, must provide reasons based on conflict with existing MPS policy. Although this is not the recommended alternative, Council has the discretion to choose this option for the reasons described above.
3. Council may choose to approve the development agreement with modifications which are acceptable to the applicant. Such modifications may require further negotiations with the applicant and/or revisions to the schedules attached to the agreement.

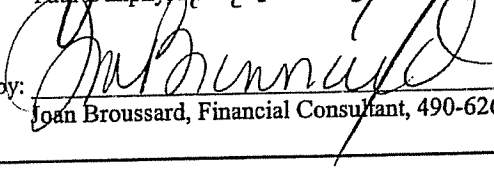
ATTACHMENTS

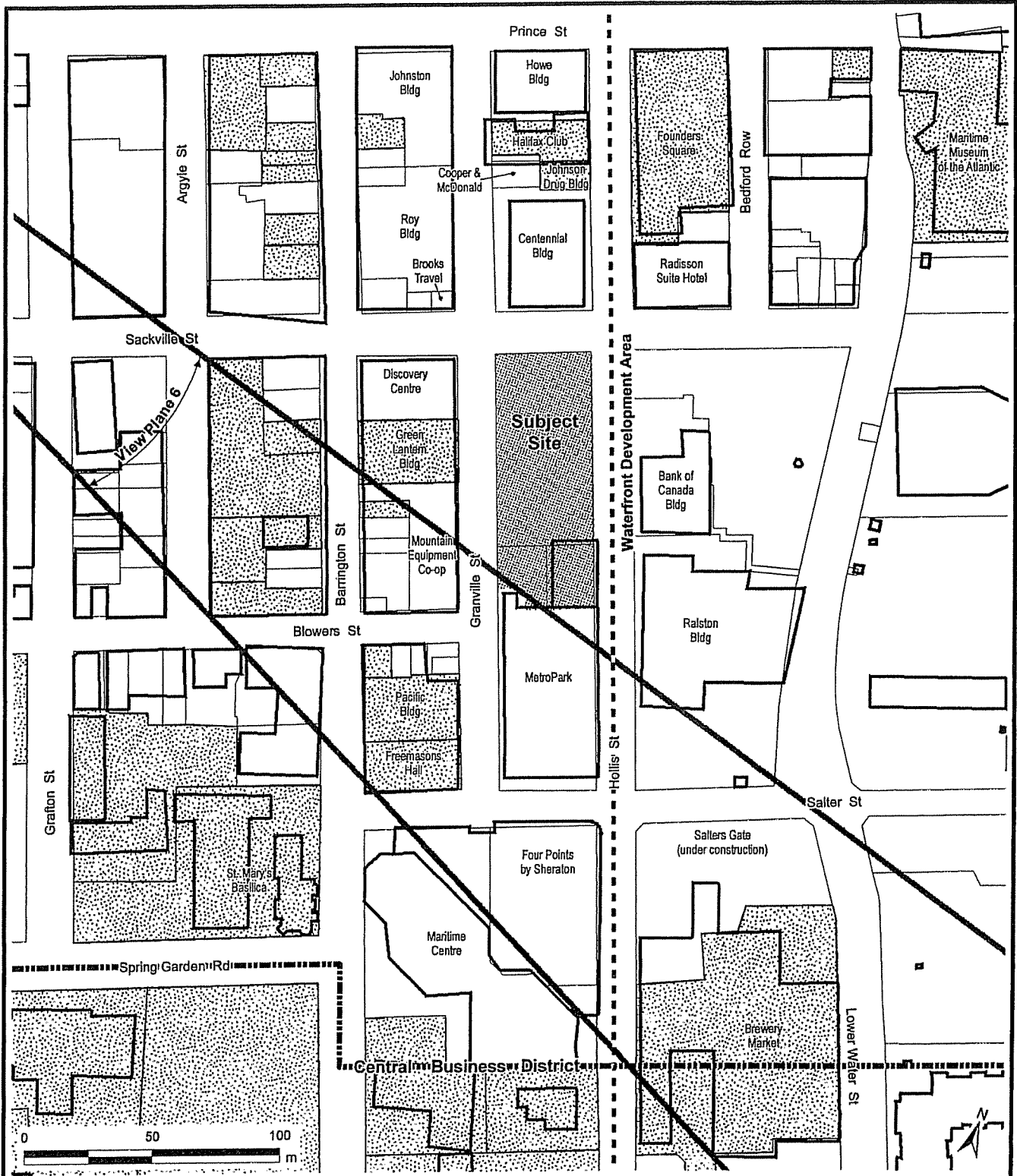
Map 1	Zoning and Location
Map 2	View Planes and Area of Notification
Attachment A	Draft Development Agreement
Attachment B	Relevant Sections of the MPS / LUB
Attachment C	Public Information Meeting Minutes
Attachment D1 - D17	Elevations, Floor Plans & Details of Proposal
Attachment E1 - E7	Images of Proposal

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.




Report Prepared by: Paul Sampson, Planner I, Planning and Development Services, ph.490-6259

Report Approved by: 
Paul Dunphy, Director, Planning & Development Services

Report Approved by: 
Joan Broussard, Financial Consultant, 490-6267

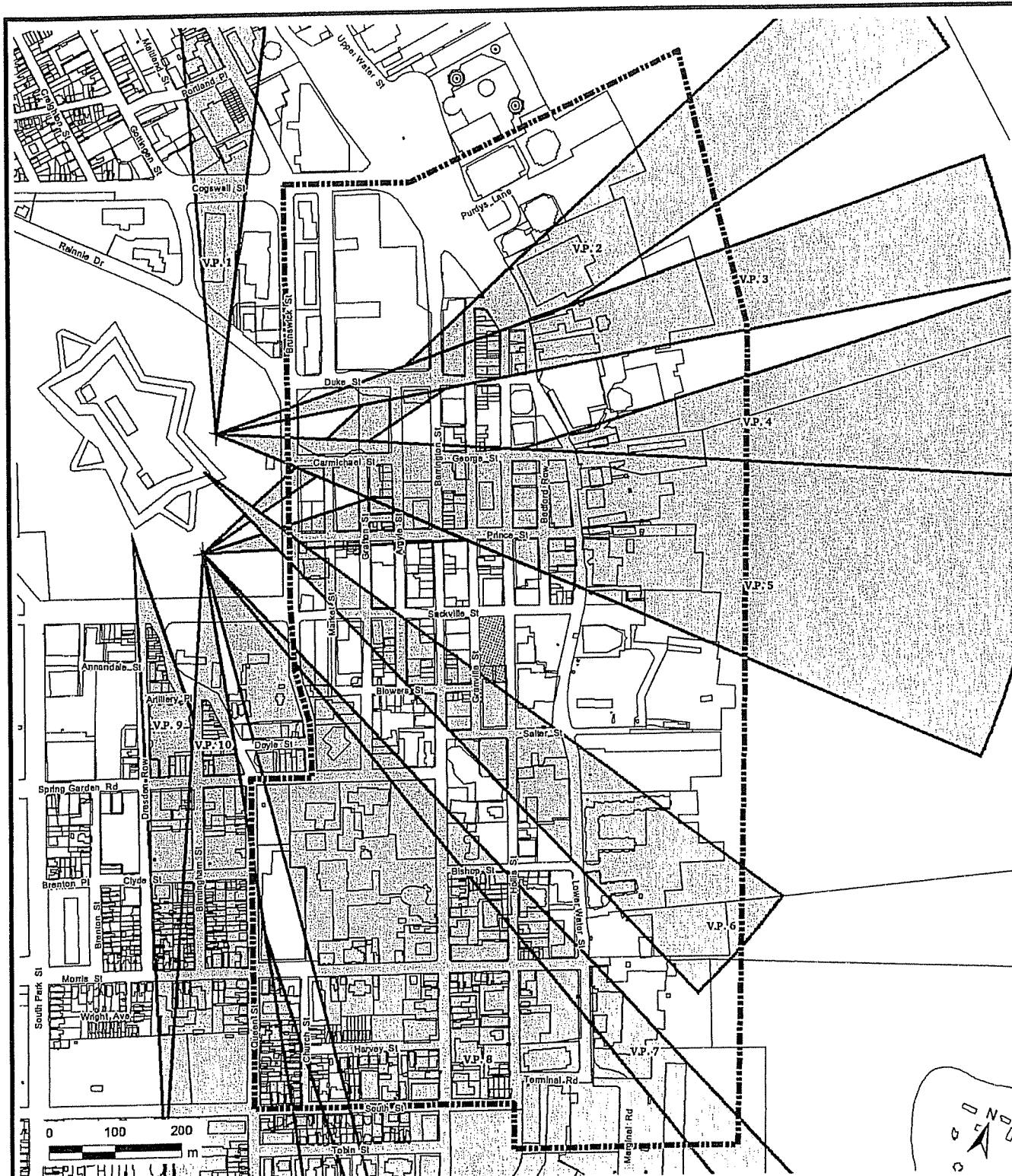


Map 1 - Location and Context
 TexPark Site
 Sackville Street, Halifax
 Halifax Plan Area




-  Subject site
-  View plane
-  Registered heritage property

HALIFAX
 REGIONAL MUNICIPALITY
 PLANNING AND
 DEVELOPMENT SERVICES

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



Map 2 - View Planes and Notification Area
 TexPark Site
 Sackville Street, Halifax
 Halifax Plan Area

-  Subject site
-  View plane
-  Notification area



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

Attachment A

THIS AGREEMENT made this day of , 2005,
BETWEEN:

UNITED GULF DEVELOPMENTS LIMITED,
a body corporate, in the Halifax Regional Municipality, Province
of Nova Scotia (hereinafter called the "Developer")

OF THE FIRST PART

- and -

HALIFAX REGIONAL MUNICIPALITY,
a municipal body corporate,
(hereinafter called the "Municipality")

OF THE SECOND PART

WHEREAS the developer wishes to obtain permission to construct a mixed use development including hotel, commercial and multiple-unit residential uses on lot 1B (PID# 41036096), lot Y (PID# 00003954) and a portion of lot 1A (PID# 41036088) bounded by Granville, Sackville, Hollis and Salter Streets, Halifax pursuant to Implementation Policy 3.5.1 of the Halifax Municipal Planning Strategy and Section 84 of the Halifax Peninsula Land Use By-law;

AND WHEREAS the Developer warrants that it is the registered owner of the lands described in Schedule A hereto (hereinafter called the "Lands")

AND WHEREAS a condition of the granting of approval of Council is that the Developer enter into an agreement with the Halifax Regional Municipality;

AND WHEREAS the Regional Council of Halifax Regional Municipality, at its meeting on the day of 2005, approved the said agreement to allow for a mixed use development on the lands subject to the registered owner of the lands described herein entering into this agreement, and at the same meeting, approved the discharge of that portion of the existing development resolution as it applies to the northwest portion of lot 1A (PID# 41036088) which is approved for a surface parking lot, filed in the Registry of Deeds in Book No. 6785, Pages 177-192, said discharge to take effect upon the registration of this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the granting by the Municipality of the development agreement requested by the Developer, the Developer agrees as follows:

PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION

1.1 Applicability of Agreement

The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

1.2 Applicability of Land Use By-law and Subdivision By-law

Except as otherwise provided for herein, the development and use of the Lands shall comply with the requirements of the Halifax Peninsula Land Use By-law and the Subdivision By-law, as may be amended from time to time.

1.3 Applicability of Other Bylaws, Statutes and Regulations

Further to Section 1.2, nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner or any other person from complying with the requirements of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement), or any statute or regulation of the Province of Nova Scotia, and the Developer or lot owner agrees to observe and comply with all such laws, by-laws and regulations in connection with the development and use of the Lands.

1.4 Conflict

Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.

1.5 Costs, Expenses, Liabilities and Obligations

The Developer shall be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all federal, provincial and municipal regulations, by-laws or codes applicable to any lands owned by the Developer.

1.6 Provisions Severable

The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

PART 2: USE OF LANDS AND DEVELOPMENT PROVISIONS

2.1 Schedules / Use of Lands

The Developer shall develop and use the lands (described in Schedule "A" of this agreement) for a mixed use, commercial / residential development which, in the opinion of the Development Officer, is substantially in conformance with Plans No. 001 - 031 filed in the Halifax Regional Municipality Planning and Development Services as Case #00709 and are attached as the following Schedules to this Agreement:

Schedule "A"	Legal Description of the Lands	Plan #00709-001
Schedule "B"	Site Plan / Sidewalk Details	Plan #00709-002
Schedule "C"	Parking Plan, Level P4	Plan #00709-003
Schedule "D"	Parking Plan, Level P3	Plan #00709-004
Schedule "E"	Parking Plan, Level P2	Plan #00709-005
Schedule "F"	Parking Plan, Level P1	Plan #00709-006
Schedule "G"	Ground Floor Plan, Hollis Street (Level L1)	Plan #00709-007
Schedule "H"	Ground Floor Plan, Granville St. (Level L2)	Plan #00709-008
Schedule "I"	Floor Plan, Podium 1 (Level 3)	Plan #00709-009
Schedule "J"	Floor Plan, Podium 2 (Level 4)	Plan #00709-010
Schedule "K"	Floor Plan, Level 5	Plan #00709-011
Schedule "L"	Typical Floor Plan (Level 14)	Plan #00709-012
Schedule "M"	Typical Floor Plan (Level 26)	Plan #00709-013
Schedule "N"	Floor Plan, Penthouse (Level 27)	Plan #00709-014
Schedule "O"	Roof Plan	Plan #00709-015
Schedule "P"	Building Sections	Plan #00709-016
Schedule "Q"	Building Sections	Plan #00709-017
Schedule "R"	Building Sections	Plan #00709-018
Schedule "S"	Building Elevations	Plan #00709-019
Schedule "T"	Building Elevations	Plan #00709-020
Schedule "U"	Partial Podium Elevation	Plan #00709-021
Schedule "V"	Partial Podium Elevation	Plan #00709-022
Schedule "W"	Partial Podium Elevation	Plan #00709-023
Schedule "X"	Partial Podium Elevation	Plan #00709-024
Schedule "Y"	Partial Podium Elevation	Plan #00709-025
Schedule "Z"	Partial Podium Elevation	Plan #00709-026
Schedule "A-1"	Partial Podium Elevation	Plan #00709-027
Schedule "B-1"	Partial Podium Elevation	Plan #00709-028
Schedule "C-1"	Partial Podium Elevation	Plan #00709-029
Schedule "D-1"	Partial Podium Elevation	Plan #00709-030
Schedule "E-1"	Partial Podium Elevation	Plan #00709-031
Schedule "F-1"	Partial Podium Elevation	Plan #00709-031

2.2 Architectural Requirements

(a) Materials and Colour

The exterior architectural materials shall substantially conform to the attached schedules. The exterior materials shall consist primarily of glass and shall also include stone and copper and other metals as illustrated on Schedules S through Z and A-1 through F-1. The glass shall be substantially made up of clear vision and bronze tinted vision glass as illustrated on the Schedules.

2.3 Landscaping

- (a) A detailed landscape plan prepared by a Landscape Architect shall be submitted with the application for Building and Development Permits. The landscape plan shall provide details of ground level/ sidewalk landscaping shown on Schedule "B" and the rooftop garden area shown on Schedule "K". The plan shall specify all model numbers, quantities and manufacturers of site furnishings (benches, bicycle racks, etc.) as well as construction details of landscape features (planters, hard surfaces, planting details, etc.). The developers shall ensure that all plant material is to conform to the Canadian Nursery Trades Association Metric Guide Specifications and Standards and sodded areas are to conform to the Canadian Nursery Sod Growers' Specifications. Materials and finishes shall be of high quality.
- (b) Sidewalk construction, planting and site furnishings at ground/ sidewalk level shall be the responsibility of the Developer and shall comply with the Capital District standards for the Barrington Street district as developed through the Urban Design project. The Development Officer shall consult with the Capital District Streetscape Coordinator and the Manager of Right-of-Way Services on the detailed design prior to the issuance of a Development Permit. The Developer agrees to provide street trees, benches, bicycle racks and garbage receptacles of a type consistent with the aforementioned municipal standards subject to detailed design and review.
- (c) The rooftop garden area shown on Schedule "K" may include a combination of sodded areas, ground cover, walkways, shrubs, deciduous and coniferous trees, site furnishings and landscaping features. The Developer agrees that this space shall be used by building occupants and their guests only and will be accessible for occasional private functions on a limited, seasonal basis. Planting on rooftops and podiums above structures shall be carefully selected for their ability to survive in rooftop environments. Approximately 50 percent of the plant material shall be evergreen and/or material with winter colour and form. Deciduous trees shall have a minimum size of 45 mm caliper (1.8 inch diameter). Coniferous trees shall be a minimum of 1.5 m (5 ft.) high and upright shrubs shall have a minimum height of 60 cm. (2 ft.). Rooftop trees will be located in planting beds or containers.

- (d) It is the responsibility of the developer to ensure that all structures are capable of supporting loads for all rooftop landscaping as well as the anticipated mature weight of the plant material on any rooftop and podium.
- (e) The Developer shall maintain and keep in good repair all portions of the development on the Lands, including but not limited to, the interior and exterior of the building, fencing, walkways, recreational amenities, parking areas and driveways, and the maintenance of all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow removal/salting of walkways and driveways.
- (f) No occupancy permit shall be issued for any building constructed on the lands until such time as the landscaping associated with that phase of development has been completed in accordance with Schedules B and K. The Developer shall provide written certification from a Landscape Architect to the Development Officer indicating that all landscaping has been completed in accordance with the above. However, where such building has been completed and all other terms of this agreement, except for landscaping, have been met, an occupancy permit may be issued provided that the developer supplies a security deposit in the amount of 110 percent of the estimated cost to complete the landscaping. The security deposit shall be in the form of a certified cheque or an automatically renewing letter of credit issued by a chartered bank to the Development Officer. Should the developer not complete the landscaping within twelve months of issuance of the occupancy permit, the Municipality may use the deposit to complete the landscaping as set out on the landscape plan. The security deposit or unused portion of the security deposit shall be returned to the developer upon completion of the work and its certification.

2.4 Solid Waste Facilities

The proposed building shall include designated space for three stream (refuse, recycling and composting) source separation services (containers, rooms, facilities, etc.) for the multiple-unit residential uses proposed. This designated space for source separation services shall be shown on the building plans and approved by the Development Officer and Building Inspector in consultation with the General Manager of Solid Waste Resources.

2.5 Encroachments

The proposed building encroachments into the street rights-of-way, illustrated on the attached Schedules, shall require the approval of Regional Council and a separate encroachment license as per the requirements of the Encroachment By-law (By-law E-200).

2.6 Ground Floor Commercial Uses

The commercial retail spaces shown on Schedules G and H which have direct or indirect access to the street/sidewalk (including the hotel related retail/ restaurant uses) shall not be converted to non-commercial uses or commercial uses which do not involve direct or indirect customer access to the street/ sidewalk.

2.7 Variations

Notwithstanding section 2.1, the Development Officer may approve variations to the internal floor plans affecting the type and number of residential units and population count, internal floor layout of the hotel, parking levels and commercial uses and minor variations to the exterior podium level details of the building provided that the intent of Section 2.6 is met and that the overall design is substantially in conformance with Schedules B through Z and A-1 through F-1. The penthouse floor level (Schedule N) may be used for residential, hotel or other commercial purposes.

2.8 Surveyor Certification re: Viewplanes

Prior to the issuance of both a Development Permit and Occupancy Permit for any portion of the development, the Developer shall provide to the Development Officer written certification from a professional surveyor that both the proposed development and completed building does not violate sections 24 and 26B of the Halifax Peninsula Land Use By-law.

2.9 Underground Utilities/ Street Right-of-Way

The Developer agrees to place all utility services underground. In addition to being responsible for the cost of placing secondary services underground, the Developer agrees to pay for all civil costs required to place the utility wires (primary services) underground that are currently above ground within those portions of Granville Street, Sackville Street and Hollis Street which abut the site. It is expected that any cabling or pole removal costs associated with the placement of the wiring underground will be borne by the respective utility.

2.10 Vehicular Layby on Hollis Street

A vehicular layby may be permitted on Hollis Street abutting the hotel entrance as shown on Schedules B and G. The Developer shall be responsible for ensuring that sidewalk design and maintenance issues on the private portion of the sidewalk are in conformance with clauses 2.3 (b) and (e) and the Developer agrees that full public access along the private portion of the sidewalk shall be granted to pedestrians travelling along Hollis Street. In the event that additional laybys are approved by the Development Engineer, the same requirements as above shall apply.

2.11 Parking as Interim Use of Lands

Vehicular parking for the public shall be permitted on the lands as an interim land use provided the following:

- (a) landscaping and fencing is provided along the perimeter of the site except at driveway and pedestrian entrances/exits;
- (b) an attendant kiosk may be permitted at the vehicular entrance/ exit;
- (c) parking shall be rented on a monthly basis only and shall not be for the exclusive use of any block or building in the area;

- (d) the interim parking use shall be permitted until such time as the building permit is issued and construction commences and may only be extended by resolution of Council pursuant to Section 3.1 (e).

2.12 Wind Mitigation Measures

The Developer shall submit a report to the Development Officer prepared by a professional engineer experienced in wind engineering which outlines proposed wind mitigation measures for the development. The report shall specify various mitigation measures / solutions which will result in acceptable wind conditions as identified in the wind study report dated May 4, 2005. Appropriate mitigation measures/ solutions shall be approved by the Development Officer prior to the issuance of a Development Permit except those which, in the opinion of the Development Officer, involve a substantial change in the design of the building, those which are not in accordance with the Capital District standards and / or those which require an encroachment license. In these instances, such measures shall be considered by Regional Council as per Sections 2.5 and 3.1 (d) prior to the issuance of a Development Permit. Mitigation measures / solutions shall be shown on the building plans submitted for Development Permit approval and completed prior to the issuance of an occupancy permit.

2.13 Vehicular Loading/ Unloading

Vehicular loading and unloading shall not be permitted during morning and afternoon peak traffic hours. The loading area abutting Hollis Street shall be clearly demarcated with signs and/or pavement markings or other suitable pedestrian warning devices.

2.14 Environmental Remediation and Archeological Investigation

The Developer agrees to comply with the legislation and regulations of the Province of Nova Scotia with regard to archeological investigation/ special places protection and environmental remediation of the lands.

PART 3: AMENDMENTS

- 3.1 The provisions of this Agreement relating to the following matters are identified as, and shall be deemed to be, not substantive and may be amended by resolution of the Regional Council:
- (a) changes to the exterior architectural appearance of the building or the design, layout and positioning of the building, excepting those which are approvable by the Development Officer pursuant to sections 2.7 and 2.12, provided that plans are submitted for any changes to the building design and that such changes, in the opinion of Council, are minor in nature;
 - (b) changes to the architectural requirements as outlined in Section 2.2 and corresponding plans / Schedules which, in the opinion of Council, are minor in nature;
 - (c) changes to the landscaping measures as shown on Schedules "B" and "K" or as detailed in section 2.3 which, in the opinion of Council, are minor in nature;

- (d) wind mitigation measures other than those approvable by the Development Officer (refer to Section 2.12);
 - (e) changes to the time frames for commencement and/or completion of the development as outlined in Part 4 and for the interim parking use as outlined in section 2.11.
- 3.2 Amendments to any matters not identified under Section 3.1 shall be deemed substantive and may only be amended in accordance with the approval requirements of the Municipal Government Act.

PART 4: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

- 4.1 A copy of this Agreement and every amendment and discharge of this Agreement shall be recorded at the office of the Registry of Deeds at Halifax, Nova Scotia, and the Developer shall pay or reimburse the Municipality for the registration cost incurred in recording such documents.
- 4.2 This Agreement shall be binding upon the parties thereto, their heirs, successors, assigns, mortgagees, leasees and all subsequent owners, and shall run with the land which is the subject of this Agreement until this Agreement is discharged by the Council.
- 4.3 In the event that construction of the project has not commenced within 4 years from the date of approval of this Agreement by the Municipality, as indicated herein, the Municipality may, by resolution of Council, either discharge this Agreement whereupon this Agreement shall have no further force or effect, or upon the written request of the Developer, grant an extension to the date of commencement of construction. For the purposes of this section, "commencement of construction" shall mean the issuance of Development and Building Permits, site excavation and completion of the first underground parking level of the development (Schedule "C" - Level P4).
- 4.4 Upon the completion of the development or portions thereof, Council may review this Agreement, in whole or in part, and may:
- (a) retain the Agreement in its present form;
 - (b) negotiate a new Agreement;
 - (c) discharge this Agreement on the condition that for those portions of the development that are deemed complete by Council, the Developer's rights hereunder are preserved and the Council shall apply appropriate zoning pursuant to the Municipal Planning Strategy and Land Use By-law, as may be amended.

PART 5: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

- 5.1 The Developer agrees that any officer appointed by the Municipality to enforce this Agreement shall be granted access onto the Lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Municipality to inspect the interior of any

building located on the Lands, the Developer agrees to allow for such an inspection during any reasonable hour within one day of receiving such a request.

5.2 If the Developer fails to observe or perform any covenant or condition of this Agreement after the Municipality has given the Developer thirty (30) days written notice of the failure or default, except that such notice is waived in matters concerning environmental protection and mitigation, then in each such case:

- (a) the Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defence based upon the allegation that damages would be an adequate remedy;
- (b) the Municipality may enter onto the Property and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the development agreement, whereupon all reasonable expenses whether arising out of the entry onto the lands or from the performance of the covenants or remedial action, shall be a first lien on Property and be shown on any tax certificate issued under the Assessment Act.
- (c) the Municipality may, by resolution, discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; and/or
- (d) in addition to the above remedies the Municipality reserves the right to pursue any other remediation under the Municipal Government Act or Common Law in order to ensure compliance with this Agreement.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals on the day and year first above written:

Signed, sealed and delivered in the presence of:)	UNITED GULF DEVELOPMENTS LIMITED
)	
per: _____)	per: _____
)	
Sealed, Delivered and Attested by the proper signing officers of Halifax Regional Municipality duly authorized on that behalf in the presence of)	HALIFAX REGIONAL MUNICIPALITY
)	
)	per: _____
)	MAYOR
)	
per: _____)	per: _____
)	MUNICIPAL CLERK

Attachment B

SECTION II - CITY-WIDE OBJECTIVES AND POLICIES

1. ECONOMIC DEVELOPMENT

Objective The development of the City as a major business, cultural, government, and institutional centre of Atlantic Canada, while enhancing its image as a place to live and work.

1.2.2 In considering new development regulations and changes to existing regulations, and development applications, the City shall give consideration of any additional tax revenues or municipal costs that may be generated therefrom.

3. COMMERCIAL FACILITIES

Objective The provision of commercial facilities appropriately located in relation to the City, or to the region as a whole, and to communities and neighbourhoods within the City.

3.1.3 Major commercial centres should service a market area comprising most or all of the City. These centres may include major offices and hotels, in addition to uses suggested for minor commercial centres. The City should encourage parking facilities in these centres to serve several businesses in order to limit nuisance impact. The City's policy for major commercial centres in all other respects should be identical to Policy 3.1.2.

3.2 The Halifax Central Business District shall be regarded as the principal business centre in the Halifax-Dartmouth region, and shall include office, shopping, finance, government, residential, recreation, and entertainment facilities as well as desirable types of harbour-related businesses and industries.

3.2.1 Major office projects, hotels, cultural facilities and government office activities, which would strengthen and enhance Halifax as the dominant centre of Atlantic Canada, should be induced to locate in the Central Business District. This policy shall remain in effect until City Council determines that the Central Business District is self-sustaining.

6. HERITAGE RESOURCES

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

6.1 The City shall continue to seek the retention, preservation, rehabilitation and/or restoration of those areas, sites, streetscapes, structures, and/or conditions such as views which impart to Halifax a sense of its heritage, particularly those which are relevant to important occasions, eras, or personages in the histories of the City, the Province, or the nation, or which are deemed to be architecturally significant. Where appropriate, in order to assure the continuing viability of such areas, sites, streetscapes, structures, and/or conditions, the City shall encourage suitable re-uses.

- 6.1.1 The criteria by which the City shall continue to identify such areas, sites, structures, streetscapes and/or conditions identified in Policy 6.1 are set out in the official City of Halifax report entitled An Evaluation and Protection System for Heritage Resources in Halifax (City Council, 1978).
- 6.2 The City shall continue to make every effort to preserve or restore those conditions resulting from the physical and economic development pattern of Halifax which impart to Halifax a sense of its history, such as views from Citadel Hill, public access to the Halifax waterfront, and the street pattern of the Halifax Central Business District.
- 6.3 The City shall maintain or recreate a sensitive and complimentary setting for Citadel Hill by controlling the height of new development in its vicinity to reflect the historic and traditional scale of development.
- 6.3.1 The intent of such height controls shall be to establish a generally low to medium rise character of development in the area of approximately four traditional storeys in height immediately adjacent to Citadel Hill and increasing with distance therefrom.
- 6.3.2 Within the area bounded by North Street, Robie Street and Inglis Street, no development shall be permitted that is visible over the top of the reconstructed earthworks on the Citadel ramparts, from an eye-level of 5.5 feet above ground level in the Parade Square of the Citadel.
- 6.3.3 Policy 6.3.2 above shall not be deemed to waive any other height or angle controls.
- 6.4 The City shall attempt to maintain the integrity of those areas, sites, streetscapes, structures, and/or conditions which are retained through encouragement of sensitive and complementary architecture in their immediate environs.

SECTION III - CENTRAL BUSINESS DISTRICT OBJECTIVES AND POLICIES

1. ECONOMIC

Objective The strengthening of the Halifax CBD as a dynamic focus of governmental, commercial, retail, residential, recreational, and entertainment uses, and the appropriate development of the waterfront to promote the City as the major business and cultural centre of Atlantic Canada.

- 1.1 It shall be the City's policy to strengthen the development of the specific desirable characteristics of identified sub-areas of the CBD, as defined on Map 11 and in Schedule III.1 to provide the impetus necessary to ensure the viability of all parts of the CBD. The City shall accomplish the intent of this policy and all policies in Part II, Section III, Subsection I of this Plan, by Implementation Policy 3.5.

- 1.1.1 The City shall seek, encourage, and facilitate developments which respond positively to this concept and discourage those which respond negatively.
- 1.3.1 The City should encourage development by continuing to seek upgrading of the immediate environment; for example, by landscaping and underground wiring.
- 1.4 The CBD should be strengthened as a principal shopping centre in the region, through the development of a substantial increase in retail and commercial floor space, and the provision of a wide range of consumer facilities.

2. SOCIAL

Objective The creation of a lively, vibrant environment throughout the CBD which promotes and supports a wide variety of living, leisure, and working activities throughout the day and evening.

- 2.1 The City shall seek and encourage appropriate non-office land and water uses which will generate human activity in the CBD area throughout the day and evening.
 - 2.1.1 The construction of office and retail buildings in the CBD should be those which reinforce the image of the City as the regional centre of activity, and should generate the need for services and amenities (hotels, entertainment, restaurants, etc.) which will provide an active CBD.
 - 2.1.2 The City should require that space adjacent to areas of pedestrian circulation, including walkways at any level, be developed for retail activities and such other uses as generate and encourage the desired degree of public interest and activity.
 - 2.1.2.1 The City should require that any vertical surface between a pedestrian circulation area and any retail or such other use as referred to in Policy 2.1.2 respond to such functions, or through design treatment of surface elements, be visually stimulating to the pedestrian.
- 2.2 The City shall promote the development of mixed-use residential and commercial areas which are appropriate to the varied scale and character of the sub-areas of the CBD.

3. CIRCULATION

Objective The creation within the CBD of a circulation framework which gives priority to the pedestrian, but which accommodates the transit, automobile and service requirements of the area.

- 3.1.2.1 The City should seek the provision of weather protection for pedestrians, particularly at street level, where new development or major alterations to building facades abut pedestrian routes in the CBD.

- 3.3.1 Long-term parking facilities should be located on the periphery of the CBD, and the City shall actively pursue their location in appropriate sites.
- 3.4 The City should encourage the development of short-term parking facilities, available to the public, preferably combined with new development in the CBD.
- 3.4.3 Provided they are for public use, surface parking lots may be permitted as an interim use in order to meet immediate needs. Such parking lots should not become permanent features of the CBD, unless they are located and managed in such a way that their continuation is consistent with the entirety of Policy 3.4.
- 3.5.3 Truck loading and unloading which is required as a service to the businesses of the CBD should be accommodated, but should not unnecessarily impede nor disrupt automobile or transit movement and should not discourage or endanger pedestrian movement.
- 3.5.3.1 The City should require loading and unloading for large new developments to be accommodated off-street.

4. HERITAGE

Objective The conservation or rehabilitation of areas, streetscapes, buildings, features, and spaces which mark the sequence of development in Halifax, and which identify the CBD as the City's cultural and heritage centre.

- 4.2 The City shall continue to seek the retention, preservation, rehabilitation and restoration of areas, streetscapes, buildings, features and spaces in the CBD consonant with the City's general policy stance on heritage preservation (see Section II, Policy Set 6).

5. OPEN SPACE

Objective The design and implementation of a public open space network which complements the characteristics of both existing and proposed developments in the CBD, accommodates human activity, and encourages pedestrian circulation throughout the area.

- 5.2 The City shall seek the incorporation of vegetation and landscaping as essential elements in the design of new developments in the CBD, and shall encourage the provision of planting throughout the CBD.

6. VIEWS

Objective A CBD which is visually attractive from its major approach roads, from Citadel Hill, and from the harbour.

- 6.1 All new buildings shall be located so that views to the Harbour from Citadel Hill, as specifically delineated in the City of Halifax Zoning Bylaw, are maintained. These areas in the CBD are illustrated generally on Map 12.

- 6.2 Views of and from the Harbour along the east-west streets should be conserved where existing, and when opportunity arises, such views should be enhanced and new views added.
- 6.3 The City should encourage rooftop landscaping in any new developments which can be seen from the Citadel, from taller buildings, or from other parts of the City.

7. SCALE AND DESIGN DETAIL

- Objective A high quality of design and construction of buildings to reflect the architectural, heritage and topographical characteristics of the CBD.
- 7.1 The City shall generally retain the remaining street grid and City block pattern in the CBD.
- 7.1.1 The City should not undertake substantial street widenings in the CBD which would materially alter the character of the street grid.
- 7.1.2 The City shall encourage the architectural form and scale of new developments to be compatible with the block pattern, and shall discourage those developments which do not respect it.
- 7.2 The character of the CBD should be reinforced through the control of urban design details such as massing, texture, materials, street furniture, and building lines.
- 7.2.1 The exterior architectural design of new buildings should be complementary to any adjacent ones which are designated as being of historic significance or important to the character of the CBD; in such instances, the careful use of materials, colour, proportion, and the rhythm established by surface and structural elements should reinforce those same aspects of the existing buildings.
- 7.3 The City shall control the height of new development within the CBD in the vicinity of Citadel Hill, pursuant to Policies 6.3, 6.3.1, 6.3.2 and 6.3.3 of Section II of this Plan.
- 7.3.1 In Band A, as shown on Map 12A, the following height controls shall apply:
- (i) the basic height of a building shall be 60 feet. This height may be exceeded provided there is one and one-half feet of setback from the Brunswick Street streetline for every foot of additional height above the 60 foot level. No such setbacks are required from other streetlines or property lines.
 - (ii) notwithstanding the above, no building shall exceed 75 feet in overall height or penetrate a viewplane.
- 7.5 The design of new developments in the CBD should be such that normal wind levels on outdoor pedestrian routes and in public open spaces will be acceptable.

- 7.6 The design of new developments in the CBD should be such that there will be a minimal amount of shadow cast on public open spaces.

IMPLEMENTATION POLICIES

- 3.5.1 Further to Policy 3.5 above, the areas identified on Map 10 of this Plan as the Business District, excepting that area of the CBD which falls within the Halifax Waterfront Development Area as identified on Map 14, shall be identified on the zoning map and within such area no development permit for a development of over 40 feet shall be issued, except under an agreement with Council pursuant to Section 34(1) of the Planning Act.

LAND USE BYLAW - HALIFAX PENINSULA:

PROTRUSIONS THROUGH VIEW PLANES

- 24 Notwithstanding any provision of this bylaw, no building shall be erected, constructed, altered, reconstructed, or located in any zone so as to protrude through a View Plane except in the following circumstance:

(a) Where an existing building protrudes through a View Plane, a new building may be erected and may protrude through the View Plane, provided such new building or structure shall not enlarge upon the existing protrusion through the View Plane when viewed:

- (i) in the case of View Planes 1, 3 and 5 from viewing position B;
- (ii) in the case of View Planes 2, 4, 7, 8 and 10 from viewing position C;
- (iii) in the case of View Plane 9 from viewing position E; and
- (iv) in the case of view Plane 6 from viewing position R.

CITADEL RAMPARTS

- 26B In addition to all other provisions of this bylaw, no development permit shall be issued for any development within Schedule A that is greater than 90 ft. in height, unless such development will not be visible above the topmost line of the earthworks of the Citadel ramparts from an eye level 5.5 ft. above ground level at any of the specified viewing positions in the Parade Square of the Citadel. Elevations and coordinate values for the viewing positions in the Parade Square of the Citadel and elevations to the topmost line of the earthworks on the Citadel ramparts are shown on ZM-17 (Height Precinct Map).

BUILDING PARALLEL TO A VIEW PLANE

- 77 If a proposed building or structure is to be located under or adjacent to either or both edges of a View Plane, then the sides of the proposed building or structure lying outside but adjacent to an edge of a View Plane shall not be parallel to the edge of the View Plane, unless the edge of the View Plane is parallel to the immediate street lines.

SCHEDULE "F"

84

In any area shown as Schedule "F", any use shall be permitted which is permitted by the zoning designation of such area, provided that:

- (a) Uses permitted in the C-2 Zone shall not exceed 40 feet in height;
- (b) No parking lot shall be permitted.
- (ba) No amusement centre shall be permitted;
- (c) No parking garage shall be permitted;
- (d) Council may, after public hearing and by resolution, approve any specific development requested which would not otherwise be permitted by this bylaw, provided that no approval shall be given inconsistent with the Municipal Planning Strategy, or inconsistent with Sections 7, 24, 26A or 26B of this bylaw;
- (e) Approval by Council under subsection (d) above shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur shall enter into an agreement with Council containing such terms and conditions as Council may direct.

Attachment C

**Public information meeting
Case 00709
January 19, 2005**

In attendance: Councillor Sloane
Councillor Uteck
Councillor Harvey
Councillor Wile
Anne Muecke, United Gulf Developments
Siamak Hariri, Hariri Pontarini, Consulting Architect
Paul Sampson, Planner, Planning & Development Services
Gail Harnish, Planning & Development Services

Mr. Paul Sampson called the public information meeting to order at approximately 7:05 p.m. at the Queen Elizabeth High School.

Mr. Sampson advised the request is to enter into a development agreement to allow for a mixed-use development of lands consisting of the former Tex-Park site at 1591 Granville Street, 1568 Hollis Street (existing office building) and vacant land next to the MetroPark facility (behind 1568 Hollis Street).

Mr. Sampson briefly reviewed the development agreement process, noting:

- Following tonight's meeting, staff will do a detailed review of the policies.
- There are a number of studies being submitted related to traffic issues, wind and shadows, which will be reviewed by the different departments.
- Planning Services will prepare a detailed staff report. Prior to the report going to Regional Council, the report will go to the various committees, who will make a recommendation to Regional Council.
- Following the public hearing, Regional Council will make a decision on the proposal.
- The decision of Regional Council can be appealed to the N.S. Utility and Review Board.

Ms. Anne Muecke, Planner working on the project for United Golf Developments, advised she would be joined in making the presentation by Siamak Hariri, consulting architect with Hariri Pontarini from Toronto. She also introduced Navid Saberi, Louis de Montbrun and Ted Mitchell with United Gulf Developments.

Ms. Muecke commented she was delighted to be here tonight to present their concept for the redevelopment of the Tex-Park site. It is a very exciting project for United Gulf, plus it brings an opportunity to build a signature building in downtown Halifax. It will be an important feature on the waterfront and skyline and it will impact the economy in the downtown.

Ms. Muecke stated the Central Business District (CBD) is increasingly important for entertainment, specialty shopping, and events. It is becoming a people's place, in addition to a workplace for shopping and government, and is a place that contributes to the quality of life in

HRM. People come to the downtown to look at buildings, open space, and enjoy the activities on the waterfront. It has long been recognized that this vision needs to be refreshed. In the conversations they've had over the past several months, they heard repeatedly that this site should be converted into a high quality building with a striking and interesting design. She displayed an aerial photo shot of the downtown, pointing out the location of the proposed building, noting it is next to MetroPark.

Ms. Muecke stated the site is fully serviced and brings significant taxable revenue to the Municipality. There is little cost for servicing the site.

Ms. Muecke indicated one of the most important goals of downtown redevelopment is to increase the number of people living (and working) in the downtown. These new people bring money into the downtown, attracting shops and using existing ones, outside office hours.

Ms. Muecke displayed a slide showing the site. It was never a pretty building. Adjacent to it in the same block, are three other properties. She pointed out the area of the parking garage, a small office building, and an outside parking area.

Ms. Muecke commented that United Gulf sees this as an exciting opportunity to undertake and consolidate development of the block and is in the process of purchasing two sites to add to this site. When the project is finished, there will be just two buildings on the block.

Ms. Muecke indicated that in terms of design considerations, items to be considered are views from the Citadel, traffic patterns, character of the neighbourhood, and the design guidelines that came from HRM with the purchase and sale agreement.

Mr. Muecke noted that the need to protect the Citadel as a major historic site has resulted in two height restrictions in the downtown. First are the viewplanes that fan out from the Citadel. There are ten in total. They define specific important views and cannot be penetrated from buildings or the site.

Ms. Muecke displayed a shot of Viewplane #6 which protects the view of Georges Island. It clips the site at the southwest corner and restricts the height of the building at this point (pointed out) but most of the site is unconstrained by it. In between the viewplains, development can be higher but the maximum height is controlled by the view of the Parade Square. It ensures that no modern building can be seen from the square. It defines an air space in which the building must be placed.

Ms. Muecke indicated another consideration is traffic - vehicular and pedestrian. Hollis Street and Sackville Street are one way streets in the downtown and carry cars and trucks into the downtown. The corner of Hollis Street and Sackville Street is one of the most important corners in the CBD. This pattern of car movements has been taken into consideration when determining where the main vehicle entrance to the building should be located. In terms of pedestrians, a study has been undertaken which shows that pedestrian movements have increased significantly over the past nine years. Some blocks such as between Granville Street and Sackville Street have seen little pedestrian traffic. Attractions on the street will draw people up from the waterfront.

Ms. Muecke indicated another consideration is neighbourhood characteristics. Good things have been happening. She pointed out an area where a canopy has been added which aids to stabilise their block. The corner of Bedford Row and Prince Street has been enlightened by buildings. Unfortunately, blank walls in the neighbourhood are common. There is little of interest to the pedestrians. Even windows convey nothing of interest. There has been some effort to add vitality. Windows have been added to the side of MetroPark but not enough to add to pedestrian access through the day and on weekends.

Ms. Muecke commented the architectural style varies in the neighbourhood. There is no consistency in height or building material. The streetscape and facade is uneven. Most buildings are between three and seven storeys high, although some are higher. Hollis Street and Granville Street is also rather dark because they only get sun during part of the day. The closest building to it now is the Green Lantern building. It has green siding now and was damaged through the hurricane and is awaiting renovation. Also shown are overhead wires. As part of this development, United Gulf Developments will participate in a project which will see the wires disappear. While there is little to inspire new design, there is consideration to introducing new and exciting architecture.

Ms. Muecke advised they received the following guidelines from HRM:

- residential/commercial structure
- podium height and facade sympathetic to the streetscape
- pedestrian interest and vitality should be incorporated at street level
- retail entrances directly off the street
- striking, high quality design
- style and materials of the tower should enhance the skyline
- consideration of wind, shadow and traffic impacts. Studies for these items have been initiated. They have some early information back but there is more information to collect.

Ms. Muecke stated the vision for this project is a statement of the exciting challenges it represents. United Gulf Developments has the opportunity to contribute to the commercial vitality of the CBD; support tourism and business; support hotel operations; revitalize the street for future merchants and pedestrians and people walking up from the waterfront; and building a light and bright distinctive building for the 21st century in downtown Halifax.

Ms. Muecke introduced Mr. Hariri and his company, noting their accomplishments and provided some examples of his projects. She indicated Mr. Hariri would be presenting the concept.

Mr. Siamak Hariri stated it is terrific to see so many people out on a cold night like tonight. This is a very exciting project. It is not usual to have a developer calling and asking them to make it better and more exciting. He has been asked to take them through the process of how they got here.

Mr. Hariri indicated the building faces two really significant exposures, although there are four exposures. It is almost as though they were putting them on a lazy-susan and kept turning them around to make sure it works on 360 degrees. It has to be an exceptional building. They wanted

it to be seen that way. It is a building with just one front but has four fronts and two significant fronts.

Mr. Hariri advised the project includes 27,000 sq.ft. of retail space. There will be about 30,000 sq.ft. of office space. Also, there is a conference facility and a hotel. They want it to be one of the best hotels in the city. There will be 350,000 sq.ft. of condominium use, with units in the area of approximately 1200 sq.ft.

Mr. Hariri indicated it has all kinds of functional designs. They looked for a clean simple diagram and tried to make it architecturally pleasing. They work in models as well as computers, and wanted the public to participate in the design process. He indicated they had nine images to display. There was also a massing study. They looked at how to deliver it in an elegant way. They have to be within the 285' height limit. It has to be within twenty-seven storeys high. They have the view corridor mapping throughout the site and understood it but had to look at how to deliver that in an elegant way.

Mr. Hariri presented a series of slides showing the evolution of the building. During the presentation of the slides, he made the following comments:

- slide shows them starting to break up
- slide shows the two tower scheme
- what was interesting was the portal that starts to evolve between the two towers and they started to see what if one had a diagonal and these two could create a signature
- one was slender and tall and became the hotel and the other was a condominium
- slide shows that it sat on a podium of three storeys off Grafton Street and four storeys off Hollis Street. That diagram seemed to stick and then they started to examine what kind of value the podium would take.
- slide shows where they examined the curved base and the rear being straight
- it was interesting as you spin it around 360 degrees - it seemed to look good on all four sides
- the MTT building is in the wrong place
- slide shows then they came to the three storey podium
- slide shows the tall base and the condominium volume. They started to look at ways to introduce movement into the condominium and take away a bit from its bulkiness. They liked the slender tall volume of the hotel and the way the hotel and the condominium were speaking to each other. It was interesting but it really does not have architectural concept yet. They did like the possible proportions in terms of what it was doing to the skyline. Then they started to introduce movement. They wanted to do something that was a little bit new and introduce movement of this building and take it out of it being just a box.
- slide shows a sailboat showing the triangular shape of the sails
- what they did was take the box with straight lines and started to inflect and twist the horizontal and vertical geometries
- they started to carve out and manipulate the volumes and twisted them to create arched lines and forms
- you see here the rectified volume and the model is starting to develop
- this model study shows the twist much more exaggerated

- they saw the corner at Hollis Street and Sackville Street as an interesting corner and were trying to have these two buildings speak to each other as sisters. The faces of the building become prominent from various locations.
- the space between the two buildings changes as you move around and explore the different views of the building.
- they liked the embracing of the two buildings
- the portal was constantly moving. Here you see that space and what happens to it as it shifts around
- slide shows the different 360 degree views. Sometimes it appears to be quite regular and static and then it starts to move and you can see the shift in the volumes as it twists around
- slide shows a view from the harbour towards the site; one a little bit more towards the north and from above looking down towards the harbour
- slides shows the 285' height limit so you can see the subtle shifts in line and gentler curves
- slide shows the view from the Citadel along Sackville Street towards the water
- slide shows that the podium is reduced by one storey because there is a one storey drop
- slide shows the Sackville Street elevation and the drop from Granville Street
- slide shows the space between the two buildings
- slide shows the level where they have common facilities for fitness, meeting room conference facilities, and office functions
- all the retail and servicing and loading is at grade level
- it stays within the height at twenty-seven storeys
- slide shows the parking plan
- slide shows the Hollis Street level plan which shows the entrance to the hotel
- slide shows the corner at Sackville Street and Hollis Street. Because retail is two storeys high, it makes for a strong corner with an entrance at the corner for retail.
- they grouped the loading and servicing for the entire facility at the southeast corner with loading and parking
- slide shows the Granville Street elevation
- slide shows the retail along Sackville Street. It comes around and all of this becomes a major restaurant.
- slide shows the entrance for the condominium and the portion off Granville Street which is retail
- slide shows the carved podium
- slide shows the horizontal views
- they keep creating scales that work with the streetscape and with the scale of the building
- slide shows the floor with the fitness and conference rooms
- slide shows the setback for the condominium with private gardens for the condominiums
- slide shows the building at Level 24
- slide shows that the shape of the hotel is shifting
- slide shows the top with the shift
- slide shows an image of the model
- slide shows the space between the condominium and the hotel
- slide shows the entrance to the hotel
- slide shows part of the two storey volume

- slide shows the level with the conference room and ballroom, and above that is the fitness area for the condominium and the hotel
- this portion above-ground, one storey above Hollis Street, will be the offices
- slide shows that as you move, the space between changes and the geometry of the building changes
- these are very early computer generated views showing from above the geometry of the condominium, hotel, two storey podium with service loading and two storey retail and this carved corner at Hollis Street and Sackville Street
- slide shows a model view looking from fairly low to the ground, noting you can see the condominium levels and the hotel
- slide shows the view from low down looking at the hotel. There is a twist of these rooms getting a view of the harbour.
- slide shows the possibilities of the views as it twists at night
- slide shows the view from the Citadel site
- slide shows the serrated three storey podium in the model
- slide shows the hotel as it laps around
- slide shows the model with the carved corner and the canopy so that downdrafts would be deflected by the canopy
- slide shows the view along Sackville Street, including the canopy transparent area which is the retail and the hotel floors above
- slide shows a model image of the aerial view of the City
- slide shows a photomontage of the building. This is a model photograph across the skyline. He pointed out the Maritime Centre building and the proposed building.
- slide shows another view of the model

Councillor Sloane asked for confirmation that the elevator shaft on top of the hotel has been encapsulated. It was responded yes.

Councillor Sloane indicated the site is in a historic area of Halifax and wondered about architectural digs before anything is done.

Ms. Muecke responded that when the MetroPark site was developed, there was an extensive archeological survey of that site. About 10,000 artifacts were brought up. At the start when construction begins, the very first thing is an archeological survey. There is an expectation that older artifacts may be found at that particular area. It is in the area of the parking.

Ms. Beverly Miller, Halifax, noted that the public information meeting this evening, there is a detailed review of the application. They indicated they are in the process of buying the other piece of land and want the public to be involved. They said it is not quite to scale, yet this is the last chance the public will see this concept before it goes to the final public hearing. She questioned whether they are seeing the concept too soon. There seems to be a lot of unanswered questions and what goes to public hearing could be quite different from what they see here tonight. She questioned whether a public hearing was required.

Mr. Sampson advised this proposal will require a public hearing prior to a decision being made by Regional Council. Any development agreement process requires that approval and a public hearing. In the downtown in the CBD, buildings can be constructed as-of-right only to a height

of 40'. There are other areas in the waterfront where buildings can only be 25' in height without going to the next step of requiring Regional Council approval.

Ms. Miller questioned what part of the development does not fit within the MPS.

Mr. Sampson advised that Council approval is required for anything over 40'. Anything under that does not require approval from Council. The reason we are here tonight is because a development agreement requires a public process.

Ms. Miller commented she felt it would be reasonable for the public to ask for another public information meeting when a lot of these loose ends are resolved, such as the purchase of the other property.

Mr. Sampson responded that if the proposal changes significantly, then Council can request that another meeting be held. That is not the norm but it has happened in the past. If the proposal proceeds without significant changes, then it will go straight to a public hearing.

Mr. Miller referenced the comment that it would be up to Council to decide if the changes are significant enough to require another public information meeting. This will create street traffic. They haven't looked at the wind study to see if these buildings will create a wind situation that will preclude good pedestrian movement most of the time.

Ms. Muecke stated there will be an internal study done on this building and it will have to meet HRM requirements before the building gets approved. The shadow and traffic studies have to meet the requirements of HRM.

Ms. Miller countered that if there is a problem with something like traffic or the wind study, then this design could change significantly from what is seen here tonight and there would not be an additional public information meeting.

Ms. Muecke encouraged that if there were any particular comments and things they would like to see different or if there are suggestions or recommendations, that is what this meeting is about. Also, you can send in your comments later on. They are also planning to post images on the Business District web site.

Mr. Barry Lampier, Dartmouth, commented he appreciated the presentation. Some of the images show discolouration, and questioned how they would achieve the images that were presented.

Mr. Hariri advised they have been looking at mulian curtain wall. They are thin heavy frames that join the windows together. They are trying to remove the cap from the frames and use the technique that brings the windows together which makes it look lighter and (clearer) particularly for the hotel. The condominium might have a slightly modified system. On the condominiums there is the horizontal which are the balconies and there are wrap around balconies. The railings would be glass. The balconies extend out differently than the elevation so they are creating a secondary movement against the primary face of the condominium. At the podium level they are talking about using local stone, cut and honed, and in areas where they have canopies they have

trying to introduce metal like copper. It is a simple palette. There are three materials and it helps identify the entire development as one thing. It is very high quality.

Mr. Lampier referenced the yellow and shading in the streetscape portion and asked them to explain the discolouration.

Mr. Hariri responded they are looking at what is called frayed gray and clear glass. It is a play of greys on glass. Where you have retail, it is very transparent. The yellow glow is because with retail you get incandescent lighting, so it is about animation and bringing light out to the street which is all about transparency.

Brian... questioned how they would overcome the Halifax mentality. They want to keep things the same. They don't like the 20th century modern high rise architecture. He thought it was a great project. Anything over ten storeys in Halifax is a high rise. They want to keep it low rise and historic and the "shanty-town" look.

Mr. Hariri responded with great sincerity he thought they were "riding on the shoulders of giants". This developer wants to do something well. They have pushed them to do something spectacular and something they all might notice.

Brian ... commented he liked it and thought the majority of the people would like it.

Ms. Muecke indicated they talked to a lot of people about this. They knew that modern design is not exactly common in Halifax. They have not seen much of it but in conversations they have had, a lot of people think it is time for something new and interesting in Halifax. It does not take away from the heritage aspect but felt it adds a new dynamic to the skyline and the streetscape. They think the appearance is very interesting and an attractive building and it will bring more people into the downtown. It needs people living there. They are getting lots of investors and would like more. The convention centre would like more conventions and meetings. This building is intended to help kick-start more economic vitality in the downtown which will help everybody including the heritage areas.

Mr. Alan Ruffman, Fergusons Cove, thanked Ms. Muecke for holding the planning session he had not been able to attend.

Mr. Ruffman questioned whether this land has been sold to United Gulf Developments.

Mr. Sampson responded no. Originally, the closing date would have passed but unfortunately due to some issues that were the fault of HRM, that date had to be extended. United Gulf has signed a purchase and sale agreement to purchase the site and has the option to purchase the additional area just north of the MetroPark.

Mr. Ruffman questioned when it would close.

Mr. Sampson responded that is confidential and can only be released by Regional Council. He understood they will do that at a certain date. The proposal you see tonight is in no way connected to the sale of the property. The purchase and sale agreement does not hinge on the

approval of this proposal. HRM and United Gulf has gone into this agreement with the understanding that they would come forward at some point with the proposal.

Mr. Ruffman questioned what agreements have been made with the developer vis-a-vis what the developer can build on this property given that they have not yet sold it to them.

Mr. Sampson responded none. The sale was through the tender process.

Mr. Ruffman questioned whether the guidelines presented to the developer are part of the purchase and sale agreement.

Mr. Sampson responded yes, they are attached to the purchase and sale agreement. Those guidelines were drafted by Real Property & Asset Management (RPAM) and were based on municipal policy. Some additional things were added that the MPS was silent on.

Councillor Sloane advised that an RFP was developed which provided the details. The RFP was sent out and people submitted proposals. The land will not be sold by HRM until we know what will be developed on the site.

Mr. Ruffman commented they are being told it is being sold with no commitment to a particular development. They are told it will be sold and the developer is taking their chances.

Councillor Sloane advised that one of the terms of the agreement is that HRM can buy the property back if it is not satisfied.

Ms. Muecke noted that because there was a garage on the site, it started out as a contaminated site, so there was an extensive due diligence process. The demolition process took a lot longer than anticipated. There have been investigations by two different consultants.

Mr. Ruffman questioned whether it was being said the sale would not go through unless the building gets approved.

Mr. Muecke responded no. The due diligence relates to the contamination of the site. There is a period between the end of that and completing the sale. The sale will then close.

Mr. Sampson indicated the sale will happen over the next few months, following which Regional Council will release that information. Following that, we will get to a public hearing.

Mr. Sampson clarified that the guidelines were developed by staff from a number of different departments. They were based on municipal policy.

Mr. Alan Parish, Halifax, President of Heritage Trust of Nova Scotia, indicated he had a comment about the process. The minutes from the meeting are reproduced and the comments are attached to the staff report. The public does not have another opportunity for input until they get to the public hearing which is at the end of the process. For the public to have input on a development like this, they need more notice. Anne Muecke came by and showed him the

proposal but the Heritage Trust has not seen it. They have to give people more notice where they can look at the plans and talk about them and have meaningful input in the process.

Mr. Sampson acknowledged it was a valid comment and hoped meaningful input could be provided this evening. The process that we go through now involves much more public involvement than development proposals in the past, especially with the various municipal units. We are improving but obviously there is room for more improvement.

Mr. Parish stated they do not have a position on this development. They are very concerned about having retail at ground level. There are surrounding heritage buildings and referenced the Roy Building and Founders Square. It would be nice to pick up that street level - three to four floors in height. He questioned why the architect hasn't moved it around the corner. The corner of Sackville Street and Hollis Street is, to a large degree, where it would be nice to pick up the Halifax Club, Founders Square and the Green Lantern building. It might be helpful to continue the podium.

Mr. Hariri commented it is a very good point which was very carefully considered. They have a podium which is very clear and then why doesn't it come all the way around here? The reason was because they wanted the proportions of that to be vertical. They have this conception of a strong podium and they have this one base which creates this exception. The proportions of this base became lumpy and they lost the slender elegance. He explained how they thought they would blur that. It maintains the vertical proportions of the slender tower but at the same time takes the articulation of the podium through. The second line is the level that you rub up against and you're really close to which is about 10-12' depending on where you are. That line carries through and is very much emphasized on both sides. They wanted that to be the thing that ties it around the entire block.

Mr. Peter Rogers, Halifax, commented the best thing about a "shanty-town" is that it is interesting and high rise condominiums generally are not. This is bringing something interesting to the table. He questioned where the parking would be for the residents of the condominium.

Ms. Muecke advised that all the parking is underground. There are four levels of parking underneath the structure. There will not be any public parking.

Mr. Rogers questioned who the targeted market is for the condominiums.

Ms. Muecke responded retirees and young professionals who want to live in the downtown. They expect it to be quite a mixed group - young and not so young people. It is adding to the variety of the mix of housing available. There is a lot of interest in condominiums.

Ms. Candace Stevenson, Halifax, commented she thought there were a lot of good things and a lot of things she wanted to congratulate them on. She referenced Scotia Square and Market Mall which the City allowed. They should be pleased to see something with architectural merit. She was also excited about having more people living in the downtown. She referred to a lecture last week which only one councillor, Councillor Sloane, attended. One of the things the speaker did say was that this is a fractured city and a city on the verge of losing its direction. The speaker also said until they have a plan, they should hold on because the City is on the verge of losing its

soul or direction. She did not think anybody could disagree that it's significant. It is significant visually and to the downtown and everything else. They should be sure as a City, as a Council, and as residents what they want for their City. When she saw what they could do with computer generated models tonight, she was sure they could do the same sort of thing to reflect what this will look like from the Citadel. A lot of people are concerned about the viewplanes. They need to see a plan that shows what it will look like from the Citadel.

Ms. Muecke responded they intended to have an image but it came out wrong because of a computer glitch.

Mr. Scott McCrea, Halifax, said he was a bit disconcerted about the land transaction not having been closed. He thought the transaction was different in a sense but there could be a perceived conflict of interest.

Mr. McCrea indicated he had his staff contact HRM planning staff for information in advance of the meeting to try and better understand so he could be more participatory in this process and was told it was not public until this meeting. For this process to be more meaningful, the information should be made available in advance of the meeting.

Mr. McCrea questioned how much space was being allotted for the different uses and parking. He heard it mentioned there was no public parking. He also questioned what studies the developer is being asked to produce and to what extent the Mayor's Task Force on Parking would be considered.

Ms. Muecke advised that in terms of parking, it has been made clear to them by staff that if they were to include hourly parking it would be perceived differently than if for the building. The policy that exists now for the downtown is to encourage that parking be provided for the building but not hourly parking. It goes back to encouraging people to use transit. There will be four levels of parking which will provide roughly 400 parking spaces.

Ms. Muecke indicated that in terms of the uses in the building, there will be roughly 40,000 sq.ft. for professional offices; 35,000 sq.ft. for retail; 260 hotel rooms; and 250 condominiums. That is an average number. The layout allows some flexibility. There will be some larger and some smaller spaces. The developer has to stay in tune with the market conditions and adjust floor plans for the market conditions. It will be in the range of 250-275 units.

Mr. McCrea questioned whether they would be able to adapt parking to that mix.

It was responded that there would be one space for each condominium and one space for every two hotel rooms, which brings them up to 380 parking spaces. Parking will be provided for the office spaces as well.

Mr. Sampson indicated that the planning application process and the purchase and sale agreement are going on at the same time. If for example the purchase and sale agreement was tied to this proposal, he would agree there could be a conflict of interest but that is not the case. No development approval will be tied to the purchase and sale agreement. The plan had been to

have the sale finalized prior to now but there were delays in terms of demolition, conflicting schedules, and weather.

Mr. Sampson advised that municipal plan policy does not require developments to supply public parking. In fact, in the downtown, as-of-right projects under those height limitations do not need to supply parking at all. In this case, the proposal does not provide public parking and at first glance does not appear to go against municipal policy.

Mr. McCrea questioned what studies would be required by the developer and whether a parking impact study was one of them.

Mr. Sampson responded there is no requirement for a parking study for this proposal. There will be a need for some form of traffic analysis. It has not been determined by our Development Engineer and Traffic Engineer what that analysis will take the form of. When we have that information, we will pass it along to United Gulf Developments.

Ms. Muecke advised that the work has begun on the intersection analysis.

Mr. Sampson indicated that at a bare minimum, there will be an analysis of the proposed location for entrances and exits and loading in that area and also the proposed laybys for the hotel. There will be a wind analysis and a shadow analysis done by United Gulf Developments. Part of the detailed review by staff is to come with these answers and for United Gulf Developments to have this work done.

Mr. Muecke stated the shadow study has been done. When it comes to the wind analysis, it is usually done in two steps. First is the preliminary assessment. They bring together a number of proposals and look at the buildings around the site and come up with a proposal assessment. They then decide if design adjustments are required. They do the wind tunnel tests as they get further along. There is still some design detail.

Mr. Louis Lawen, Halifax, commented it is a large project and it will have a tremendous impact on the downtown. Just a 1-2 hour session for the public to be satisfied or have enough understanding of what is happening to make that decision is not enough. A \$150,000,000 project needs a different brush than the standard development agreement process.

Mr. Lawen said the computer images are great but he would like to have a better understanding of the conception of the building. He would commend United Gulf Developments for bringing this presentation forth but as a pedestrian walking down the street right now it looks like a bunch of glass and being able to relate to human scale. He questioned whether there would be any green space between the buildings, or whether there is any space at ground level that is for an open public presentation of a sculpture or art.

Ms. Muecke referenced an area between the two buildings which is a landscaped area. There has been discussion about who would use it and whether there might be public access. They have not reached a conclusion on that. There are security issues because there are private dwellings on one side, so they have to consider how it would be monitored. They have put a lot of emphasis on maintaining green space in the building.

Ms. Muecke indicated that in terms of public art, there are several places where that can happen. She referenced a corner and indicated there are signs that come down and in between they are used to suspend the canopy but the podium is an artistic feature. Another place is inside the lobby because that would be a public space and it is high enough that there could be feature walls or sculptures. Another place is between the condominium and the MetroPark where there will be a wall to separate the two as a security measure. They are considering making that wall an artistic feature. It could be a garden sculpture. A number of things could be done. It would be visible from the water in between.

Mr. Lawen stated he felt there should be some local input from an architectural firm just to make sure there is Haligonian in this project.

Ms. Muecke advised they do have an architect as part of this company who used to work for HRM. United Gulf Developments is working with a lot of architects.

Mr. Hugh Pullen, Halifax, questioned whether they consulted with a window washing firm. It will be really important that this building be clean. In washing the windows, would there be any angles here where the window washer would have to hang out? The building is sloping outwards. That would be important for the window washer and the people walking below. Keeping this building clean will be a real challenge and it will be really important because dirt tends to limit transparency.

Mr. Pullen questioned whether they could fit in some pedways. If you want people to live there and work, they should make it easy for them to cross streets and avoid traffic, especially on Hollis Street. If people can get from the MetroPark garage through their building and the Roy building and up Barrington Street and to Neptune, it will be a people benefit. They will have to work hard to provide people benefit to live here. The general flow has been away from the downtown. This is probably the third effort to shop downtown. People work downtown but do not shop.

Mr. Pullen commented they have been here before with signature buildings. In the 1960's, Fenwick Tower was to be a signature building and is still that today. He referred to the Cogwell interchange which was to be a signature as well. Good luck.

Mr. Ruffman referenced a sketch where Anne showed a blank wall of the old Eaton's building and the unfortunate wall that Mountain Coop built and positive pictures on the Press Gang restaurant. He questioned what would be on the street side.

Mr. Muecke responded one of the things they have been working on is where the entrances will be. She pointed out the location of the entrances now shown on the plan. There is always the potential for this to be something like the Triangle again. They had talked about the potential for a sidewalk café out on street level. Practically speaking, Sackville Street is very busy and may not be that attractive for people to sit out there. It tends not to get sun until later on in the afternoon so the amount of sun is limited. A better place for people to sit out would be on Granville Street.

Mr. Ruffman commented that the amount of sunlight would be no different than for the Press Gang and the Triangle.

Mr. Hariri referenced the floor plan for Granville Street, where you can see light carving that space back to create more of an open condition on the sidewalk. That canopy would extend up and over and would provide relief for that side of the building. What they are showing is the possibility of 2/3 storeys of retail space. There is another possible entrance at Granville and Sackville Street.

Mr. Ruffman indicated the worst example is on the Centennial building. We filled in most of our buildings. The Triangle has windows that may not be practical but have finishes around them. We are seeing a building which is not yet firm in the sense that it is not clear they own the Bloise property with all the City property. There seems to be some possibility that they do not own all that property. There are a number of these details on ground level that are not secure and he did not think it is unreasonable to speak to the public again before the formal public hearing.

Mr. Ruffman noted they said they came to the maximum height of 285' and assumed none of the elevator shafts would protrude above that.

Mr. Ruffman referenced the concern relative to the perceived conflict of interest. RPAM gets an offer and Regional Council makes a decision in-camera. They are presenting an early concept and staff negotiates the development agreement with them. In the background they know Council has agreed to a handsome price. Council has to give approval for the development of a property for which they know they will be getting a handsome price for. He thought it deserves a slightly different process. They are supposed to be working in the public interest and it is hard sometimes to separate yourself away. At the public hearing he would be asking what they negotiated about, what did they lose on, and what did they get for them. He thanked them for an interesting presentation. Because of the cold, he felt this was not a good location for a public meeting.

An individual commented he would like to congratulate the architect for coming forward with something showing a 21st century building. He referenced Mr. Ruffman's comment about an entrance on Sackville Street and suggested that stepping the building back a bit might create a bit more space.

Councillor Harvey indicated he was a suburban councillor and a passionate son of the Halifax Peninsula Historical Irish society. They held their first evening on this site. For forty years they had a plaque on the TexPark garage which they retrieved during demolition and hoped that United Gulf Developments would find them a place to put their plaque back up again.

Ms. Heather Ternoway, Halifax, said she was excited to see a building with such great aspirations and did not think a two storey atrium space would do that. People should be looking at the building from the inside as well.

Mr. Hariri commented they are actually sick and tired of these big atrium spaces and maybe they can do something else. What they are excited about is a variance between Granville and Hollis

Street and creating a ceiling within the lobby that connects horizontally across and visually takes your eyes across and over to that space.

Mr. Ron Schofield, Halifax, stated it is a great building and a great addition to any City but not Halifax. People come here because of heritage, not because we are modern. This building does not fit with Halifax. He has been impressed with the buildings over the past couple of years and the effort to fit in the buildings with stone and brick. He did not see any of that here and did not think this is the kind of building for Halifax. It would ruin the look of Halifax.

Mark Archibald, Halifax, commented he felt Halifax has been suffering from re-creationalism that in the end does no service for the Hydrostone stock. Historic preservation and modernization are not opposed. He applauded the developer for presenting this design.

Mr. Gallagher said he applauded the architect for putting forth a new idea. Halifax's heritage is very rich and while he appreciated their attempt to push Halifax forward into the 21st century, he noticed that the buildings do not represent any other features of Halifax especially their lack of green space. He suggested they try and incorporate some of the history of Halifax into their new age design so that Halifax does not lose its past.

Chris... commented he echoed the applause. It is a very striking and bold project. The Downtown Halifax Business District Commission and the Greater Halifax Partnership are promoting a Smart City and endeavouring to move forward and this building is symbolic of that. He congratulated United Gulf Developments, HRM, and the firm for pushing forward with a design that is relatively consistent with an urban design theme which is relatively lacking. It appears that the street podium is consistent with elements of the Roy Building and the overall height of the structure and the footprint of the structure seems to be consistent with Maritime Centre and Purdy's Wharf. Consistent sightlines is a good thing.

Chris ... questioned whether they had any idea of the positive economics from this development from construction to the collective economic impact for restaurants and retail in the downtown core from the condominium units and hotel units.

Mr. Muecke responded they had no idea.

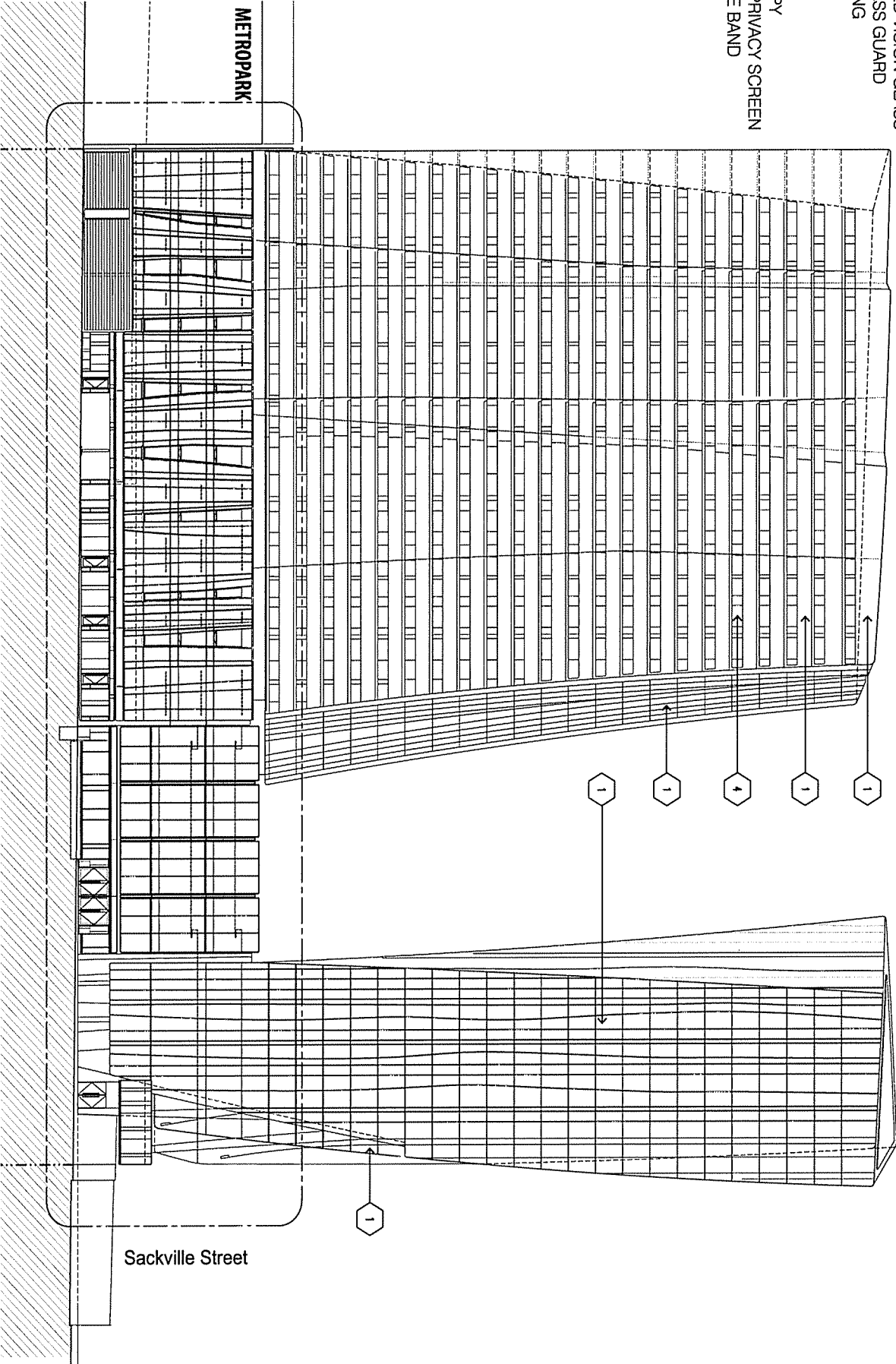
The meeting adjourned at approximately 9:30 p.m.

LEGEND

- 1- CURTAIN WALL - CLEAR VISION PANEL
- 2- SPANDREL GLASS
- 3- BRONZE FRAMED VISION GLASS
- 4- TEMPERED GLASS GUARD
- 5- STONE CLADDING
- 6- STONE PIER
- 7- STONE FINIS
- 8- STONE SILL
- 9- COPPER CANOPY
- 10- METAL LATTICE PRIVACY SCREEN
- 11- RETAIL SIGNAGE BAND

TOWER TWO (CONDOMINIUM)

TOWER ONE (HOTEL)



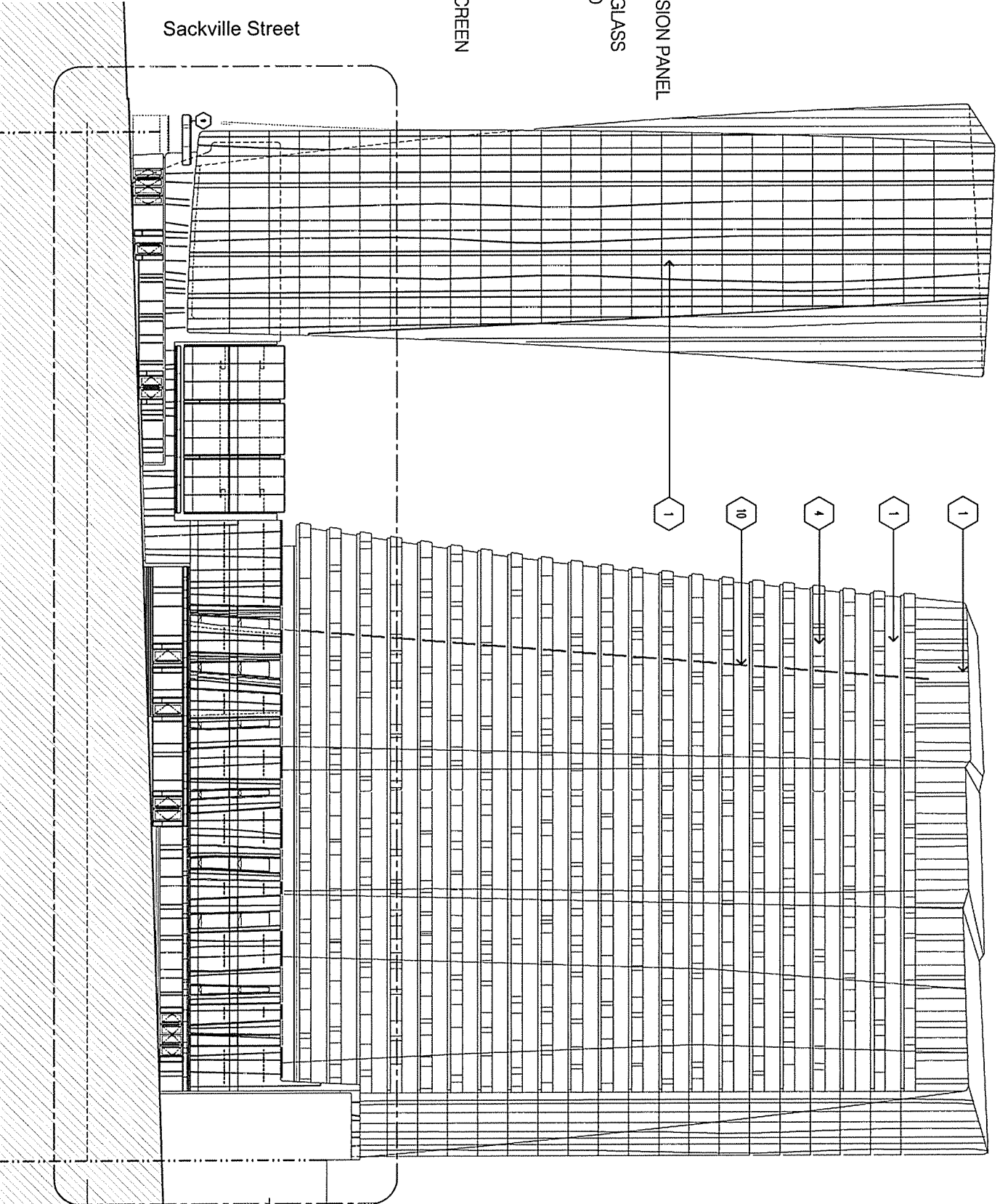
FULL ELEVATION FROM HOLLIS STREET

Attachment D1

TOWER ONE (HOTEL)

TOWER TWO (CONDOMINIUM)

- LEGEND**
- 1- CURTAIN WALL - CLEAR VISION PANEL
 - 2- SPANDREL GLASS
 - 3- BRONZE FRAMED VISION GLASS
 - 4- TEMPERED GLASS GUARD
 - 5- STONE CLADDING
 - 6- STONE PIER
 - 7- STONE FINIS
 - 8- STONE SILL
 - 9- COPPER CANOPY
 - 10- METAL LATTICE PRIVACY SCREEN
 - 11- RETAIL SIGNAGE BAND



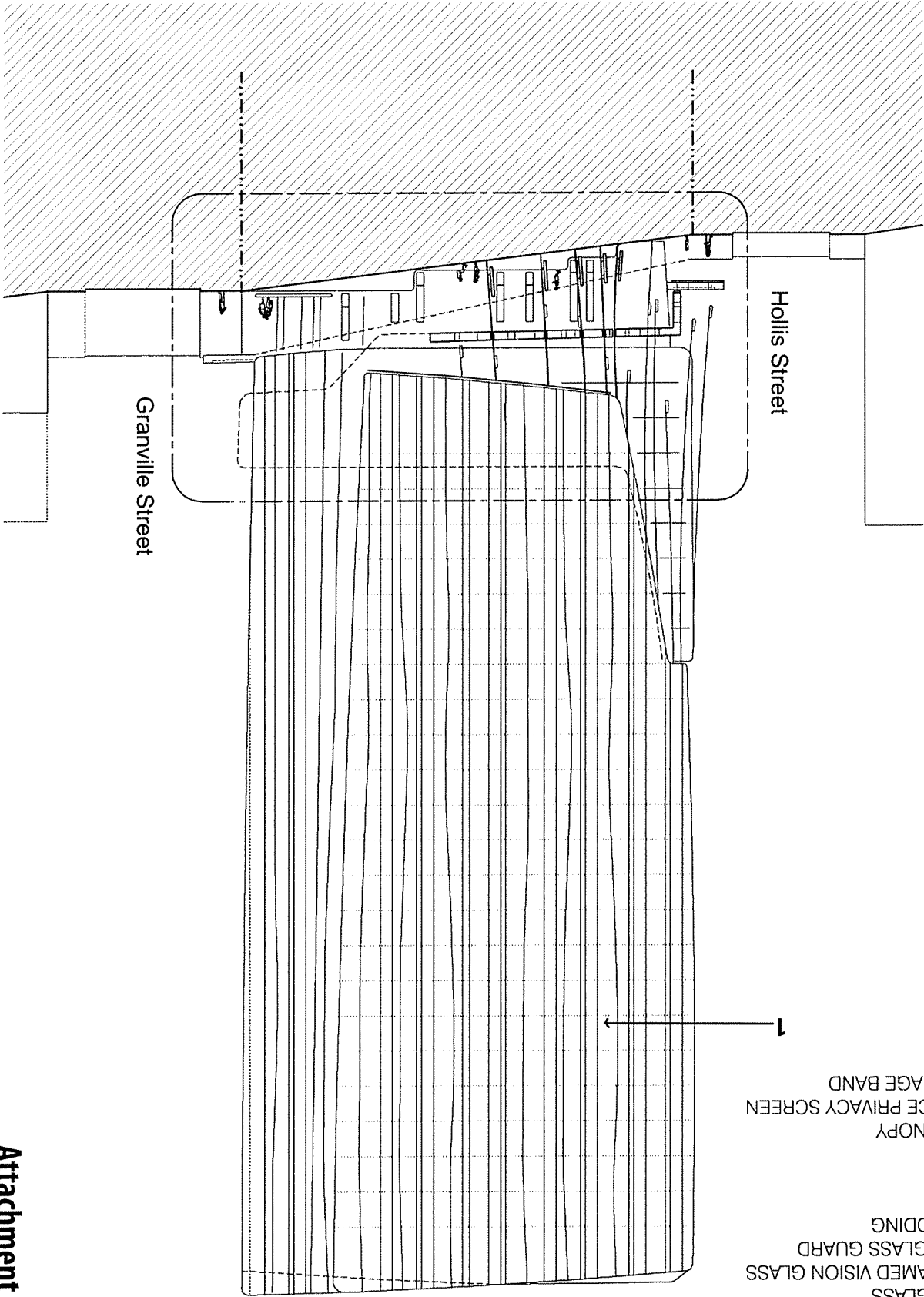
Sackville Street

GRANVILLE STREET ELEVATION

Attachment D2

SACKVILLE STREET ELEVATION

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 F: +971 4 382 8224
HPA
 HARBET PROGRAMME ARCHITECTS



- 1- CURTAIN WALL - CLEAR VISION PANEL
- 2- SPANDREL GLASS
- 3- BRONZE FRAMED VISION GLASS
- 4- TEMPERED GLASS GUARD
- 5- STONE CLADDING
- 6- STONE PIER
- 7- STONE FINNS
- 8- STONE SILL
- 9- COPPER CANOPY
- 10- METAL LATICE PRIVACY SCREEN
- 11- RETAIL SIGNAGE BAND

LEGEND

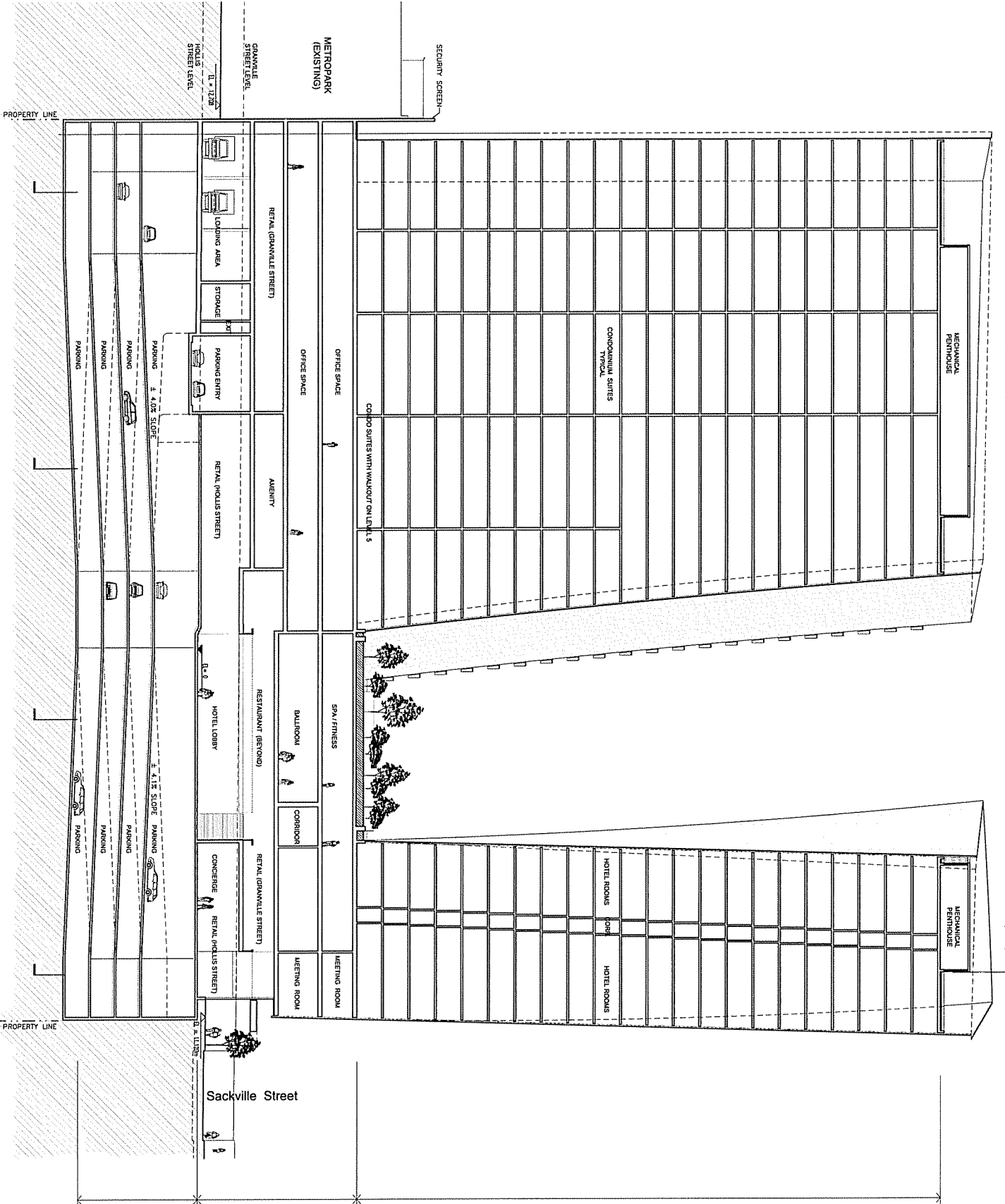
TOWER ONE (HOTEL)

Attachment D3

TOWER TWO (CONDOMINIUM)

TOWER ONE (HOTEL)

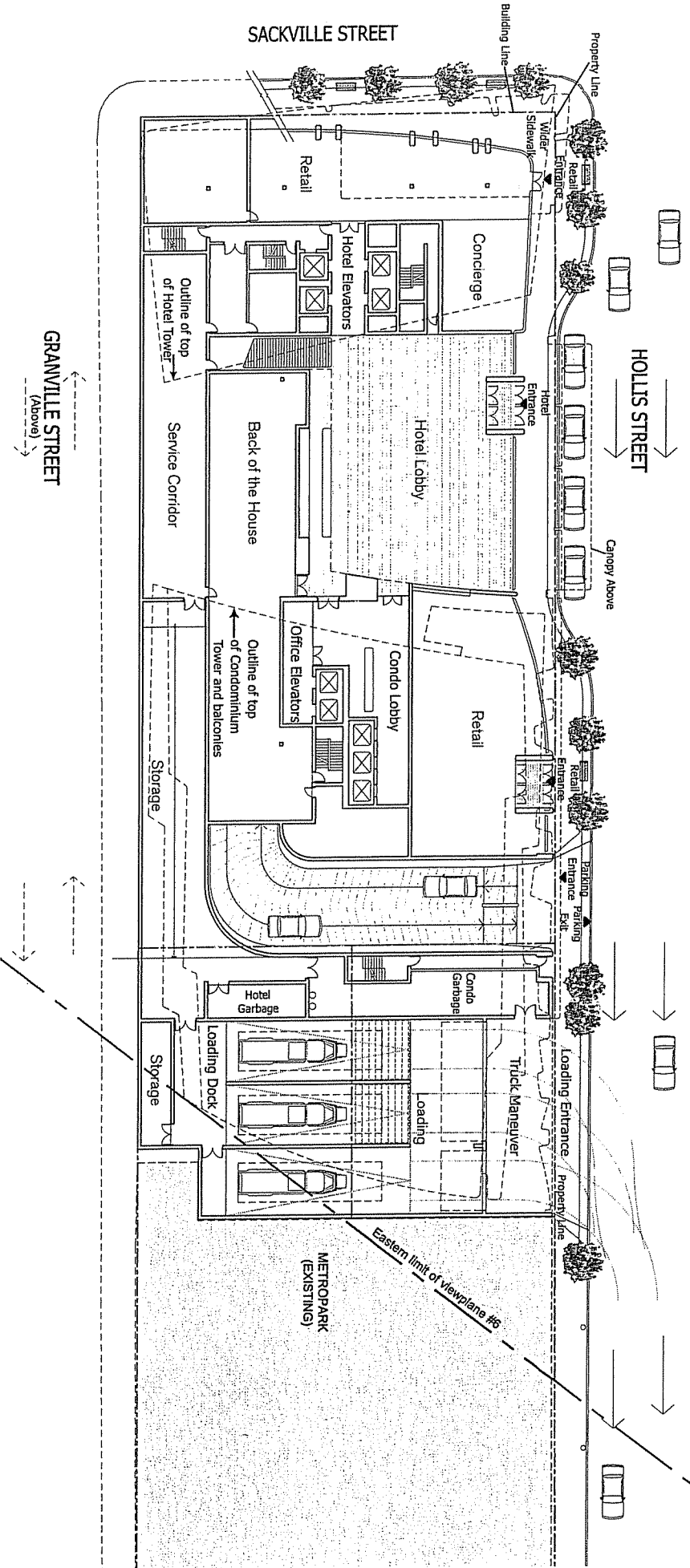
ELEVATION 285 ft



- LEVEL 27
- LEVEL 26
- LEVEL 25
- LEVEL 24
- LEVEL 23
- LEVEL 22
- LEVEL 21
- LEVEL 20
- LEVEL 19
- LEVEL 18
- LEVEL 17
- LEVEL 16
- LEVEL 15
- LEVEL 14
- LEVEL 13
- LEVEL 12
- LEVEL 11
- LEVEL 10
- LEVEL 9
- LEVEL 8
- LEVEL 7
- LEVEL 6
- LEVEL 5
- LEVEL 4
- LEVEL 3B
- LEVEL 3A
- LEVEL 2B
- LEVEL 2A
- LEVEL 1
- LEVEL P1
- LEVEL P2
- LEVEL P3
- LEVEL P4
- PARKING

CROSS SECTION FROM HOLLIS STREET

Attachment D4



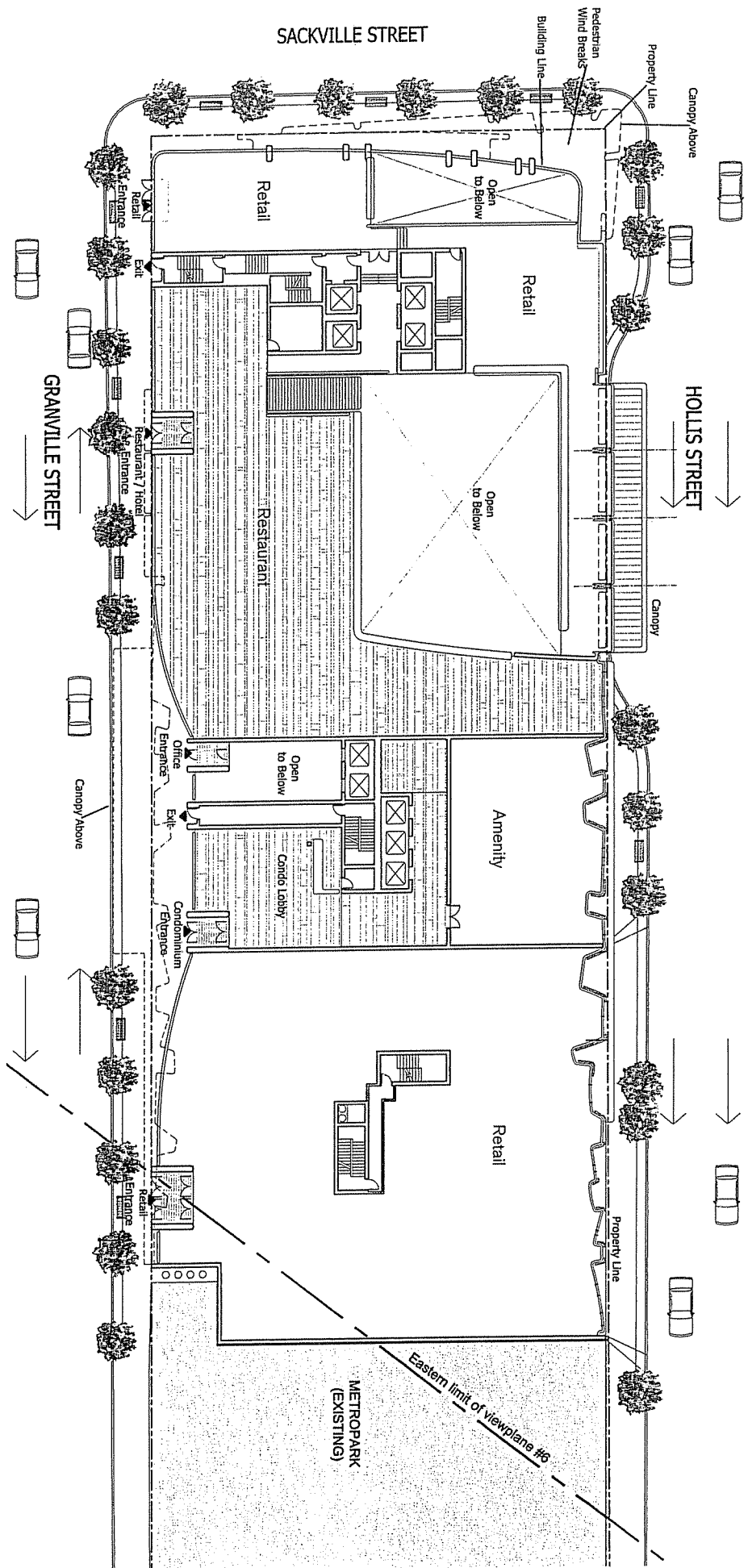
United Gulf Developments Ltd.

HPA

214 Dundas Street West, 7th Floor
 Toronto, Ontario M5G 1X1
 T 416-593-7433 F 416-593-7434

PODIUM FLOOR PLAN

Hollis Street - LEVEL 1



United Gulf Developments Ltd.

300, Market Street, Suite 201,
 Toronto, Ontario M5G 1S7

HPA

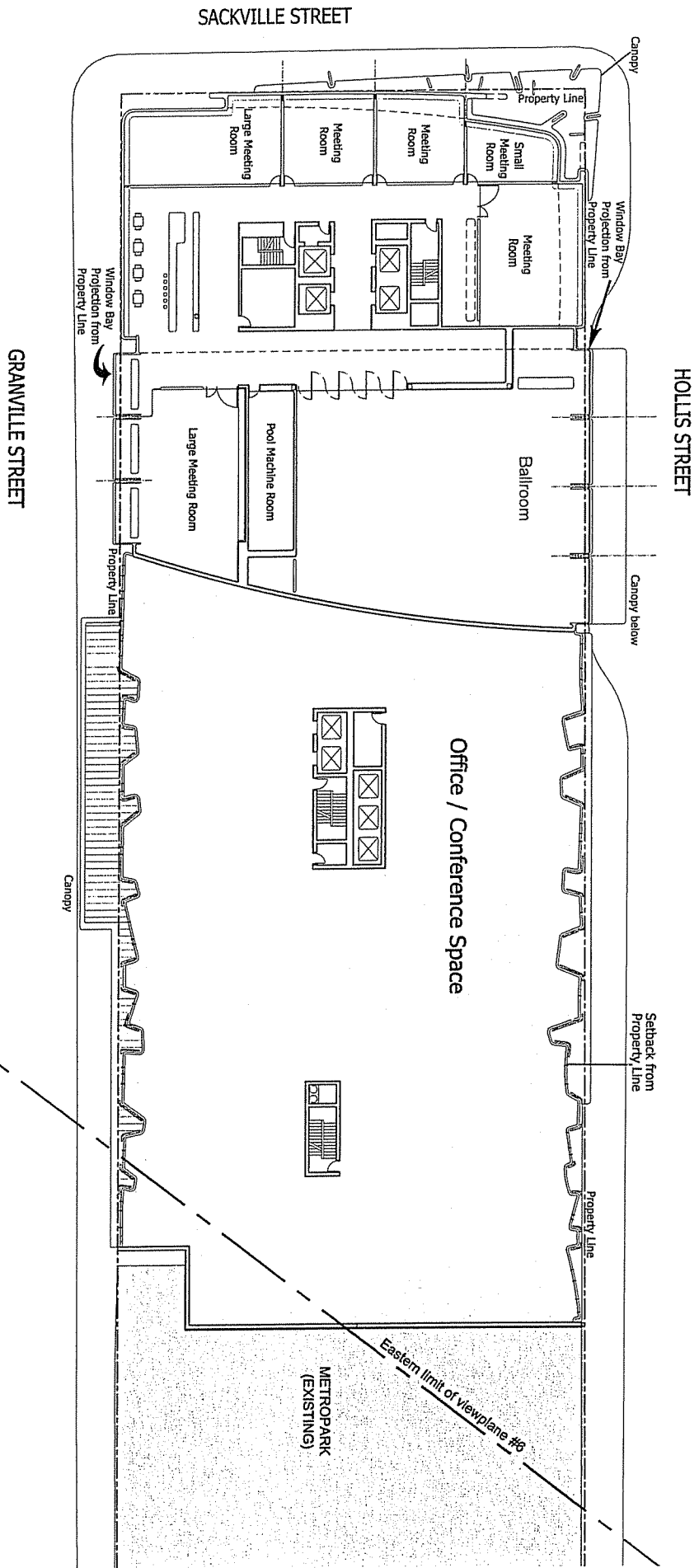
240 Devonport Road, 7th Floor
 Toronto, Ontario M5G 1S7

ARCHITECTURAL ARCHITECTS

PODIUM FLOOR PLAN

Granville Street Level 2

Attachment D7



SACKVILLE STREET

HOLLIS STREET

GRANVILLE STREET

United Gulf Developments Ltd.

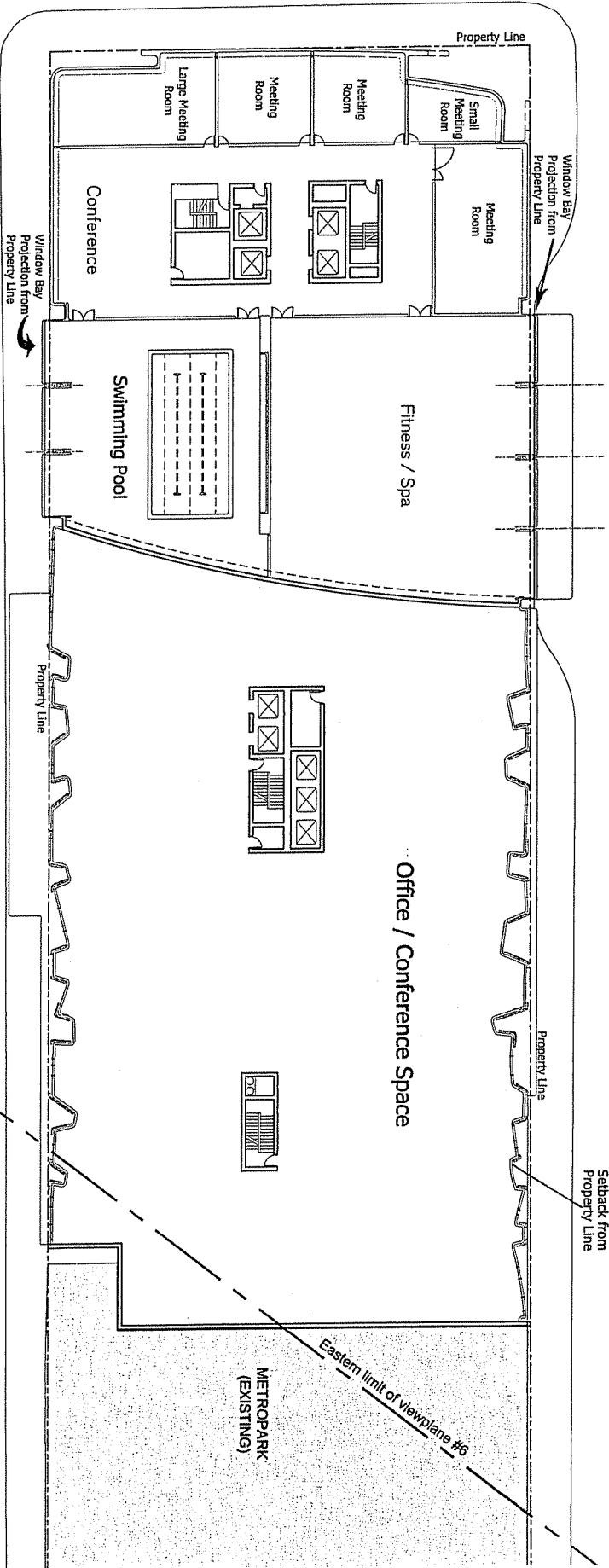
HPA

214 Devonport Road, 7th Floor
 Devonport, Tas 7310
 Australia

PODIUM FLOOR PLAN

LEVEL 3

Attachment D8



United Gulf Developments Ltd.

360, Industrial Highway,
 Jebel Ali, Dubai, U.A.E.
 P.O. Box 250000, Dubai, U.A.E.

HPA

418 Damour Road, The First Floor,
 Industrial Area, Jumeirah Industrial Area,
 Dubai, U.A.E.

REGISTERED PROFESSIONAL ARCHITECTS

PODIUM TOP FLOOR PLAN

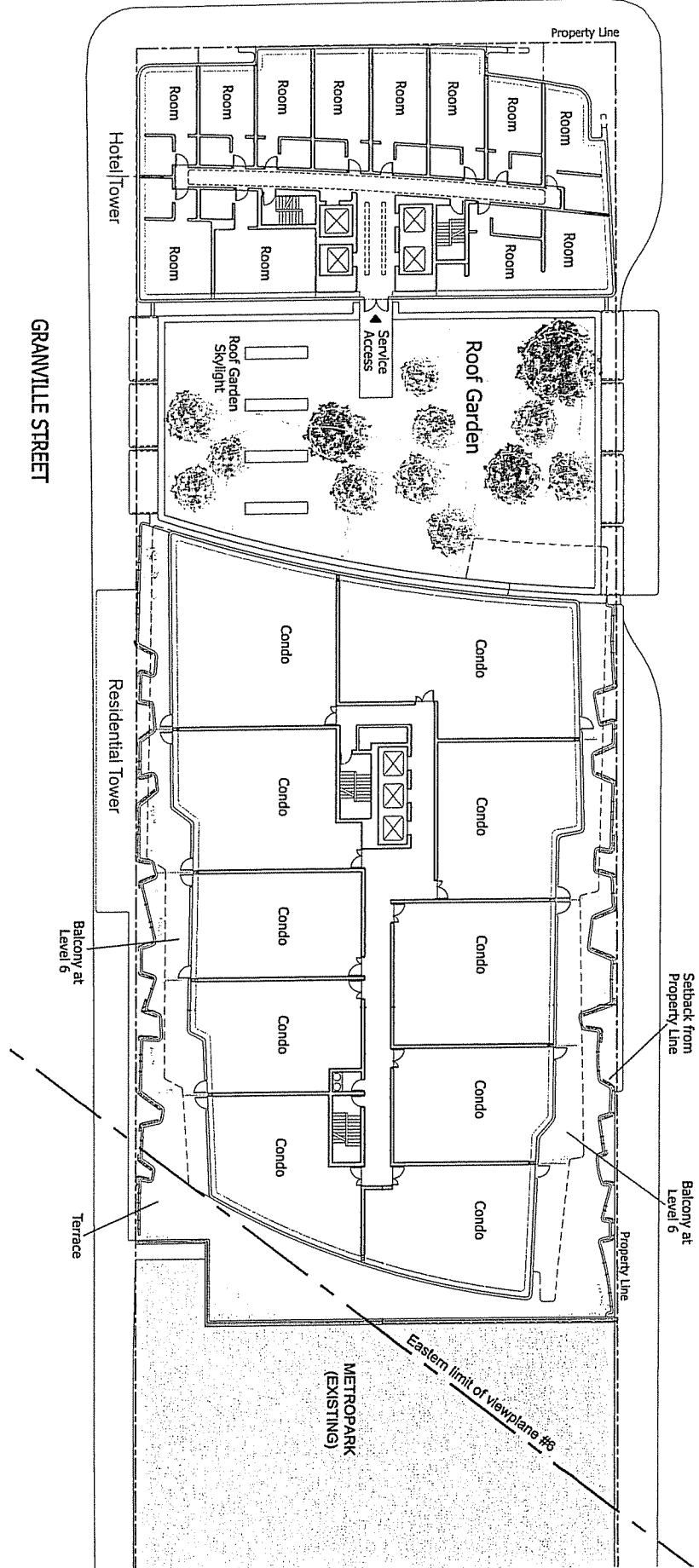
LEVEL 4

Attachment D9

SACKVILLE STREET

HOLLIS STREET

GRANVILLE STREET



United Gulf Developments Ltd.

305 Second Avenue East, 24
10000007 of 10000007

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248 Devonport Road, 7th Floor
10000007 of 10000007

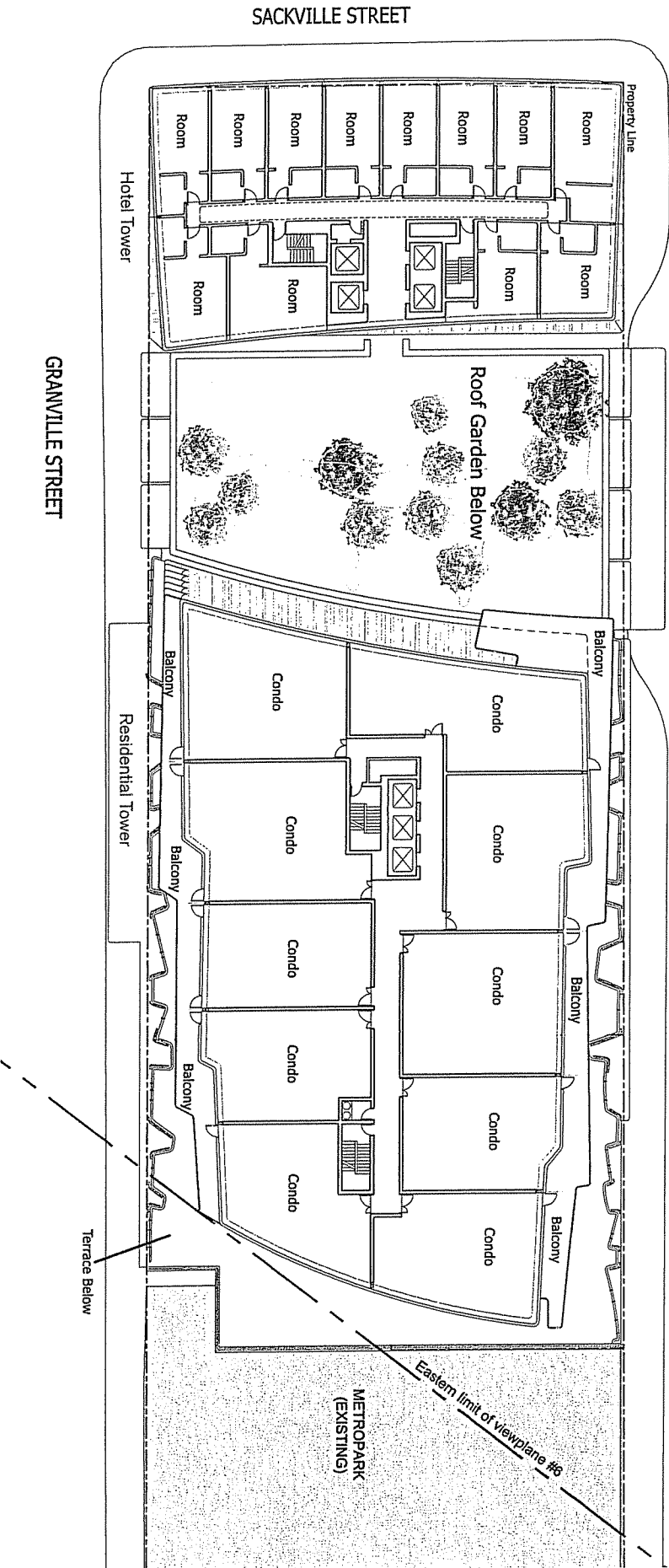
REGISTERED PROFESSIONAL ARCHITECTS

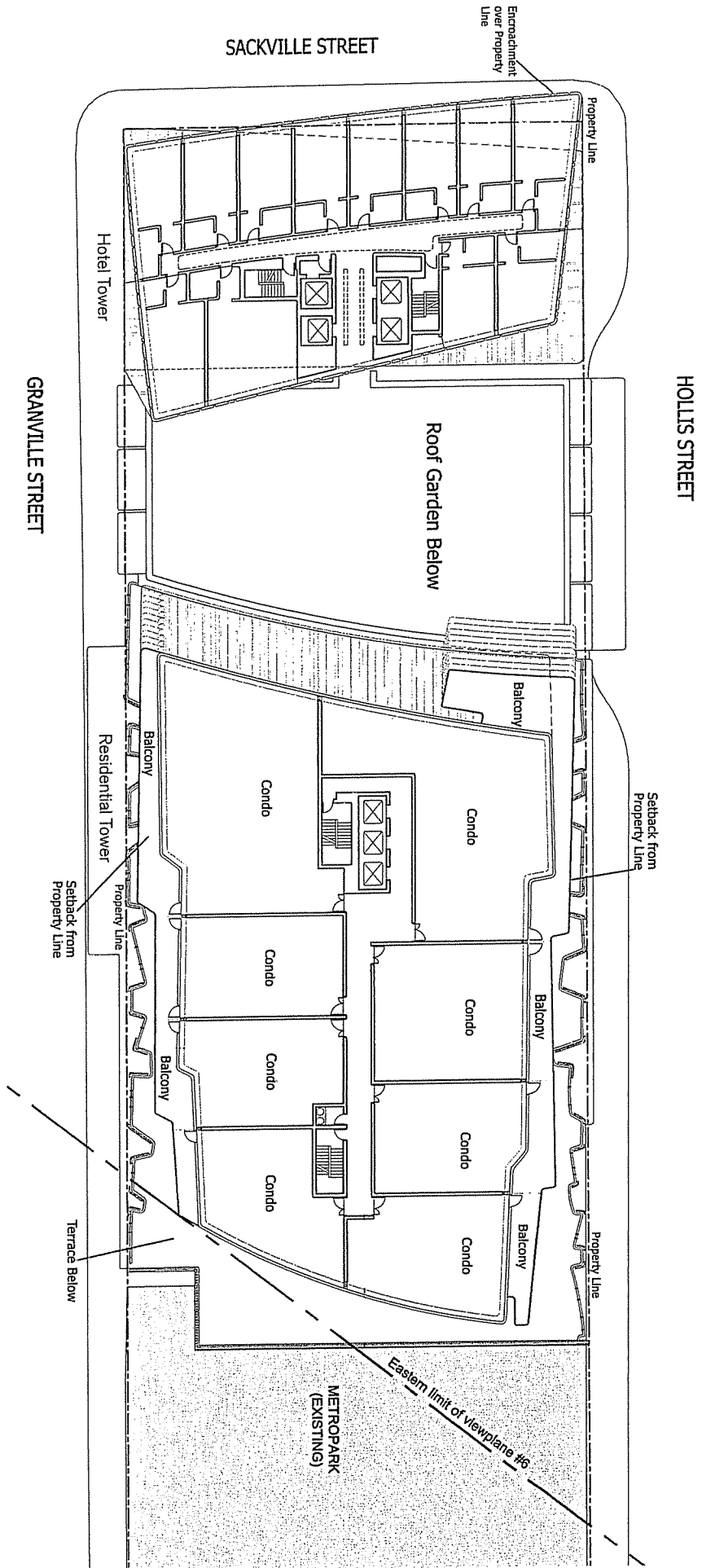
PODIUM ROOF

LEVEL 5

Attachment D10

TOWER FLOOR PLAN
LEVEL 14





United Gulf Developments Ltd.

2000 Lakeshore Boulevard, Suite 200
 Scarborough, Ontario M1V 4Y7
 Tel: (416) 291-1111

HPA

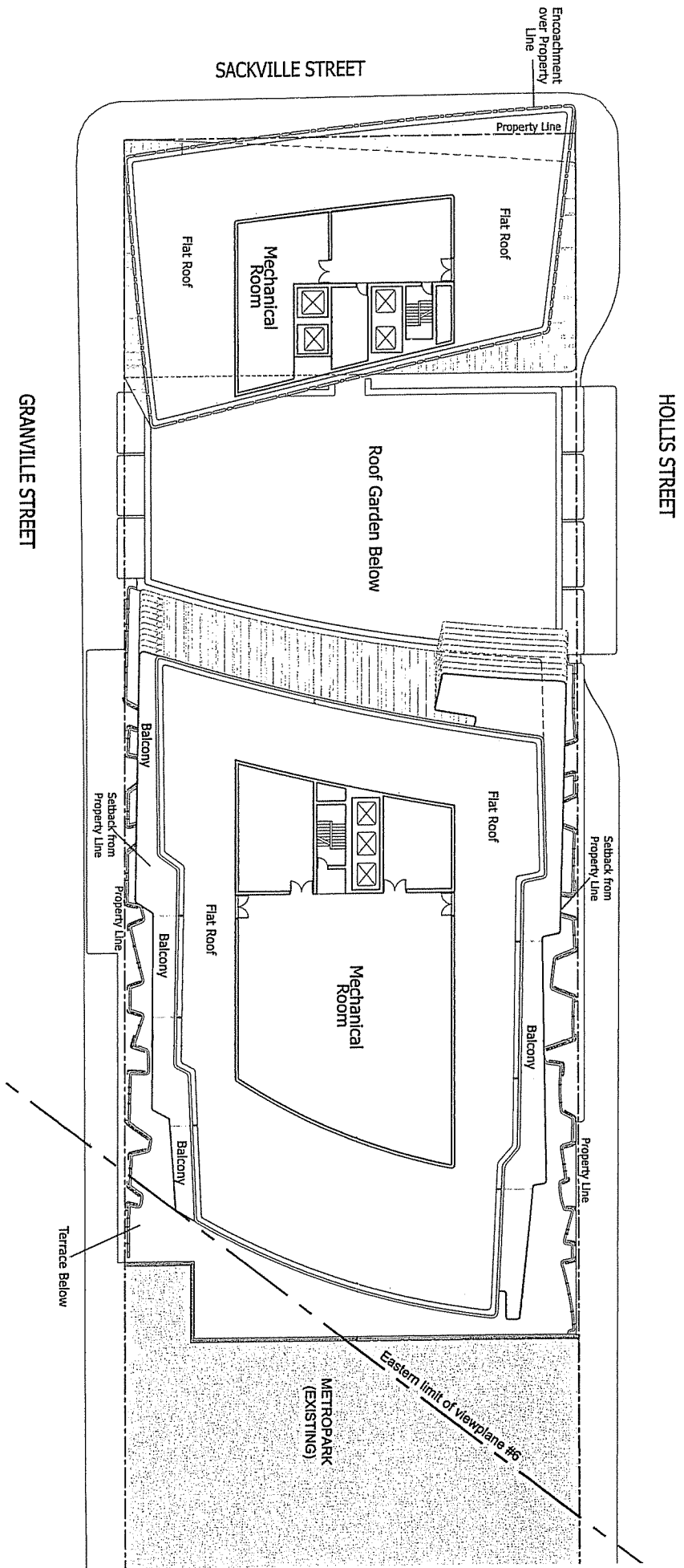
214 Denison Street, 10th Floor
 Toronto, Ontario M5G 1R5
 Tel: (416) 593-8888

ARCHITECTURAL ARCHITECTS

TOWER FLOOR PLAN

LEVEL 26

Attachment D12



United Gulf Developments Ltd.
 2500 Sheppard Avenue East, Suite 101
 Scarborough, Ontario M1S 4T7
 Tel: (416) 291-1111 Fax: (416) 291-1112

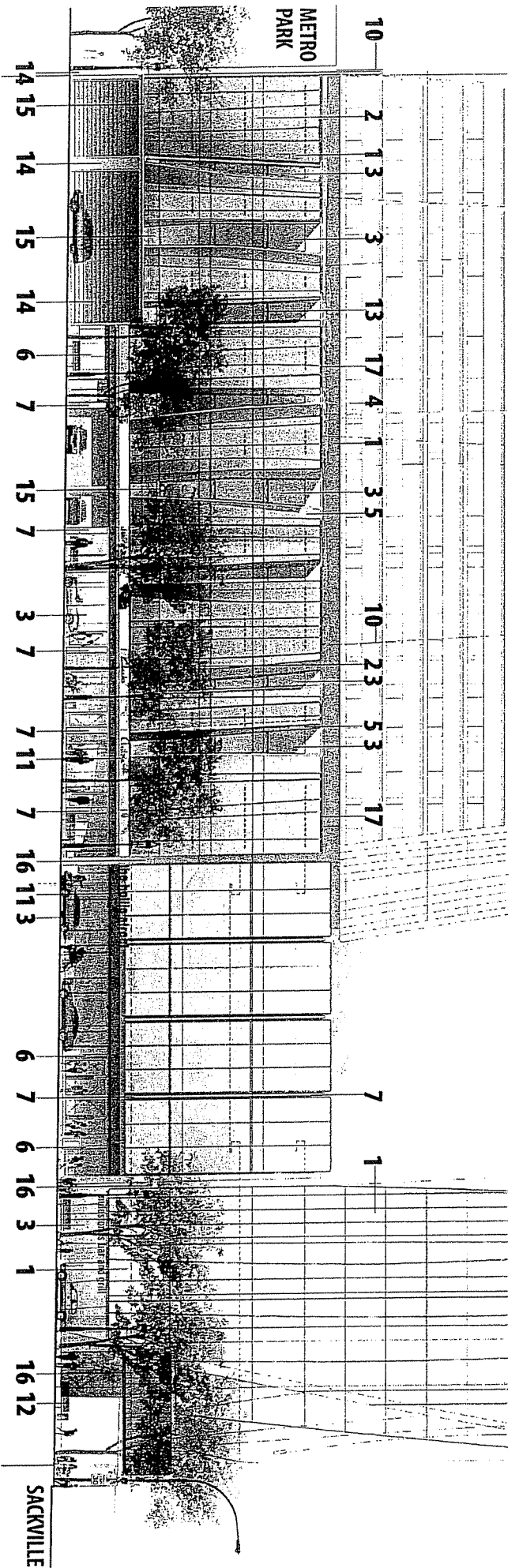
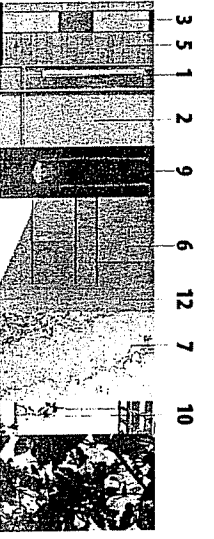
HPA
 240 Denison Street, 10th Floor
 Toronto, Ontario M5G 1R2
 Tel: (416) 593-8888 Fax: (416) 593-8889

MARKING CONSULTANTS ARCHITECTS

PENTHOUSE (MECHANICAL) LEVEL

LEVEL 27

Attachment D13



LEGEND

- 1- CURTAIN WALL - CLEAR VISION PANEL
- 2- SPANDREL GLASS
- 3- BRONZE FRAMED VISION GLASS
- 4- TEMPERED GLASS GUARD
- 5- STONE CLADDING
- 6- STONE PIER
- 7- STONE FINIS
- 8- STONE SILL
- 9- COPPER CANOPY
- 10- METAL LATTICE PRIVACY SCREEN
- 11- RETAIL SIGNAGE BAND
- 12- WOOD
- 13- OPERABLE WINDOW
- 14- PAINTED METAL PANEL
- 15- COPPER SILL
- 16- COPPER CLADDING
- 17- COPPER PARAPET

United Gulf Developments Ltd.

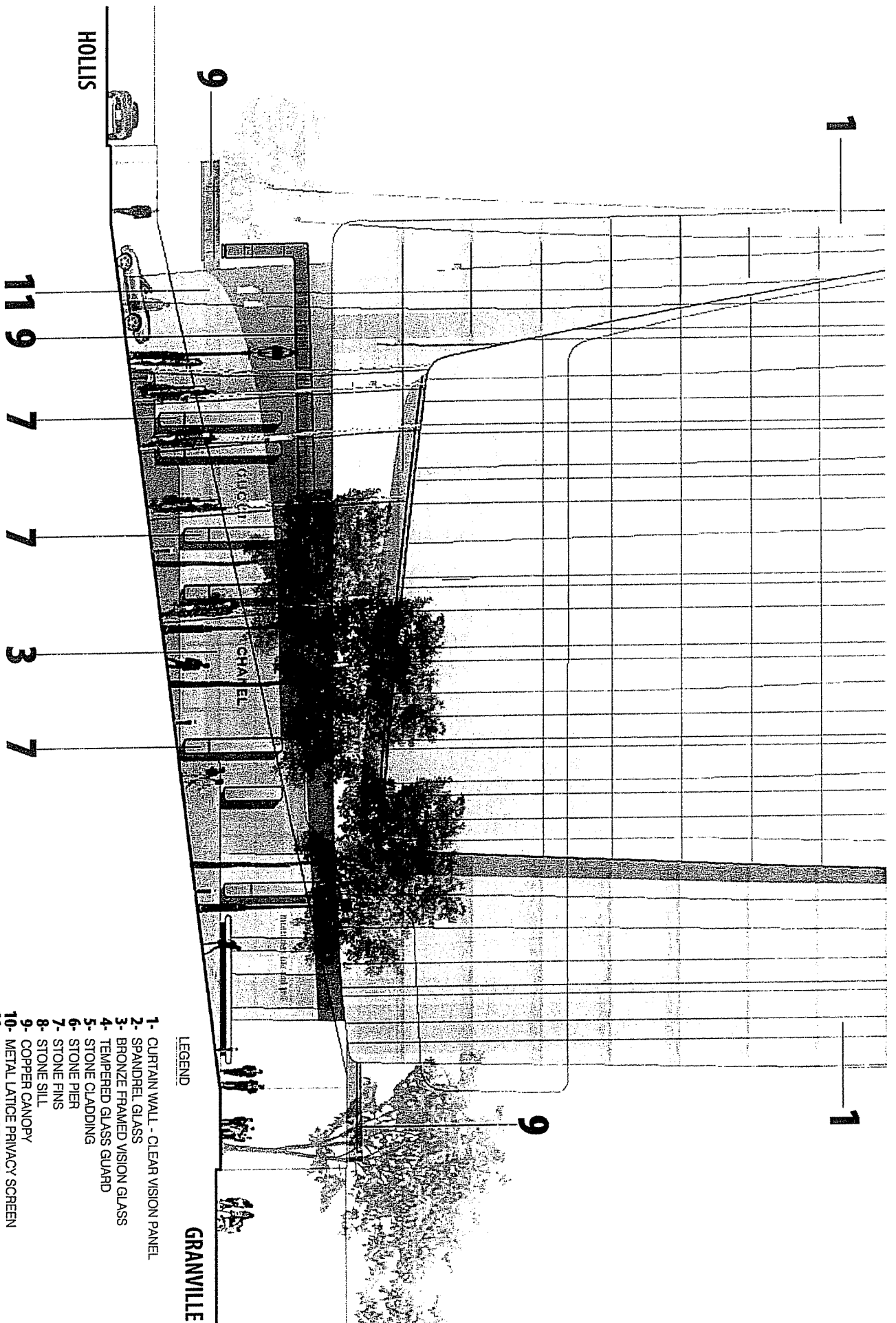
250 Bedford Highway, Suite 101
 Scarborough, Ontario M1S 2C2
 Tel: (416) 291-1111

HPA

225 Denison Street, 7th Floor
 Toronto, Ontario M5G 1R2
 Tel: (416) 593-8888

PODIUM ELEVATION FROM HOLLIS STREET

Attachment D14



LEGEND

- 1- CURTAIN WALL - CLEAR VISION PANEL
- 2- SPANDREL GLASS
- 3- BRONZE FRAMED VISION GLASS
- 4- TEMPERED GLASS GUARD
- 5- STONE CLADDING
- 6- STONE PIER
- 7- STONE FINIS
- 8- STONE SILL
- 9- COPPER CANOPY
- 10- METAL LATTICE PRIVACY SCREEN
- 11- RETAIL SIGNAGE BAND
- 12- WOOD
- 13- OPERABLE WINDOW
- 14- PAINTED METAL PANEL
- 15- COPPER SILL
- 16- COPPER CLADDING
- 17- COPPER PARAPET

GRANVILLE

HOLLIS

United Gulf Developments Ltd.

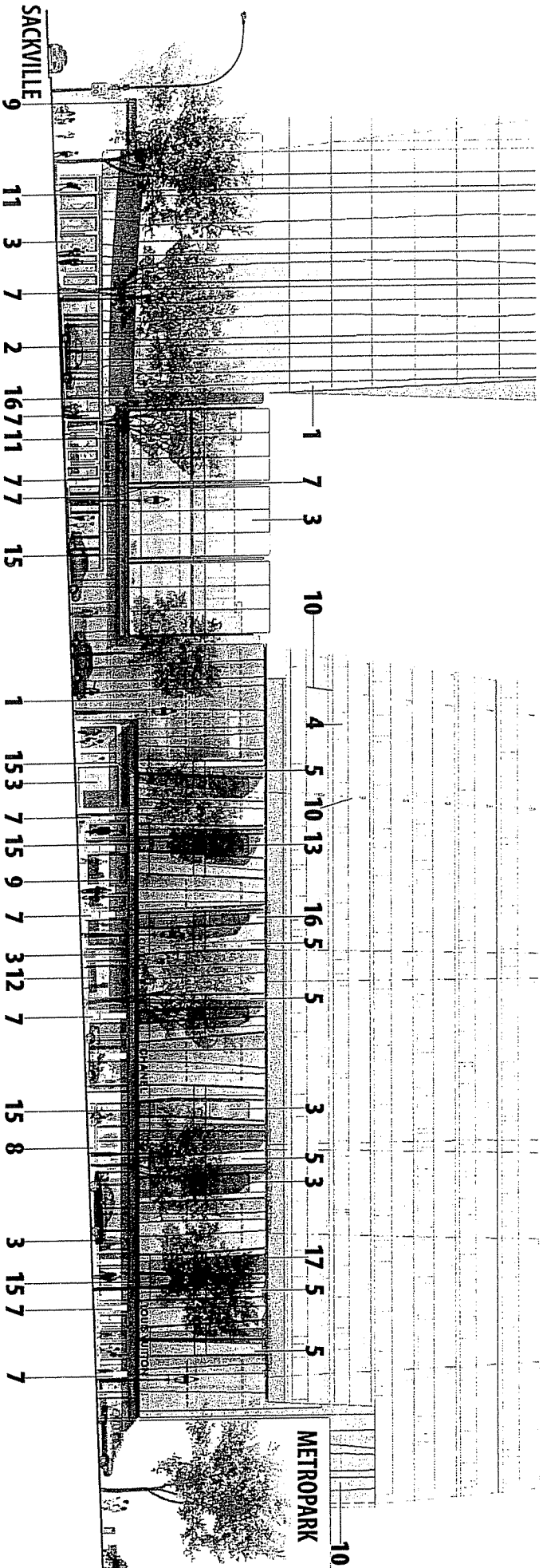
300 Balfour Highway
 Suite 100
 Scarborough, Ontario M1S 1W1
 Tel: (416) 291-1111
 Fax: (416) 291-1112

HPA

218 Balfour Road, 7th Floor
 Scarborough, Ontario M1S 1W1
 Tel: (416) 291-1111
 Fax: (416) 291-1112

PARTIAL ELEVATION FROM SACKVILLE STREET

Attachment D15



SACKVILLE
9

11 3 7 2

16 7 11

7 7 15

1 153

7 15 9 7

3 12 7 15

8 3 15 7

7

1 7 3

10

4 5 10 13

16 5 5

3 5 3

17 5 5

10

METROPARK
10

LEGEND

- 1- CURTAIN WALL - CLEAR VISION PANEL
- 2- SPANDREL GLASS
- 3- BRONZE FRAMED VISION GLASS
- 4- TEMPERED GLASS GUARD
- 5- STONE CLADDING
- 6- STONE PIER
- 7- STONE FINIS
- 8- STONE SILL
- 9- COPPER CANOPY
- 10- METAL LATTICE PRIVACY SCREEN
- 11- RETAIL SIGNAGE BAND
- 12- WOOD
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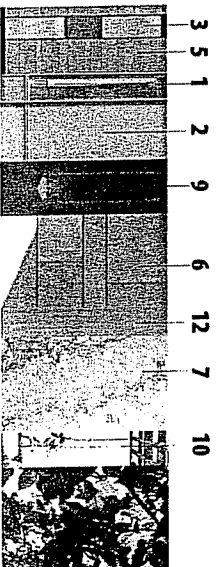
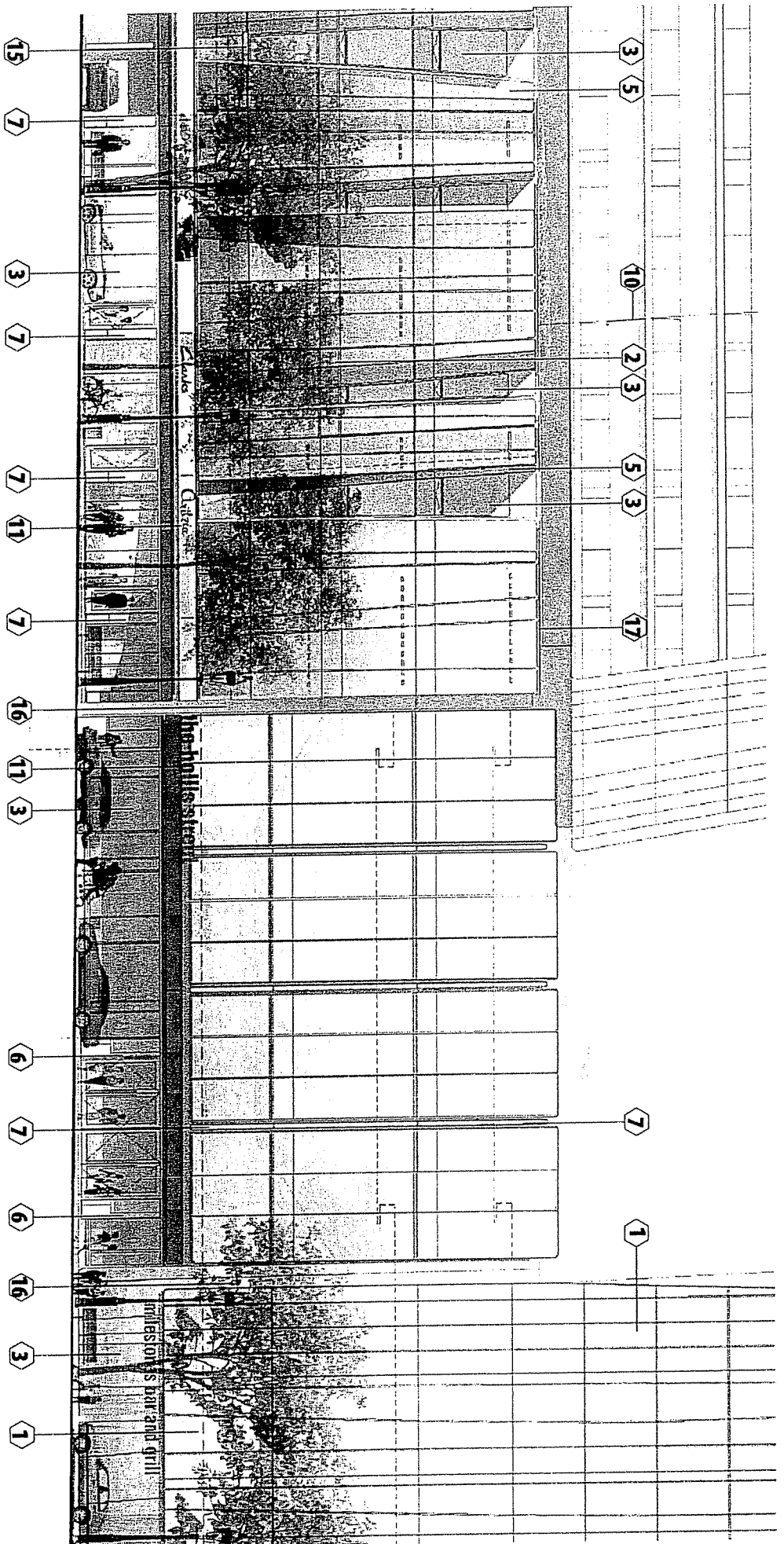
United Gulf Developments Ltd.

240 Sackville Street
Toronto, Ontario M5T 1A1
Tel: (416) 593-8888

HPA

240 Sackville Street, 7th Floor
Toronto, Ontario M5T 1A1
Tel: (416) 593-8888

PODIUM ELEVATION FROM GRANVILLE STREET



LEGEND

- 1- CURTAIN WALL - CLEAR VISION PANEL.
- 2- SPANDREL GLASS
- 3- BRONZE FRAMED VISION GLASS
- 4- TEMPERED GLASS GUARD
- 5- STONE CLADDING
- 6- STONE PIER
- 7- STONE FINIS
- 8- STONE SILL
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- 17- COPPER PARAPET

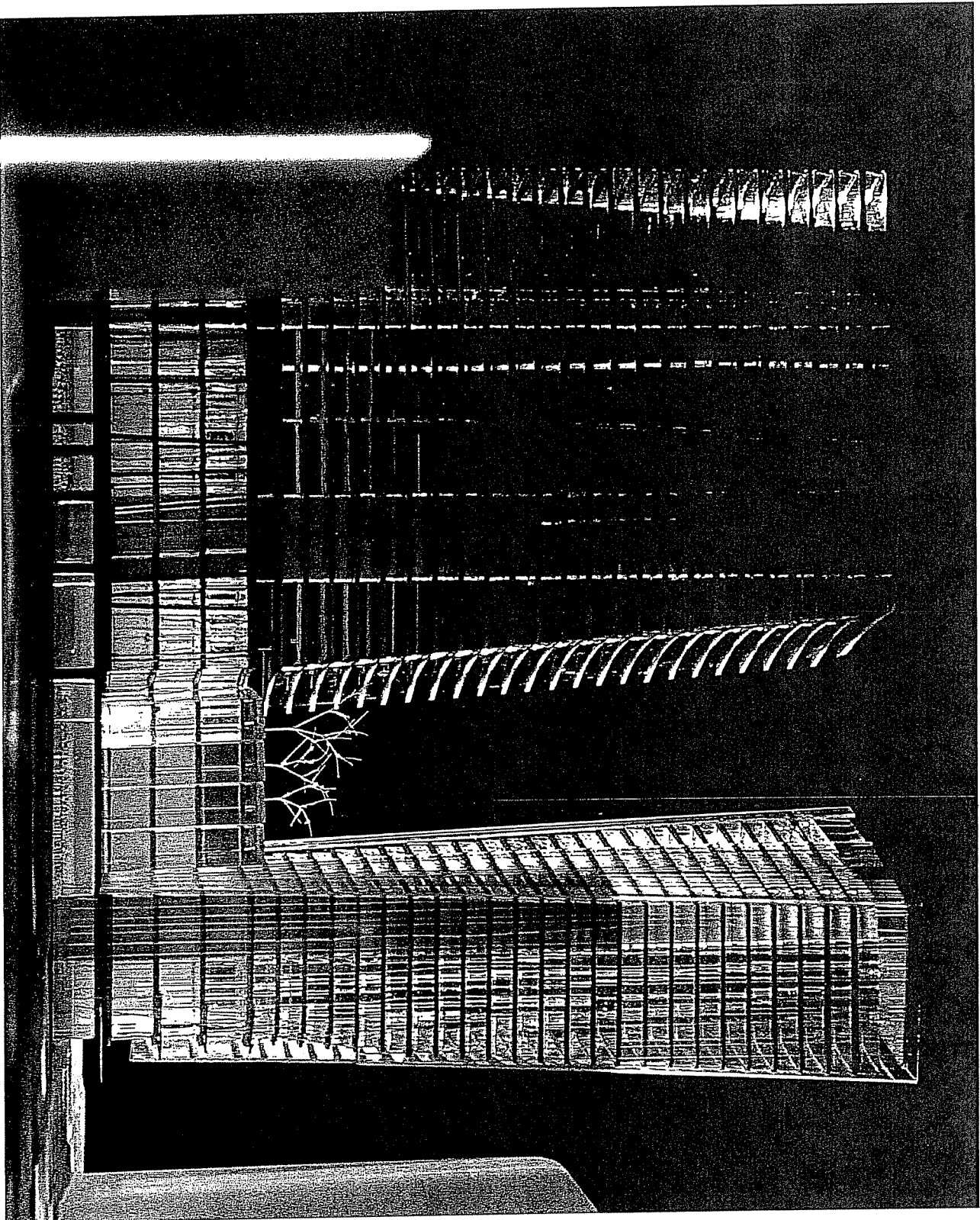
United Gulf Developments Ltd.

2nd Avenue, 15th Floor
 P.O. Box 12345
 Dubai, United Arab Emirates

HPA

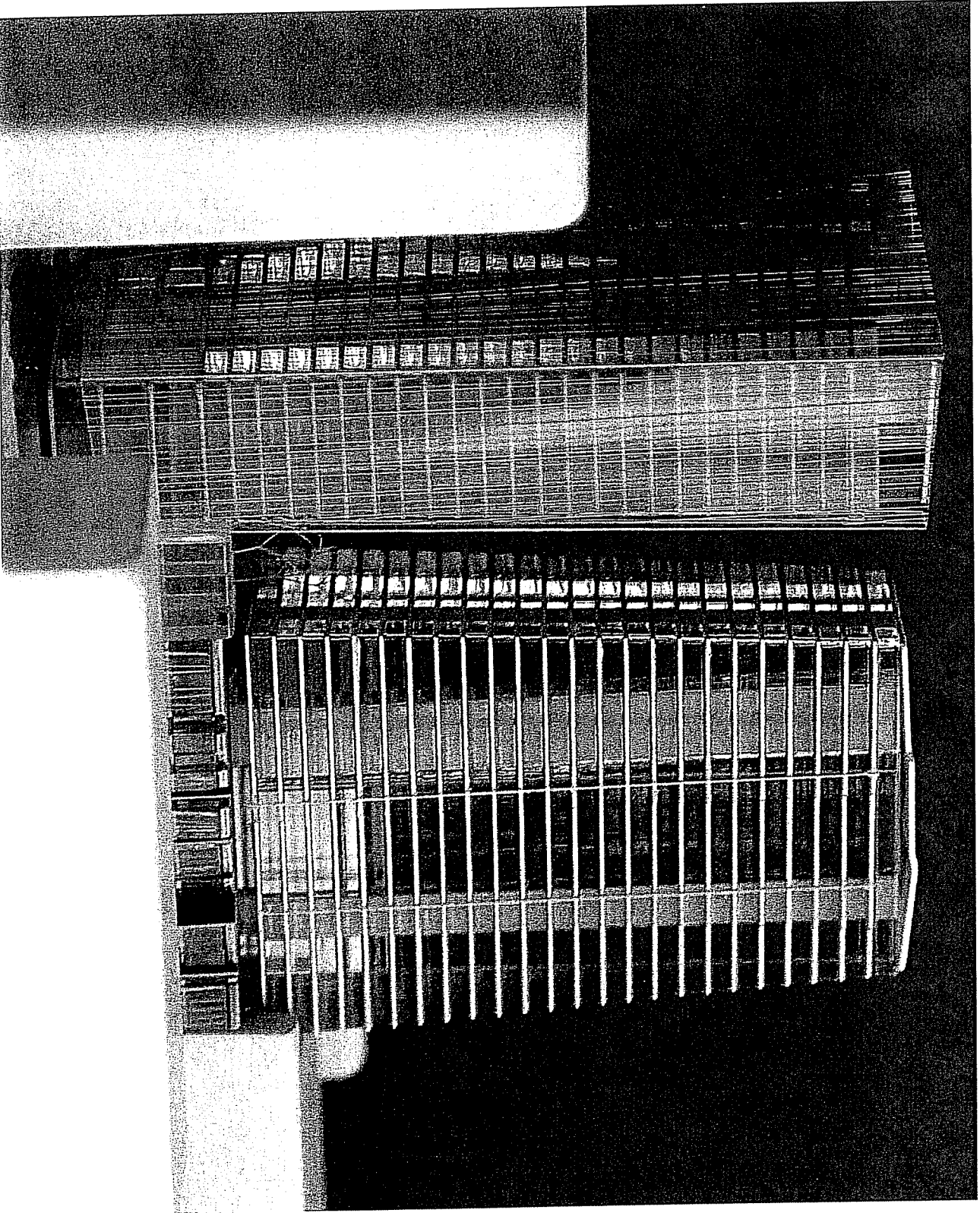
218 Damour Street, 14th Floor
 P.O. Box 12345
 Dubai, United Arab Emirates

PODIUM DETAIL FROM HOLLIS STREET



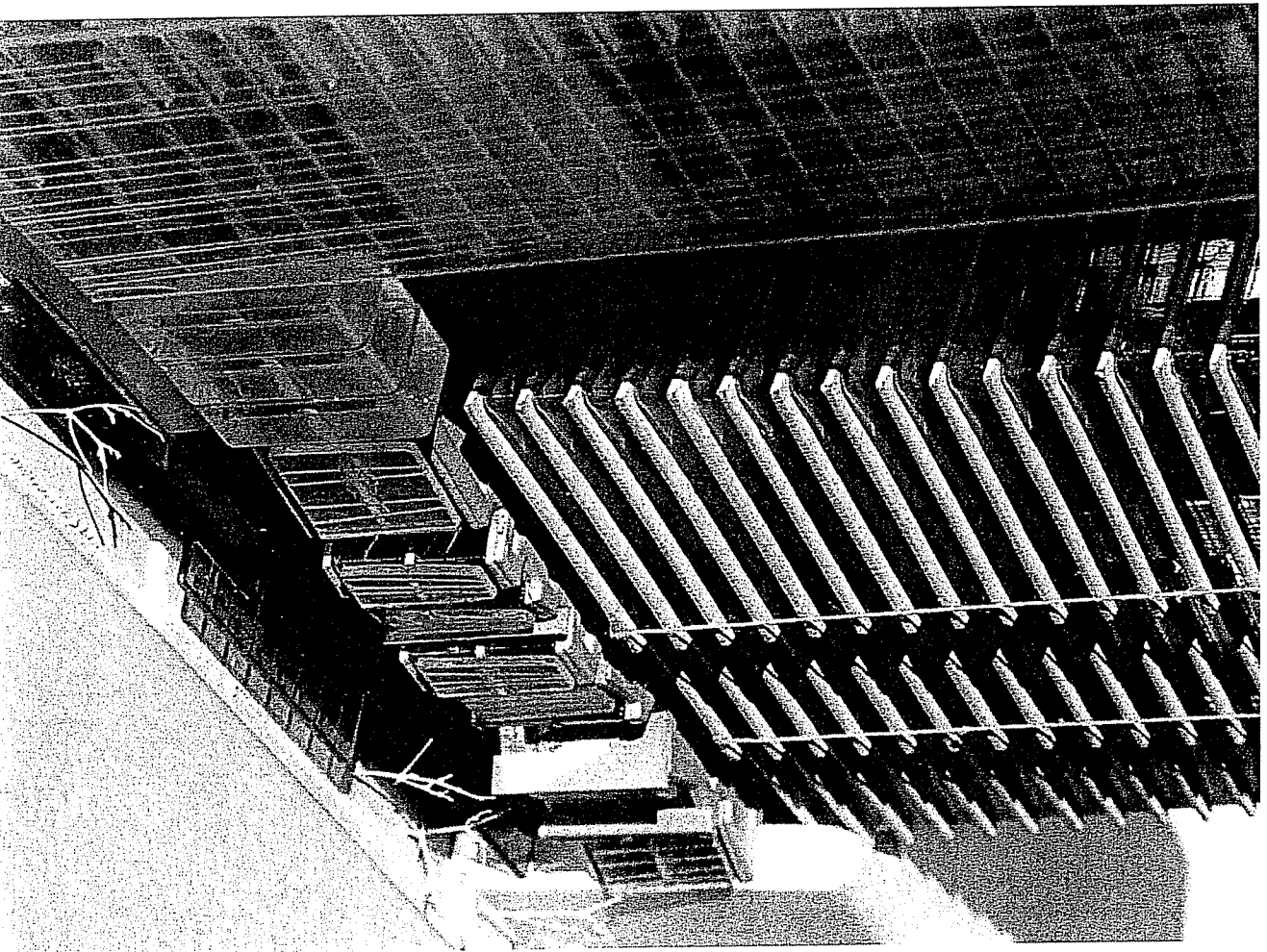
View of Model from Hollis Street (East Side)

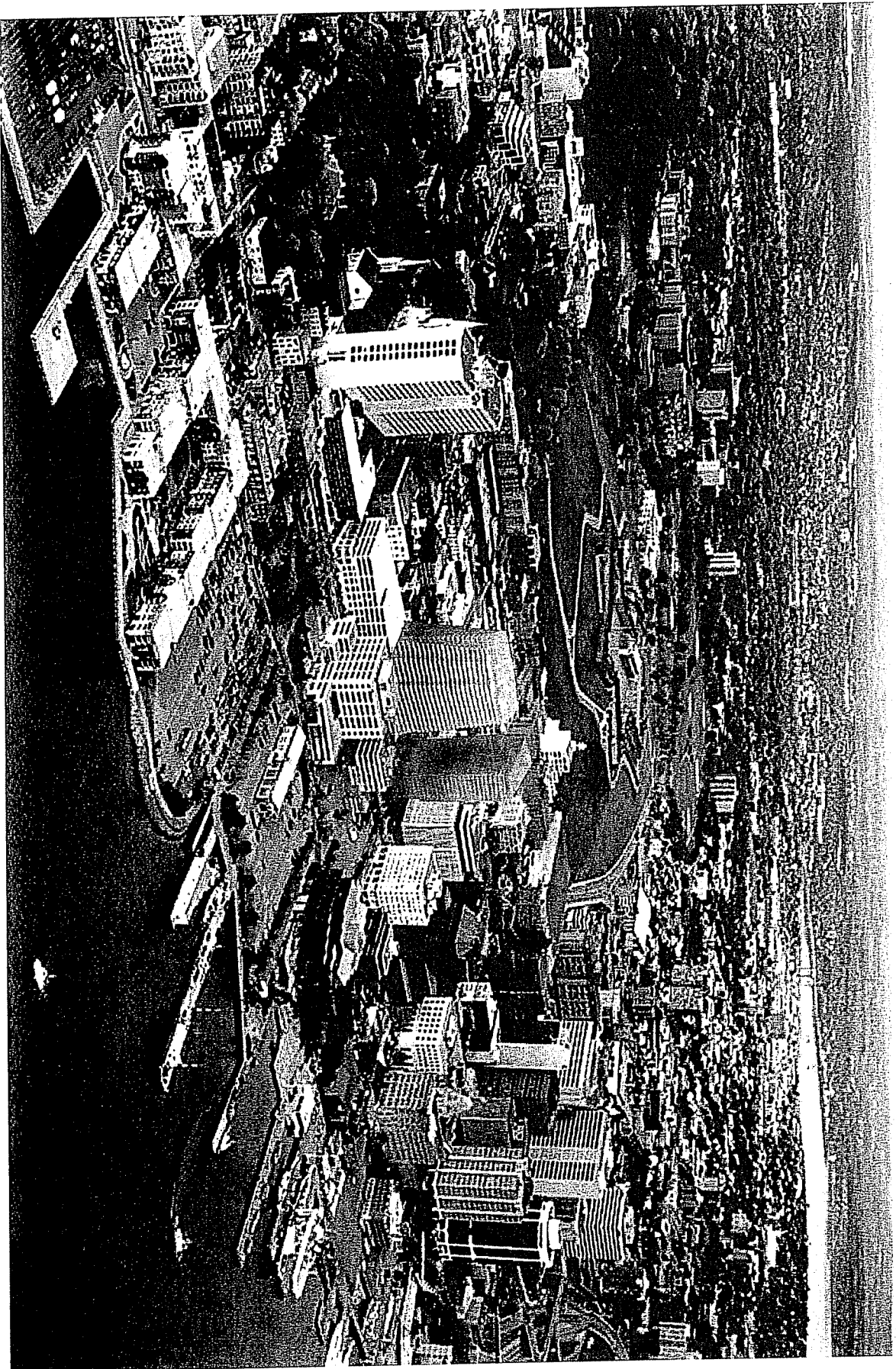
View of Model from Sackville Street (West Side)



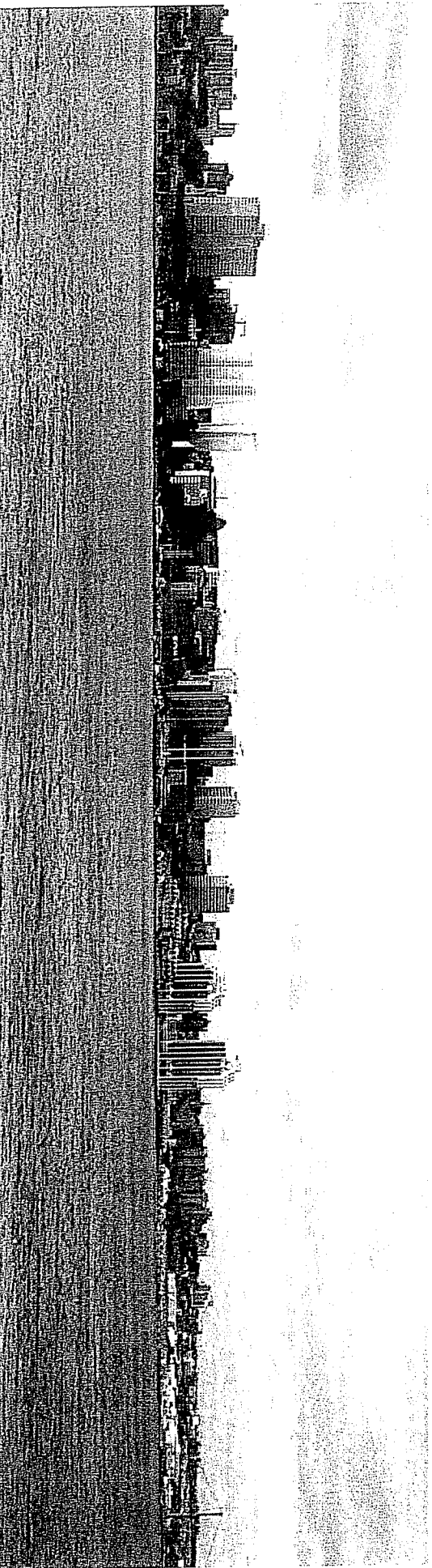
Attachment E2

Attachment E3
Podium Façade Detail from Granville Street



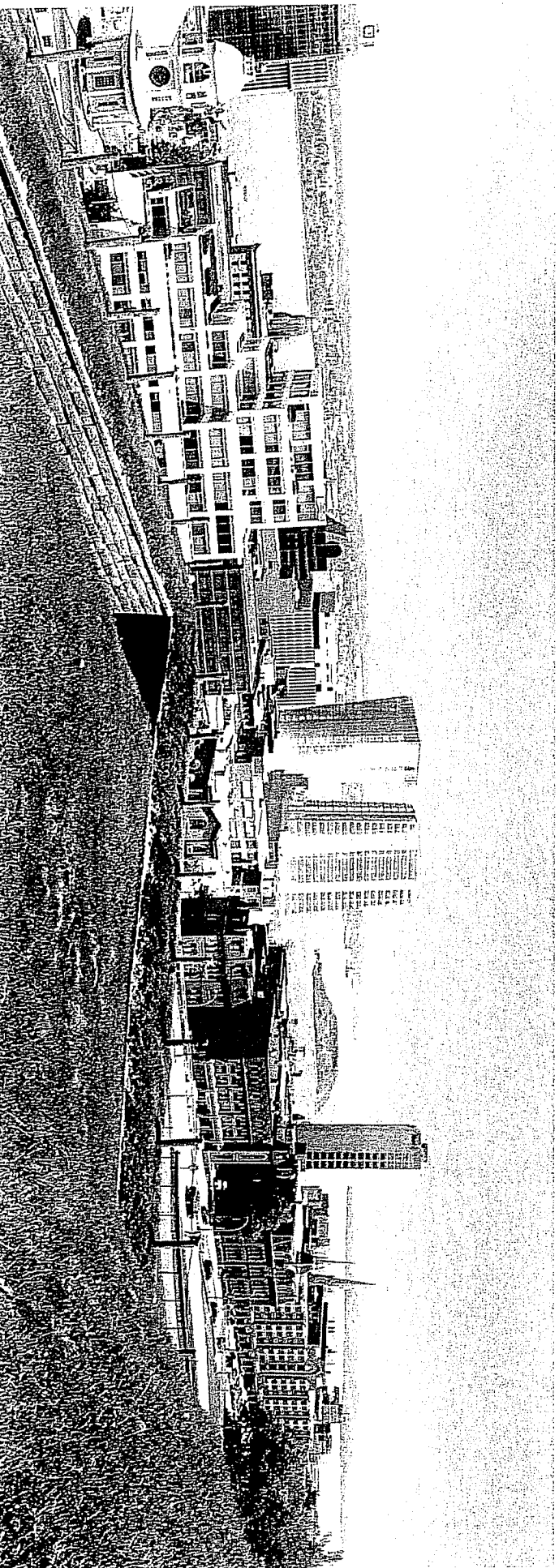


Aerial View of the Building



View of the Building from Dartmouth

Attachment E5



View of the Building and George's Island from Viewpoint 'R' inside the Citadel

Attachment E6



View of the Building from the Platform at the Citadel Entrance

Attachment E7